

AT A MEETING of the Children and Young People Select Committee of  
HAMPSHIRE COUNTY COUNCIL held on Wednesday, 8th July, 2020

Chairman:

\* Councillor Kirsty North

Vice- Chairman:

\* Councillor Ray Bolton

\* Councillor Jackie Branson  
\* Councillor Ann Briggs  
\* Councillor Zilliah Brooks  
\* Councillor Fran Carpenter  
\* Councillor Peter Edgar MBE  
\* Councillor Pal Hayre  
\* Councillor Wayne Irish

\* Councillor Gavin James  
\* Councillor Neville Penman  
\* Councillor Robert Taylor  
\* Councillor Bill Withers Lt Col (Retd)  
\* Councillor Jackie Porter  
\* Councillor Michael Westbrook  
\* Councillor Malcolm Wade

\*Present

**Co-opted Members:**

\* Ian Brewerton, Secondary School Parent Governor Representative  
\* Gareth Davies, Primary School Parent Governor Representative  
Robert Sanders, Church of England Schools Representative  
Kate Watson, Special School Parent Governor Representative  
VACANT Roman Catholic Schools Representative

**Also present with the agreement of the Chairman:**

Councillor Patricia Stallard, Executive Lead Member for Children's Services and Young People  
Councillor Roz Chadd, Executive Member for Education and Skills  
Councillor Judith Grajewski, Executive Member for Public Health  
Councillor Jonathan Glen, Chairman of Policy and Resources Select Committee

**129. APOLOGIES FOR ABSENCE**

Apologies were received from Kate Watson, the Parent Governor Representative for Special Schools, and Robert Sanders, the Church of England Schools Representative.

The Chairman noted that Councillor Neville Penman would be late joining the Committee meeting.

**130. DECLARATIONS OF INTEREST**

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Personal interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

No declarations were made at this point in the meeting.

**131. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 10 January 2020 were agreed by the Committee as a correct record of the meeting.

**132. DEPUTATIONS**

The Committee received two deputations in relation to Item 6 'Childcare Sufficiency Assessment and Covid-19 Impact and Response for the Childcare Sector'.

*Councillor Jackie Porter declared a personal interest at this point in proceedings as a trustee at Kings Worthy pre-school.*

The first deputation was from Mandy Adams, manager of Compton and Shawford pre-school. Mandy addressed the Committee and Members heard that Compton and Shawford pre-school was semi-rural, and over the last 3/4 years, the pre-school had operated at a loss, and as a result there was uncertainty over its future. Mandy highlighted that the current funding system from Government wasn't enough as all settings were different, and the 'one size fits all' approach wasn't viable. Members heard concerns in relation to the layout of the pre-school and numbers of staff/child ratio to ensure safeguarding, and it was heard that there would be more flexibility if the pre-school had larger premises.

Mandy highlighted that the pre-school was hugely important to the local community, and was also reliant on fund raising from the community. Members also heard that there was more pressure on staffing in relation to pay and pensions. As a local community pre-school, it was highlighted that the current early years funding wasn't viable, and as a result of Covid, there were now increased costs in relation to areas such as cleaning, which would continue into and beyond September.

The second deputation was from Joanne Meharg, Chair of Kings Worthy pre-school. It was heard that Kings Worthy pre-school has seven members of staff, looking after 49 children in term time. Joanne highlighted the difficulties between a viable fee structure and being affordable for all, and she explained that early years funding had not kept pace with the rise in costs, and notably wages. Members also heard that the 30 hours funding has been restrictive on settings to control their overall income generation from hourly fees with restrictions on what can be charged for. It was heard that few grants fund existing projects, cover staffing and core costs for pre-schools and these are regarded as being covered by statutory early years funding. Concerns about time taken up on safeguarding cases was highlighted, with every safeguarding scenario adding pressure to already overstretched early years funding.

Members heard that at the start of Covid, vulnerable and key worker families chose not to take up places offered and the pre-school setting had to close, with families being supported at home. There was also clarification that the early years sector would not receive 80% of furlough funding, and Joanne highlighted the 26% for her setting based on figures for the spring term. To re-open would mean operating at a loss, with increased costs in cleaning as a result of Covid.

It was heard Covid had also brought additional needs, used up reserves and highlighted flaws in the current funding system. Concerns over vulnerable children were highlighted, as well as children with additional needs, and it was heard that Covid had delayed the application for funds such as the Inclusion Fund. Joanne highlighted the uncertainty as to whether the pre-school would be able to open in September, and the immense stress for staff and also parents, who may be reluctant to send their child to a childcare setting as a result of Covid.

The Chairman thanked the deputees for their deputations.

### **133. CHAIRMAN'S ANNOUNCEMENTS**

On behalf of the Committee, the Chairman thanked Councillor Marge Harvey for her contribution as a Member of the Committee, and congratulated her on her new role as Vice-Chairman of the County Council. The Chairman also welcomed Councillor Bill Withers to his first meeting as a Member of the Committee.

The Chairman also reminded Members of the new poll voting method for recommendations, which could be accessed in the meeting chat facility.

### **134. CHILDCARE SUFFICIENCY ASSESSMENT AND COVID-19 IMPACT AND RESPONSE FOR THE CHILDCARE SECTOR**

The Committee received a report and presentation from the Director of Children's Services on Childcare Sufficiency Assessment and Covid-19 Impact and Response for the Childcare Sector (Item 6 in the Minute Book).

The item was introduced and Members heard that the purpose of the report was to update Members on the Childcare Sufficiency Assessment, and the statutory

duty to ensure sufficient childcare places in Hampshire, the priority actions identified and also progress made on these as a result of the Covid-19 pandemic. Members were taken through the presentation slides and an overview of the context of childcare in Hampshire pre-pandemic was set out. Members attention was drawn to page 3 of the presentation slides for Item 6 which detailed the numbers of children accessing childcare through universal entitlement of 15 hours centrally funded childcare, extended entitlement of 30 hours childcare and eligible two year olds accessing childcare in Hampshire. As mentioned by the deputees, it is seen as a diverse market place with many different provisions and settings which can make it challenging to provide support.

Funding for the sector was outlined on page 4 of the presentation slides, and it was heard that most funding was received from private fees rather than Early Years Education (EYE) funding, and as a result of the Covid pandemic, this has had a significant impact on the sector. It was noted that there are concerns that EYE funding isn't enough to sustain the sector. Members were taken through the action plan priorities as set out on page 5 of the presentation slides and pages 16-18 of the report, and the progress made with these was explained. It was heard that because of Covid, some reviews into action plan priorities such as rural childcare, and childcare for under twos and two year olds had been delayed.

Page 6 of the presentation slides highlighted the Covid impact on attendance and provision for the early years sector and it was noted that in January 2020, there were 34,000 children attending early years providers, which dropped to 300 at the start of lockdown, and this reflected children of key workers and vulnerable children. May and June did see rises in figures, but Government guidance for the sector asked providers to supply early years provision in bubbles of no more than 8, which also reduced capacity for how providers could operate. Further guidance encouraging parents to only use one provider could affect sector places moving forward.

The out of school sector was explained and it was heard that this sector was unable to open from the 20 March, but from the 1 July there was wider opening to support school holidays. Officers have outreached to this sector by webinar and to pass any concerns from this sector to the Department for Education (DfE), primarily in terms of maintaining bubbles and ambiguity in the guidance. It was heard that work was continuing to support this sector with ensuring holiday provision for children of parents who needed to work, but to also balance with future issues such as economic downturn which could affect demand for places.

Support to the sector throughout the Covid pandemic was explained through communication with webinars, one to one support, brokerage service, financial support to struggling providers as well as engagement with central Government. Members noted the issues to the sector with the loss of parental income, capacity restrictions, concerns for the future and difficulties in planning for the future because of current uncertainties. In conclusion, it was heard that during lockdown, provision was provided to all children that required it, support was continued to be provided to the sector and progression with the sufficiency

assessment where possible, but it was anticipated that this would present challenges in the coming months.

In response to questions, Members heard:

- That a different structural solution to EYE funding was needed, and also better ways of organising money to reach providers, and officers noted some Member's wishes to lobby Government for more funding for this sector.
- In relation to the graph detailed on page 21 of the agenda report pack, it was explained that there was a link between new Government guidance being released and peaks in contact from both providers and families. It was heard that these peaks in queries were mostly in relation to furlough guidance and year groups returning.
- That double funding was a decision made locally in Hampshire, which ensured providers who were unable to open were not penalised financially, and also providers who took on new children. It was noted that assistance with these costs had been sought from Government but this has not yet been confirmed.
- That there was concern for community settings due to them being largely voluntary in nature and now having to navigate areas such as risk assessment and infection control procedures as a result of Covid. It was noted that officers would look to contact this sector and do some targeted work to link them with other providers who could share their knowledge and expertise, and also ensure guidance was easy to understand.
- In relation to funding for vulnerable two year olds, it was noted that the Government sets the funding rates for these and the ratio per child is less, compared to three or four years olds. Changes to funding would need to be made by Government.
- That recently returned data to the DfE, which was currently submitted on a weekly basis, indicated that the number of childminders now open was up to about 75%, and officers highlighted that this was a promising figure.
- That it was recognised that many parents have children in different learning settings which included early-years, primary, junior and secondary schools. Officers emphasised the importance of clear messages from Government so all settings and parents could plan accordingly for September, and the return to these settings for children.
- In relation to paragraph 64, page 25 of the agenda pack, officers explained that as a result of Covid, there may be an increase in schools exploring ways in which they could deliver 2-11 years provision. It was noted that the private sector was already working alongside schools in some areas, and this work would continue to be facilitated where necessary to fulfil sufficiency duty.
- That officers would continue to work and ensure information and guidance is understood, create self-sustaining networks in the sector, help with cash flow, identify providers who could be at risk and monitor closely, and continue to provide support where needed.
- That recent guidance in relation to after-school club and carer/child ratio has changed recently which should help with providing more capacity for providers.

An additional recommendation was proposed by Councillor Ray Bolton and seconded by Councillor Gavin James:

*'That the Children and Young People Select Committee asks the Executive Member for Education and Skills and Executive Lead Member for Children's Services and Young People to write to the Secretary of State for Education highlighting the particular difficulties in the Childcare Sector in Hampshire and to try and establish a scheme that will provide payments to support the viability of childcare providers to retain spaces during the pandemic and recovery period.'*

A vote was held, and this recommendation was agreed by the majority of Members.

A vote was held on the recommendations detailed in the report and these were agreed by the majority of Members.

RESOLVED:

- i) That the Children and Young People Select Committee asks the Executive Member for Education and Skills and Executive Lead Member for Children's Services and Young People to write to the Secretary of State for Education highlighting the particular difficulties in the Childcare Sector in Hampshire and to try and establish a scheme that will provide payments to support the viability of childcare providers to retain spaces during the pandemic and recovery period.
- ii) That the Children and Young People Select Committee noted the content of the Childcare Sufficiency Assessment 2019 and the associated action plan together with the updated position in response to the Covid-19 pandemic.
- iii) That the Children and Young People Select Committee noted the impact of the Covid-19 pandemic upon the childcare sector and the County Council's support to the sector during this time.

### 135. **CHILDREN'S SERVICES UPDATE ON COVID RESPONSE**

The Committee received a presentation from the Director of Children's Services, outlining the department's response to Covid-19 (Item 7 in the Minute Book).

The presentation was introduced and the Director invited Assistant Directors within the service to present their specific service areas to the Committee. Members heard first about the department's work with children and families during lockdown. Page 38 of the agenda pack set out the planning through a phased approach for managing with fewer staff throughout the pandemic, whilst also identifying key priority services which had to be kept operational throughout all three phases. It was highlighted that the service maintained the position in phase one throughout, and all statutory services and timescales were kept in place. Members noted the new guidance which was issued to staff very early

on, and constant engagement between senior managers and teams, with an emphasis on maintaining a good audit trail on decisions made during this time. The data slide as set out on page 40 of the agenda pack detailed the number of referrals in March and April compared to the same period last year. It was explained that an increase in demand had been experienced in June this year as some families had not received services from other agencies and had gone into crisis, and more emergency steps had been implemented. However it was noted that even with the move out of lockdown, officers were expecting the increased numbers to remain due to other factors such as unemployment and increased mental health issues.

The different ways of working with children and families during lockdown were explained, and whilst there had been visits by staff wearing full PPE, 90% of work involved the use of technology, which included virtual meetings with older children and assessments for virtual court hearings. The outstanding work undertaken by all staff to maintain support and commitment to children in care during lockdown was also highlighted to the Committee, and attention was drawn to page 42 and page 43 of the agenda pack which detailed the breadth of this work. Members also noted the continued strong partnership working in Hampshire during lockdown in the sharing of information and a responsive approach. The Committee heard that whilst staff had adapted quickly to a new way of working over the last few months, managers continued to be mindful to individual staff wellbeing, and the importance of frequent contact and support.

Page 48 of the agenda pack highlighted areas of working during lockdown which had been positively received, worked well and would continue, as well as areas of improvement. It was noted that whilst resource planning was underway for an anticipated spike in demand, work was also underway to explore the transition of staff to office based working whilst maintaining some of the identified new positive ways of working within the service.

The impact of Covid-19 in relation to education was explained to the Committee and the background to the closure of schools for all children other than those of key workers and vulnerable children was set out. It was noted that Hampshire extended the definition of vulnerable children to include early help children in their assessments. The Committee heard that close working with headteachers and social care to ensure vulnerable children attended school was prioritised, and it was noted that Hampshire achieved a higher proportion of vulnerable children attending school than seen nationally. For those children with an EHCP, each school put in place individual risk assessments and children with an EHCP only attended school if safe to do so.

The implementation of home learning was set out, and it was heard that all schools had adapted rapidly to this, and the focus was quality of learning over quantity, with a mixture of online tasks as well as practical tasks which could be conducted inside and outside the home with an emphasis on enjoyment alongside learning. Support from the DfE was also highlighted and also the department's advice on English and Maths lessons to primary schools. Members heard that regular communication and support had been provided to schools by the department, and these were highlighted at page 57 of the agenda pack. The focus on wellbeing and mental health was also highlighted and

signposting to appropriate support. The wider reopening of primary schools on the 1 June was explained, and also the challenging circumstances around this in relation to individual schools and numbers of key worker children and vulnerable children attending each school which could limit other year groups being able to be brought back in. It was heard that at the end of that week, more than 25,000 pupils had returned in Hampshire. The Committee heard that the wider reopening of secondary schools to Year 10 only on the 15 June resulted in more than 37,000 pupils returning in Hampshire at the end of that week, and the support to schools in relation to the awarding of GCSE grades to Year 11 was also highlighted.

Members noted that in relation to education, it was very much business as usual but doing things differently, and the special educational needs team had worked hard to ensure those children in need of an EHCP continued to have these processed, and had secured 98% of year 6 EHCP's and places to go into year 7. The online work of the music service, inclusion team and specialist teaching advisors was also highlighted as well as the work of the careers service. Members also noted the primary behaviour service work in ensuring children received continued education. An additional slide was presented as set out on page 30 of the updated presentation. The next steps in working closely with schools to support opening in September were explained, and tensions in relation to bubble sizes, zoning and limiting access to specialist space was highlighted. Members also noted that in the event of any future lockdowns, schools would need to be able to adapt to remote learning rapidly, which was particularly important at Year 11.

The Committee heard that in relation to the Children's Services Capital Programme, property colleagues and contractors had adapted well to the challenges of Covid and major construction projects were progressing well and adhering to Government guidance. It was explained that some construction sites had initially closed as a result of Covid to review health and safety plans, but were now operational again. In relation to non-essential school repair and maintenance work, all schemes would continue to be reviewed on a case by case basis, with work commencing when appropriate and safe to do so, and in consultation with headteachers and governing bodies.

Attention was also drawn to projects relating to Austen Academy and Deer Park schools as outlined on page 65 of the agenda pack, and it was heard that productivity would inevitably be slower as a result of Covid, but officers were currently managing budgets and timelines within the contingencies initially set for these schemes. However, it was noted that a second lockdown could have implications for achieving these timelines. Officers also highlighted that all new school places schemes would be available for September.

The final area of work presented to the Committee was in relation to access, resources and business development. It was heard that it was very much business as usual, and very little activity was stopped, but some statutory data deadlines were suspended by the DfE, and some tender processes were paused. Some of the earlier work undertaken at the start of lockdown focussed on payments to providers, as well as protection of council funding where necessary. It was explained that some of the work most significantly affected

was in relation to Early Years and Home to School Transport (HtST), and as the Committee had already received an item on Early Years earlier in the agenda, this would not be presented in depth. In relation to HtST, numbers were down significantly as a result of lockdown, and the financial support to the sector was explained. As a result of guidance around social distancing, it was heard that capacity on vehicles would be significantly reduced, and this would inevitably present challenges in September. It was noted that guidance around this was still being awaited from Government, but officers would be working closely with schools in how best to support them. The Assistant Director explained that more parental mileage allowance would be offered instead of transport, and all eligible SEN families would be written to with an offer of this from September. Members noted that during lockdown, a successful primary admissions round had been completed as set out on page 71 of the agenda reports pack, and temporary legislation had enabled school admission appeals to continue.

Page 73 of the agenda report pack highlighted the Early Years work and attention was drawn to the brokerage service which was set up within 24 hours for families and providers to ensure no one who needed childcare went without. Page 74 of the agenda pack highlighted the DfE return for Early Years Recovery as of the 11 June 2020, and updated figures were verbally provided to the Committee. It was heard that as of 2 July 2020, 576 group providers were open and 65 closed, with all school based providers open. 616 childminders were now operating with 106 remaining closed, and a total of over 9000 children were now back in childcare.

In response to questions, Members heard:

- That the number of requests for consideration to become foster carers had increased over the last few months, and assessment processes for prospective foster carers were continuing.
- That to ensure enough resilience to keep Swanwick Lodge and other children's home open, two children's homes housing three children in total were temporarily closed, and those children were moved to other appropriate homes. Officers were looking to re-open the homes later in the year.
- In relation to looked after children, it was heard that the majority had coped well, and lockdown had enabled the strengthening of relationships between some children and their foster carers/social workers during this time.
- CAMHS workers have been able to offer therapy sessions to children where needed, and work has continued in supporting children's emotional wellbeing. It was noted that some older teenagers with challenging behaviour have found lockdown difficult, but officers were working hard with partner agencies to keep these young people safe.

*Councillor Malcolm Wade declared a personal interest at this point in proceedings as a governor at a school.*

- That schools have reported that vulnerable children attending school have had access to small group work which has benefited them, and stands these children in good stead ahead of September.

- That primary schools and secondary schools can claim additional costs from the government in respect to Covid, but there were limits to what could be claimed. Officers were working closely with schools on this before the deadline to submit first claims by 21 July.
- That the Government have announced funding of £1 billion for catch up funding, which would be split into various streams but officers were not sure yet how much each school would receive, and how this would be distributed.
- That from September, some teachers at secondary level may have to move from bubble to bubble to teach some specialist subjects, due to the smaller numbers of specialist teaching staff.

*Councillor Jackie Branson declared a personal interest at this point in proceedings as a chairman of governors at a secondary school.*

- That letters have been sent to schools to be shared with school staff in recognition of their hard work during the Covid pandemic, from both the Director and Executive Member for Education and Skills.
- That work was ongoing in examining practices which have worked well during Covid, and some of the virtual meetings may remain in place to maintain ongoing relationships with some older children who often don't enjoy face to face meetings.
- That if technology wasn't available to some vulnerable families because of issues such as affording broadband, then visits during lockdown were made ensuring appropriate health procedures were followed.
- That Government advice had to be followed in keeping schools closed based on scientific advice.
- That in relation to GCSE grades for this year, teachers' judgements would only play a small part in the awarding of predicted grades. It was heard that an algorithm would be used based on Key Stage 2 results, and the progress of their current school in recent years.
- That it was difficult to determine at this stage whether there would be an upward trend for elective home education as the cohort changes rapidly, with an average length of 3/4 months before returning to mainstream school.
- That the referral numbers for children have increased in relation to the previous year's numbers, and there has been an increase in the complexity of cases coming into child social care with higher level child protection work. It was heard that the number of children on a child protection plan has risen, as well as the number of children in care which could be as a result of the Covid pandemic and issues arising from this.
- That in terms of free school meals during the pandemic, these have continued at school, and during the summer each family entitled to free school meals will be provided with a voucher to access free school meals as a result of the Marcus Rashford campaign.
- That further guidance is awaited from the DfE in relation to HtST and how this will be implemented in September.

Individual Members of the Committee thanked all officers within the department for their hard work and achievements during the Covid pandemic, and the Chairman reiterated this on behalf of the Committee.

RESOLVED:

That the Children and Young People Select Committee noted the impact and response of the Children's Services Department to the Covid-19 pandemic.

136. **PROPOSED CHANGES TO POST 16 TRANSPORT POLICY STATEMENT 2020**

The Committee received, for pre-scrutiny, a report on proposed changes to the Post-16 Transport Policy Statement 2020 (Item 8 in the Minute Book). These proposed changes were due to be considered by the Executive Lead Member for Children's Services and Young People at her Decision Day that afternoon.

*A personal interest was declared by Councillor Wayne Irish at this point in proceedings as a school governor.*

The report was introduced by the Director of Children's Services and the statutory duty of Home to School Transport and the post-16 policy was explained. It was noted that due to legal challenges to the post-16 policy, this had been amended and was now being brought back for a decision. The Director highlighted that the policy had been through a consultation process, as well as examination by legal advisors and QC and amended accordingly.

The Director also drew Members attention to the savings target which was now significantly reduced, primarily due to the way that young people over 18 years are considered, having previously been in the remit of adult social care.

In response to questions, Members heard:

- That legally, the Council had to have a current policy in place to meet statutory requirements.
- That the Government position would need to be followed, but there could be issues in September in terms of transport timings and 'bubbles'.
- That further guidance would be announced from the Government in terms of Covid and Home to School Transport, and adaptations would be made in accordance with this guidance.
- That legal advisors to the Council were satisfied that the policy had addressed all legal points.
- That the policy could not be delayed because of Covid, as it was a legal requirement to ensure a current policy was in place.

An additional recommendation was proposed by Councillor Jackie Porter and seconded by Councillor Gavin James:

*'That the Children and Young People Select Committee receive an update on the effects of the new Policy within six months.'*

A vote was held, and this recommendation was agreed by the majority of Members.

A vote was held on the recommendation to the Executive Lead Member as detailed on Page 1 of the front cover report to Item 8, and this was agreed by the majority of Members.

RESOLVED:

- a) That the Children and Young People Select Committee receive an update on the effects of the new Policy within six months.
- b) That the Children and Young People Select Committee consider and support the recommendations being proposed to the Executive Lead Member for Children's Services and Young People in Paragraphs two and three of the attached report.

137. **SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) 0-25 REFORMS UPDATE REPORT - SEN PERFORMANCE AND JOINT WORKING**

Due to the length of time spent on earlier items, this item was deferred to a future meeting of the Committee.

138. **WORK PROGRAMME**

The Director of Transformation and Governance presented the Committee's work programme (Item 10 in the Minute Book).

The Chairman drew Members attention to the changes to the work programme since the last meeting which were highlighted in red. The Chairman also proposed that in light of the cancellation of the 14 May 2020 meeting because of Covid, that an additional meeting of the Committee be scheduled for September 2020. Members were in agreement with this.

RESOLVED:

That the work programme, subject to the additions set out above, was agreed.

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Chairman,