

Public Agenda Pack



Notice of Meeting of

SCRUTINY COMMITTEE - CHILDRENS AND FAMILIES

Wednesday, 12 July 2023 at 10.00 am

Luttrell Room - County Hall, Taunton TA1 4DY

To: The members of the Scrutiny Committee - Childrens and Families

Chair:	Councillor Leigh Redman
Vice-chair:	Councillor Evie Potts-Jones
Councillor Suria Aujla	Councillor Jason Baker
Councillor Simon Carswell	Councillor Peter Clayton
Councillor Caroline Ellis	Councillor Andy Hadley
Councillor John Hunt	Councillor Jenny Kenton
Councillor Martin Lovell	Councillor Frances Nicholson
Councillor Jeny Snell	Ruth Hobbs – co-opted member
The Revd Tobie Osmond – co-opted member	Eileen Tipper – co-opted member

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services on (01823) 357628 or email: democraticservicesteam@somerset.gov.uk

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **5pm on Thursday, 6 July 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Tuesday, 4 July 2023

AGENDA

**Scrutiny Committee - Childrens and Families
10.00 am Wednesday, 12 July 2023**

Public Guidance Notes contained in Agenda Annexe (Pages 7 - 8)

Information on the Committee (Pages 9 - 10)

Click here to join the online meeting (Pages 11 - 12)

1 Apologies for Absence

To receive any apologies for absence.

2 Declarations of Interest

To receive and note any declarations of disclosable pecuniary interests, other registrable interests and non-registrable interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes - [City, Town & Parish Twin Hatters – Somerset Councillors 2023](#))

3 Minutes from the Previous Meeting held on 4 May 2023 (Pages 13 - 18)

To approve the minutes from the previous meeting.

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

5 Scrutiny Committee - Children and Families Work Programme (Pages 19 - 30)

To receive an update from the Service Manager. To assist the discussion, the following documents are attached:-

- (a) The Committee's work programme
- (b) The Committee's outcome tracker

Please use the following link to view the latest Executive Forward Plan of planned key decisions that have been published on the Council's website - [Executive Forward Plan](#)

6 22/23 Budget outturn position and 23/24 Emerging issues (Pages 31 - 38)

To consider PowerPoint presentation.

This item will be led by the Council's Executive Director of Children, Families and Education Claire Winter and Strategic Manager, Finance, Sian Kenny.

Note – the Chair will allow 20 minutes for this agenda item.

7 Academisation Finance Policy and Procedure (Pages 39 - 50)

To consider Report.

This item will be led by the Council's Service Director, Education, Partnerships and Skills, Amelia Walker.

Note – the Chair will allow 15 minutes for this agenda item.

8 Update on Homes & Horizons Partnership (Pages 51 - 64)

To consider PowerPoint presentation.

This item will be led by the Council's Strategic Manager, Daniel Moncrieff.

Note – the Chair will allow 20 minutes for this agenda item.

For information – [link to article on national award for groundbreaking children's home partnership](#)

9 Children's Mental Health and Wellbeing in Somerset (To Follow)

To consider PowerPoint presentation.

The item will be led by the Council's Strategic Manager Principal Educational Psychologist, Dr Tim Cockerill together with colleagues from Public Health, Children's Services and the NHS.

The presentation will include an update on the Trauma Informed Somerset practice model and implementation.

Note – the Chair will allow 40 minutes for this agenda item.

10 Somerset Youth Justice Partnership Board Plan 2023 - 2024 (To Follow)

To consider Report.

The item will be led by the Council's Executive Director of Children, Families and Education Claire Winter and the Operations Manager, Somerset Youth Justice Team / Prevention Services, Helen MacDonald.

Note – the Chair will allow 25 minutes for this agenda item.

11 Home to School Transport Task and Finish Group - interim update (Verbal Report)

To receive interim update.

Note – the Chair will allow 10 minutes for this agenda item.

12 Items for Information - Standing Item

This is a standing agenda item and will provide details of information sent to Committee members in between meetings, that cover the Committee's policy areas.

- (a) Centre for Governance and Scrutiny (CfGS) publication – [Scrutiny of Children's Services – a short guide](#)
- (b) [Homes and Horizons partnership](#)
- (c) Progress update on Ofsted Action Plan; 'Life story work'
- (d) Children's Services – current structure chart

If Committee members have any questions or comments on the information, please contact the Committee Administrator on democraticservicesteam@somerset.gov.uk in the first instance and before the date of the meeting.

Guidance notes for the meeting

Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

Exclusion of Press & Public

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

Recording of meetings

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Information about the Committee

This Scrutiny Committee covers the full range of functions covered by the Lead Member for Children and Families. The key focus of the Committee is to assist the Lead Member, the Executive, the Council and its partners to improve the life chances of all children in Somerset through effective and joined up approaches to the delivery of services.

The membership of the Committee includes 2 co-opted church representatives, 2 co-opted parent governor representatives, 2 school governor representatives and 1 representative from the Schools Forum. These co-opted members have voting rights on education matters.

The Committee has a useful 'glossary of terms' document, and this can be found on the website on the following link – [Glossary of Terms](#)

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Children and Families Scrutiny Committee – 12 July 2023

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Minutes of a Meeting of the Scrutiny Committee - Childrens and Families held in the Luttrell Room - County Hall, Taunton TA1 4DY, on Thursday, 4 May 2023 at 10.00 am

Present:

Cllr Leigh Redman (Chair)

Cllr Peter Clayton

Cllr Andy Hadley

Cllr Martin Lovell

Cllr Evie Potts-Jones

Ruth Hobbs – co-opted member

Cllr Andy Dingwall (substitute for Cllr S Aujla)

Cllr John Hunt

Cllr Frances Nicholson

Cllr Jeny Snell

The Revd. Tobie Osmond – co-opted member (attended virtually)

Other Members present:

Cllr Jo Roundell Greene

Cllr Christine Lawrence

Other Members present virtually:

Cllr Andy Kendall

Cllr Heather Shearer

Cllr Tessa Munt

1 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr Suria Aujla (substituted by Cllr Andy Dingwall), Cllr Oliver Patrick (Vice Chair), Cllr Simon Carswell and Cllr Jason Baker.

2 Declarations of Interest - Agenda Item 2

There were no further declarations of interest made at the meeting.

3 Minutes of former SCC Scrutiny for Policies, Children & Families Committee held on 6 March 2023 - Agenda Item 3

The minutes of the former SCC Scrutiny for Policies, Children and Families Committee meeting held on 6 March 2023 were approved as a true and accurate record.

4 Public Question Time - Agenda Item 4

There were no questions asked, statements made or petitions presented.

5 Scrutiny Committee - Children and Families Work Programme - Agenda Item

The Chair asked the Committee to refer to the Committee's work programme, outcome tracker, summary meeting overview of the former Committee in 2022/23 and the Executive's Forward Plan. He advised that members are the 'eyes and ears' of this committee and invited members to suggest items for the work programme. He explained that the outcome tracker is a useful way of keeping track of any queries that come from committee meetings.

The following comments and questions were received and discussed: -

- Do we have any updates on the two workshops to be scheduled? *The Chair advised that the committee would be meeting 6 times a year, and that there would certainly be additional meetings and workshops during the year. The dates of these are to be confirmed.*

6 LA Maintained Schools Core Offer - update / response from last meeting and 2023/24 budgets - Agenda Item 6

The Chair introduced Amelia Walker, Service Director Education, Partnerships and Skills, to present the LA Maintained Schools Core offer. Amelia Walker talked members through a presentation explaining the context and background to the Core Offer, implemented on 1st April 2023 and gave an overview of the current position, concerns and considerations regarding school budgets and how this authority would be helping schools be more financially resilient. She advised that Somerset Council would be focused on improving service standards and working closely with headteachers in the coming term.

Members were asked to consider the report and the new Core Offer Booklet, and the following questions and comments were received and discussed:

- Are the majority of schools content with the Core Offer going forward? *The Service Director advised that in her opinion the schools that have remained within this local authority do appear to be content with the offer, adding that this authority is fully supportive of any schools that have chosen to academize, or been forced to academize under a direct Academy Order. There is a backlog of schools currently going through the academization process, but the team are working with the Department and Education and the Diocese to resolve this and embed efficiencies to improve forward work*

planning.

- The Chair asked members to consider taking up School Governor positions and that signposting, and support can be provided for members to do this.
- Regarding KPI's and sign-ups for year 2 of the Core Offer - when will those be signed off, and when will this authority review those KPI's? *The Service Director advised that the team are having ongoing conversations to ensure that the second year Core Offer is ready to be agreed by January 2024.*
- What is the risk that not all schools will sign up to this Core Offer? *The Service Director reassured members that the risk is very low on this.*
- Regarding delayed sign-off of budgets in our schools this year, how much of an impact has this had on the sign ups to the Core Offer? *This is part of a wider issue on the National Funding Formula, and more work is being done on financial support (budget recovery) and communication with schools facing budgetary difficulties.*
- Relationship Managers appear to be very effective in their roles. But is 4 enough? *The Service Director explained the role and function of the Relationship Managers, adding that these people are connectors who ensure that issues and concerns are addressed quickly. So far feedback on these 4 new posts has been very good.*
- How is the forced academization in under-performing schools managed? Is there a risk that some schools will not be accepted into an existing Trust? *The Service Director acknowledged that there have been problems with some under performing schools not being accepted into Trusts. There are financial incentives for Trusts to take under performing schools which has helped, but it is a difficult situation that is being monitored closely.*
- Is there a possibility that any schools with surplus budgets can share these out with school that have budget deficits? *The Service Director advised members that whilst it is against the law for the authority to provide any extra funding to struggling schools, the authority is permitted to have a clawback scheme in place for balances above a certain level, but that this is very controversial and has not taken place in Somerset.*

In conclusion, the Chair thanked Amelia Walker for attending and thanked all members of the Committee for their robust questioning and in-depth discussion. It was agreed that an update be brought back to the Committee in 6 months.

7 Proposed Steering Group (Task Group) on education standards - Agenda Item 7

Amelia Walker, Service Director, Education, Partnerships and Skills presented agenda item 7 and began with an apology for an error in the published draft document and clarified that the proposal was for a sub-group on education standards.

The sub group will focus on performance data for all schools in Somerset, which is a very complex picture and for this reason, a 'non-public' informal sub-committee approach had been recommended.

The following comments and questions were received and discussed:

- Interest in the work by the Institute for Government mentioned.
- Membership – will be 3 – 5 members and will seek volunteers and expressions of interest (will be open to all members)
- Ruth Hobbs advised that she would be a member of the sub group, representing the Somerset Parent Carer Forum.

The Committee supported the proposal for a sub group on education standards.

8 SEND Strategy and the Accelerated Progress Plan (APP) - Agenda Item 8

The Chair welcomed the Assistant Director Inclusion, Dr Rob Hart and invited the Executive Lead Member for Children and Families, Cllr Tessa Munt to introduce the item.

Cllr Munt explained that the SEND Strategy sets out the priorities and programme for the next 3 years, and that the APP has been developed as a response to areas of weakness outlined in the 2022 Ofsted inspection reports. She added that there has been a lot of engagement to develop this strategy, including a peer review and joint strategic needs assessments among others.

The Assistant Director, Inclusion Dr Rob Hart then introduced Andrew Keefe, Deputy Director for Commissioning, Integrated Care Board, NHS, and took members through a detailed presentation (published within the agenda).

The following comments and questioned were received and discussed with members:

- It would be useful to have a crib sheet, for the benefit of anyone reading who in not familiar with all of the acronyms contained within the documents.
- Regarding performance monitoring and accountability, how is this going to be done? - *Dr Hart advised that a performance dashboard was currently in development, and this would be reported back to members frequently.*
- How does the SEND strategy fit within the Somerset Autism strategy currently in development? *Mr Keefe, advised that although there are elements of this strategy that align with the Autism strategy, there are some differences as well.*
- What age are children when they start getting help with special educational

needs? - *Dr Hart assured members that the SEND strategy covers birth to 25years and that schools and early years settings are a crucial part of early intervention and support for children with special educational needs.*

In conclusion, the Chair thanked the officers for the presentation and for attending the meeting. The Committee noted the update and agreed that an update be brought back to the Committee in 6 months.

9 Reforms in children's social care - draft consultation response - Agenda Item 9

The Chair welcomed Paul Shallcross, Assistant Director Community and Strategy and Jayne Shelbourn-Barrow, Assistant Director of Childrens Services, and informed the committee that Mr Shallcross would be leaving Somerset Council very soon. The Chair thanked him for all the excellent work he has done for the authority and wished him the best for the future.

Paul Shallcross talked members through the presentation (published within the agenda) and invited the Committee to give their views on the proposed draft consultation response to the strategy and consultation.

The follows comments and questions were received and discussed with members:

- The Chair fully supported the recommendations around data sharing and felt that this was crucial to breaking down the barriers in supporting young people at the earliest opportunities.
- The committee supported the proposed response, and that Somerset is involved at every level doing everything it can (Pathfinder areas), and also to highlight good work being done, including the foster care and recruitment campaign.

It was agreed that the response will be shared with the Committee, for information.

10 Task and Finish Group - sufficiency of external placements - initial response from Executive - Agenda Item 10

The Chair welcomed Cllr Tessa Munt, Executive Lead member for Childrens Services who thanked members of the Task and Finish group for their recommendations and reassured members that it had been seen by the Executive. Cllr Munt then asked Claire Winter, Director Childrens Services to give a verbal update to the Scrutiny, Children and Families Committee on the next steps following the recommendations of the Task and Finish Group, as follows: -

- Somerset Council is currently working with the Shaw Trust on the Homes and Horizons project to create additional placements for children with complex

needs.

- Somerset Council has started to recruit more foster carers and is working hard on sustainability of foster carers.
- Regarding children with complex needs in unregistered provision, these are a high priority for the Homes and Horizons project.
- Regarding buying block contract places to increase capacity, there are some complexities and challenges around this, particularly regarding voids, but it is being considered in some cases.
- In terms of the language points, these are being considered.
- In terms of lobbying government, this was certainly national issue.

The Chair sought clarity on next steps for the Task and Finish group and Jamie Jackson, Governance Manager, Scrutiny advised that a full written response to the Scrutiny, Children and Families Committee would need to be reviewed.

11 Task and Finish Group - home to school transport - Agenda Item 11

The Committee received a verbal update from Dr R Hart, Assistant Director Inclusion on the Task and Finish Group.

Dr Hart advised that Edge Public Solutions were appointed to undertake a review of the Council's home to school transport operations. This has been led by Richard Hall (Director, Edge) and as part of the review, met with members of the Scrutiny Committee task and finish group. He has now prepared a final report and presentation which has been shared with officers for comment. A further meeting with the task and finish group will be held to hear and discuss the report and conclusions. Officers and lead members will meet to agree actions in response to the report recommendations and take any proposals back to the task and finish group in the summer.

The Chair asked that the report to be shared with members at earliest opportunity and for an update to the next meeting of the Committee.

12 Items for Information - Standing Item - Agenda Item 12

The Committee noted the following items for information: -

- (a) Information on Children and Families Board – circulated on 3 May 2023.
- (b) Information on the 'Education for Life' event – circulated on 28 March 2023.

(The meeting ended at 12.48 pm)

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CHAIR

Scrutiny Committee - Children and Families Work Plan 2023 - 2024

Overarching themes	Committee meeting dates / proposed agenda items	Lead Officer/Item Lead
Outstanding items from 2022/ 2023		
<ul style="list-style-type: none"> • School Transport policy / Post-16 Travel Policy and the 'Somerset Ticket' • Children missing out on education (numbers, who, reasons) • Evaluation of the West Somerset Opportunity Area • Workshop The disadvantage gap - what we know and options to address, to include health impact of inequalities in education - Public Health, SEND, social workers, case studies, wider health organisations, FSM and pupil premium data • Possible workshop with Adults & Health Scrutiny Self-harm / mental health issues • Possible workshop with Adults & Health Scrutiny Transition arrangements – preparing for adulthood 		
Items to be scheduled 2023/24		
<ul style="list-style-type: none"> • Household Support Fund / schools (added 15/05/23) (is a Key Decision 23/05/23) • Possible workshop with Adults & Health Scrutiny Children & Young People's access to Dentistry / child oral health improvement (added 04/05/23) will be discussed initially at Scrutiny Chairs mtg Oral health survey of 5 year old children 2022 published March '23 • Early Years places – how is Somerset placed to meet the need and ensure all who qualify have access (added 27/06/23) • EHCP process (added 27/06/23) • Elective home education numbers (added 27/06/23) • Pupil referral unit – provision / capacity (added 27/06/23) 		
Thursday 4 May 2023 @ 10am		
Education Partnerships & Skills	LA Maintained Schools Core Offer – update / response from last meeting and 2023/24 budgets	Amelia Walker
Education Partnerships & Skills	Terms of reference of the proposed Task Group on education standards	Amelia Walker
Inclusion	SEND Strategy and the Accelerated Progress Plan (APP)	Dr Rob Hart and Deputy Director for Commissioning, NHS Somerset, Andrew Keefe
Social Care	Reforms in children's social care – draft consultation response	AD Community & Strategy, Paul Shallcross
	Task and Finish Group – sufficiency of external placements – initial response from Executive	Cllr Munt / Claire Winter

The focus for the Committee is – what impact does this have on the children in Somerset?

Scrutiny Committee - Children and Families Work Plan 2023 - 2024

Overarching themes	Committee meeting dates / proposed agenda items	Lead Officer/Item Lead
	Task and Finish Group – home to school transport – verbal update	Dr Rob Hart
	Items for Information – Standing Item (a) Information on Children and Families Board (b) Feedback on the ' Education for Life ' launch event	
Wednesday 12 July 2023 @ 10am		
Cross cutting	Budget outturn position 22/23 and issues 23/24 - overview <i>10-minute presentation; 10 minute Q&A</i>	Executive Director of Children, Families and Education Claire Winter and Strategic Manager, Finance, Sian Kenny
Education Partnerships & Skills	Academisation / Education Finance <i>5-minute presentation; 10 minute Q&A</i>	Service Director - Education Partnerships and Skills Amelia Walker
Commissioning	Update on Homes & Horizons Partnership <i>10 minute presentation; 10 minute Q&A</i>	Strategic Manager, Daniel Moncrieff
Cross cutting	Children's Mental Health and Wellbeing in Somerset (added 23/05/23) Including an update on Trauma Informed Somerset practice model and implementation. <i>20 minute presentation; 20 minute Q&A</i>	Dr Tim Cockerill, Patsy Temple, Mark Conway, Patrick Worthington, Nik Harwood and Lisa Walker
	Home to School Transport Task and Finish Group – interim update <i>5-minute presentation; 5 minute Q&A</i>	Executive member / Service Director – Inclusion, Dr Rob Hart
	Somerset Youth Justice Partnership Board Annual Plan (added 22/06/23) <i>10-minute presentation; 15 minute Q&A</i>	Executive Director of Children, Families and Education Claire Winter, Helen MacDonald, Operations Manager and Chair of Board
	Items for Information – Standing Item	

The focus for the Committee is – what impact does this have on the children in Somerset?

Scrutiny Committee - Children and Families Work Plan 2023 - 2024

Overarching themes	Committee meeting dates / proposed agenda items	Lead Officer/Item Lead
	(a) Centre for Governance and Scrutiny (CfGS) publication – Scrutiny of Children’s Services – a short guide (b) Homes and Horizons partnership (c) Progress update on Ofsted Action Plan; ‘Life story work’ (d) Children’s Services – current structure chart	Cathy Jones, Strategic Manager
Commissioning	Communities Scrutiny Committee – 9 August 23 @ 10am Members of the Children & Families Scrutiny Committee will be invited to attend this meeting for the following agenda item:- Recommissioning of 16+ housing / supported accommodation <i>(initially added to work plan on 17/05/23)</i>	Service Director Commissioning and Performance, Richard Selwyn
Wednesday 13 September 2023 @ 10am		
Education Partnerships & Skills	Education Data	Service Director - Education Partnerships and Skills Amelia Walker
	Update on Children’s Transformation Programme	Executive Director of Children, Families and Education Claire Winter
Education Partnerships & Skills	Frome Model – next steps	Service Director - Education Partnerships and Skills Amelia Walker and Strategic Manager, Phil Curd
	Evaluation of the West Somerset Opportunity Area – information item <i>Outstanding item from 22/23</i>	Julia Ridge
15 November 2023 @ 10 am		

Scrutiny Committee - Children and Families Work Plan 2023 - 2024

Overarching themes	Committee meeting dates / proposed agenda items	Lead Officer/Item Lead
Education Partnerships & Skills	LA maintained schools core offer – update	Service Director - Education Partnerships and Skills Amelia Walker
Inclusion	Progress update on SEND Strategy / Accelerated Progress Plan (APP)	Service Director - Inclusion Dr Rob Hart and Deputy Director for Commissioning, NHS Somerset, Andrew Keefe
Education Partnerships & Skills	Education Finance paper – consultation Provisional – or at additional meeting in October	Service Director - Education Partnerships and Skills Amelia Walker

Future meeting dates

- Wednesday 10 January 2024 @ 10am
- Wednesday 13 March 2024 @ 10am
- Wednesday 15 May 2024 @ 10am

Scrutiny Committee - Children and Families Work Plan 2023 - 2024

Universal Education

- Pupil place planning
- Disadvantage gap
- Academisation
- LA maintained capacity and support

SEND and Inclusion

- Attendance
- Accelerated Progress Plan (Joint Local Area SEND Inspection)
- SEND & Alternative Provision
- SEND Strategy

Social Care and Commissioning

- Family safeguarding
- Early Help
- Placement sufficiency
- Strategic partnership
- The Care Review

Cross-cutting items:

- Long-term financial planning that improves outcomes for children (MTP)
- Involving young people and the community in scrutiny
- Mental health and emotional wellbeing (with health partners)
- Medium Term Financial Plan (MTFP) – Children & Families Budgets

Note: Members of the Scrutiny Committee and all other Members of Somerset County Council are invited to contribute items for inclusion in the work programme. Please contact Democratic Services (01823) 357628 & democraticservicesteam@somerset.gov.uk who will assist you in submitting your item.

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Scrutiny Committee - Children & Families Outcome Tracker 2023 - 24

Agenda items	Lead / Owner	Agreed Outcome	RAG Status
3 October 2022			
Home to School Transport	Phil Curd John Perrett	<p>(a) noted the update and current position and proposed next steps and development</p> <p>(b) agreed to add school transport to the Committee's work plan for refreshed Council policy (to reflect statutory guidance and possible discretionary changes</p> <p>(c) agreed that the Chair and Vice Chair to discuss further a possible Task and Finish Group for SEND transport, to include provision for pre and post school club attendance, for example</p>	<p>To be scheduled</p> <p>To be resumed after external review T&F agreed @ November '22 mtg</p>
16 January 2023			
Scrutiny update on Ofsted Action Plan	Paul Shallcross	<p>PowerPoint presentation on the Ofsted Action Plan and progress made.</p> <p>Covered the two named areas for improvement, which are – placement sufficiency (which is also a national issue) and which is being considered by the Committee's Task and Finish Group; the take-up of return to home interviews and which is also being considered as a separate agenda item at the meeting; and other key areas of focus, such as the early help demand management work and strategy discussions and audit work. AGREED that the Life Story Work, which is taking place for the majority of children looked after, and data around that, will be an agenda item at a future meeting.</p>	<p>Completed</p> <p>Update to June / July '23 mtg Information item</p>
Adverse Childhood Experiences (ACE's) - Trauma Informed Somerset practice model and implementation	Vikki Hearn	<p>Workshop item</p> <p>Trauma Informed Charter being developed – to be shared.</p> <p>Coordinator position being recruited to pull together training resources and training plan for the next two years and to be linked with the development and progression of the Children and Young People's Mental Health Transformation Plan</p> <p>Progress update in 6 months'</p>	<p>Completed</p> <p>Update to July '23 mtg Will form part of children's mental health & wellbeing item</p>

The focus for the Committee is – 'what impact does this have on the children in Somerset'?

Scrutiny Committee - Children & Families Outcome Tracker 2023 - 24

6 March 2023			
Joint Local Area SEND Inspection Outcomes and update on SEND Green Paper	Claire Merchant-Jones	Received a report and PowerPoint presentation from the Council's Head of SEND, Claire Merchant-Jones on the recent Joint Local Area SEND Inspection outcomes. The revisit inspection took place between 28 November and 1 December 2022 and the Committee received a copy of the revisit inspection report; also received update on the response to the SEND Green Paper, published on 2 March 2023 . This sets out plans to change the special educational needs and disabilities (SEND) and alternative provision system in England.	Completed
		It was AGREED that the Committee receive an update on the new Inspection Framework and the APP in 4 months. The Committee has previously agreed that the SEND Strategy will be come to Scrutiny.	Update to May '23 mtg
		The Committee additionally commented that a flow chart would be helpful, showing the reporting mechanism for the Children & Families Board, its terms of reference and membership and how the views of children and young people are represented on the Integrated Care Board.	Item for information at May '23 mtg
Education for Life Strategy	Amelia Walker	Received a presentation from the Council's Assistant Director Education Partnerships and Skills, Amelia Walker on an Education for Life Strategy for Somerset 2023 – 2028.	Completed
		Asked to see proposed terms of reference of the Task Group on education standards. Asked for details of the launch event on 21 March 2023.	Update to May '23 mtg
Core Offer - update	Amelia Walker	Received presentation, outlining background to the proposals and changes made following extensive reflection and feedback.	Completed
		<p>The Committee requested that this revised offer goes back to the Executive at the first opportunity to allow them to review the changes.</p> <p>The Committee further recognises the value of the Core Offer for schools and endorses the goals and intended outcomes of implementing the Core Offer whilst recognising the dilemma that has been caused by funding reductions to local authority budgets and inflationary pressures. The Committee highlights its ongoing concerns about how the transition will be funded, for both sides, and the potential funding gap.</p> <p>The Committee requested that a response comes back to the next meeting in May 2023.</p>	Update to May '23 mtg

The focus for the Committee is – 'what impact does this have on the children in Somerset'?

Scrutiny Committee - Children & Families Outcome Tracker 2023 - 24

Update on Task & Finish Groups		<p><u>Sufficiency of external placements</u></p> <p>The Committee considered the report which outlined the findings of the Task and Finish Group and supported the recommendations to the Executive member for Children and Families.</p> <p><u>Home to School Transport</u></p> <p>The Transport Review (Home to School & SEND) will be complete by April and include the Task and Finish Group in deliberations. Richard Hall, who is undertaking the transport review will meet the Task and Finish group to discuss this and a meeting is being organised.</p>	<p>Completed</p> <p>Feedback on both to May '23 mtg</p>
Information items		NOTED	
4 May 2023			
LA Maintained Schools Core Offer	Amelia Walker	<p>Received an Update on LA maintained school core offer, response from last meeting and 2023/24 budgets</p> <p>Went live on 1 April 2023.</p> <p>There is wider concern of position of school finances – have established 4 working parties, made up of school leaders, council leaders, to analyse budgets, understand wider picture / benchmarking information.</p> <p>Outlined focus of work for coming term.</p> <p>Discussed – governors, KPI's, next year's process, academisation, information on the four Relationship Managers, pressures on schools / budgets.</p> <p>The Committee noted the update and the new core offer information booklet</p> <p>Agreed would receive update in 6 months.</p>	<p>Completed</p> <p>Further update in 6 months' time (Nov '23 mtg)</p>
Sub group on education standards	Amelia Walker	<p>Discussed the proposed (sub group) task group on education standards</p> <p>Proposal for a sub group on education standards – not public meeting, focus on performance data and to report back to this Committee, in relation to strengths, trends and areas of concern. Also proposing to create an independent, complaints panel made up of governors from across the county (Stage 3).</p> <p>Membership 3 – 5 members, will be chaired by the Vice Chair – will seek volunteers and expressions of interest (will be open to all members).</p> <p>Interest in this work by the Institute for Government mentioned.</p> <p>The Committee supported the proposal.</p>	Completed

The focus for the Committee is – 'what impact does this have on the children in Somerset'?

**Scrutiny Committee - Children & Families Outcome Tracker
2023 - 24**

SEND Strategy	Rob Hart, Andrew Keefe	<p>Received presentation on the Special Educational Needs and Disabilities (SEND) Strategy and update on Accelerated Progress Plan (APP) - developed as a response to the 2 remaining areas of weakness after the 2022 Ofsted and Care Quality Commission (CQC) inspection. These are partnership plans, jointly owned by the Council and the Integrated Care Board (ICB) and developed in partnership with education providers and parent carers and other partners.</p> <p>The new SEND Strategy has been approved by the ICB and the SEND Partnership Board – a 3-year programme for improving SEND services and outcomes. The APP is a 12-month action plan and was submitted to the Department for Education on 21 March 2023 and has now been approved.</p> <p>Noted the Autism Strategy is in development.</p> <p>The Committee noted the update. Will provide 6 monthly progress updates (progress on the 29 'missions')</p>	<p>Completed</p> <p>progress update in 6 months' time (Nov '23 mtg)</p>
Reforms in social care	Paul Shallcross	<p>Presentation on children's social care reforms and draft consultation response discussed. In Feb 2022, government published implementation strategy and consultation, 'Stable homes built on love', backed by £200m of additional investment. The strategy is based on six pillars of reform.</p> <p>Issue around the recruitment and retention of social workers discussed.</p> <p>The committee supported the proposed response, and that Somerset is involved at every level doing everything it can (Pathfinder areas), and also to highlight good work being done, including the foster care and recruitment campaign. The response will be shared with the Committee, for information.</p>	<p>Completed</p>

Scrutiny Committee - Children & Families Outcome Tracker 2023 - 24

Sufficiency of external placements	Lead Member / Claire Winter	<p>Response from Executive to the recommendations of the Task and Finish Group, which were agreed by the Scrutiny Committee at the meeting on 6 March 2023</p> <p>Cllr Munt, lead member thanked the Task and Finish Group for its work and report and advised that the Executive has seen the report and will have a deeper look / spend more time on this and some other matters which relate to education, children and families, in a specific meeting.</p> <p>Ms Winter provided an update on the recommendations - the Homes and Horizons project, part of which is to create both residential and foster homes for children with complex needs; recruitment of foster carers for the complex needs fostering scheme – that scheme is to take up to 20 young people with complex needs who believe could be moved from residential care to fostering; working to develop sufficiency of fostering and residential care for children in Somerset through own provision; still work with independent sector / local providers; placements in unregistered provision & complex needs – highest priority children to move into the Homes and Horizons residential homes as soon as they are open; block contract places issues – being considered and use where appropriate; agree should refer to ‘placement that children are in’; national issues highlighted; workforce issues.</p> <p>Very happy to provide updates to Committee on progress on Homes and Horizons and provision.</p> <p>The formal response from Executive will be received and considered by the Task and Finish Group and a review of the Task & Finish Group outcomes by the Committee should be agreed accordingly by the Committee and the Executive/Lead Member.</p>	Pending
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22/23 Outturn & 23/24 Emerging Issues

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Children & Families Scrutiny Committee
12 July



Somerset
Council

Somerset Council Financial Overview

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2022/23

Outturn
Approx £20m
overspent

2023/24

Budget Monitoring
Emerging issues
£40m overspend

2024/25

MTFP
Forecast Feb 23 £40m
but with inflation it is
likely to be higher

Usable Reserves estimated to be £100m

2022/23 Outturn

General Fund - Children's Services £21.4m overspend

- External placements £15.2m – high cost of 15 children with considerable complex needs in unregistered care at various points during the year and unanticipated pressure in semi-independent placements for 16–17-year-olds.
- Support at home (Fieldwork) £1.3m – 24/7 support packages to families at home. Court delays resulted in extended period of support.
- Children Looked After (CLA) £1.1m – additional costs from court delays; increased reliance on external transport providers (reduction in volunteer drivers), increased transport provider costs, increased complexity of children requiring specialist assistance to accompany them along the route
- Home to School and SEND Transport £3.8m – contractual inflation and increase in children with EHCPs

Service Area	Budget £m	Outturn £m	Outturn Variance £m	A/(F)
Children's Social Care				
Prevention	5.8	5.9	0.1	A
Fostering & Permanence	12.9	12.6	(0.3)	(F)
External Placements	27.4	42.6	15.2	A
Fieldwork	9.1	10.4	1.3	A
Disabilities	3.6	4.0	0.4	A
Partnership, Audit & Quality	2.7	2.5	(0.2)	(F)
Safeguarding	0.0	0.0	0.0	-
Children Looked After	4.5	5.6	1.1	A
Leaving Care	2.1	2.4	0.3	A
Residential Homes	2.4	1.8	(0.6)	(F)
Central	0.6	1.1	0.5	A
sub total	71.1	88.9	17.8	A
Commissioning				
Commissioning Services	11.2	11.2	0.0	-
Supporting Families	(0.4)	(0.4)	0.0	-
Central	0.6	0.6	0.0	-
sub total	11.4	11.4	0.0	-
Education Partnerships and Skills				
School Improvement	0.1	0.1	0.0	-
Education System Development	0.8	0.8	0.0	-
Early Years	0.5	0.5	0.0	-
Schools Statutory	0.0	0.0	0.0	-
sub total	1.4	1.4	0.0	-
Inclusion				
Inclusion Services	5.0	4.8	(0.2)	(F)
Home to School Transport	10.9	12.2	1.3	A
SEND Transport	6.6	9.1	2.5	A
sub total	22.5	26.1	3.6	A
Children's Services Total	106.4	127.8	21.4	A

2023/24 Emerging Issues/Risks – General Fund

	£m
External Placements	4.5
Unachievable Savings	2.7
Education Partnership and Skills	0.7
Total	7.9

External Placements – Current number of children in unregistered places are higher than budgeted which assumed a reduction from 12 in 2022/23 to 5.

Unachievable Savings – impact of the pandemic and cost-of-living crisis on complexity of need; risk on delivering significant changes in in-house fostering; delays in building and placement activities relating to Ofsted regulations; more stable workforce impact on staff turnover savings.

Education Partnerships & Skills (EPS) – assumptions/variables in the new EPS financial model (including turnover factor, core offer buy in/income, academy income, mitigating actions, etc.)

Mitigations:

- Developing new sufficiency strategies for placements and edge of care services to inform the transformation plan for Children Looked After. Transformation will include Homes & Horizons, recommissioning 16+, market development, reducing unregistered placements, and work with Impower consultancy to improve fostering and step-across options for children and young people.
- EPS buy back review, impact of academisation, and re-modelling of the size of the service accordingly

2022/23 Outturn

Dedicated Schools Grant (DSG) £4.3m in year deficit; cumulative £20.7m deficit

- Independent & Non-Maintained Schools (INMS) £2.2m deficit – increases in placements and insufficient maintained specialist provision for pupils with social, emotional and mental health (SEMH) needs
- Children Looked After (CLA) £1.7m deficit – increase in number of placements and contribution from High Needs
- Mainstream Schools £1.1m deficit – increases in number and cost of new and extended EHCPs and related costed packages to support children in mainstream schools (maintained and academies)

DSG Block	Balance b/fwd £m	Reserve movement £m	Revised b/fwd at 1 Apr 22 £m	DSG funding 22/23 £m	Transfers £m	2022/23 Outturn £m	In-year variance £m	Balance c/fwd at 31 Mar 23 £m
Schools	3.7	-	3.7	351.3	(1.0)	351.4	(1.1)	2.7
Central Schools Services	4.9	0.5	5.4	5.6		5.4	0.2	5.6
Early Years	0.6	(0.2)	0.4	29.1		28.6	0.5	0.9
High Needs	(25.4)	(0.5)	(25.9)	75.4	1.0	80.3	(3.9)	(29.8)
Total	(16.2)	(0.2)	(16.4)	461.4	-	465.7	(4.3)	(20.7)

2022/23 Outturn

LA Maintained School Balances

£19.8m surplus balance – 9 of 133 schools in deficit

- 9 schools shared a cumulative deficit position of £1.9m, this represents an in-year deficit of £1.2m to carry forward into 2023/24
- Wadham Secondary School is of considerable concern because it had an accumulated deficit of £1.5m at 31 March 2023 without an agreed recovery plan. The underlying problems have now been addressed by an area restructure, but the historic deficit is too large to be recovered solely by this school. This situation needs to be resolved because there is a risk that the local authority may be required to fund the deficit if the school is required to become an academy.

Type of School	Balance 31 March 2022 £'000	Balance 31 March 2023 £'000	In year movement £'000	Schools in cumulative deficit as at 31 March 2023 Number
Primary schools	16,998	15,575	(1,424)	7 of 121
Secondary schools	478	1,501	1,023	1 of 4
Special schools	1,567	1,227	(340)	1 of 4
Pupil referral units	2,018	1,494	(525)	0 of 4
Total Reserves	21,062	19,796	(1,265)	9 of 133

2023/24 Emerging Issues/Risks – DSG & Schools

	£m
High Needs Deficit (DSG)	5.7
LA Maintained School Deficits (Schools)	4.3
Total	10.0

High Needs (DSG) – increasing demand for EHCs resulting in movement of children from mainstream to specialist settings; demand exceeding growth in specialist provision; insufficient SEMH provision in Somerset resulting in SEMH needs being met by higher cost INMS providers.

School Deficits – increasing deficits in schools is a national issue, likely cause being 23/24 DfE National Funding Formula (NFF) allocation not reflecting the impact of inflation.

Risk of future impact on the local authority:

- Current cumulative High Needs deficit of £30m - estimated to rise to c£70m by March 2026 when the DSG statutory override is due to end, at which point it will become a general fund liability.
- School deficits only become a general fund pressure if there are enforced moves to an academy.

Mitigations:

- Inclusion Transformation Programme refresh, incorporating opportunities/mitigations identified through the work with Impower and DBV with further mitigating actions being developed. Mitigations include specialist capital programme, improving early identification and support, planning for transition, enhancing SEMH provision and new therapeutic education capacity.
- Targeted work across schools to develop financial recovery plans in relation to deficits.

Time for Questions

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Decision Report - Executive Decision

Forward Plan Reference: FP/23/06/04

Decision Date – 02 August 2023

Key Decision – yes



Academisation Finance Policy and Procedure

Executive Member(s): Cllr Tessa Munt

Local Member(s) and Division: All

Lead Officer: Claire Winter

Author: Amelia Walker

Contact Details: amelia.walker@somerset.gov.uk

Summary / Background

1. As a local authority, Somerset Council is seeking to move to a more transparent methodology for planning academisation. This is being shared with the Department for Education and Diocese of Bath and Wells through the Somerset Education System Leadership Group. The Education System Leadership Group is part of the new governance supporting the Education for Life Strategy and informs the work of the overarching Education for Life Board.
2. As of the start of the financial year there were 133 local authority maintained schools in Somerset. Any of these schools could either convert to academy status in their own right or convert with a sponsor when a school is underperforming and the Department for Education decides to implement a trust solution. Currently there are 13 schools in the pipeline to convert to academy status between 1 March 2023 and 1 April 2024. We are aware of four schools that have taken a formal vote to academise but have not been given a date at the South West Advisory Board for decision (see Table 1).

Recommendations

3. The Executive agrees:
 - a) To approve the approach to managing Core Offer contracts when a school converts to academy status (see para 8-11).
 - b) To approve the Council's academy charge for schools electing to convert to academy status (see para 12-14).
 - c) To approve the proposal to apply Department for Education guidance when dealing with surplus and deficit balances on conversion to academy status (see para 15-19).
 - d) To implement the proposal at (c) in relation to surplus and deficit balances effective from the date of decision (2 August 2023)

Reasons for recommendations

4. Through the role of the Director of Children's Services, the council has statutory responsibilities to promote educational excellence, specifically:

Working with headteachers, school governors and academy sponsors and principals, local authorities should promote educational excellence for all children and young people and be ambitious in tackling underperformance.

[Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services](#)

5. Somerset's education system as whole (both the academised and maintained sectors) is underperforming and the 2022 assessment outcomes showed a trajectory of decline. While funding and finance issues are significant factors contributing to school performance, they do not determine educational outcomes. However, a weakened support infrastructure around schools has been closely associated with that decline and financial stability is necessary for strong and reliable support services. Ensuring that financial uncertainty does not disrupt the focus on improvement and the benefit of improvement for children is therefore a priority for the local authority.
6. While Somerset Council supports the principle that schools should be able to choose their future, this is better achieved within a planned and transparent framework for decision making and implementation that allows all stakeholders, particularly schools, multi-academy trusts and the local authority to deliver change in a manner which mitigates the inevitable risks associated with change.
7. These proposals are designed to mitigate risks and provide clarity and stability in relation to financial measures associated with a change of status from local authority maintained to academy status.

Core Offer

8. All local authority schools are now supported through a bundled traded package called the Core Offer. Each Core Offer contract is an annual agreement running from 1 April to 31 March. For 2023/24, all schools in the pipeline will be charged the Core Offer in full. For 2024/25 and all subsequent years, schools will be eligible for a rebate on a quarterly basis should the local authority be notified of conversion by 30 November in the year prior to the financial year in which the school will convert. If a school notifies the local authority in the one of the ways sets out below, they will receive a rebate for the period between conversion and the end of the financial year based on the formula set out in para 10.
9. The rationale for setting a cut off date for schools to be eligible for a rebate is to protect schools who are remaining with the local authority. Every year the local authority will need to agree a Core Offer package and set a level of charges

together with school leaders. These charges need to be agreed before the start of the spring term. In order to give schools the assurance that the support services they will rely on will be affordable and sustainable, the local authority will need to know how many schools are being supported and what income a charging model would attract. The proposed cut-off date will mean that income levels will be able to be accurately forecasted and assurance can be given to schools remaining within the system.

10. A school will be eligible for a rebate if a notification is received in one of the following ways by the deadline of 30 November each year:
 - a) A letter from the Department of Education indicating an intention to pursue a directive academy order in relation to a school with two published Requires Improvement Ofsted inspection judgements
 - b) An Ofsted inspection that concludes with an inadequate judgement
 - c) A written notification from the governing body advising of a positive resolution to join a multi-academy trust
11. Where the eligibility criteria has been met, rebates will be provided according to the date of conversion as follows:

2 April to 1 July	9/12 of annual charge
2 July to 1 October	6/12 of annual charge
2 October to 1 January	3/12 of annual charge
2 January to 1 April	No rebate

Charges

12. Local authorities and Dioceses (for church schools) are expected to levy full cost recovery in relation to academisation activities for voluntary conversions. The Diocese of Bath and Wells does charge for academisation activities but does not currently operate full cost recovery. Local authorities are unable to levy any charge for a school in receipt of a direct academy order as a result of poor performance. These costs must be met by the local authority.
13. Schools are awarded a grant of £25,000 to help meet these costs. Officers have finalised the full cost recovery calculation and the charge for schools electing to convert during 2023/24 will be £10,675. This has been calculated on the average number of hours devoted to academisation activities by the following functions: Project management, Finance, HR Advisory, Business Management, Estates Valuation, HR Admin and Payroll. This charge is in addition to the legal costs associated with conversion which are met by the converting school/trust.
14. The full cost recovery calculation will be reviewed annually and will be updated in line with the inflationary uplift applied to traded services.

Surplus and Deficit Balances

15. In 2019 the county council took a decision to treat surplus balances in the case of directive academy orders such that schools would retain the first £20,000, any sum between £20,001 and £100,000 would be split with 50% retained by the council, and any sum over £100,000 to be retaining in full by the council. This has the effect that a greater sum was retained by schools in the case of directive orders than is anticipated in national guidance. In all other respects the council followed national guidance.
16. It is now proposed that the Council now follows the guidance set out by the Department for Education Academy conversion: [Academy conversion: surplus and deficit balance transfer process - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/411222/2016-17-education-academy-conversion-surplus-and-deficit-balance-transfer-process.pdf).
17. In the case of a directive academy order by the Secretary of State:
 - a) The deficit is retained by the local authority
 - b) The surplus is retained by the local authority
18. In the case of a voluntary conversion:
 - a) The deficit is transferred to the trust
 - b) The surplus is transferred to the trust
19. The local authority would potentially retain some balances under the current policy. On the basis of latest financial reporting the estimate is that this would return £565,000. Under the proposed new policy the estimate is that this would return £776,000.

Other options considered

20. The treatment of surpluses and deficits and the setting of cost recovery charges bring Somerset into line with standard practice nationally and therefore no other options were considered.
21. The option to establish a pipeline of conversions with clear notification deadlines for contracts is based on the council's experience that academisation proposals can emerge at short notice which does not align with financial or operational planning timescales. The option to establish a fund to offset the cost of contracts ceasing in-year was considered. However, it became apparent that this would result in either unaffordable cost or longer timescales for academisation than are being proposed in the pipeline set out below, neither of which were acceptable, so this option was rejected.

Links to Council Plan and Medium-Term Financial Plan

22. As part of the Education for Life Strategy, Somerset Council is investing in relationships with stakeholders at all levels in the education system so that we can collectively deliver a step change in educational outcomes for the children of the area. Transparency about plans and intentions is helpful for strong and collaborative relationships. Being open and transparent, particularly about

finance, supports the local authority’s intention, as set out in the Council Plan, to be:

- A responsible council that acts with integrity
- A council with evidence-based and open decision-making
- A collaborative council

Financial and Risk Implications

23. For the financial year 2023/2024, the financial pressures due to inflation mean that in relation to academisation (and all other statutory duties) the council is able to meet statutory duties only. The local authority is committed to meeting its statutory duties to facilitate academisation. However, where the local authority may have been in a position to go above and beyond those duties in previous years, financial pressure means this is no longer achievable.
24. For many years local authority maintained schools have sustained a high level of combined surplus when the position across all schools is taken into account, even though individual schools have very different levels of surplus and deficit. Due to inflationary pressures this is now likely to decrease and in the context of the position of the high needs block of the Dedicated Schools Grant (currently in deficit in the region of £20 million) there is an increasing level of risk to the local authority’s overall financial position.
25. In order to maintain transparency of finances as schools move to academisation, the service will produce a financial statement at the point of the decision to academise which will capture the surplus or deficit position for all relevant stakeholders, including the school and trust. The expectation will be that this will reflect the level of surplus retained at the point of conversion, and any planned or unplanned variation to that figure will necessitate a written agreement between the school and/or trust and/or council. This will put the onus on the school and/or trust to maintain open and transparent accounting and dialogue through the period. In relation to deficits, schools in deficit will already have an agreed deficit reduction plan which will continue through the period.

Likelihood	3	Impact	4	Risk Score	9
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Legal Implications

26. The Academies Act 2010 enables maintained schools to convert to academy status. The Council has a duty under Section 5b of the Act to take all reasonable steps to facilitate the conversion of a school into an academy.
27. The Secretary of State may also make a directive academy order where she considers a school to be underperforming. Current guidance defines underperformance as being an inadequate judgement by Ofsted or two consecutive Requires Improvement judgements in schools classed by the Department for Education as ‘Education Investment Areas’ due to low

educational standards compared to other areas nationally. Somerset is an Education Investment Area.

HR Implications

28. The local authority employs approximately 220 staff within the Education, Partnerships and Skills team. The continued employment of a significant proportion of this staff group, as well as other council employees in teams serving schools, depends on income that arises from supporting local authority maintained schools. The government has expressed its intention to see more local authority maintained schools convert to academy status over the coming years. While this may result in a growth in trading with multi-academy trusts, it is likely that overall there will be a need to reduce the size of the overall function over time.
29. These proposals are intended to provide greater clarity for all stakeholders to be able to plan resources more effectively. To date, academisation has not taken into account effectively enough the need to evolve operational structures in both the local authority and trusts in light of the changing school landscape. While there may sometimes be an imperative to academise schools on shorter timescales, a longer planning horizon for staffing in non-urgent circumstances will allow the council to maximise the potential for natural wastage, thereby avoiding the need for redundancy, and for multi-academy trusts to plan their support structures with greater assurance.

Equalities Implications

30. There is an interdependency between all elements of education finance, and therefore any lack of financial discipline carries a risk to provision in the area for Special Educational Needs and Disabilities, which may put provision for children with disabilities at risk in future.

Community Safety Implications

31. There are no community safety implications.

Climate Change and Sustainability Implications

32. There is an interdependency between all elements of education finance, and therefore any lack of financial discipline carries a risk to the sustainability of local authority maintained schools, particularly those in rural areas which are highly susceptible to financial shocks and whose loss can be devastating for isolated rural communities.

Health and Safety Implications

33. Recent investigations have revealed that the funding arrangements that support local authority maintained schools have not supported good practice in relation to health and safety within education. Work on the Core Offer has focused on

rectifying this, but good financial discipline is essential to ensure this work is sustained over time.

Health and Wellbeing Implications

34. Education is one of the most significant determinants of health and wellbeing. Low and declining educational progress and attainment represents a risk to future population health.

Social Value

35. There are no social value implications.

Scrutiny comments / recommendations:

36. This paper is on the agenda for Children and Families Scrutiny Committee and will be considered on 12 July.

Background

30. Somerset has academised 132 schools over 13 years with continuity of expertise in the staff team responsible. The shortest timeline to date between the Regions Team South West Advisory Board decision and conversion has been 4 months. Comparisons with other local authorities in the South West suggest a common timescale is 5-6 months. However, timescales can be significantly longer. Chilton Trinity in Bridgwater took 30 months due to the complexities of the Private Finance Initiative contract.
37. The pipeline below represents target timescales and is subject to review. The Council will endeavour to recirculate this timetable on a regular basis to council members and officers, local trusts and schools so that there is a shared understanding of changes where these may arise. This pipeline has been devised taking into account the following considerations:
 - a) Priority given to schools with a direct academy order
 - b) Groups of schools that are planning to join the same trust to academise at the same time, where that is achievable
 - c) Known procedural complexities (eg exceptional land or legal issues)
 - d) Capacity within the local authority to manage the relevant activity
38. This pipeline will serve as the Council's guide for activity and Officers are committed to these dates all other things being equal. However past experience tells us that there are a range of circumstances that can arise which can result in a change to target timescales. In particular, should any other schools receive directive academy orders, these would take priority and may displace other schools.

Table 1

Target date (1 st of month)	School	Directive Academy Order	South West Advisory Board Decision Date	Trust
August 2023	Berrow	YES	20 February 2023	The Priory Learning Trust
September 2023	Heathfield	YES	22 May 2023	Cabot Learning Federation
November 2023	West Chinnock Norton Sub Hamdon	YES NO	24 April 2023	Bath and Wells MAT
November 2023	Castle Cary	YES	3 July 2023	The Academies for Character and Excellence
November 2023	Stoke St Gregory	YES	19 June 2023	The Oak Partnership Trust
January 2024	Merriott Haselbury Plucknett Ashlands St Bartholomew's	NO NO NO NO	22 May 2023	Quantock Education Trust
January 2024	Abbas and Templecombe St Aldhelm's	NO NO	24 April 2023	Bath and Wells MAT
April 2024	St Louis	NO	22 May 2023	The Dunstan Catholic Educational Trust

Local authority maintained schools who have notified of a formal vote by the governing body

Hindhayes Infant School
Stoberry Park Primary School
Frome College
Ash Church of England Primary School

Background Papers

[Schools Causing Concern Guidance \(October 2022\)](#)

[Treatment of surplus and deficit balances when maintained schools become academies \(March 2018\)](#)

Appendices

- Somerset Schools by phase and status
- School Ofsted Outcomes as of April 2023

Appendix 1: Somerset Schools by phase and status

Phase/Type	Total Number	No of Academies	%
State-funded Schools			
All Through	1	1	100.00%
Middle Deemed Primary School	1	1	100.00%
Middle	6	6	100.00%
Infant**	12	2	44.23%
First	30	17	
Primary	165	74	
Junior	10	3	
Secondary	25	22	85.71%
Upper	3	2	
Special	8	4	50.00%
PRU	4	0	0.00%
SUB TOTAL	265	132	49.81%
Other			
Colleges	4		N/A
Special Post 16	3		N/A
Independent	17		N/A
Independent Special	16		N/A
SUB TOTAL	40		N/A
GRAND TOTAL	307		

Appendix 2: Ofsted Judgements in Somerset schools 2022 – 2023

Since September 2021 **44%** of Somerset schools have been inspected under new framework

56% are overdue or waiting for Ofsted

Total of **113** schools inspected (plus 15 where reports not yet published)

2021 – 2022 **46** (plus 2 monitoring visits)

2022 – 2023 to date **67** (plus 5 monitoring visits and 6 academies inspected where judgement not yet known)

Please note that schools who convert to academy status have their Ofsted judgement wiped from their record and therefore all judgements listed for academy schools are judgements that were given to them after academisation.

Direction of Travel

20% have improved their grade for overall effectiveness (17% Jan 2023)

19% have received a lower judgement than previously (25% Jan 2023)

61% have retained the same judgement (58% Jan 2023)

2021-2022	LA	Academies	All
↑		4	4
↔	18	13	31
↓	6	4	10
(1st inspection)		(1)	(1)
	24	21	45

2022-2023	LA	Academies	All
↑	1	11	12
↔	31	6	37
↓	7	5	12
No outcome yet	0	6	6
	40	27	67

Outcomes for Schools Inspected 2022 – 2023 to date

3.3% are Outstanding (0% Jan 2023)

75.4% are good (71% Jan 2023)

13.1% are Requires Improvement (21% Jan 2023)

8.2% are inadequate (8% Jan 2023)

78.7% of schools inspected since September 2022 have judgement of good or better for quality of education (71% Jan 2023)

2021 - 2022	LA	Academies	Total
Outstanding	0	0	0
Good	13	13	26
Good but	3	3	6
Requires Improvement	6	5	11
Inadequate	2	1	3
Monitoring visit	1	1	2
	25	23	48

2022 - 2023	LA	Academies	Total
Outstanding	0	2	2
Good	23	11	34
Good but	10	2	12
Requires Improvement	3	5	8
Inadequate	3	2	5
Monitoring visit	3	2	5
No report yet	0	6	6
	42	30	72

Comparison to National Figures

Data April 2023 (Ofsted - Schools commentary: the emerging picture from 2022/23 inspections)

	National	Somerset (Apr 23)	Somerset (Dec 22)
Outstanding	17%	10%	11%
Good	71%	72.5%	71%
Good or better	88%	82.5%	82%
Requires Improvement	8%	12.4%	11%
Inadequate	3%	5.2%	7%

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Homes and Horizons

Strategic Partnership between SomersetFT, SCC & The Shaw Trust. Supporting children with complex needs including homes, high needs fostering and therapeutic education

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Agenda Item 8

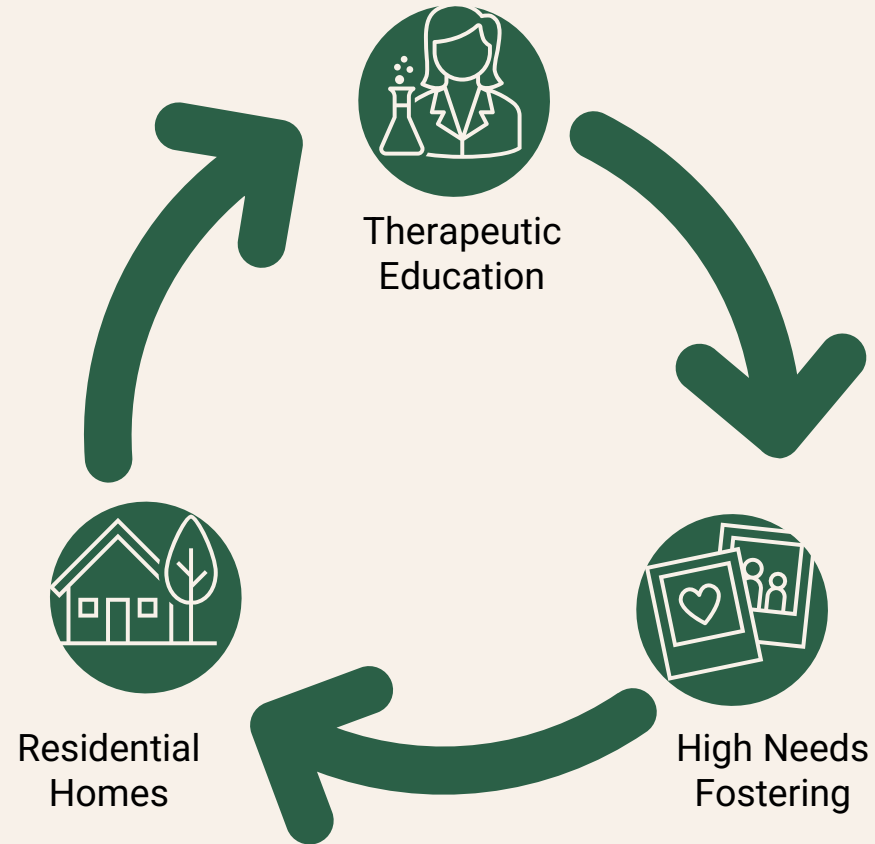




Links to other education provisions. Our provision focuses on therapeutic care with the curriculum constructed by specialists. This provision will run for 50 weeks in a year.

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All our homes will be 2 or 3 beds. The homes will have constant communication with our school, CAHMS, and our HNF service to ensure that children are in the right place at the right time



We are recruiting High Needs Foster Carers who will be able to link with our homes and school, providing every opportunity to help our YP have a loving home environment



- Purchased 6 homes, and 1 further home in progress. (Planning & building work). Searching for 8th home.
- 4 young people in the first 4 homes, and next 2 children move in on 10th July. Next home opening in 4 weeks.
- Partnership DfE Innovation capital bid won and Stay close funding 2nd DfE Capital bid in hand.
- Registered Manager recruitment & support workers trained. Now supporting CSC. 67 staff recruited. 54 staff trained through joint model.
- Therapeutic education staff in place and all young people engaged with some education activity.



Progress to date







Homes and Horizons

Star's Experiences

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Hearing young peoples' voices





Therapeutic Education

Learning from:

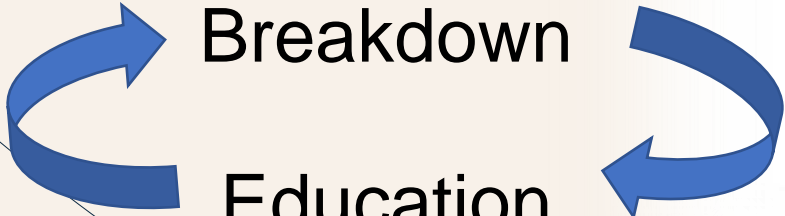
- Hope House Services
- No Wrong Door
- Trevone House

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Home / Placement Breakdown

Education





Therapeutic Education



Misterton site – 1st of 2 planned locations

Multi-disciplinary Team and joint funding

Provides therapeutic interventions & education

The expectation all our young people will attend education full time

Where we are

Procurement process for building work

Registration discussions with DfE Regional Director

Staff appointed & interim education plans



HN Fostering

OFSTED application in progress

8 potential foster carers identified

Support package mapped out

Stepping down from H&H provision developed, and currently reviewing first cohort of children



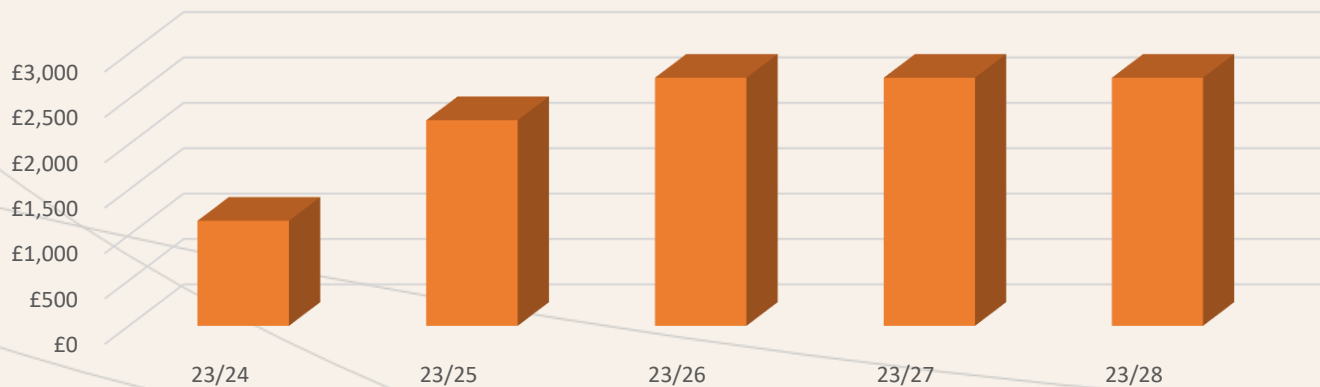
Reported cost avoidance savings at Home 1 & 2 during 2023 Q4: 490k

Does not include use of staff on support packages through 2023, reducing agency costs to CSC

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Projected savings for future years:

total savings £000

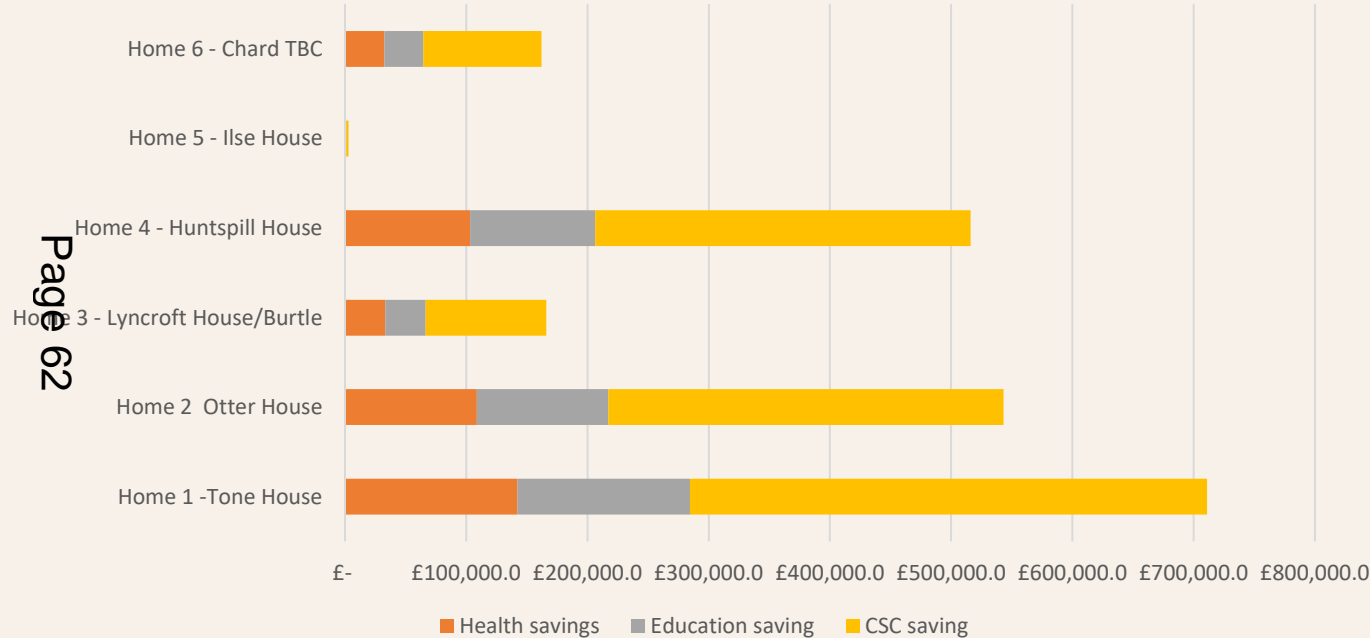


Finances and fiscal savings



Projected savings for 2023/4:

Savings per home



Finances and fiscal savings

Total projected savings:

Total: £2,101K (Education: £420k Health £420k; CSC: £1,261)

- Does not include annexes and pods
- Assume increased costs of 10% whilst awaiting real expenditure figures
- Assumes only 80% savings from modelling



Risks and issues

Risks and issues

Management and mitigations

Continuing to generate significant fostering enquiries and recruit foster carers

Overcome payment challenges relating to new financial systems impacting on rec recruitment campaigns.

Track robustly.

Education provision not able to open (also impacts on fostering).

Continue to negotiate with the Regional Director, whilst developing interim provision.

Pods and annexes and next homes not developed quickly.

Appointment of Company to progress prefabricated units, reducing build costs, and time on site.

Ensuring we focus provision at 'the upper end of need'.

Clear processes with sign of Service Director to access provision.
Robust financial tracking.

Ensure quality of provision continues to be at the heart of what we do.

Integrated learning & quarterly reviews against challenging targets.
Young people's voice integrated into the QA process.



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