

LEARNING AND CULTURE SCRUTINY COMMITTEE

Minutes of a Remote Meeting held on 6th October, 2022.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor R.R. Thomas (Chair); Councillor H.M. Payne (Vice-Chair); Councillors A. Asbrey, R.E. Godfrey, E.J. Goodjohn, W.A. Hennessy, N.P. Hodges, J. Lynch-Wilson, J.M. Norman and E. Penn.

Co-opted Members: Dr. M. Price (Roman Catholic Church) and R. Morteo (Church in Wales).

Also present: Councillors R.M. Birch (Cabinet Member for Education, Arts and the Welsh Language) and E. Williams (Cabinet Member for Social Care and Health).

322 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

323 APOLOGIES FOR ABSENCE –

These were received from Councillors W. Gilligan and N.B. Marshallsea; and L. Barrowclough (Parent Governor – Primary Sector).

324 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 8th September 2022 be approved as a correct record.

325 DECLARATION OF INTEREST –

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| Councillor E.J. Goodjohn | Agenda Item No. 6 – Elective Home Education (EHE) Update | Prejudicial Interest – Councillor Goodjohn was an elective home educator. Councillor Goodjohn left the meeting during discussion of this item. |
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326 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL SELF-ASSESSMENT 2021/22 (REF) –

The reference from Cabinet of 8th September, 2022, as contained within the agenda, was presented by The Director of Corporate Resources and The Director for Learning and Skills.

Following the Directors' presentation, the Vice-Chair asked whether there could not have been an 'excellent' rating assigned with regards to management of finances, given the pressures and challenging environments the Council has been working under. To this point, The Director of Corporate Resources advised that whilst they were confident that the Council's finances had been managed well, this specific piece of work importantly identified areas for improvement, hence the Strategic Leadership Team's view that 'good' was the most appropriate rating in this instance.

The Chair queried where priorities and decision-making responsibilities lied for investment into schools. In response to this query, The Director for Learning and Skills advised that the Council's Building Conditions Surveys had recently been updated across all schools and that this had, in part, driven the school investment programme's focus. The Director also advised that they envisaged a forthcoming change of emphasis from Welsh Government, away from new-build projects, and towards retro-fitting carbon-reduction schemes within existing school estates.

The Director for Learning and Skills advised that Welsh Government had agreed to increase their contributions to funding capital projects that faced current issues around increasing costs, but also that the Council's contributions to funding such schemes had also incurred similar cost increases. The Director advised that they were due to meet with Welsh Government in the week following this Committee meeting, during which they hoped to learn more about the next iteration of Welsh Government funding for school projects. Around this point, the Finance Support Manager added that the Council's capital funding bid processes were currently taking place, and that the schemes applying for the rolling programme had been included as capital bids in order to apply for any match-funding that needed to be provided by the Council on proposed school projects. Following a request from the Chair, The Director for Learning and Skills confirmed that, subject to what information could be shared with the Committee, they would provide an update on information arising from the meeting with Welsh Government at the next meeting of this Committee.

With no further questions or comments relating to this report, the Committee subsequently:

RECOMMENDED – T H A T the Cabinet Reference and appended Draft Vale of Glamorgan Council Annual Self-Assessment report be noted.

Reason for recommendation

Having regard to the content of the report to assess the progress made by the Council in meeting its Annual Delivery Plan commitments for 2021/22 as aligned to the Corporate Plan Wellbeing Objectives as per section 114 of the Local

Government and Elections (Wales) Act 2021.

327 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO 31ST AUGUST 2022 (DLS) –

The report was presented to the Committee by the Finance Support Manager. The report advised Committee that the revenue position for 2022/23 would continue to be challenging for the Council both operationally and financially due to the ongoing implications of the COVID-19 pandemic and Cost of Living Crisis. A general Covid response reserve of £1.249m had been established during 2021/22 to help meet some of these pressures in 2022/23.

Emerging pressures during 2022/23 related to energy standing charges, the recent pay award proposal, general inflation particularly in areas such as school transport and cost of living and staffing pressures. Inflationary and demand pressures were being experienced across services and would need to be carefully monitored during the financial year.

Currently, there was a balanced overall position with the pressures being met from an underspend in the Policy Budget and some drawdown of service reserves.

An efficiency target of £500k had been set for the year and services were currently working towards achieving their targets. There were some issues remaining relating to unachieved savings targets from previous years.

Adverse variances were being projected for some services this year and the use of reserves would be required to resolve these issues in the short term.

Following the presentation of the report, The Director for Learning and Skills, with regard to the overspend on school transport, added that although some pressure on the budget had been predicted and additional funding was awarded, it wasn't until more recently that it had become apparent that there would be a significant overspend, the reasons for which were set out in the report. The Director advised that it was unlikely to be possible to meet this overspend from within reserves, as much of these reserves were already committed elsewhere, and so the issue was likely to reoccur in future monitoring reports throughout the year.

Councillor Hennessy asked what level of overspend would remain after drawing from reserves in order to reduce the overspend. In response to this query, The Director of Learning and Skills advised that this would depend upon the financial position at the end of the year, and the accuracy of relevant budget projections, given that these can fluctuate.

The Chair, with regards to the Additional Learning Needs (ALN) budget and the increasing levels of need in the area, asked how this can be planned for, given the level of unpredictability involved in the matter. In response, The Director of Learning and Skills advised that there was a reserve available for such pressures, but that this resource was limited. The Director also highlighted that the Council was now responsible for a larger age range in relation to ALN, which now covered pre-school

up to 25 years of age, which added further to demand. The Head of Additional Learning Needs and Wellbeing further highlighted that the ALN needs of pupils in The Vale of Glamorgan were particularly challenging to manage financially due to both the increasing demand and also to the Council's legal responsibility to all learners, which meant that funds had to be spent when needed. They envisaged that this would prove even more challenging going forward, should costs continue to rise or should budgets be tightened in future.

With no further questions or comments relating to this report, the Committee subsequently:

RECOMMENDED –

- (1) T H A T the position with regard to the Authority's 2022/23 Revenue Budget be noted.
- (2) T H A T the arrangements to offset the emerging overspends in 2022/23, as set out in the report, be noted.
- (3) T H A T the additional cost pressures of £2.840m on schools in 2022/23, that may need to be met from school balances, be noted.

Reason for recommendations

(1-3) Having regard to the content of the report and the projected revenue outturn for 2022/23 as well as emerging pay and price inflationary pressures in 2022/23 and additional pressures on schools in 2022/23.

328 ELECTIVE HOME EDUCATION (EHE) UPDATE (DSL) –

The report was presented to the Committee by the Inclusion Manager. The Vale of Glamorgan (VoG) like all Local Authorities (LAs) had longstanding obligations to ensure that all children of school age received a suitable and full-time education at school or otherwise.

The VoG, along with nearly all LAs in Wales, had seen significant increases in the number of parents choosing to home educate in recent years. Comparative data was limited and restricted in its use. The VoG Elective Home Education (EHE) data below shows an ongoing increase over time which had subsequently continued to rise since schools fully re-opened post Covid closures in April 2021 and since last year.

| January 2018 | January 2019 | January 2020 | January 2021 | January 2022 |
|------------------------|------------------------|------------------------|-------------------------|-------------------------|
| 46 EHE known to the LA | 76 EHE known to the LA | 87 EHE known to the LA | 104 EHE known to the LA | 134 EHE known to the LA |

As of the date of the last report to Cabinet regarding EHE in September 2021, Welsh Government (WG) published revised draft statutory guidance on EHE which made clearer the broader expectations on LAs to monitor and support the provision of EHE. WG had also published draft regulations for consultation which, if enacted, placed a duty on LAs to make arrangements to establish the identities of children in their area who were not registered learners at a school and who were not receiving suitable education. In that event those pupils would be classified as Child Missing Education (CME).

The regulations, if enacted, would lead to increased obligations upon all Welsh LAs to maintain a reasonably accurate database of all learners living in the VoG who were of school age.

These regulations had not become law and there was no published commencement date yet advised.

The LA understood that WG had appointed a seconded post to support the progress and implementation into law of these proposed regulations and the new Statutory Home Education Guidelines. It was hoped that the post holder would support WG in soon providing greater clarity as to how the interface between EHE and CME would be monitored and recorded. This in turn should enable and guide how all LAs recorded the various categories of learner and those who were or may become CME. For instance, a learner who was purported to be EHE but with concerning home provision and thus who may come within both a wide and a narrow definition of being CME or at risk of becoming so.

Following the Inclusion Manager's presentation, The Lead Officer for Social Inclusion and Wellbeing emphasised for member's clarity that contrary to common misconceptions, parents had a legal right to choose to home-educate their children and did not have a requirement to follow the National Curriculum when doing so, only to provide a suitable education.

In response to a query from Councillor Godfrey, the Inclusion Manager confirmed that the figure of £160 provided to support home-educators was a yearly figure and an average amount which could vary depending on whether the child needed to loan computer equipment, what school year the child was in, and whether they were sitting exams, for example.

In addition, Councillor Godfrey also asked whether there was a disparity between these support payments to home-educating families, and a perceived lack of support for families who had chosen to send their child to a public school, having felt there wasn't a state-funded school suitable and available in their area. On this point, the Inclusion Manager advised that whilst parents could choose to home-educate or to pay for independent school education which already had tax incentives due to charitable status in most cases, the Local Authority officer role was to encourage access to Local Authority schools and to support school improvement and inclusion. They further added that children would be supported whether they were home-educated or privately educated, by extra-curricular provision such as youth clubs.

The Lead Officer for Social Inclusion and Wellbeing added that the key concept involved was freedom of choice regarding education, and that the Council's role was to try to ensure that young people were catered for educationally in the best manner possible, as well as safeguarded appropriately. They explained that this informed the investment in engagement with home-educating families to an increasing extent, in order to react to the increasing numbers. In addition to these comments, the Inclusion Manager highlighted that if a family's first choice of school was not available, then the Council always offered a second-choice school, whilst working hard to ensure that all schools were of a good standard.

The Vice-Chair asked whether the percentage of children that were 'missing education' in The Vale of Glamorgan was known. In response, the Inclusion Manager advised that because there was no database to record children missing education (CME), such percentages were not known by either the Council, or by other Local Authorities. They added, however, that with new regulations incoming, such a database was due to be implemented in future, which would help to identify numbers of CME. The Inclusion Manager further advised that work had been undertaken to improve systems of recording information on known CMEs, including making systems of home visits and training for home-educating families more robust, and collating information regarding those children at risk of becoming CMEs.

Following a query from the Chair, The Inclusion Manager explained that following Wales-wide data sharing, and surveying parents within The Vale of Glamorgan, the main reasons behind families choosing to home-educate included: dissatisfaction with a school; not being offered a preferred school; feeling that additional learning needs were not met; and having children who were very anxious or phobic around the school environment. They added that following a choice to home-educate, checks were carried out with the school in question, to ensure the issues faced by home-educating families were not ones which could have been resolved, and that the families in question had made an informed choice which could not be negotiated on or mediated around in order to keep the child in school (if that was indeed the best option for the child). The Inclusion Manager also highlighted the Covid-19 pandemic as being a significant factor driving home-education levels in recent years, in addition to changing attitudes around school attendance, and the increasing accessibility of remote methods of learning.

With no further questions or comments relating to this report, the Committee subsequently:

RECOMMENDED –

- (1) T H A T the progress made in the area of Elective Home Education (EHE) during the last 12 months be noted.
- (2) T H A T a further progress update report in relation to the ongoing delivery, and further measures to raise awareness of the use and impact of EHE grants for the support of EHE learners be received by the Committee in 12 months' time.

Reasons for recommendations

- (1) Having regard to the content of the report to enable the Council to scrutinise its legal obligations under the relevant Education legislation to ensure all learners of statutory school age receive a suitable and fulltime education either at school or otherwise.
- (2) Committee are updated on:
 - further progress and the likely impact of any implementation of the proposed amended statutory guidance on Home Education and the proposed draft regulations which incorporate the requirement for Local Authorities to maintain a Child Missing Education (CME) database;
 - the progress made in relation to the ongoing delivery, and further awareness raising of the use and impact of the EHE grants for the support of EHE learners and ongoing changes to the expectations; and
 - obligations placed on the Local Authority with regards to EHE learners and learners who may be categorised as CME with a specific focus on those missing their entitlement to an education.

329 EDUCATION UPDATE ON THE SYRIAN RESETTLEMENT PROGRAMME (DSL) –

The Vulnerable Groups Manager presented the report to the Committee. The purpose of the report was to provide Members with an update on the Syrian Resettlement Programme (SRP) from an education perspective at a local level.

The Vale of Glamorgan (VoG), like all Local Authorities (LAs), had a longstanding obligation to ensure that all children of school age received a suitable and full-time education at school or otherwise, including those who were part of the SRP.

The Vulnerable Groups Team provided support for pupils who spoke English as an additional language and provided enhanced support for pupils in the SRP.

The Welsh Government funded the Team through the Minority Ethnic Achievement and Gypsy, Roma Traveller (MEAGRT) grant. The purpose of this funding was to support ethnic minority pupils.

The Vulnerable Groups Manager brought to the Committee's attention updated information received after having written the report, that families involved in the Syrian Resettlement Programme could apply for Indefinite Leave to Remain, up to 28 days prior to their 5-year qualifying period, rather than needing to apply for Settled Status after 5 years of settlement.

The Vice-Chair asked whether the insecurity around their right to remain in the UK was a factor impacting upon families involved in the SRP. In response to this query, the Vulnerable Groups Manager confirmed that this was an anxiety for families, particularly as some had incorrectly understood that they would automatically receive leave to remain. They further advised that the updated information around applying for Indefinite Leave to Remain now needed to be sensitively communicated to

families, and that their wellbeing would be closely monitored going forward, in light of their immigration issues and the trauma they had already experienced prior to entering the UK. The Vulnerable Groups Manager furthermore explained that the families involved had set up new lives in the UK and so hard work was needed, in conjunction with colleagues in Housing Services, to ensure families were aware of what was required of them in terms of applying for Indefinite Leave to Remain.

In response to a question from the Chair regarding the families involved in the project learning English, The Vulnerable Groups Manager explained that while parents could access English for Speakers of Other Languages (ESOL) classes, children in the programme were encouraged to learn English through attending school and accessing English language support within the school day. This was preferred because children had been found to develop English skills more successfully within the school environment, whereas at post-16 stage, ESOL classes could then be accessed. The Vulnerable Groups Manager further explained that the Council provided support to the schools involved to enable them to offer the additional English language teaching that these pupils required.

With no further questions or comments relating to this report, the Committee subsequently:

RECOMMENDED –

- (1) T H A T the progress made in the education remit of Syrian Resettlement Programme (SRP) in the last 12 months be noted.
- (2) T H A T a further progress update as to ongoing delivery and support of pupils in the SRP and other pupils with refugee status be received by the Committee in 12 months' time.

Reasons for recommendations

- (1) Having regard to the content of the report and the legal obligations for the Council under the Education Act 2002 to ensure all pupils of statutory school age receive a suitable and full-time education either at school or otherwise.
- (2) The Scrutiny Committee continues to have oversight and awareness of ongoing expectations placed on the Local Authority regarding pupils in the SRP.

330 GOVERNOR TRAINING REPORT FOR THE 2021/22 ACADEMIC YEAR (DLS) –

The report was presented to Committee by The Head of Governor Support. The report provided commentary and a statistical summary of the attendance and evaluations received for online governor training courses held during the 2021/22 academic year.

Despite Covid 19 and its continuing restrictions, training opportunities for Vale governors were not adversely affected during the 2021/22 academic year. A record

number of governors attended a record number of training sessions / courses. A summary of attendance over the last 8 years was provided within the report.

81 virtual courses / sessions were held, and 753 Vale governors attended last academic year. This was an increase of an additional 30 courses and 71 more Vale governors trained during an academic year than the previous record in 2020/21.

Following the presentation of the report, Councillor Hennessy asked whether The Head of Governor Support believed that safeguarding training should become mandatory for Governors, to which they replied that while there was an argument for this, the matter was decided by Welsh Government, rather than the Council. They pointed out, however, that the Council actively encouraged Governors to undertake safeguarding courses in addition to training which was mandatory, and that termly safeguarding courses had been arranged. Further to this, The Head of Additional Learning Needs and Wellbeing added that guidance on keeping learners safe had recently been updated to outline that Governors with a particular responsibility for safeguarding 'should' undertake safeguarding training, and that this updated guidance would be addressed with schools, asking them to discuss the matter with their Safeguarding Governors, in particular. They added that many Governors had indeed undertaken safeguarding training, and that enforcing it for all was difficult given the voluntary nature of the role.

Following a query from the Chair, The Head of Governor Support advised that only mandatory Governor training courses were available in Welsh, and that uptake through the medium of Welsh was unfortunately low.

With no further questions or comments relating to this report, the Committee subsequently:

RECOMMENDED – T H A T the annual Governor Training Report for the 2021/22 Academic Year be noted.

Reason for recommendation

Having regard to the content of the annual report.

331 1ST AND 2ND QUARTER SCRUTINY RECOMMENDATION TRACKING 2022/23 AND UPDATED COMMITTEE FORWARD WORK PROGRAMME SCHEDULE 2022/23 (CX) –

The brief report was presented to Committee by the Democratic and Scrutiny Services Officer. The report advised Members of progress in relation to the Scrutiny Committee's historical recommendations and the updated Forward Work Programme Schedule for 2022/23.

Recommendation Tracking 1st Quarter 2022-23 (Appendix A);
Updated Forward Work Programme Schedule for 2022/23 (Appendix B).

With no questions or comments relating to this report, the Committee subsequently:

RECOMMENDED –

- (1) T H A T the status of the actions listed in Appendix A to the report be agreed.
- (2) T H A T the updated Forward Work Programme Schedule for 2022/23, as attached at Appendix B to the report, be approved and uploaded to the Council's website.

Reasons for recommendations

- (1) Having regard to the content of the report to maintain effective tracking of the Committee's recommendations.
- (2) For public information.