

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Children and Families Committee**
held on Monday, 29th April, 2024 in the Council Chamber, Municipal Buildings, Earle
Street, Crewe CW1 2BJ

PRESENT

Councillor C Bulman (Chair)
Councillor E Gilman (Vice-Chair)

Councillors R Bailey, M Beanland, S Bennett-Wake, D Clark, G Hayes, R Kain,
B Posnett, B Puddicombe, J Saunders, G Smith and L Anderson

OFFICERS IN ATTENDANCE

Deborah Woodcock, Executive Director of Children's Services
Alex Thompson, Director of Finance and Customer Services
Gill Betton, Head of Children's Development and Partnerships
Martyn Baggley, Head of Integrated Commissioning
Alex Cooper, Project Manager - Education
Leon Kokkinos, Strategic Lead for SEND and Inclusion
Joanne Prophet, School Organisation and Capital Manager
Danielle Holdcroft, Head of Early Years, Family Help and Prevention
Richard Hibbert, Head of Strategic Transport and Parking
Heather Baron, Head of Early Help and Prevention
Janet Witkowski, Head of Legal
Nikki Wood-Hill, Lead Finance Partner
Josie Lloyd, Democratic Services Officer

ALSO IN ATTENDANCE

Tom Dooks, Head of Cheshire Youth Justice Service
Cllr J Clowes

83 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr John Bird. Cllr Lata Anderson attended as a substitute.

84 DECLARATIONS OF INTEREST

The following declarations of interest were made in relation to item 10 – Decision on the Future Delivery of the School Catering Service:

- Cllr Hayes declared that he was the Chair of a governing body of a school which used the Cheshire East Catering Service
- Cllr Bennett-Wake declared that she worked for a local school which used the Cheshire East Catering Service

- Cllr Clark declared that she was the Chair of Governors at a school which used the Cheshire East Catering Service

Cllr Clowes, who attended as a visiting member, declared that she was a Governor at a school which used the Cheshire East Catering Service.

During consideration of item 10, Cllr Bailey declared that she was part of an agrifood business and was not aware of any contract with the catering service but could not preclude that products do not go into it.

85 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 12 February 2024 be agreed as a correct record.

86 PUBLIC SPEAKING/OPEN SESSION

There were no public speakers.

87 REVISED DEDICATED SCHOOLS GRANT MANAGEMENT PLAN 2024/25 TO 2030/31 FOLLOWING THE DEPARTMENT OF EDUCATION SAFETY VALVE INTERVENTION PROGRAMME

The committee considered the report which provided members with an overview of the challenges in relation to the dedicated schools grant (DSG) in Cheshire East and an overview of the fundamental changes required to achieve an in-year balance on the high needs block of the DSG following work under the Department for Education's Safety Valve intervention programme.

The following queries were raised to which officers undertook to provide written responses:

- What input has the Chair had, or will have, in the strategic DSG Management Plan Board
- What are the conditions of the grant
- Why the figures at paragraph 14 on page 34 appeared not to correlate with figures in the quarter 3 scorecard on page 140 of the agenda pack in relation to EHCPs
- Whether there had been any reduction in the post-16 provision allowed for in the forecast on page 40 of the agenda pack
- Whether the Department for Education had set a limit to the amount the override could reach
- What percentage of schools were using the SEND toolkit
- What data supported the statement that high placement costs and high travel costs were not improving outcomes for children and young people
- Why there were high levels of Education, Health and Care needs assessment requests at transition points

- How frequently checks were undertaken on education that does not take place within schools
- Whether health colleagues were involved in commissioning speech and language therapy services
- Regarding future provision, was it correct that any new schools would be sponsored by a multi academy trust which could set its own rate

The recommendations as set out in the report included the committee receiving regular updates regarding the progress of the plan at least three times a year, however some members felt that the committee should have more oversight.

The following amendment to recommendation 5 was moved and seconded and a vote was carried out:

‘To receive monthly, in-person meetings of this committee to ensure we deliver our role in oversight to ensure that steps are being taken to address the SEND overspend.’

This amendment was declared lost.

A further amendment was proposed and seconded which sought to amend recommendation 5 to:

‘Agree to receive regular updates regarding the progress of this plan at least monthly via Microsoft Teams or in committee meetings.’

The amendment was carried by majority and became part of the substantive proposition.

RESOLVED (by majority):

That the Children and Families Committee:

1. Approve the revised DSG Management plan for 2024/25 to 2030/31 including the interventions to achieve the mitigated position, which demonstrates:

a. an in year balanced position

b. forecasts a deficit reserve position of £1.2 billion unmitigated and £285 million mitigated by the end of March 2031

2. Note the decision of the Secretary of States to not enter into a Safety Valve agreement at this time

3. Note the Chief Executive, Executive Director of Children’s Services and the Section 151 Officer will continue to work with the DfE and the Department for Levelling Up, Housing and Communities (DLUHC) with the aim of finding an appropriate solution

4. Delegate to the Executive Director of Children’s Services authority to undertake any consultations deemed necessary to facilitate implementation

5. Agree to receive regular updated regarding the progress of this plan at least monthly via Microsoft Teams or in committee meetings

88 CHILDREN'S CENTRE RE-MODELLING INTO THE FAMILY HUB MODEL

The committee considered the report which provided an update on the development of the family hubs transformational programme and sought permission to carry out a consultation to repurpose up to seven of the existing children's centre buildings to meet the MTFs savings, whilst continuing to deliver the services in a more flexible way.

Officers undertook to provide written responses to the following queries:

- What tests were done in advance of the rollout as to the ability of families to be able to join the virtual offer. It was noted that IT teams worked on the project alongside officers from Children's Services and further detail would be provided
- What research was done on the pockets of deprivation that were known in rural areas

An amendment was moved and seconded which sought to defer the decision to allow further information in relation to the infrastructure. This amendment was declared lost.

RESOLVED (by majority):

That the Children and Families Committee:

1. Approve the commencement of a formal consultation period to repurpose up to seven of the following existing children's centres for other education purposes, and a report back to the meeting in September on the results and final proposals. The centres in scope for consultation are:

- Poynton Children's Centre
- Knutsford Children's Centre
- Nantwich Children's Centre
- Hurdsfield Children's Centre
- Broken Cross Children's Centre
- Sandbach Children's Centre
- The Brooks Children's Centre

2. Support the vision of a flexible outreach program from our family hubs to cover a wider geography with more flexibility to target resources

89 HOUSEHOLD SUPPORT FUND GRANT 5 DELIVERY

The committee considered the report which provided an update on the Household Support Fund 5 grant awarded to Cheshire East and sought delegated approval to deliver the fund in line with the proposals set out in paper.

RESOLVED (by majority):

That the Children and Families Committee:

1. Note Cheshire East's estimated HSF5 grant allocation of £2.2m in 2024/25
2. Recommend to full council on the 15 May 2024 to approve the supplementary estimate of £2.2m
3. Endorse the proposed allocation of the grant, eligible cohorts and payment arrangements set out in this paper
4. Delegate authority to the Executive Director of Children's Services to incur expenditure in line with the HSF5 grant conditions

90 YOUTH JUSTICE SERVICE HOSTED MODEL PROPOSAL

The committee considered the report which sought approval on a move from the current shared service arrangement for the management and delivery of youth justice services to a model whereby Cheshire West and Chester Council host Cheshire Youth Justice Services on behalf of the statutory pan-Cheshire Youth Justice Partnership. It was proposed this new agreement would be in place from 1 April 2025.

It was noted that there was a typographical error in recommendation 4 as set out in the report and that delegated authority was being requested from this committee only to Cheshire East's Chief Executive.

RESOLVED (unanimously):

That the Children and Families Committee:

1. Agree that Cheshire West and Chester Council will host Cheshire YJS on behalf of all four councils and other statutory partners
2. Approve the transfer under Transfer of Undertakings (Protection of Employees) Regulations 2006 ('TUPE') of staff from Cheshire East into Cheshire West and Chester Council effective from 1 April 2025
3. Delegate authority to the Executive Director of Children and Families to take all steps necessary to implement the recommendations set out above, including producing an agreed memorandum of understanding which clarifies the legal and review arrangements
4. Delegate authority to the Chief Executive, in consultation with the Section 151 Officer and Executive Directors for Children and Families across the pan-Cheshire footprint to agree the final funding formula as set out in tables 5a and 5b of Appendix 4 and that it be included in the 2025/26 MTFS

91 TRAVEL SUPPORT FOR CHILDREN AND YOUNG PEOPLE - AVAILABLE WALKING ROUTES UPDATE

The committee received the report which set out current and future proposals in relation to available walking routes and provided an overview of progress to date against the plans to transform travel support for children and young people to deliver the budget proposals set out in the medium-term financial strategy.

Officers undertook to provide written responses to the following queries:

- A request for clarity on the reasons for delays in the process
- Which schemes had been brought forward by the Edge Consultants and which had 'come to light' as referred to in paragraph 26 of the report
- Regarding the London Road level rail crossing, what would the annual saving to the transport budget have been if the associated available walking route had been delivered in the last financial year

The following amendment was moved and seconded and a vote was carried out:

'That this item be brought back to committee in June and that, in line with MTFs savings, viable routes are brought back to committee with a timeline for implementation.'

The amendment was declared lost.

RESOLVED (by majority):

That the Children and Families Committee:

1. Endorse the progress to date in relation to the transformation of travel support for children and young people
2. Approve the proposed methodology and approach to reviewing all other hazardous walking routes in the borough as set out in this paper
3. Endorse the proposal to bring back any further financially viable improvement schemes which could make further routes 'available walking routes' to a future committee for approval, noting that any capital funding requirements for enabling works on the highway will need to be considered as part of the council's overall programme for highways and transportation

92 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)(4) of the Local Government Act 1972 as amended on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing this information.

93 SEND FREE SCHOOLS - UPDATE

The committee considered the part 2 report.

RESOLVED (by majority):

That the recommendations be agreed as set out in the report.

94 DECISION ON THE FUTURE DELIVERY OF THE SCHOOL CATERING SERVICE

The committee considered the report which detailed the impact of the proposal to cease the delivery of Cheshire East's catering service and sought a decision to cease trading from April 2025.

A concern was raised regarding the recent reduction in the provision of milk to school pupils to once per week. It was noted that this was not a statutory service and that the obligations were with the school and not the local authority. It was requested that any potential legal implications be looked into further following the meeting as this did not impact the decision being made.

An amendment was moved and seconded which sought to defer the report to a later meeting. A vote was carried out and the amendment was declared lost.

RESOLVED (by majority):

That the Children and Families Committee:

1. Consider the findings from the survey to schools and endorse the council's response as set out at Appendix 1
2. Approve the proposal to cease trading Cheshire East's catering service by April 2025
3. Delegate authority to the Executive Director of Children's Services to make all necessary arrangements for the council to cease trading the catering service

Cllrs Beanland, Hayes, Kain, Posnett and Saunders left the meeting after this item and did not return.

95 CHILDREN AND FAMILIES SCORECARD QUARTER 3 2023/24

RESOLVED:

That the Children and Families Q3 Scorecard be deferred to the following meeting.

96 IMPLEMENTATION OF ALL AGE DIRECT PAYMENT POLICY

The committee considered the report which sought agreement to implement the All Age Direct Payment Policy.

RESOLVED (unanimously):

That the Children and Families Committee:

1. Agree and instruct officers to implement the 'all age' Direct Payment Policy
2. Agree that any future all age policy/services development decisions around Direct Payments be dealt with by the Adults and Health Committee

97 WORK PROGRAMME

RESOLVED:

That the work programme be noted.

98 MINUTES OF SUB-COMMITTEES

RESOLVED:

That the minutes of the following sub-committees be noted:

Local Authority School Governor Nomination Sub-Committee – 14 June 2023

Local Authority School Governor Nomination Sub-Committee – 23 November 2023

Cared for Children and Care Leavers Committee – 5 September 2023

The meeting commenced at 14:00 and concluded at 19:03

Councillor C Bulman (Chair)