

OXFORDSHIRE DELEGATED DECISIONS BY CABINET MEMBER FOR EDUCATION & CULTURAL SERVICES

MINUTES of the meeting held on Wednesday, 10 February 2021 commencing at 10.00 am and finishing at 10.30 am

Present: Councillor Lorraine Lindsay-Gale, Cabinet Member for Education and Cultural Services

Other Members in Attendance: Councillor John Howson (for Agenda Item 3)

Officers: Hayley Good, Deputy Director of Education; Lara Patel, Deputy Director Safeguarding; Sarah Fogden, Finance Business Partner (Childrens); Sue Whitehead (Law & Governance)

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

1 DECLARATIONS OF INTEREST

(Agenda Item 1)

None received.

2 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 2)

The Chairman agreed to hear a written statement from Councillor Turnbull.

Speaker	Item
Councillor Emma Turnbull	4. Formal Approval of Early Years Funding Formula 2021/22

3 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item 3)

Councillor John Howson asked the following question with notice:

“Following the publication of the Serious Case Review into Jacob, what is the current length of time children in care are waiting for a place in a school either after being taken into care or a move of foster or other care placement?”

This was answered as follows:

The average number of days it has taken for all children who have come into care to start on roll at a school (since 1st September 2020) is 5 days.

The average number of days it has taken for children who have had a move of foster or other care place to start on roll at a school (since 1st September 2020) is 2 days.

Current context and process in place:

Each child of school age who is taken into care is allocated a case worker from the virtual school (VS). Each week the virtual school data manager extracts a 'new into care' list of children from LCS and the following process followed:

1. The child is allocated to a relevant VS case worker
2. Child is set up on LA Call which is a centralised online portal where stakeholders can access details regarding the child's education, attendance, attainment and Personal Education Plan (PEP).
3. If the child is able to continue on roll at their current school, links are made with the school, a PEP set up and daily attendance monitoring takes place (i.e. no delay in school attendance).
4. If the child needs to move within OCC schools an 'in-year' application to the new school is completed.
5. If the child moves 'home' and the placement is
 - a. out of county
 - b. too far to travel to their current school
 - c. they do not have an Education, Health and Care Plan (EHCP); an 'in-year' application to the new LA is initiated. Some LAs have a priority application form for Children We Care For (CWCF), other LAs apply through the usual in-year application process. The Virtual School works closely and rapidly with both social care and admissions teams to process applications and support in selecting schools who are providing good/outstanding education by liaising closely with other virtual school in the LAs.
6. Any drift in application is discussed with Neil Darlington (OCC Access to Learning Team) who supports where required to involve EFSA if necessary.
7. If the child has an EHCP and it is not possible to stay in their current school then a rapid (set up within 2 days) 'corporate parent meeting' is initiated with social worker, virtual school caseworker and OCC SEN Officer (SENO) to ensure the 'belongings regulations' are applied and the relevant paperwork is sent to the correct link in the receiving LA. The receiving LA allocates a SENO to consult with their schools in line with EHCP legislation. Depending on 'pupil need' and locality this can take time and these narratives are shared weekly with Head of CWCF and VS Head to ensure the education in the interim period has a robust 'safety plan' whilst consultations are taking place; this is agreed and recorded on the child's PEP and agreed and shared with social care. This education plan is often a 1:1 tutor package set up by either OCC Virtual School or the receiving LA. OCC Virtual School monitor daily engagement of the child in education and liaise closely with social worker whilst consultation is taking place. This is recorded and evidenced on LA call.
8. Once a school is identified by the receiving LA the funding proposal comes back to OCC VS who approve

before a start date is secured. Once secured the VS liaise with OCC transport team and the new school to ensure transition is as smooth as possible³

9. PEPs are set up within 20 days of a child arriving into care or starting new school setting.

All children remain on roll at their original school until starting a new school. The current school continues to be responsible for ensuring education is provided and safeguarding measures in place if the child's new home is too far to attend. VS links very closely with the original schools whilst applications are in place and supplements remote education package where core group (social care, VS and school) identify need.

If a child is new into care with no school the same process is followed. The challenge is often lack of understanding of underlying need and missing gaps in assessment or diagnosis. Thus, the virtual school team lead the co-ordination of multi-agency working to support next steps. Immediate alternative provision can be put in place whilst a school roll is being applied/identified. Any alternative provision is paid directly by OCC virtual school. Currently OCC do not have any pupils with no educational provision on our roll.

If a child was not on a school roll processes are in place so that we can ensure an education package is in place within 48 hours. This ranges from 1:1 tutoring, online tutoring, hands on workshop based learning and equine therapy and studies. These exceptional packages are monitored daily and where drift in attendance or engagement occurs, escalated until school rolls are secured.

The Head of the Virtual School monitors daily using LA call (online portal) any pupils awaiting placement. Any children identified are reviewed each week with Head of CWCF who shares info and action needed with social care teams.

Councillor Howson thanked the Cabinet Member for the response and noted that this had been an issue of concern for some time with both MPs and the Cabinet member having written to Government on this issue. Councillor Howson, asked if there had been any children since September 2020 in excess of the 20 day period which was what was included in the recent Department for Education consultation about changes to the Admissions Code where we had been waiting longer than 20 days to get them into a school.

Councillor Howson was advised that 2 children had been waiting 31 days, 1 child 36 days and 3 children 38 days. In response to a further question on whether these cases were in County or out of County placements it was noted that an answer was not possible in the meeting and a written response would be given.

4 FORMAL APPROVAL OF EARLY YEARS FUNDING FORMULA 2021/22

(Agenda Item 4)

Document considered: Report on Formal Approval of Early Years Funding Formula 2021/22.

A copy is attached to the signed copy of this decision.

Summary of representations made at the meeting

The local authority is required to set a funding formula for 2- year old and for 3 and 4-year old provision. The Cabinet Member for Education & Cultural Services 2021-22 formula considered a report seeking approval to the proposed funding formula, that is in line with the Department for Education (DfE) national formula introduced in 2017-18.

The following comments were received from Councillor Emma Turnbull, Shadow Cabinet Member for Education & Cultural Services.

“I am very sorry for not being able to attend today to discuss the early years funding formula.

Early years funding was in a precarious position even before the coronavirus pandemic. The crisis has increased the levels of uncertainty in the sector.

We know that pre-Covid the poorest children started school already 11 months behind their better-off peers. Quality early years settings, including our nursery schools, play an important role in narrowing the attainment gap. That is why we must do everything possible to support early years settings throughout the county. We do not currently know how many of these providers will be at risk of closure due to the Covid crisis.

Therefore, I think that passing on the full increase in funding that Oxfordshire has received to providers is the right approach, so long as those providers are firmly encouraged and supported to prioritise the needs of vulnerable pupils and narrowing the attainment gap.

Thank you for taking the time to consider these comments.”

Sarah Fogden, Finance Business Partner (Children’s) advised that the Schools Forum had considered the proposals on 4 February 2021 and had endorsed the recommendations. She highlighted one risk in that the funding was based on the January 2021 census day count. The numbers of children in school was low due to covid and were expected to increase. This could lead to a mismatch between funding and what the Council needed to pay.

Cabinet Member’s comments

Councillor Lorraine Lindsay-Gale, Cabinet Member for Education and Cultural Services, thanked Councillor Turnbull for her comments and agreed with the comments made.

Councillor Lindsay-Gale noted that she had received a full briefing and had had time to consider the recommendations and was happy to approve. Thereby, I confirm my decision as follows:

- (a) Pass the funding increase received by Oxfordshire onto providers in full and approve the 2021-22 Early Years funding formula for 3 and 4-year old provision with an underlying hourly rate of £4.18 (excluding the Deprivation supplement, SEN Inclusion Fund and Contingency)
- (b) Pass the funding increase received by Oxfordshire onto providers in full and approve the 2021-22 Early Years funding formula for 2- year old provision at an hourly rate of £5.68

..... in the Chair

Date of signing