

Challenging and Vulnerable Children Sub Committee

Thursday, 25th September, 2008

PRESENT: Mr. B. Stott in the Chair

Councillors M Coulson, Mr. J. Fryett, Mrs.
S. Knights and Mr. A. Rees

OFFICERS PRESENT:

- Mrs. V. Buckland, Education Leeds
- Mrs. D. Leonard, Legal Services
- Miss. L. Pilgrim, Governance Services

1 Chair's Opening Remarks

The Chair welcomed Members to the first meeting of the Challenging and Vulnerable Children's Sub-Committee for this academic year. The Chair noted that apologies had been received from Mrs. F. Beevers and Cllr. Gruen. Members were advised that Mr. Fryett had taken over the Chair's role in the Inclusion Strategy. The order of the agenda was changed to take agenda item 5 – Leeds Inclusive Learning Strategy before agenda Item 4 – Fair Access Review to allow officers to attend the meeting.

2 Minutes of the Last Meeting

The minutes of the Challenging and Vulnerable Children Sub-Committee held on Tuesday 10th June 2008 were approved as a correct record.

RESOLVED: That the minutes be approved.

3 Matters Arising

Members noted that the matters arising from the last meeting would be covered in the agenda items to be considered by the Sub-Committee.

4 Leeds Inclusive Learning Strategy

Mr. Fryett presented a paper to Members of the Sub-Committee which provided an update on the progress of the Leeds Inclusive Learning Strategy. Much of the progress highlighted in the report had been completed by the Chair over the last six months. Mr. Fryett extended his thanks on behalf of officers to the Chair for the work which had been completed. Since taking over Mr. Fryett had been in the process of getting familiar with where the strategy was at the end of Phase 2. During phase 3 various models would be discussed and then a consultation exercise would take place however there had been a delay on the original timescales especially in the area of informal consultation.

Progress had been made in the four objective areas and work in objectives 1 to 3 were near completion. Officers were about to present to the LILS Programme Board

a number of models which would lead to another meetings prior to the pre-consultation process. It was hoped that early next year a formal consultation could take place of the preferred option.

Both Education Leeds and Children Leeds were keen for work within their services to be aligned and this would be discussed at the second meeting of the LILS Programme Board.

The following points were raised in the discussion which followed:

- Members of the Sub-Committee were aware that there was a difference between how parents and officers defined inclusion. In order for the consultation to be effective parents need to be aware what is actually meant by inclusion.
- Officers had been in regular communication with all stakeholders to involve and advise them of any developments. It was anticipated that the models which had been put together would reflect the work which had already been completed with stakeholders.
- It was also noted that any communication of preferred models would need to be open in what the consequences of instituting the model were e.g. if inclusion was a success then it would mean that provision in SILCs would decrease. There had been some deterioration in the relationship between officers and other stakeholders when the SILCs had been established and these relationships needed to be rebuilt.
- Members stated that they felt that it was appropriate that the relevant PCTs were involved in the process. Officers noted that it had been difficult to engage the PCT at the appropriate level in the past however the PCT, including commissioners, had recently attended the inaugural meeting of the North West Board. It was anticipated that there would be greater engagement with the PCT in the future.

RESOLVED: That the update be noted.

5 Fair Access Review

The Sub-Committee considered a report on the Fair Access Review which highlighted the impact of the Area Management Board (AMB) Fair Access Panels in its first year of implementation. Members noted that children with below 85% attendance had been removed from the policy in Leeds as the number of children who came under this criteria had overloaded the agendas of the AMBs. It was also felt that parents could potentially use to In Year Fair Access Protocol procedure to avoid prosecution.

In relation to primary schools there were very few circumstances where a child's case went to the relevant AMB e.g. only when the child had particular needs. The East AMB had decided not to appoint a Project Director for the area which had made a slight impact on primary school admissions within the protocol. However the East AMB Panel was working well.

Mrs. Buckland informed the Sub-Committee that where the statistics indicated that 67% of applicants were placed it did not mean that 33% of children were out of

provision. Many of those who were not placed would have had provision and many were applications for transfers between schools. Only a small number of children were out of provision.

There were a number of themes which had been raised across the AMBs. Some of the main concerns included providing a suitable provision for some pupils and the necessary assessment. Currently a pupil had to be on roll at a school in order for assessment to take place. When considering pupils under the IYFAP the members felt that it was more appropriate that pupils were assessed before considering what school was appropriate. The merger between West Leeds and Wortley High Schools to form Swallow Hill would have a smaller admission limit which would mean that other schools within the wedge would have to take up more pupils for a while. In the south wedge there were very few physical spaces, from the figures of children in primary schools this should ease in the future. Despite the East AMB not having a Project Director a large number of children had been placed within the wedge and officers were looking at ways the area could be more creative in the options available without the use of a Project Director.

Mrs. Buckland felt it was important to note that the criteria for bringing children to the Boards was fluid and schools were not restricted in what children were considered so long as the Project Director agreed. In addition each wedge would develop differently in response to the types of schools and the needs to children in their area.

The following issues were discussed:

- Timelines were to be introduced to indicate to parents how their case would be dealt with and when they should expect any decisions. Officers felt that this was a positive development as it improved communication between parents, the Admissions Team and the Boards.
- Progress had been made since the change in regulations which meant that a pupil transferring to a new school must be given a start date and the new school would be responsible for that child from the start date. This policy had worked well in Leeds schools.
- Members of the Forum reported that the Fair Access Protocol had operated well for looked after children. There had been problems experienced at the beginning of the protocol but lessons had been learnt from these issues. Mr. Rees reported that there had also been excellent progress in the placement of unaccompanied asylum seekers with 15-16 children being placed in the last six weeks.
- Mr. Rees was aware that there had been problems in the primary school Access Panels and suggested that more panels may be required at this level. The Forum were advised that in the primary sector some schools took children directly and without the need for a formal meeting of the Access Panel in that area.
- Members of the Forum were aware that there were plans in place to open two Academies in Leeds on existing school sites. Concern was raised that these schools would operate outside the Fair Access Protocol when they received their two year exemption from taking pupils. Officers acknowledged that any Academies would be exempt from taking pupils for their first two years of operation however it was hoped that any new academies would work with the local authority in the future.

RESOLVED: That the report be noted.

6 Reference from Leeds Admissions Forum - Consultation on the Draft School Admissions Code of Practice

The Sub-Committee considered a reference from the Leeds Admissions Forum in response to the consultation on The Admissions Code of Practice and specifically questions 20 and 21. The Sub-Committee discussed the following issues:

- Officers felt that the requirement for waiting lists to be maintained for all year groups throughout the year was not a good idea. Having such a waiting list could mean that children were on waiting lists for schools for years and it could mean that they move from a school that they were settled at. However, officers were aware that some schools, especially primary schools held informal waiting lists in order of and it was better that if school were going to hold waiting lists that it should be in line with the admissions policy.
- The requirement to hold continual waiting lists would mean that schools would have to inform the admissions authority of every leaver.
- Paragraph 3.12 of the proposed Admissions Code of Proposed had also changed to state that schools that had less than 20% of children achieving 5 or more A*-C GCSEs in English and Maths could refuse entry to children with challenging behaviour. This figure had changed from 30% to 20%.
- Concern was also raised regarding whether children who were refused a place at the school under the In Year Fair Access Protocol were entitled to be placed on a waiting list. This was of particular concern where there were spaces at that school or the school had a high level of pupil mobility.
- In relation to question 21 Members strongly agreed to the question but added that it was pupils should be assessed prior to seeking a place at school to ensure that the child received appropriate provision.
- Concern was raised that the consultation document was unclear as to how the Admissions Code Of Practice was linked to the Back on Track guidance regarding permanently excluded pupils.

RESOLVED: That the following Response be made in relation to question 20 and 21 of the consultation on the School Admissions Code of Practice:

Q20 Do you agree with the extended guidelines and further detail included in the draft revised School Admissions Code about the content and operation of Fair Access Protocols?

<input checked="" type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

There is concern that long term waiting lists would be disruptive to and not in the best interests of children, in particular if a place come up some years after the child

is placed on the list. There should be a sensible limit to how long a name is left on the list.

Consideration should be given as to whether children refused a place under the fair access protocol should be allowed to go on a waiting list

Q21 Do you agree with the new guidelines in the draft revised School Admissions Code on placing children with challenging behaviour in suitable educational provision?

<input checked="" type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

This is endorsed most strongly

It is unclear how the admissions consultation links in to the Back on Track guidance which relates to permanently excluded pupils

7 Commissioning Arrangements for Vulnerable Children

The Sub-Committee received, for information, a copy of a letter sent to the Chair in relation to Commissions Arrangements for Vulnerable Children at Leeds Primary Care Trust (PCT). The Chair had written to the Director of Planning and Commissions (Children's and Maternity Services) suggesting that the PCT should involve the relevant Leeds City Council/Education Leeds/Children Leeds Officers in the discussion to change commissioning arrangements. A response was yet to be received. Mr. Rees was aware of the proposals to change the commissioning arrangements at the PCT which aimed to draw the different parts together to ensure that there was a more joined up approach to commissioning. Members of the Sub-Committee were also aware that the Children's Scrutiny Board had considered a similar paper recently and that information on this would be provided to Members of the Sub-Committee.

RESOLVED: That the update be noted.

8 Date and Time of Next Meeting

RESOLVED: The date and time of the next meeting of the Sub-Committee was agreed as Tuesday 4th November 2008 at 16:00.