



DARLINGTON

Borough Council

Children and Young People Scrutiny Committee Agenda

9.30 am

Monday, 21 February 2022

Council Chamber, Town Hall, Darlington. DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions/ Attendance at Meeting
2. Declarations of Interest
3. To approve the Minutes/Notes of the meetings of this Scrutiny Committee held on: –
 - (a) 25 October 2021;
 - (b) 20 December 2021; and
 - (c) 10 January 2022(Pages 3 - 14)
4. Review of the Special Educational Needs (SEND) Accessibility Strategy 2017-2020 –
Report of the Group Director of People
(Pages 15 - 58)
5. Childcare Sufficiency Assessment 2021-22 –
Report of the Group Director of People
(Pages 59 - 72)
6. Work Programme –
Report of the Group Director of Operations
(Pages 73 - 90)

7. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting
8. Questions



Luke Swinhoe
Assistant Director Law and Governance

Friday, 11 February 2022

Town Hall
Darlington.

Membership

Councillors Ali, Mrs Culley, Bell, Crudass, C L B Hughes, Lister, Lucas, Renton, Snedker, Sowerby and Willis

Statutory Co-optees

Malcolm Frank and Carly Spence

Non Statutory Co-optees

Maura Regan, Tim Fisher, Nick Lindsay, Janet Woodcock and John Armitage

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CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Monday, 25 October 2021

PRESENT – Councillors Crudass (Chair), Mrs Culley, C L B Hughes, Lucas, Snedker, Sowerby and Willis

STATUTORY CO-OPTees – None

NON-STATUTORY CO-OPTees – None

APOLOGIES – Councillors Ali, Lister and Renton; Carly Spence, Tim Fisher, Nick Lindsay and John Armitage

ABSENT – Councillor Bell, Malcolm Frank, Maura Regan and Janet Woodcock

ALSO IN ATTENDANCE – Ann Baxter and Vicky Davidson-Boyd (Adoption Tees Valley)

OFFICERS IN ATTENDANCE – Chris Bell, Allison Hill (Democratic Officer), Martin Graham (Head of Quality Assurance and Practice Improvement) and Paul Richardson (Head of Skills and Employability)

CYP17 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

CYP18 TO APPROVE THE MINUTES OF THE MEETING OF THIS SCRUTINY COMMITTEE HELD ON 23 AUGUST 2021

Submitted – The Minutes (previously circulated) of the meeting of this Scrutiny Committee held on 23 August 2021.

RESOLVED – That the Minutes of the meeting of this Scrutiny Committee held on 23 23 August 2021 be approved as a correct record.

CYP19 ADOPTION TEES VALLEY ANNUAL REPORT 2020-21

Vicky Davidson-Boyd, Service Manager, Adoption Tees Valley presented Adoption Tees Valley (ATV) Annual Report 2020/21 and outlined the work that had been undertaken across the Tees Valley during 1 April 2020 and 31 March 2021.

It was reported that this was the third annual report of Adoption Tees Valley which was the Regional Adoption Agency (RAA) for the five local authorities Councils of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton.

The Service Manager advised Members that this period had been impacted by the National Covid 19 pandemic and characterised by adoption activity conducted within the amended regulations and restrictions imposed because of the public health emergency. This brought both challenge and opportunity to work differently across Children's Services; and the service

had trialled new ways of working and implemented practices which had been underpinned by nationally developing adoption practice, and research.

The submitted report highlighted The Adoption and Children (Coronavirus) (Amendment) Regulations (2020) which permitted adoption services a range of flexibilities which were outlined in the report; outlined the governance arrangements by a Board comprised of five Directors for Children's Services of the five Local Authorities within the partnership; set out the National Context of Adoption; gave details of the Early Permanence Strategy which had been collaborative, and had involved key stakeholders with a role in care planning and the placement of children for adoption; outlined the three year review of Adoption Tees Valley which will conclude its findings in September 2021; and provided individual authority performance benchmarking data and analysis of performance.

The submitted report also provided details of marketing and recruitment activities; various data in relation to adopter journey, referrals and placement, characteristics of children placed, adopted support; and the new initiative to support pathway for prospective adopters.

The submitted report also detailed the Quality Assurance mechanisms in place for managing and monitoring the work of the agency, and the quality of work; provided details of the joint budget and support funding available to the ATV; and outlined key development areas for the ATV within the 2021 Service Plan.

Particular reference was made to this local authority performance which had seen fewer children adopted than previous years; the Moving on To Adoption Model adopted by the ATV as a best practice model in some targeted cases; the challenges with managing the volume of Life Story books for children who are placed for adoption and how the ATV can address this issues; the continued employment of an Education Support Worker co-funded by the five local authority Virtual Schools via Department for Education grant funding for children previously in the care of the local authority and 59 families and children had been supported during this year.

Members expressed concern at the delays reported in progressing plans and were advised that Panel Chairs produce a six monthly report for each local authority and were given reassurance that this was not a particular concern in Darlington; discussed the increase in Stage 1 adopters which did not progress to Stage 2 and how this may have been affected by the Covid pandemic; discussed the investment in marketing to attract the correct adopters for the children in Darlington; and the resource and demand issues related to non-agency, step parent adoptions.

RESOLVED – That the Adoption Tees Valley Annual Report for 2020/21 be noted.

CYP20 DARLINGTON SAFEGUARDING PARTNERSHIP ANNUAL REPORT

The Group Director of People submitted a report (previously circulated) to enable Members of the Children and Young People Scrutiny to receive and comment upon the Annual Report of the Darlington Safeguarding Partnership (DSP) for the period 2020/21.

It was reported that the Local Safeguarding Partnerships were required to produce an Annual

Report to account for the Partnerships achievements over the previous year and make an assessment of the effectiveness of multi-agency safeguarding arrangements within the local area.

The Annual Report outlined what the Partnership had done over the period 2020/21, drawing upon a range of data and information to outline the progress made and illustrated the effectiveness of multi-agency safeguarding partnership arrangements.

Ann Baxter, Independent Chair of the Darlington Safeguarding Partnership attended the meeting to outline the Annual Report and answer Members questions thereon.

It was also highlighted that the Covid-19 Pandemic and the challenges posed to ensure children, young people and vulnerable adults were safeguarded had been the main focus throughout the year.

Particular reference was made to the multi-agency Critical Safeguarding Partnership Group which was established in response to the Government's emergency procedures and met weekly for the management and oversight of vulnerable children; and the sharing and learning between partners working closely and adapting ways of working to ensure that the most vulnerable were supported and safeguarded.

Members referred to domestic violence and the services provided, working closely with the police to understand the situation in Darlington and Anne assured Members that this was a priority area of the Partnership; discussed the increase in the number of children looked after in Darlington; and questioned the current position regarding Home Elective Education and if systems were in place to re-introduce those families who have elected to home educate back into schools if they so wished.

Members also discussed the safeguarding partners and the challenges of ensuring that all groups other than health, police and the local authority are represented and their voices heard. Ann acknowledged the work of this Scrutiny on the 'voice of the child' during the pandemic and confirmed that the final report of Members had been noted by the Partnership.

RESOLVED – That the Darlington Safeguarding Partnership Annual Report for 2020/21 be noted.

CYP21 INDEPENDENT REVIEWING OFFICER ANNUAL REPORT 2020-21

The Group Director of People submitted a report (previously circulated) to provide Members with an overview of the work by the Independent Reviewing Officer Service; and to consider the Annual Reports of the Independent Reviewing Officer for 2020/21 and the Child Protection Conference Chair for 2020/21.

It was highlighted that for the the whole of the period April 2020 – March 2021 the work undertaken by the Children's Safeguarding Unit had been under Covid-19 arrangements and in line with guidance, all formal meetings, which in previous years had been face to face, had been conducted using virtual platforms.

The submitted report provided Members with an overview of the work of the Independent Reviewing Officer (IRO) service in relation to Looked After Children, including the Dispute Resolution Process and an overview of the performance of the unit in a range of responsibilities.

The submitted report also provided information on the role of the IRO's and statutory and non-statutory functions that the service is responsible for; the number of children subject to Child Protection Plans at 31 March; Child Protection Demographics; Timeliness of Initial Child Protection Conferences and Children Protection Review Conferences; the percentage of subsequent plans; and highlighted the actions scheduled for 2021/22.

Members questions were in relation to the rising caseloads as a result of the increase in the number of Looked After Children; the welfare of the workforce; and the impact of home working on the workforce.

RESOLVED – That the annual reports of the Independent Reviewing Officer and Child Protection Conference Chair for 2020/21 be noted.

CYP22 LEARNING AND SKILLS ANNUAL REPORT 2020/21

The Group Director of People submitted a report (previously circulated) to provide Members with an update on the performance of the Learning and Skills Service for academic year 2020/21; and to allow Scrutiny members an opportunity to challenge the performance of this externally funded service.

It was highlighted that the pandemic had impacted on the Learning and Skills service and delivery in a number of ways over the last two academic years; however staff had responded magnificently and continued to deliver throughout that time, making a very successful transition to online teaching and learning.

It was reported that the service's aim was to grow provision whilst continuing to respond to employer and community need; and outlined the challenges ahead.

Members discussed in particular the low take up of apprenticeships and the possible reasons for this; how the Service had been affected by the pandemic and the challenges faced; and Members expressed their concerns for the Learning and Skills service with the impact of the pandemic and the potential uncertainties of the Tees Valley Combined Authority devolved funding model diverging from what the rules and requirements were under the Education and Skills Funding Agency. It was also suggested that Cabinet be made aware of this Scrutiny Committee's concerns about the financial impact on learning and skills.

RESOLVED – That the report be noted.

CYP23 PERFORMANCE INDICATORS QUARTER 1 2021/22

The Director of Children and Adults Services submitted a report (previously circulated) to

provide Members with an update on performance against key performance indicators.

The submitted report provided Quarter 1 (April 2021 to June 2021) performance information in line with an indicator set agreed by the Monitoring and Co-ordination Group and subsequently by each individual Scrutiny Committee.

The submitted report highlighted where Children and Young People were performing well and where there was a need to improve. It was also outlined that where indicators are reported annually, quarterly updates will not be available.

It was highlighted that 10.1 per cent of the children referred during Q1 had been re-referred to Children's Social Care within 12 months of a previous referral below the internal target of 18 per cent; Social workers completed 90.8 per cent of the Childrens and Families assessments within timescale, which remains higher than statistical neighbours, regional and national average benchmarks; 89.7 per cent of Initial Child Protection Conferences were held within 15 working days from the strategy meeting / section 47 being initiated, excluding transfer-in conferences which was below internal target however remained higher than our statistical neighbour, regional and national average benchmarks; 100 per cent of children with a Child Protection (CP) plan and 100 per cent of Children in Care (CiC) have an allocated social worker; during Q1 no child had ceased to be subject to a CP plan who had been subject to the plan for two or more years and continue to positively perform below the target of 5 per cent; the number of Children in Care (CiC) has decreased to 264 by the end of June 2021 (end of June 2020 (302)) and work continues to safely reduce the number of children coming into care; 90.5 per cent of statutory CiC visits were completed within timescale in line with the target of 90 per cent; 9.8 per cent of our Children in Care, as of June 2021, had three or more placements within the previous 12 months below internal target, our statistical neighbour, regional and national average benchmarks; 69.1 per cent of our Children in Care aged under 16 (who have been looked after for at least 2.5 years) have been in their current placement continuously for at least two years; 8.8 per cent of our Children in Care have been placed 20 or more miles away from home as of June 2021 below the target of 10 per cent; 86.4 per cent of the children, newly into care, were seen by CDDFT within 20 working days for an initial health assessment; 86.4 per cent of children due a review health assessment year to date had one completed; 21.7 per cent of Care Leavers were not in employment, education or training (NEET) which was positivity below target of 30 per; and 100.0 per cent were in suitable accommodation.

The areas highlighted for focus were in respect of referrals were screened and completed within 1 day during Q1 2021/22 were below the target of 90 per cent at 68.5 per cent and 9 per cent of the referrals took over three days to complete; at the end of June 2021, the percentage of children becoming subject to a CP plan for a second or subsequent time within two years of the previous plan ending was 14.3 per cent above the 6 per cent target, however, related to one family; 87.3 per cent of children received a statutory CP visit within 10 working days during Q1 below the target of 90 per cent; and 55.8 per cent of children due a dental check assessment year to date had one completed

RESOLVED – That the performance information reported for Quarter 1 2021/22 be noted.

The Group Director of Operations submitted a report (previously circulated) requesting that consideration be given to this Scrutiny Committee's work programme and to consider any additional areas which Members would like to suggest should be included in the previously approved work programme.

The Chair advised Members that he, along with Councillor Renton, Chair of Economy and Resources had met with Paul Richardson, Head of Skills and Employability to discuss the position regarding youth unemployment in Darlington and were advised that a piece of work had already been commissioned by the Chief Executive which Seth Pearson, Chief Executive of Darlington Partnership was leading on.

RESOLVED – That the work programme be noted.

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Monday, 20 December 2021

PLEASE NOTE THAT THIS WAS NOT A FORMALLY CONSTITUTED MEETING

PRESENT – Councillors Crudass (Chair) , Ali, Mrs Culley, CLB Hughes, Renton, Snedker and Willis

STATUTORY CO-OPTees – None

NON-STATUTORY CO-OPTees – None

APOLOGIES – Councillors Bell, Lucas and Sowerby; Carly Spence, John Armitage

ABSENT – Councillor Lister, Malcolm Frank, Maura Regan, Tim Fisher, Nick Lindsay and Janet Woodcock

ALSO IN ATTENDANCE – Councillor Clarke

OFFICERS IN ATTENDANCE – Allison Hill (Democratic Officer), Tony Murphy (Head of Education and Inclusion), Chris Bell (Assistant Director of Children's Services), Joanne Benson (Service Manager) and Martin Webster (Workforce Development Manager)

CYP25 TO APPROVE THE MINUTES OF THE MEETING OF THIS SCRUTINY COMMITTEE HELD ON 25 OCTOBER 2021

Submitted – The Minutes (previously circulated) of the meeting of this Scrutiny Committee held on 25 October, 2021.

CYP26 DECLARATIONS OF INTEREST

There were no declarations of interest reported at this meeting.

CYP27 PERFORMANCE INDICATORS QUARTER 2 2021/22

The Assistant Director of Children's Services submitted a report (previously circulated) to provide Members with an update on performance against key performance indicators.

The submitted report provided mid-year (July 2021 to September 2021) performance information in line with an indicator set agreed by the Monitoring and Co-ordination Group and subsequently by each individual Scrutiny Committee.

The submitted report also highlighted where Children and Young People were performing well and where there was a need to improve. It was also outlined that where indicators are reported annually, quarterly updates will not be available.

It was highlighted that 10.7 per cent of the children referred during this quarter had been re-referred to Children's Social Care within 12 months of a previous referral which was positively below the internal target of 18 per cent; 100 per cent of children with a Child

Protection (CP) plan, and 100 per cent of Children in Care (CiC) had an allocated social worker; no child had ceased to be subject to a CP plan who had been subject to the plan for two or more years, and continue to positively perform below the target of five per cent; the number of Children in Care (CiC) was 266 by the end of September 2021, which was a large reduction of 11.9 per cent when compared with the number of children at the end of September 2020 (302) and work continues to safely reduce the number of children coming into care; 92.9 per cent of statutory CiC visits were completed within timescale during Q2 above the target of 90 per cent; 9.8 per cent of our Children in Care, as of September 2021, had 3 or more placements within the previous 12 months and performance was positively below the internal target of 10 per cent; 69.8 per cent of Children in Care aged under 16 (who have been looked after for at least 2.5 years) had been in their current placement continuously for at least two years, in line with the internal target of 68 per cent; 8.3 per cent of Children in Care had been placed 20 or more miles away from home as of September 2021 below the target of 10 per cent; 93.7 per cent of children due a review health assessment year to date had one completed, which was above the target of 90 per cent; and 21.3 per cent of Care Leavers were not in employment, education or training (NEET) at the end of September 2021, which was positively below target of 30 per cent and 100.0 per cent were in suitable accommodation.

The areas highlighted for focus were in respect of Social workers completed 87.3 per cent of the C&F assessments within timescale during Q2 2021/22, which falls below the target of 90 per cent, although was higher than the 80.4 per cent for the same period last year; 78.8 per cent of Initial Child Protection Conferences (ICPC) were held within 15 working days from the strategy meeting / section 47 being initiated, excluding transfer-in conferences, by the end of Q2; 68.2 per cent of referrals were screened and completed within 1 day by the end of Q2, below the target of 90 per cent and 7.6 per cent of the referrals took over three days to complete; at the end of September 2021, the percentage of children becoming subject to a CP plan for a second or subsequent time within two years of the previous plan ending was 9.8 per cent, above the 6 per cent target, however this was a reduction from 14.3 per cent as at the end of Q1 2021/22; 87.1 per cent of children received a statutory CP visit within 10 working days during Q2 below the target of 90 per cent; and 75.7 per cent of children due a dental check assessment year to date had one completed, and although below the target of 90 per cent it was a significant improvement from 55.8 per cent as at the end of Q1 2021/22.

Members discussed in particular the challenges around the recruitment and retention of social workers which was noted as both a regional and national challenge and requested information on what the authority was doing to address the shortfall in social workers; questioned the current position regarding caseloads and were assured by the Assistant Director of Children's Services that caseloads were at a safe and manageable level; and noted the increase in missing from care and questioned what was being done by the authority to address this.

Members also questioned if the recommendations of the Munro Review of Child Protection and the subsequent recommendations in May 2011 were now in practice within this authority. The Assistant Director of Children's Services assured Members that over recent years there had been a move away from bureaucracy and procedure to focus more on families and practice alongside the Strengthening Families work in collaboration with Leeds City Council which aims to build connections and communities and the authority were moving in the right direction.

CYP28 UPDATE OF DEVELOPING DARLINGTON CARE COLLECTIVE

The Assistant Director, Commissioning, Performance and Transformation submitted a report (previously circulated) to provide Members with an update on progress made with the Developing Darlington Care Collective (DDCC), linking MECC (Making Every Contact Count) brief intervention work.

The submitted report gave the background to the Collective and the key achievements throughout 2021 with the focus on collaborative working and the key aims and plans of the Developing Darlington Care Collective for 2022 which included the key priority the workforce.

Martin Webster, the Workforce Development Manager gave a presentation on the Developing Darlington Care Collective and also outlined the plans to support all aspects of recruitment, retention, training, progression and destination by the launch of the 'Darlington Xtra' microsite and associated platforms that support the implementation of the DDCC and also gave Members a brief demonstration of the site and its content.

CYP29 CHILDREN'S CENTRE SERVICES REPORT

The Assistant Director of Children's Services submitted a report (previously circulated) at the request of Members to provide an update on the position in relation to services offered for young parents during and post Covid-19 lockdown and restrictions.

It was reported that the Building Stronger Families Service for Darlington Borough Council based at McNay Street Children's Centre, prior to the start of the Covid 19 pandemic and subsequent lockdowns in March 2020, offered a high level of support by way of targeted delivery through early help assessments and universal groups focusing on parents' mental health, practical skills, and children's development.

Parents to be and new parents were able to attend a range of groups across the town, including a pre and post birth group for teenage parents, with midwives working with teenage parents on hand to conduct antenatal checks and several groups aimed at babies up to 12 months and their parents, focussing on parents' well-being and helping them to promote the development of their babies in all areas.

Unfortunately, once the working from home directive came from Government, and the centres were closed, all these group closed as well however it was reported that work immediately began to try to get as many of these services online and the Children's Centre Facebook page became somewhere to access advice and guidance, as well as practitioners delivering live and pre-recorded sessions on child development, behaviour management and other related issues; and over the summer of 2021 the groups run from the children's centre began to re-open with Covid 19 safe measures in place from July, with the bulk re-opening in September 2021.

Members discussed the importance of interaction with children and parent through playgroups and other informal networks and that this connection may have been lost during the pandemic and questioned how these links were being continued.

Joanne Benson, the Service Manager, Building Stronger Families advised Members of the methods of communication and media plans in place to link in to all these groups to support families and to reach out to those hard to reach families.

CYP30 WORK PROGRAMME

The Group Director of Operations submitted a report (previously circulated) requesting that consideration be given to this Scrutiny Committee's work programme and to consider any additional areas which Members would like to suggest should be included in the previously approved work programme.

The Chair advised Members that he was making arrangements for Members to meet informally via Microsoft Teams with the Darlington Youth Partnership and Council of Schools Councils; and Shona Duncan, Head of Education, Employment and Skills, Tees Valley Combined Authority had agreed to make a joint presentation to this Scrutiny and Economy and Resources Scrutiny on the funding allocation for our authority and where the education funding is being focused.

Others areas suggested by Members to examine further included young people who were currently out of school and how to get those children back into education; access to education for children in care; and school meals for primary school aged children.

The Assistant Director of Children's Services also advised that he would provide Members with information on a number of key changes in terms of intervention and support for those children who are 'missing from care' at a future meeting.

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Monday, 10 January 2022

PLEASE NOTE THAT THIS WAS NOT A FORMALLY CONSTITUTED MEETING, AND THAT THIS IS A 'NOTE' OF THE INFORMAL MEETING THAT TOOK PLACE.

PRESENT – Councillors Ali, Crudass (Chair), Mrs Culley, C. Hughes, Lucas, Renton, Snedker, Sowerby and Willis

STATUTORY CO-OPTees – None

NON-STATUTORY CO-OPTees – John Armitage and Nick Lindsay

APOLOGIES – Councillors Bell and Lister, Tim Fisher

ALSO IN ATTENDANCE – Councillor Clarke

OFFICERS IN ATTENDANCE – Elizabeth Davison (Group Director of Operations), Chris Bell (Assistant Director of Children's Services), Brett Nielsen (Assistant Director Resources), Tony Murphy (Head of Education and Inclusion) and Allison Hill (Democratic Officer)

DECLARATIONS OF INTEREST

Councillor Snedker declared a non-pecuniary interest in the item below.

MEDIUM TERM FINANCIAL PLAN

The Assistant Director Resources submitted a report (previously circulated) requesting that Members give consideration to the Medium Term Financial Plan (MTFP) for 2022/23 to 2025/26.

In introducing the report, the Group Director of Operations reminded Members of the MTFP Briefing that was delivered to Members in December outlining the overall position of the MTFP, and advised that Members now had the opportunity to ask questions relating to the remit of this Scrutiny Committee and to forward any views or comments to the Economy and Resources Scrutiny Committee for consideration at its meeting scheduled to be held on 20 January 2022.

The Group Director of Operations provided an update on the finance settlement which had been received subsequent to the draft MTFP.

It was reported that the Council Tax and Precept levels remained as expected at 2 per cent and 1 per cent respectively; that the £1.5B additional funding announced in the Autumn Statement had been split into £822M Services Grant and £636M Social Care Grant; the Council would be receiving £1.579M from the Services Grant and £1.162M from the Social Care Grant, which was higher than the estimate included within the draft MTFP; and Members were advised that the Services Grant was a one-off payment whilst a further review of Local Government funding was conducted.

Members were also advised that the New Homes Bonus had been extended for a further year, and that this would net a further £1.4M above anticipated levels. It was reported that there were also a number of reductions from initial draft figures, however overall there would be an additional £1.073M funding for 2022/23.

Members discussed in particular with the Assistant Director of Children's Services and the Assistant Director of Resources the level of unpredictability within Children's Services and the Strengthening Families Programme which was key to the improvement journey and providing high quality services and the challenges faced which were still ongoing from the pandemic; how the level of funding for Children's Services is measured and set and it was noted that there had been a significant increase in funding over recent years mirrored by the increase in expenditure; the challenges around placement markets which was to undergo some national changes in Spring 2022; it was noted that the overspend at the year end for Children's Social Care which was approximately £0.5M was due to Covid costs; how Adoption Tees Valley funding was calculated and the ongoing work in relation to calculating charges to each of the five Tees Valley authorities; and ongoing work to reduce the costs in relation to Inter Agency Fees.

Members also discussed the known pressures and efficiencies in relation to Social Care staffing and the increased demand in relation to public funds and the number of children requiring support.

Scrutiny Members asked the Assistant Director of Children's Services, if extra funding could be made available for Children's Services where this would be best allocated and focussed. His response was that the area he would most seek to expand would be the Early Help offer, to create more Early Help practitioner posts and for the service to be larger, more accessible and more visible to local communities, children and families in Darlington.

Members agreed that access to Early Help helps families address their issues early and if successful prevents expensive and intrusive statutory interventions at a point in the future, thus being both the right thing to do and a more financially viable way of supporting families; and is at the very heart of the Strengthening Families journey already being undertaken working with families.

IT WAS AGREED – (a) That, the Economy and Resources Scrutiny Committee be advised that, following consideration, the following is this Scrutiny's views on the draft Medium Term Financial Plan 2022/23 to 2025/26:

- (i) If additional funding became available Cabinet should give consideration to increasing the budget allocation to Early Help Services to prevent expensive and intrusive statutory interventions in the future and is therefore a more financially viable way of supporting families.

(b) That the Chair, in consultation with the Lead Scrutiny Officers supporting this Scrutiny Committee, be given authority to agree the Notes of this Meeting of the Committee, to enable the Notes to be considered at a Special Meeting of the Economy and Resources Scrutiny Committee, scheduled to be held on 20 January 2022.

CHILDREN AND YOUNG PEOPLE SCRUTINY 21 FEBRUARY 2022

REVIEW OF THE SPECIAL EDUCATIONAL NEEDS (SEND) ACCESSIBILITY STRATEGY 2017-2020

SUMMARY REPORT

Purpose of the Report

1. This report provides an update to the Children and Young People Scrutiny on the progress to date in respect to the review of the Special Educational Needs (SEND) Accessibility Strategy 2017-2020 [the Strategy] as required to comply with legislation.
2. This Strategy will be presented to Cabinet for approval on 3rd May 2022.

Summary

3. Whilst the Strategy does not form a part of the Council's Policy Framework, it is a statutory requirement as required by Schedule 10 of the Equality Act 2010 [the Act] for the Local Authority to prepare an Accessibility Strategy [the Strategy] in relation to schools for which it is the responsible body, the maintained settings as listed below¹. The Council undertakes an annual review of maintained settings' Accessibility Plans.
4. To comply with legislation a review of the Strategy is required every three years, however due to COVID, the review has taken place in Autumn 2021 and concluding in early 2022.
5. The current Strategy (2017-2020) is available on the Local Offer:
<https://livingwell.darlington.gov.uk/Services/649>
6. The Strategy sets out how the Local Authority will work with maintained settings to:
 - increase the extent to which disabled children and young people can participate in the school curriculum;
 - improve the physical environment of schools;
 - improve delivery of information to pupils with disabilities and/or learning difficulties.

Recommendation

7. It is recommended that :-

¹ Described in the Act as "Responsible body" means— (a)in relation to a maintained school or a maintained nursery school, the Local Authority or governing body; (b)in relation to a pupil referral unit, the Local Authority;
Darlington maintained settings are: Borough Road Nursery School, George Dent Nursery School, Harrowgate Hill Primary School, Red Hall Primary School, Whinfield Primary School and Rise Carr College (the Pupil Referral Unit).

- (a) Scrutiny note the process undertaken to review the Strategy.
- (b) Scrutiny note that ongoing consultation with children and young people will inform any further amendments to the Strategy and/or the action plan that will accompany this. The final Strategy will be presented to Cabinet on 3rd May 2022.

JAMES STROYAN, DIRECTOR OF PEOPLE

Background Papers

Equality Impact Screening
 Special Educational Needs Accessibility Strategy 2021-2024

Eleanor Marshall : Extension 6134

S17 Crime and Disorder	No recommendations from this report.
Health and Well Being	Support schools to undertake Accessibility Planning. This is in order for children and young people to access the curriculum, ensure the environment is accessible and there is sufficient quality of information for parents and carers to make choices in order to best enhance children’s life chances and opportunities to thrive. This includes prevention and early intervention.
Carbon Impact and Climate Change	Schools are both encouraged, and where works are undertaken by the Local Authority in support of accessible environments, that these are done with the highest regard to sustainability and aim to reduce the carbon footprint and environmental resources.
Diversity	The principles of inclusion, (equality and diversity) are set out in the Strategy. Schools should work with parents, carers and the wider community to create greater understanding of differences and to remove barriers and potential barriers to participation and achievement.
Wards Affected	The maintained schools and settings to which this Strategy applies are in the following wards: Red Hall and Lingfield (Red Hall Primary School), Whinfield (Whinfield Primary School), Pierremont (George Dent Nursery School), North Road (Rise Carr Pupil Referral Unit and Harrowgate Hill Primary School), Park East (Borough Road Nursery School)
Groups Affected	Children and young people at maintained schools and settings.
Budget and Policy Framework	This report does not recommend a change to the budget and policy framework.

Key Decision	Yes - This Strategy affects more than one ward.
Urgent Decision	For the purpose of the 'call in' procedure this does not represent an urgent matter.
One Darlington: Perfectly Placed	Children with the best start in life Enough support for people when needed
Efficiency	The outcome of this report will enable the Council to support maintained schools in the most efficient manner to improve their Accessibility Plans.
Impact on Looked After Children and Care Leavers	This report presents a Strategy that will benefit all children regardless of being Looked After or Care Leavers.

MAIN REPORT

Information and Analysis

8. Attached as **Appendix 1** is the final draft of the revised SEND Accessibility Strategy (2021 – 2024).
9. The review has taken into consideration research into other Local Authority (LA) strategies which has informed its presentation and level of detail. The key change is the inclusion of a key priorities section, pages 12 to 21.
10. The LA is required to monitor the Strategy which is undertaken by the Education Partnerships team through an annual monitoring cycle of settings' Accessibility Plans.
11. The Strategy sits alongside the suite of relevant Strategies, including Darlington's Sustainable Community Strategy '**One Darlington: Perfectly Placed**', **Darlington's SEND Strategy 2019-2022, and the Children and Young Peoples Plan** reflecting our collective vision and objectives.
12. An Equality Impact Assessment screening (**see Appendix 2**) has not identified any significant impacts to people with a protected characteristic. The Strategy will have a positive impact on all children with disabilities as it sets out schools' duty not to treat pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.

Consultation

13. Consultation has taken place with parent/carers and maintained settings to whom this Strategy applies and stakeholders, the Darlington Parent/Carer Forum, and Darlington Association on Disability. The consultation has followed lines of enquiry in relation to in what ways and how well, schools and the LA meet their duty in the three statutory areas of responsibility:

Curriculum: Schools are responsible for providing a broad and well-balanced curriculum including the wider curriculum such as enrichment activities and school trips.

Physical Environment: Physical environment includes the school buildings and facilities as well as physical aids to access education.

Information: including making clear what can be reasonably expected about supporting individual access needs and what to do when support is not provided.

14. The methods for consultation included one to one meetings with settings, and through an online questionnaire with parent/carers. Maintained settings were asked to forward this questionnaire to parent/carers of children with SEND in these settings. Consultation meetings with the Parent/Carer Forum and Darlington Association on Disability (DAD) also informed the development of the questionnaire. The questionnaire was also sent to parent/carers through the Parent/Carer Forum and DAD. Feedback on the Strategy from these stakeholders has also been reflected in the updated Strategy.

15. Consultation with SENCos and Head Teachers of the LA maintained settings included the two new special units for Social Emotional and Mental Health needs (SEMH) at Red Hall Primary School and Rise Carr College. Consultation also took place with the Low Incidence Needs Service (support for Hearing, Visual and Physically impaired pupils).
16. The requirements of the general public sector equality duty are critically important in ensuring that public bodies consider the needs of people with different protected characteristics as they respond to coronavirus. Therefore, the consultation reflected on the context of schools meeting immediate needs for vulnerable children and young people during the initial lockdown and subsequent return to school during the COVID-19 pandemic.
17. Further consultation with children and young people will take place in spring 2022 through focus groups. Any relevant findings will be reflected in the final Strategy which will be submitted to Cabinet.

Outcome of Consultation To Date

18. Following the key lines of enquiry, relating to the three priorities, the Strategy has been updated to reflect more detail in respect to how the LA supports schools in the Borough. This includes more detailed information in relation to the Low Incidence Needs Service.
19. Consultation with settings included the theme of support through the COVID-19 pandemic. Examples of best practice were provided, and whilst access to the curriculum support from the LA was limited for a time to on-line, the settings felt well supported.
20. Settings agreed that where specialist equipment and Early Years SEN funding was requested it was supported by the LA, but some areas for improvement in process were suggested.
21. Feedback from stakeholders included the need to reflect the social model of disability and that the Strategy should support schools in decision making in relation to the anticipatory duty.
22. A consistent message from parent/carers was the need to ensure more staff training for equality and diversity and to ensure that information is accessible. The below are some comments from parent/carers on these points:

Comments from Parent/Carers

“The school has SEN meetings, and we have an appointed person available to speak to if problems arise. We get welfare every morning and afternoon. We have a book which is written in daily if ... tried anything new, did good at and if necessary, any problem. Normally full of positives.”

Provide ... “more talking points, all staff trained on how to manage disabilities/needs. Even pupils should be educated to help support and understand”.

“More staff training”

"The school has been nothing but accommodating, making adjustments fast when necessary".

Accessibility Plan Monitoring

23. The annual review of maintained settings' Accessibility Plans has provided evidence of good inclusive practice and settings have been encouraged to develop case studies. It was found that staff benefit from regular updated training to understand and act on the additional needs of children and young people with SEND, they receive training adapted to the needs of their cohorts, and there is good evidence of inclusivity. Accessibility Plan objectives are SMART and these can be shared to support best practice.
24. Annual monitoring will continue to raise awareness of the Equality Act 2010 (Schedule 10 specifically in relation to Accessibility Planning), and provide support in using the Accessibility Audit Tool which has been developed specifically to support educational settings in assessing their compliance with all relevant legislation adhering to the anticipatory duty

Conclusions

25. The Accessibility Strategy has been refreshed to outline what can be expected from the LA and what services are commissioned specifically for schools and provides relevant links to LA support and the Local Offer (see pages 12-21). This can support schools to develop their Accessibility Plans and respond to the anticipatory duty to meet individual needs.



DARLINGTON

Borough Council

PEOPLE SERVICES DIRECTORATE

SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) ACCESSIBILITY STRATEGY 2021-2024



CONTENTS

PART 1: INTRODUCTION	3
Overview	3
Guiding set of principles and vision	3
Definition of Disability	5
Special Educational Needs	5
Social Model of Disability.....	6
Legal Duties.....	6
School Accessibility Plans.....	7
Reasonable Adjustments.....	8
Darlington’s Context.....	9
Sustainable Community Strategy ‘One Darlington: Perfectly Placed’	9
Darlington’s Local Offer	10
Our data.....	10
PART 2: THE ACCESSIBILITY STRATEGY	11
Aims of the Strategy	11
Our Accessibility Priorities.....	11
Accessibility to the curriculum, physical environment, and delivery of information	11
Monitoring and review.....	21
PART 3: APPENDICES	22
Appendix 1 - Legal framework	22
Equality Act 2010.....	22
Reasonable adjustments duty	24
Children and Families Act 2014	25
SEN and Disability Code of Practice 2014.....	26
Supporting Children and Young People at School with Medical Conditions (DfE December 2015)	27
Appendix 2 - Definitions	29
Appendix 3 – Guidance and Best Practice	30
Appendix 4 - Bibliography	34

PART 1: INTRODUCTION

Overview

Darlington Borough Council (the Council), is required under the Equality Act 2010 to have an Accessibility Strategy in which it promotes better access for disabled pupils at school and its local community. All maintained settings should have due regard to this Accessibility Strategy and use it to inform their Accessibility Plan that shows how, over time, access to education for disabled pupils will be improved. Schools must publish their Accessibility Plan with links to their Special Educational Needs (SEN) Information report on the Local Offer. Schools are also required to pro-actively consider accessibility of their site in relation to parents, contractors, and other site visitors under their public sector Equality Duty of reasonable adjustment.

This Accessibility Strategy sets out the approach that Darlington Borough Council is taking to increase access to education for disabled children and young people, so that they can benefit from educational provision to the same extent that children without disabilities can.

Guiding set of principles and vision

This strategy was reviewed and updated following consultation in 2021. The Council was given some key messages which underpin this strategy which are encompassed within the principles of **inclusion in education**. We believe that the majority of children and young people will thrive within their local mainstream settings, learning and developing as part of their local community. We consider it essential that children and young people feel that they belong and that they have formed relationships within schools and settings across the town. To achieve inclusion for all requires children and young people **to be present, to participate, to achieve and to belong**.

Our vision for children and young people within Darlington is that each and every one has the **“Best Start in Life”**. We recognise that in order to achieve this we need to provide services that meet the needs of children and young people and ensure that they are protected from harm, have their welfare safeguarded and promoted and receive help and support tailored to their individual needs.

[Darlington's SEND Strategy 2019-2022](#) for improving outcomes for children and young people with SEND 0-25 giving them the 'best start in life' outlines the vision and key priorities for supporting Darlington's children and young people with SEND and their families.

VISION

Our vision for all children and young people with special educational needs and disabilities will aim high and achieve their full potential, grow up to be as independent as possible and become active citizens within their community.

These are the **key values** that underpin this vision:

- Focus on the child's real experience
- Being proactive early
- Investing in local solutions
- Being aspirational on holistic outcomes
- Value families
- Investment in systems and services that we know work

We would like to thank:

Borough Road Nursery School, George Dent Nursery School, Harrogate Hill Primary School, Red Hall Primary School, Whinfield Primary School, Rise Carr College, Darlington's Low Incidence Needs Service, Darlington Association on Disability, the Darlington Parent Carer Forum, and the children, young people and parents who participated in the consultation.

Definition of Disability

The definition of disability is set out in the Equality Act 2010 and states that a disabled person is someone who has a physical or mental impairment which has a substantial and long-term adverse effect¹ on their ability to carry out normal day to day activities.

This definition includes children and young people with physical, sensory, intellectual, or mental impairments, those with learning difficulties, autism, speech language and communication needs, severe dyslexia, diabetes, and epilepsy.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions

Within this context we will see and value the child or young person, not his or her disability and in doing so endeavour to break down barriers by promoting informed understanding of what a child or young person can do. Importantly, we will seek to overcome barriers to learning.

Special Educational Needs

The special educational needs and disability code of practice 0-25, states that 'A child or young person has special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for him or her'. Just because a child has special

¹ at least a year or lifelong

educational needs does not necessarily mean they also have a disability and vice versa. They do often overlap, however.

Social Model of Disability

The key principle running through the Local Authority Equality policy 2018-22² is that inequality and social exclusion are caused by social and organisational barriers rather than the medical, economic, cultural, or other circumstances of the individual. This principle is well established in the Social Model of Disability, but it can be applied more widely. It is the position that underpins Equality Impact Assessment and is appropriate across all the legally Protected Characteristics. This strategy has been developed having undertaken an Equality Impact Assessment screening which has been reviewed throughout consultation.

Legal Duties

Darlington Borough Council is committed to ensuring that the Council meets and, where practicable, exceeds its requirements under Schedule 10 of the Equality Act (the Act) 2010. The Council has therefore researched and developed this Accessibility Strategy for the schools for which it is responsible³ therefore this strategy applies to all maintained schools, which includes maintained nursery schools and the pupil referral unit. The pupil referral unit provides education for vulnerable children and young people unable to attend a mainstream school.

This strategy applies only to maintained schools: The Equality Act requires all providers to make reasonable adjustments to avoid disadvantaging pupils with disabilities, but schools have an additional duty to plan for better access for disabled pupils. The reasonable adjustments duty and a wider and more strategic planning approach for schools are intended to complement each other. These planning duties therefore do not apply to Further Education, Higher Education or Early Years settings (unless constituted as a school). For them, the requirement to remove physical barriers is contained within the reasonable adjustment's duty.

² [Darlington Borough Council - Equality Policy](#)

³ Three Local Authority maintained schools, 2 nursery schools and Pupil Referral Unit.

In researching and developing this strategy, Darlington Borough Council has met its statutory duties under:

- Equality Act 2010
- Reasonable adjustments duty (schedule 13 of the Equality Act 2010)
- Children and Families Act 2014
- The Special Educational Needs and Disability (SEND) regulations 2014
- Special Educational Needs and Disability (SEND) Code of Practice January 2015
- Supporting children and young people at school with medical conditions (DfE September 2014)

Please see the additional guidance in Appendix 1.

School Accessibility Plans

Just as Section 10 of the Equality Act requires local authorities to prepare an Accessibility Strategy, it also requires that schools' responsible bodies produce Accessibility Plans. This strategy and accompanying Accessibility Plan template and audit tools⁴ aim to support all schools in being able to meet this duty in writing and publishing their plan.

Schools have a statutory duty to develop and implement their own strategies (including development of Accessibility Plans), setting out how they are going to meet the needs of children and young people with disabilities to enable them to access the curriculum⁵ and to make their learning and studying environment, enrichment⁶ activities and all educational visits both on and off school sites as accessible as possible.

Accessibility Plans must be published on-line, which should include details of how they support the above objectives. The Accessibility Plan can either be a freestanding document or be part of another document (such as the school development plan), in this later case this must be clearly signposted from the school's website. School Governors are accountable for ensuring the

⁴ The Accessibility Plan template outlines the duties of schools set out in schedule 10 of the Equality Act 2010.

⁵ There are statutory programmes of study and attainment targets for physical education at key stages 1 to 4. Sport is included in the definition of physical education.

⁶ Activities outside of the core curriculum including any sporting/physical activity.

implementation, review and reporting of progress of the Accessibility Plan which must be reviewed every three years.

We have provided schools with further support through development of an Accessibility Plan template, and Accessibility audit tool for both Early Years and Primary settings.

Reasonable Adjustments

Some children and young people (CYP) require special educational provision because they have a disability⁷ which prevents or hinders them from making use of the educational facilities generally provided (see Annex A for SEND Code of Practice 6.34 extracts). They may need specialist equipment⁸ to access all the opportunities available to their peers. A CYP's needs may be age related and may fluctuate over time, however, some CYP with a disability may require long term additional ongoing support. From September 2012 settings and Local Authorities have a duty to supply specialist equipment, alternative/augmentative communication (AAC) aids and associated technical access equipment as reasonable adjustments. According to the Equality Act 2010 (Equality Act 2010 www.equalityhumanrights.com/en/publication-download/reasonable-adjustments-disabled-pupils, n.d.), **what is 'reasonable' for a setting to provide is subject to various factors.**

- Where something a setting does places a disabled pupil at a disadvantage compared to other pupils then the setting must take reasonable steps to try and avoid that disadvantage.
- Settings will be expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.

Many disabled pupils may receive support in school through the SEN framework. In some cases, the substantial disadvantage that they experience may be overcome by support received under the SEN framework and so there will be no obligation under the Act for the school or LA to make reasonable adjustments. However, in some cases this may be appropriate.

⁷ <https://www.gov.uk/government/publications/equality-act-2010-advice-for-Settings>

⁸ Including auxiliary aids (see paragraph 4.18) of equality-act-2010-advice-for-Settings

Some of the factors that are likely to be considered when considering what adjustments, it is reasonable for a setting to have to make are highlighted in the Equality Act 2010 technical guidance⁹ :

- The extent to which special educational provision will be provided to the disabled pupil under Part 3 of the CYP and Families Act 2014
- The resources of the setting and the availability of financial or other assistance
- The financial and other costs of making the adjustment
- The extent to which taking any step would be effective in overcoming the substantial disadvantage suffered by a disabled pupil
- The practicability of the adjustment
- The effect of the disability on the individual
- Health and safety requirements
- The need to maintain academic, musical, sporting, and other standards
- The interests of other pupils and prospective pupils

Settings are not subject to the requirement of reasonable adjustment duty concerned with making alterations to physical features because this is already considered as part of their planning duties. For example, building works/structural adaptations to the building fabric, stair lifts, grab rails etc.

Darlington's Context

Sustainable Community Strategy 'One Darlington: Perfectly Placed'

The local Sustainable Community Strategy '[One Darlington: Perfectly Placed](#)' sets out the overall vision for Darlington up to 2026. It sets the direction for the various organisations within the One Darlington Partnership, and how by working together we can make the borough an even better place to live and work. The current plan aims to respond in positive and innovative ways to the impact of economic change on local businesses, public services, and the wellbeing of local people. All the outcomes that the plan aims to achieve, focus on creating and maintaining a

⁹ Equality Act 2010 Technical Guidance <https://www.equalityhumanrights.com/en/publication-download/reasonable-adjustments-disabled-pupils>

good quality of life for everyone in Darlington (One Darlington), and are about making Darlington the best possible place to live and work (Perfectly Placed).

Darlington's Local Offer

The Local Offer sets out in one place the support available to families of children and young people with SEND in Darlington. To ensure the effectiveness of the local offer, the Local Authority:

- encourages educational settings to link their Accessibility Plan and SEND Information Report to the Local Offer
- reviews and updates the Local Offer regularly, responding to feedback from professionals, children and young people and their families
- makes the Local Offer available both online – external link: <https://livingwell.darlington.gov.uk/Categories/528> and through distribution of leaflets to a wide range of organisations in Darlington, including health services, social care, education and schools, voluntary organisations, reception areas, and private companies

Our data

Every local area is required to have a joint strategic need assessment – external link: [Darlington Borough Council - Darlington Joint Strategic Needs Assessment 2018](#). Data relating to pupils who live in Darlington but who do not necessarily attend an educational establishment in Darlington Data are published on <https://explore-education-statistics.service.gov.uk/find-statistics/education-health-and-care-plans>

Each SEN2 Return is carried out in January and is for the period 1st January to 31st December of the preceding year. In January 2021 there were 16,223 pupils on roll, of these:¹⁰

- 2,686 pupils required additional and specialist support
- 305 pupils were on roll in special schools

¹⁰ Source: SEN2 Returns (2021)

- 2,355 pupils with SEND were supported in mainstream settings
- 26 pupils were supported in the Pupil Referral Unit.

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PART 2: THE ACCESSIBILITY STRATEGY

Aims of the Strategy

This Accessibility Strategy sets out how the Local Authority will work with schools for which is responsible. The key aims of this strategy are to:

- increase the extent to which disabled children and young people can participate in the schools' curriculum
- improve the physical environment of schools
- improve delivery of information to children and young people with disabilities and/or learning difficulties

It is the Local Authority vision that this strategy provides best practice for which all schools in the borough will benefit.

Our Accessibility Priorities

Accessibility to the curriculum, physical environment, and delivery of information

Increasing participation in the school curriculum

Schools are responsible for providing a broad and well-balanced curriculum including the wider curriculum such as enrichment activities and school trips. The Council will work in partnership with schools and other agencies in the following ways to support schools and settings:

What are we going to do?	How?
<ul style="list-style-type: none"> • Provide training and awareness raising opportunities for governors and parents/carers 	<ul style="list-style-type: none"> • Governor briefings • PCF meetings and briefings
<ul style="list-style-type: none"> • Share good practice across schools 	<ul style="list-style-type: none"> • The Council works alongside the local SEND co-ordinators Network (including Early Years) to provide on-going training and development • School SEND co-ordinators and Mental Health Leads (including Early Years) whose role is to embed good practice in their setting to meet the needs of pupils
<ul style="list-style-type: none"> • Respond to disabled children and young peoples’ diverse learning needs and to set suitable learning challenges, overcoming potential and perceived barriers to learning and assessment 	<ul style="list-style-type: none"> • The Council works collaboratively to plan and commission children and young people’s provision, through a ‘Multi Agency Provision Panel’ combining Education, Health and Social Care with continual quality assurance • Advice and guidance to educational establishments through statutory and traded service is delivered through the LA Educational Psychology Service (EPS) • Support from Emotional Learning Support Assistants is available in most Darlington schools, trained by the Darlington EPS. • Ongoing training is provided for School SEND co-ordinators delivered through the SEND Inclusion Advisor

and from outreach services e.g., all schools have fully trained ASD and Mental Health Leads whose role is to embed good practice in their setting to meet the needs of pupils.

- Provision of specialist teachers within a [Low Incidence Needs Service](#) (LINS) that provides support for children and young people with visual and hearing impairments. The LINS responds to children and young people's physical and sensory (HI and VI) needs and supports school staff to set suitable learning outcomes, to help ensure that children meet their full potential. For example: effective use of amplification aids, modifications and adaptations to visual resources, e.g., large print, braille, and tactile resources. The service provide advice on the provision of specialist equipment and assistive technology. This advice would be for either purchases made through LA funding or through school budgets as appropriate. LINS will identify the equipment required to optimise the child's learning such as magnification software, large print rulers and protractors, dark lined paper or to enable access to learning e.g., slings, toilet seat for the schools to purchase as appropriate. LINS will support

	<p>schools in their applications to the LA for equipment, (radio aids, CCTV, braille note takers, hoists) through the Specialist Equipment Policy.</p>
<ul style="list-style-type: none"> • Ensure that schools are aware of support services that provide advice to schools and staff 	<ul style="list-style-type: none"> • As above, provision of meetings and networks, training, and briefings. • The Local Offer sets out in one place the support available to families of children and young people with SEND in Darlington.
<ul style="list-style-type: none"> • Provide specialist help where possible to identify ways forward in increasing the inclusion of all disabled children and young people 	<ul style="list-style-type: none"> • The LA has developed a Special Educational Need and Disability graduated response ‘ranges’ guidance for SENCOs and schools/services to assess and identify the needs of pupils and to put into place the appropriate support. They describe the pupil’s needs and provide suggestions for the types of interventions that will be required within each of the SEND Code of Practice broad areas of need. The Council SEND Inclusion Advisor provides support to schools. • The Darlington Life Stages Service can support disabled children and young people with a learning disability and /or physical disability aged 0-25 years. to improve outcomes for children and young people who have a variety of needs. Experienced social care

	<p>coordinators in the team work with children and young people and their parents/carers, as well as partner agencies.</p> <ul style="list-style-type: none"> • Commissioning of outreach support services which is available to all schools that supports schools graduated response for children and young people, specifically with Social Communication (including Autism) difficulties, cognition and learning, and speech and language. • Commissioning of physical needs support and in-reach water therapy for children with physical needs in liaison with Occupational Therapy services: <ul style="list-style-type: none"> - Integrated therapies - Physical needs advisor (LIN service) <p>The Council commissions through its statutory services for example, therapeutic social workers, occupational therapy, youth justice engagement service pathways.</p>
<ul style="list-style-type: none"> • Ensure sufficiency of places to support children and young people with Special Educational Needs 	<p>The LA has commissioned and provided specialist SEND places in special schools, resource bases and SEND units. These specialise in Autism Spectrum Disorder (ASD), Speech Language and</p>

	<p>Communication Needs, Social Emotional and Mental Health (SEMH) and Cognition and Learning needs.</p> <ul style="list-style-type: none">• Mount Pleasant Primary School Social Communication provision• Hurworth Secondary School Autism provision• Red Hall Primary School STRIVE provision (SEMH)• Heathfield Primary School cognition and learning provision (The Ark)• Northwood Primary School Speech and Language Base provision• Rise Carr College (Pupil Referral Unit) provision for SEMH
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Improving the physical environment of schools

Physical environment includes the school buildings and facilities as well as physical aids to access education. Schools would be expected to allocate their Devolved Formula Capital funding to capital works for example to:

- make reasonable adjustments to enable better physical access to the school, its classrooms, and activities
- where appropriate, re-arrange room space or change the layout of classrooms to create extra physical space/opportunities to move around where needed
- consider the needs of children and young people with complex physical impairments who use wheelchairs to move around the school
- ensure that where children and young people who for various reasons require toilet and changing facilities, adaptations are made.

Using revenue funding, schools should plan and provide specialist equipment to:

- ensure children and young people with less complex physical impairments who are ambulant receive required adaptations or adjustments to the school environment
- ensure that children and young people with a sensory impairment or other difficulty receive adaptations to the school environment or the presentation of information in appropriate formats

Where a distinct, unusual, or specific impact is likely to affect disabled children and young people, then schools should conduct a full Disability Impact Assessment.

Schools are also provided with ‘notional’ SEN funding which is channelled through additional needs factors contained within the funding formula. It is expected that schools use this funding to plan and provide specialist equipment, however, the Council will support schools to apply for specialist equipment funding in negotiation with the school.

The Council will work in partnership with schools and other agencies in the following ways to support schools and settings:

What are we going to do	How?
<ul style="list-style-type: none"> • The Council will ensure that all maintenance of, improvements to, and additions to school property within our control comply with current building regulations and are physically accessible 	<ul style="list-style-type: none"> • In the case of Local Authority funded capital works (e.g., SEND Capital Grant funding), the Council will work with settings in consultation with Parents and Carers to explore opportunities of going beyond obligations and duties. • Where possible, the Council will be able to support schools to make adaptations using basic need funding where linked to the

	<p>provision of additional school places.</p> <ul style="list-style-type: none"> • The allocation of school condition improvement funding for maintained non-VA schools is agreed with schools on an annual basis
<ul style="list-style-type: none"> • The Council also provide schools with funding to make reasonable adjustments 	<ul style="list-style-type: none"> • The LA specialist equipment policy outlines the process for schools to apply for funding. • Provision of specialist teachers within the Low Incidence Needs Service (LINS) that provides support for children and young people with visual and hearing impairments. This advice includes support either for purchases made through LA funding or through school budgets as appropriate. LINS will identify the equipment required to optimise the child’s learning such as magnification software, large print rulers and protractors, dark lined paper or to enable access to learning e.g., slings, toilet seat for the schools to purchase as appropriate. LINS will support schools in their applications to the LA for equipment, (radio aids, CCTV, braille note takers, hoists)

	<p>through the Specialist Equipment Policy.</p> <ul style="list-style-type: none">• The LINS advises schools about their own responsibilities regarding reasonable adjustments. This refers to but is not limited to:<ul style="list-style-type: none">- Physical – Physical needs advisor for example, addressing physical access, classroom layout, toilets, dining hall, playground etc.- Visual – for example, ensuring appropriate assessment by Habilitation Officer to address the need for hand rails, appropriate lighting, high contrast strips on stairs, uneven surfaces etc.- Hearing – for example, optimising learning environment and listening conditions through good lighting, reducing reverberation and excess noise, e.g. soft furnishings around the room, rubber feet on chairs.• The Early Years Disability Access Funding (DAF) helps providers to make reasonable adjustments in their settings, either to support an individual child, or for the benefit of all children attending the setting. The purpose of the funding is ‘to support access to free entitlements for 3- and 4-year-old children with disabilities or Special Educational Needs (SEN)’.
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Improving the delivery of information

The School Information (England) (Amendment) Regulations 2012 details the minimum requirements for information which must be provided on school websites and reproduced as a paper copy without charge on request by parents/carers. School websites must be reviewed annually and this link sets out what must be published online - [What maintained schools must publish online - GOV.UK \(www.gov.uk\)](#).

Darlington Borough Council is committed to making its website accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. The Council Accessibility Policy and Statement can be found on the website [here](#).

The requirement in the Children and Families Act 2014 to develop a [Local Offer](#) has the express purpose of simplifying and making information about processes, systems and services that support children and young people with special educational needs and disabilities more accessible. In addition, the SEND Information, Advice and Support Service (SENDIASS) can offer impartial information, advice, and support over the phone and in person.

Information for parents and young people should be written and made available with everyone's needs in mind, considering the needs of CYP with hearing and visual impairments e.g., through use of large print, digital resources, alternative methods of communication e.g., texting, emails, BSL interpreter, foreign language interpreter. The Council has commissioned the [Low Incidence Needs Service](#) to advise on these specific areas. The service provides outreach support from a range of specialist staff who facilitate the school to address the needs of children and young people with low incidence needs so that their needs are met within the daily life of their school or learning establishment. This includes (as set out in the above)

- Advice on the provision of specialist equipment and assistive technology
- Increasing participation in and access to the school curriculum
- Access to the environment
- Access to information

Monitoring and review

Darlington Borough Council is responsible for keeping its Accessibility Strategy under review during the period to which it relates (2021-2024) and if necessary, to revise it, implementing any changes in relevant legislation. This will be achieved through means of an annual monitoring cycle which will consider:

- Monitoring settings' accessibility plans
- Feedback from parents/carers
- Feedback from disabled children and young people
- Monitoring outcomes from equality impact assessments where required

This strategy is the responsibility of the Education and Inclusion Service within the People Directorate. It will be monitored by the Education and Inclusion Senior Management Team and governed by the People Services Directorate Leadership Team. An Annual Report will be provided to the Children and Young People's Scrutiny Committee by exception.

In its first full review the key messages arising for this Strategy are:

Awareness

- There is strong evidence of good inclusive practice, and educational settings have been encouraged to develop case studies to support these.

Curriculum Access

- All staff will benefit from regular updated training to understand equality, diversity and inclusion and act on the additional needs of children and young people with SEND.

Physical Access

- The Local Authority specialist equipment policy, and SEN funding, aids schools in making reasonable adjustments under the anticipatory duty.

Information and advice

- The review of this Strategy has led to the presentation of information as set out in pages 12-21 above.

PART 3: APPENDICES

Appendix 1 - Legal framework

Darlington Borough Council has met its legal obligations relating to the Accessibility Strategy under the following legislation:

- Equality Act 2010
- Reasonable adjustments duty (schedule 13 of the Equality Act 2010)
- Children and Families Act 2014
- The Special Educational Needs and Disability (SEND) regulations 2014
- Special Educational Needs and Disability (SEND) Code of Practice January 2015
- Supporting children and young people at school with medical conditions (DfE December 2015)

A brief overview of the key points from each piece of legislation which have been considered in developing the Accessibility Strategy are given below.

Equality Act 2010

Schedule 10 of the Equality Act explains that local authorities in England and Wales must prepare an Accessibility Strategy for the schools for which it is responsible. An Accessibility Strategy is intended to:

- Increase the extent to which disabled children and young people can participate in the school curriculum
- Improve the physical environment of schools for the purpose of increasing the extent to which disabled children and young people can take advantage of education and benefits, facilities or services provided or offered by the schools
- Improve the delivery to disabled children and young people of information which is readily accessible to children and young people who are not disabled

Darlington Borough Council (as the local authority) must keep its accessibility strategy under review following its implementation during the period to which it relates (usually three years) and, if necessary, revise it.

The Equality Act 2010, Schedule 10, also states that a relevant inspection may extend to the performance by the responsible body of its functions in relation to the preparation, publication, review, revision, and implementation of its Accessibility Strategy.

The law on disability discrimination is different from the rest of the Equality Act 2010 in that it only works in one direction, e.g., it protects disabled people but not people who are not disabled. This means that schools can treat disabled children and young people more favourably than non-disabled children and young people. The disability equality duties state that the Local Authority must:

- Promotes equality of opportunity
- Eliminates unlawful discrimination
- Eliminates disability – related harassment
- Promotes positive attitudes towards disabled people
- Encourages participation by disabled people in public life
- Take steps to meet disabled people’s needs by doing things you would not normally do for non-disabled people

School governing bodies and proprietors must also publish information about the arrangements for the admission of disabled children/young people, the steps taken to prevent disabled children/young people being treated less favourably than others, the facilities provided to assist access of disabled children/young people, and their accessibility plans. Where a child or young person is covered by SEN and disability legislation, reasonable adjustments and access arrangements should be considered as part of SEN planning and review. Where school governors are publishing information about their arrangements for disabled children and young people, this should be brought together with the information required under the Children and Families Act 2014. Positive Action provisions allow schools to target measures that are designed to alleviate disadvantages experienced by, or to meet, the needs of pupils with protected characteristics.

Reasonable adjustments duty

The reasonable adjustments duty is part of the Equality Act 2010 and came into force on 1 October 2010 (as part of the original Act). The Equality Duty came into force later, 5 April 2011, but is still part of the original Act.

Under the Equality Duty 2011 the duty to make reasonable adjustments in schools is as follows:

- If a school takes an action which places a disabled children and young people at a disadvantage when compared to other children and young people who do not have disabilities, then the school must take reasonable steps to try and avoid that disadvantage
- Schools will also have to consider reasonable adjustments for disabled children and young people generally – both current and future. The duty to make reasonable adjustments is an anticipatory duty so schools should not wait until a disabled children or young person arrives before making or planning to make reasonable adjustments
- Schools are not obliged to anticipate and make adjustments for all potential disabilities and need only consider general reasonable adjustments e.g., producing documents in a large font
- Schools will be required to consider the reasonableness of adjustments based on each individual case

The Equality Act does not set out what would be a reasonable adjustment or a list of factors to consider in determining what is reasonable, however this adjustment should be to address a substantial disadvantage. Schools may consider financial or other resources required for an adjustment, its effectiveness, the effect on other children and young people, health, and safety requirements and whether aids should be made available from other agencies.

A reasonable adjustment should be decided by agreement between the Local Authority, the school, and parents/carers.

The Local Authority has developed a 'Specialist Equipment Policy' which has detailed guidance on the duty and how schools can apply to the Authority for funding.

Children and Families Act 2014

There are four key principles in the Act for Local Authorities:

- to consider the views, wishes and feelings of the child, young person, and their parents
- to involve the child, young person and their parents in decisions that affect them
- to give the child, young person, and their parents the information and support they need to be involved in decision making
- to support the child, young person, and their parents to achieve the best possible outcomes

The Local Authority is required to arrange for children or young people with special educational needs or disabilities (SEND) and their parents to have [information and advice](#) about these. This should include information on health and social care and personal budgets.

Local Authorities need to develop and publish a [Local Offer](#) setting out the support and services available for local children and young people with SEND.

They should also talk to them about developing their education, health, and care (EHC) plan, including the schools and colleges they can choose and how they can use [personal budgets](#).

All parents, children and young people should have access to impartial information, advice, and support about SEND which includes different options.

The Act includes the right of parents or children and young people to challenge decisions made by the Local Authority in relation to their education, health, and care. The Act details how Local Authorities should identify ways of dealing with any disagreements and what further action

parents or children and young people can take to resolve any disagreements. For details see the Darlington SEND Information Advice and Support Service: [SENDIASS](#).

The Local Authority has specific additional responsibilities for children and young people with SEND who are:

- looked after (in care)
- care leavers
- in need of additional social care in addition to special educational support and services
- educated away from home (in another Local Authority Area)
- educated at home
- in education somewhere other than at school
- in hospital
- in custody or detention
- the children of parents in the armed forces

SEN and Disability Code of Practice 2014

The principles which underpin the Code of Practice are:

- the views, wishes and feelings of the child or young person, and their parents
- the importance of the child or young person, and their parents, participating as fully as possible in decisions; and being provided with the information and support necessary to enable participation in those decisions
- the need to support the child or young person, and their parents, to facilitate the development of the child or young person and to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood

The local offer should reflect the services that are available. The local offer must include provision in the local authority area. It must also include provision outside the local area that the local authority expects is likely to be used by children and young people with SEND or disabilities.

Parents, children, and young people must be involved in the development and review of the local offer. This includes:

- Collaboration between education, health, and social care services to provide support. Schools must use their best endeavours to offer high quality teaching which is differentiated and personalised for all children and young people and in addition high quality special educational provision - that which is additional to or different from what is provided to all – for those who need it
- A child or young person who does not have an EHC plan must be educated in mainstream setting except for specific circumstances

Local authorities are required to arrange for children and young people with SEN or disabilities and their parents to be provided with information and advice about matters relating to their SEND, including matters related to health and social care.

The SEND Code of Practice emphasises that educational settings including further education establishments must not have discriminatory admissions policies. Where a child or young person has SEN but does not have an Education, Health and Care Plan they must be educated in a mainstream setting except in specific circumstances set out in the Code of Practice.

Supporting Children and Young People at School with Medical Conditions (DfE December 2015)

Local Authorities are required to provide support, advice, and guidance, including suitable training for school staff, to ensure that the support specified within individual healthcare plans can be delivered effectively. They should work with schools to support children and young people with medical conditions to attend full time. Where children and young people would not receive a suitable education in a mainstream school because of their health needs then the Local Authority has a duty to make other arrangements.

The intention is to ensure that children and young people at school with medical conditions are properly supported so that they have full access to education, including school trips and physical education. Governing bodies are expected to ensure that arrangements are in place in schools to support children and young people with medical conditions and detail those requirements.

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Appendix 2 - Definitions

Settings/Schools

All maintained schools, maintained nurseries and the pupil referral unit for which Darlington Borough Council is responsible.

Discrimination

Public bodies, specifically schools this instance, must not disadvantage a disabled child or young person as a direct consequence of their disability. As required by the Equality Act 2010, schools must not implement changes which apply to all children and young people but could have a significant adverse effect on disabled children and young people.

Children and young people

Children and young people spoken of in this strategy are of compulsory school age and in attendance in a maintained setting, i.e., nursery school, school, or pupil referral unit, and where a nursery school provides childcare and education for 2- to 4-year-olds.

Compulsory school age

Start of compulsory school age


A child reaches compulsory school age on or after their fifth birthday. If a child turns five between 1 September and 31 December, they are of compulsory school age on 31 December. If a child turns five between 1 January and 31 March, they are of compulsory school age on 31 March. If a child turns five between 1 April and 31 August, they are of compulsory school age on 31 August.

End of compulsory school age

A child can leave school on the last Friday in June if they are 16 by the end of the summer holidays. Then, they must do one of the following until they are 18:

- stay in full-time education, for example at a college
- start an [apprenticeship](#) or [traineeship](#)
- spend 20 hours or more a week working or volunteering, while in part-time education or training


Appendix 3 – Guidance and Best Practice

 [SEND Code of Practice \(DfE July 2014 - updated in January 15\) PDF format 3.32MB\)](#)

The Special Educational Needs and Disability code of practice: 0 to 25 years

 [SEND Regulations \(DfE 2015\) \(PDF format 210KB\)](#)

Special Educational Needs and Disability Regulations 2014

 [Statutory Guidance on Supporting Children and young people at School with Medical Conditions \(PDF format 402KB\)](#)

Statutory guidance to support Children and young people with medical needs in schools

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DFE Guidance (external link)

<https://www.gov.uk/government/publications/local-area-send-inspection-framework>

The framework for the inspection of local areas' effectiveness in identifying and meeting the needs of Children and young people who have special educational needs and/or disabilities

DFE Guidance (external link)

<https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>

The DFE guidance for maintained schools for **publication of the Accessibility Plan in compliance with [paragraph 3 of schedule 10 of the Equality Act 2010](#)**.

This can be provided as part of the SEND information report in the school's policy for children and young people with SEND.

DFE Guidance (external link)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410294/Advice_on_standards_for_school_premises.pdf

The DFE guidance helps schools and local authorities understand their obligations and duties in relation to:

- the [School Premises Regulations 2012](#)
- part 5 of the revised [Education \(Independent School Standards\) \(England\) Regulations 2010](#), which came into force on 1 January 2013

Health and Wellbeing Strategy – external link

<https://www.darlington.gov.uk/media/2636/darlington-health-and-wellbeing-plan-as-adopted-by-health-and-wellbeing-board-october-2017.pdf>

Darlington Borough Council's Health and Wellbeing Strategy 2017-2022

Children and Young People’s Plan – external link

<https://www.darlington.gov.uk/education-and-learning/cypp/>

Darlington Borough Council’s Children and Young People’s Plan 2017-2022

Advice on school premises

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410294/Advice_on_standards_for_school_premises.pdf

DFE Guidance:

Advice on standards for school premises. For local authorities, proprietors, school leaders, school staff and governing bodies

School Premises Regulations 2012, which came into force on 31 October 2012, and Part 5 of the revised Education (Independent School Standards) (England) Regulations 2010, which came into force on 1 January 2013.

Public Sector Equality Duty and Human Rights Regulations

[Equality Act technical guidance | Equality and Human Rights Commission](https://www.equalityhumanrights.com/equality-act-technical-guidance)
([equalityhumanrights.com](https://www.equalityhumanrights.com))

The Commission has produced dedicated Technical Guidance for Schools for both England and Scotland that outlines the requirements of the Equality Act 2010 on schools, in relation to provision of education and access to benefits, facilities or services, both educational and non-educational. It provides an authoritative, comprehensive, and technical guide to the detail of the law.

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>

Background to what the Public Sector Equality Duty is, how it came about and why we need it. A PowerPoint presentation is also available to download covering the same.



Appendix 4 - Bibliography

DFE. (2018). *Mental health and Behaviour In Schools*.

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Initial equality impact assessment screening form

This form is an equality screening process to determine the relevance of equality to an activity, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate:	People
Service Area:	Education
Activity being screened:	SEND Accessibility Strategy 2021-2024
Officer(s) carrying out the screening:	Eleanor Marshall
What are you proposing to do?	Review existing SEND Accessibility Strategy 2017-2020
Why are you proposing this? What are the desired outcomes?	It is a statutory duty to review the Strategy
Does the activity involve a significant commitment or removal of resources? Please give details	Undertaking the activity itself does not involve any additional resource. The strategy will reflect any changes to support that schools receive from the Local Authority. It should also reflect the context of schools meeting immediate needs for children and young people during Covid-19.

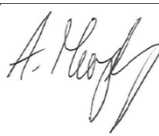
Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or any other socially excluded groups?

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the activity relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the activity relates to?

If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate.

Protected characteristic	Yes	No	Don't know/ Info not available
Age		No	
Disability		No	

Sex (gender)		No	
Race		No	
Sexual Orientation		No	
Religion or belief		No	
Gender reassignment		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
Other		No	
Carer (unpaid family or friend)		No	
Low Income		No	
Rural Location		No	
Does the activity relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	The Strategy is specifically in relation to support schools to set out their obligations in respect to CYP with Special Educational Needs and/or Disabilities.		
Will the activity have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	This EIA applies to the Accessibility Strategy for maintained schools and settings. It does not apply to Academies for which owners/governing bodies must produce their own Accessibility Strategy as required by the Equality Act 2010. All schools have the duty to support children and young people with disabilities and make reasonable adjustments.		
Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:
Reason for Decision	This strategy will have a positive impact on all children with disabilities as it sets out schools' duty not to treat pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage. It is not proposed to make significant changes to the existing strategy. However, the approach to supporting schools and CYP with SEND has been adjusted due to COVID-19, as have schools, and these changes will be reflected in the strategy. If during consultation any unforeseen equality impacts arise, the decision not to carry out a full EIA will be reviewed.		
Signed (Assistant Director)			
Date	18 November 2021		

**CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE
21 FEBRUARY 2022**

CHILDCARE SUFFICIENCY ASSESSMENT, 2021-22

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to inform Members of the findings of the 2021-22 Childcare Sufficiency Review.

Summary

2. The Department for Education's Early Education and Childcare Statutory Guidance for Local Authorities, June 2018 requires local authorities to 'secure sufficient childcare, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 or up to 18 for disabled children'. In carrying out this requirement local authorities should 'report annually to elected council members on how they are meeting their duty to secure sufficient childcare and to make this report available and accessible to parents'.
3. The childcare market in Darlington is made up of private day nurseries, preschools, childminders, out of school clubs, nursery schools and nursery units. Before March 2020, Darlington's childcare market was fairly stable and the parental take-up rate of the various entitlements was predictable.
4. From early June 2020 when providers were again able to admit children other than those whose parents were key workers or vulnerable children, the number of pre-school children attending provision rose. By the end of the Summer 2020 term there were 263 pre-school children in attendance. In comparison, by the end of the Summer 2021 term there were 839 pre-school children in attendance in childcare although this figure had reached a high of 1,413 by the end of May 2021. The figure in early December 2021 was 1,117 (unlike Early Years Entitlements place data, the pre-school attendance numbers do not include nursery units attendance data).
5. There are periodic short-term closures within the sector due to the pandemic but these are minimal. By the Autumn 2021 term, 1,696 children were accessing an Early Years Entitlements place: this figure compares with 1,587 children accessing a funded place in Autumn 2019.
6. During this pandemic, support has continued to be provided to the childcare sector via: regular guidance up-dates; virtual network meetings; public health provider briefings, weekly Q & A sessions with public health; an early years strategy group; a group for early years leads in schools; virtual inclusion panels and individualised support around transitions; setting link officers and an Early Years newsletter.

7. Additionally, a childcare sufficiency task group meets regularly which includes colleagues from Economic Growth, the Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS), Darlington Association on Disability (DAD), Jobcentre Plus, Learning & Skills, Darlington Families' Information Service and Children's Centres. The continued uncertainties created by the pandemic make childcare demand more difficult to predict. A business survey was distributed to local employers to find out if working patterns are changing, as this could affect parental childcare demand.
8. Provider views have been sought regarding the 'health' of the childcare sector. Some providers have indicated that recruitment and retention is an issue. In Autumn 2021 the Learning & Skills Service provided information to the sector about apprenticeship schemes. Anecdotal evidence suggests that work experience and volunteering opportunities have declined, impacting on recruitment. Therefore, a list of providers and schools that would be happy to provide work experience is being established and shared with schools and colleges.
9. In Summer 2021, following consultation with the Darlington Parent/Carer Forum as to the best way to work with parents to better understand any issues regarding access to childcare and any unmet demand, it was agreed that up-dated marketing information, sign-posting parents to sources of information about different types of local, registered, inclusive childcare across the borough could be shared. A meeting took place with Beaumont Hill Academy to gather information about any unmet childcare demand amongst parents. Also, parental consultation is planned in Spring 2022 to gather feedback about Disability Access Fund expenditure.
10. It is clear that economic conditions nationally continue to be fluid. Providers are facing uncertainty with regard to childcare demand, early years entitlements and parent paid income as families' circumstances change. Indicators show that there has been sufficient capacity to meet demand throughout this period, nevertheless, any unmet demand will need to be continually monitored to ensure that parents are able to access training and work in the coming months and years.

Recommendation

11. It is recommended that members note for information the findings of the 2021-22 Childcare Sufficiency Review.

James Stroyan
Group Director of People

Background Papers

The following papers were used in this report:

- (i) DfE Spring 2021, 2021-22 funding guidance
- (ii) 2021-22 Childcare Sufficiency Assessment
- (iii) 2021 Employer Business Survey
- (iv) 2021 Childcare Recruitment and Retention Survey

S17 Crime and Disorder	The report is about the 2021-22 Childcare Sufficiency Review and will not impinge on the duty on the authority to prevent crime and disorder in the Borough.
Health and Wellbeing	Good quality early education and childcare for children from birth to 14 years old and 18 years old for those young people with a disability, will assist in improving the health and well being of Darlington's 0 to 14/18 population and assists working families.
Carbon Impact and Climate Change	There are no carbon impact or climate change implications in this report.
Diversity	There are no specific proposals within the report that impact on diversity issues. All providers must meet their duties under the Equality Act 2010 when delivering education and childcare.
Wards Affected	All wards are affected.
Groups Affected	All children aged 0 to 14 years/18 years for those young people with a disability will benefit from being able to access high quality, education and childcare in the Borough.
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework.
Key Decision	This is a key decision as it affects all wards in the Borough.
Urgent Decision	A delay in the information being reported to elected Council Members will delay the report becoming available to parents as required by the Department for Education's Early Education and Childcare Statutory Guidance for Local Authorities, June 2018.
Council Plan	Access to high quality, affordable and reliable education and childcare will improve the quality of life and the health and well being of children and young people in the Borough and will also enable their parents to access or maintain training or work opportunities.
Efficiency	There are no specific proposals within the report that impact on efficiency.
Impact on Looked After Children and Care Leavers	Access to good quality early education and childcare places in the borough improves the life chances of 2 to 4 year olds who are Looked After Children or who have left care and also, provides support to families.

MAIN REPORT

Information and Analysis

Pandemic Recovery

12. Following the lockdown in March 2020 childcare providers were only permitted to offer places to children whose parents were key workers or to vulnerable children. From early June 2020 providers were able to admit other children and by the end of the Summer 2020 term there were 263 pre-school children in attendance in childcare settings in the borough. In comparison, by the end of the Summer 2021 term there were 839 pre-school children in attendance in childcare although this figure had reached a high of 1,413 by the end of May 2021. The comparable figure in early December 2021 was 1,117.

Support for Providers

13. Support for the sector has continued over the last year with termly Private and Voluntary Provider and Childminder Network briefings which include regular up-dates from the Education Safeguarding Officer. The Early Years Education Strategy Group has continued to meet termly and is consulted regarding local issues and the Early Years Leads meeting for schools continues to meet termly. Providers have been able to access a weekly on-line drop-in session with Darlington's Public Health Team. Providers now have a dedicated Early Years in box, named Link Officers as their first point of contact and a half termly Early Years newsletter is also produced.
14. Targeted work to support transitions has continued to be undertaken by the Inclusion Team which has facilitated input by a range of professionals, including headteachers and health professionals. In addition, the Early Years Inclusion Panel has continued to take place virtually, awarding funding for children with emerging and significant Special Education Needs and Disabilities (SEND).

Financial Support for Providers

15. Local authorities were instructed by the DfE to continue to fund childcare providers who were open during the Autumn 2020 term, at pre-pandemic levels. The DfE recognised that the number of children attending childcare may not have returned to pre-pandemic levels by early January 2021. As a result, in March 2021 the DfE published its Spring 2021 term and financial year 2021-22 funding guidance. Local authorities were able to claim top-up funding for funded 2 year old places, Universal Entitlement places for 3 and 4 year olds and 30 Hours Extended Entitlement places for 3 and 4 year olds if the take-up of any of these entitlements, at the time of the January 2021 census, was lower than 85% of the January 2020 census figure and this take-up had increased over the course of the Spring 2021 term. Local authorities were allocated funding based on termly actuals during the Summer and Autumn 2021 terms. It is the DfE's intention that data will be collected from the January 2022 census and processed in the usual pre-pandemic way. In the October 2021 Spending Review £160 million was allocated nationally for the 2022-23 financial year, to facilitate an increase in Early Years Entitlements funding rates.
16. The deadline for final claims to the Businesses Coronavirus Job Retention Scheme was 30 September 2021. The scheme had enabled childcare providers to place employees on

furlough whereby they received up to 80% of their wages. The government made a contribution of up to 60%, while employers covered the remaining 20% along with pension and National Insurance contributions.

17. During Spring 2021 Darlington's childcare sector was also able to apply for Additional Restrictions Grant (ARG) funding. The ARG funding aimed to support businesses which had been severely impacted by pandemic restrictions. The availability of this support was advertised via the Council's website and was included in the Education Partnerships communications to providers. Providers with on-going premises costs were eligible for the full ARG grant, backdated to 5 November 2020, at around £930 for every 28 day period. Childminders who were registered with HMRC for business purposes, could access a one-off support grant of £500 and an additional £500 was also awarded to each successful childminder application to help the business through the 'recovery' stage of the Government's roadmap. In total, over £32,000 in support funding was awarded to 18 childminders and 3 group settings in Darlington.

Provider Training

18. Settings have been supported by the Early Years Team through regular virtual briefings for all group settings and evening sessions for childminders. Weekly virtual drop-in sessions with Public Health have been offered with the option of sending a question via the Early Years Team if providers are unable to attend.
19. Training for the Early Years Foundation Stage reforms has been delivered for all sectors of the childcare market. To support the implementation of the reforms County Durham and Darlington Oral Health services delivered training for group settings and childminders in partnership with the Early Years Team. A nationally recognised Early Years consultant has been commissioned to support the local early years sector in understanding and implementing the reforms; this has taken the form of virtual training and online surgeries. This training programme is scheduled into 2022. Good practice meetings took place in late Autumn 2021 which provided an opportunity for private settings and schools to come together and share good practice virtually. Up to the Summer 21 term a regular round up of information was sent to providers via a weekly e-mail and a termly newsletter has now been introduced.
20. In May 2021 a Healthy Early Years (HEY) task group was established with the aim of supporting settings to engage and educate parents towards a 'nourish to thrive' outlook. The group is composed of leaders from early years settings and schools, local authority Childcare Development Officers and representatives from Environmental Health and Workforce Development. The group's work has included:
 - (a) The promotion of Healthy Eating Week in June '21,
 - (b) A HEY newsletter for settings and childminders,
 - (c) HEY messaging through the Oral Health Training for childminders and settings,
 - (d) Cascading information and resources through the Private and Voluntary and Childminder briefings in May and October '21,

- (e) The creation of videos to promote healthy eating for the DBC website,
 - (f) The development of a Healthy Eating policy for use by settings and childminders, and
 - (g) The development and trial of the Healthy Early Years Catering Award which is to be promoted through briefings and link officer work in the coming months.
21. In September 2021 each setting and childminder was assigned a member of the Early Years Team as a link officer. Link officers arrange termly visits/contacts with their settings.

Early Years Entitlements take-up

22. In Autumn 2020 the DfE re-started the collection of national data for the national funded 2 year olds termly take-up score cards. In the Autumn 2020 term 55% of Darlington's eligible 2 year olds were accessing a funded 2 year old place. By Spring 2021 this take-up figure had increased to 73%, compared with 79% in Spring 2020 and was at 83% in Summer 2021. During the Summer 2021 term, 'Golden Tickets' were issued by the local authority to further increase take-up. Tickets were sent to eligible families on the Department for Work and Pensions list who were not already accessing a funded place; the tickets enabled parents to bypass the eligibility checker process and go directly to a childcare provider. During the Summer 2021 term, an additional 19 children accessed a funded 2 year old place through Golden Tickets. The availability of funded places was also advertised via health visitors, Children's Centres, Jobcentre Plus, Learning & Skills and the Council's Housing newsletter and Facebook pages. In addition, an Early Years Entitlements funding webinar was produced by the team for professionals and this was distributed to health visitors and interested stakeholders via the Childcare Sufficiency Group. The Council's childcare leaflets have been refreshed and social media tags have been produced by the Communications Team to further market the entitlements. Finally, a more conversational Early Years Entitlements funding webinar for parents/carers is in production and officers are attending social care/early help team meetings to provide policy up-dates regarding early years funded places and to ensure that any new staff are aware of the entitlements eligibility criteria and know who to contact if they have queries.
23. Looking at actual take up, the number of children accessing funded places is back to pre-pandemic rates. For example, the Autumn 2019 term headcount showed there were 321 funded 2-year-olds, 687 3- and 4-year-olds accessing Universal Entitlement and 579 3 and 4- year-olds accessing the Extended Entitlement: a total of 1,587 funded children. The same data for the Autumn 2020 term gave a total of 1,089 funded children. By the Autumn 2021 term, the data showed 354 funded 2-year-olds, 763 3- and 4-year-olds accessing Universal Entitlement and 579 3- and 4- year-olds accessing the Extended Entitlement: a total of 1,696 funded children. Please see **Table 1**.
24. Table 1 shows that the difference between the number of 2 to 4 year olds accessing a Local Authority funded place between Autumn 2019 and Autumn 2021 was 109 additional children, as opposed to 498 less children when comparing Autumn 2020 with Autumn 2019. When looking at the private and voluntary sector providers, there was a decrease of 387 funded children between Autumn 2019 and Autumn 2020 but by Autumn 2021, this decrease had reduced to 72 funded children. Take-up has increased in pre-schools and marginally with childminders. However, there has been a decrease of 88 children in private day nurseries and 21 children in out of school clubs. When comparing Autumn

2019 data to that of Autumn 2021, with regard to nursery schools and units, there has been an increase of 43 funded 2-year-olds, an increase of 90 funded 3- and 4-year-olds accessing the Universal Entitlement and an additional 48 children accessing the 30 hours Extended Entitlement. Whilst the total number of funded children and the number of funded children in the school sector has increased, when compared to Autumn 2019 data, the private and voluntary sector is at 93% take-up compared to Autumn 2019.

Table 1 – Autumn 2019, Autumn 2020 and Autumn 2021 funded entitlements take-up

	Autumn 2019				Autumn 2020				Autumn 2021			
	Funded Places for 2 Year-Olds	15 Hours for 3- & 4-Year-Olds	30 Hours Childcare for 3- & 4-Year-Olds	Termly Totals	Funded Places for 2-Year-Olds	15 Hours for 3- & 4-Year-Olds	30 Hours Childcare for 3- & 4-Year-Olds	Termly Totals	Funded Places for 2-Year-Olds	15 Hours for 3- & 4-Year-Olds	30 Hours Childcare for 3- & 4-Year-Olds	Termly Totals
Private Day Nurseries	232	189	324	745	123	127	208	458	215	164	278	657
Pre-Schools	27	49	66	142	18	23	50	91	32	60	85	177
Out of School Clubs	-	-	32	32	-	-	0	0	-	-	11	11
Child minders	11	4	28	43	5	7	14	26	13	4	28	45
Private & Voluntary Sector Totals	270	242	450	962	146	157	272	575	260	228	402	890
Nursery Schools	21	80	32	133	27	45	25	97	46	94	44	184
Nursery Units	30	365	97	492	59	244	114	417	48	441	133	622
School Totals	51	445	129	625	86	289	139	514	94	535	177	806
Childcare Market Totals	321	687	579	1,587	232	446	411	1,089	354	763	579	1,696

Unmet Childcare Demand in 2021

25. In May 2021 a time limited task group, consisting of staff from Education Partnerships, the Families’ Information Service and the Performance Team, was set up to review the Childcare Sufficiency data collection processes. Following consultation with the sector via the Early Years Education Strategy Group, the Private and Voluntary sector providers, nursery schools and primary schools were asked to provide setting level data regarding non-local authority funded early education and childcare places, for example, baby places, parent ‘paid for’ 2 to 4 year old places and wrap-around places for 5 to 14 year olds or up to 18 year olds for young people with disabilities. Of the 25 Autumn returns, when asked where they were experiencing pressure for places, 13 providers stated they were experiencing high demand in some areas. 3 providers mentioned funded 2 year olds places, 5 providers mentioned care for 4 to 8 year olds, 4 providers stated places for under 2 year olds and 1 setting said funded places for 3 year olds were in high demand. Generally, there is little unmet demand reported on the fortnightly attendance returns.

There do appear to be 'pockets' where there is pressure for specific types of places but providers seem to be managing this. This situation and the ability of providers to flex to meet changing demand will need to be monitored. There were 19 returns from the nursery schools and primary schools and 6 schools said they were experiencing high demand in some areas. 6 schools stated there was pressure for wrap-around care, 2 schools mentioned funded places for 2 year olds and 4 schools mentioned 30 Hours places. 16 schools offer breakfast clubs, 10 offer after school clubs and 4 offer regular, reliable holiday clubs. The majority of schools run these clubs themselves, apart from 3 schools where private provision run on site care. The take-up of wrap-around care is good, especially with regard to breakfast clubs. 3 schools reported that there was insufficient demand for holiday clubs in their area to make such clubs financially sustainable. No secondary schools reported concerns about a lack of childcare or were experiencing unmet requests from parents.

26. Across Darlington, there is a mixed supply of holiday and out of school provision. As well as full day care services and childminders who offer this service, there are a small number of standalone organisations, including Darlington Association on Disability's holiday playschemes, DASH, who cater solely for children with special educational needs and disabilities.
27. Attendance during the Summer 2021 holidays was surveyed, out of 54 registered childminders who are active during the holidays, 39 returned the survey and out of 14 group settings who operate in the holidays, 8 returned. Across the sector, occupancy was as follows: 202 4-8 year olds; 20 9-11 year olds; 5 12-14 year olds; and 2 15-18 year olds with a disability. A total of 229 children and young people accessing holiday childcare. Unmet demand was recorded by 2 childminders and this affected 3 children; these enquiries were fed back to the Families' Information Service. One provider indicated they were very busy during the first and last week of the holidays and another provider explained that during August 2021, they had closed on Mondays and Fridays due to a lack of bookings. Attendance during the Autumn 2021 half term was also surveyed. Returns were low at 15 childminders and 4 group settings. Across the sector, occupancy was as follows: 69 4-8 year olds; 19 9-11 year olds; 0 12-14 year olds; and 0 15-18 year olds with a disability. A total of 88 children and young people accessing holiday childcare. 3 childminders reported closing during this holiday as they had had no requests for holiday care and 1 group setting explained that they had received a request for 2 days of care for 2 children but they were unable to open on those days, as they would not have covered their running costs. Demand for holiday care will continue to be monitored as we emerge from the pandemic.
28. The Local Authority has established a childcare sufficiency task group which meets regularly and monitors childcare demand and supply, as well as the health of the local childcare sector. The group includes representation from Education Partnerships, the Darlington Families' Information Service, SENDIASS (Special Educational Needs and Disabilities Information Advice and Support Service), Darlington Association on Disability, Jobcentre Plus, Children's Centres, Economic Growth and Learning & Skills. The group cross references with the Early Years Education Strategy Group.

Provider profile

Table 2 - The number of settings in Darlington pre-March 2020, November 2020 and November 2021

	Pre-March 2020	November 2020	November 2021
Nursery schools	2	2	2
Nursery units	17	17	17
Private & Voluntary	34	31	31
Childminders	80	71	63

29. Table 2 shows that between March and November 2020 three nurseries in Darlington permanently closed. In each case all children were successfully accommodated in other childcare settings. Two of these nurseries were owned by providers who had more than one setting and had places available at their other sites located in Darlington. During the last year 8 childminders have de-registered.

Children with Special Educational Needs and Disabilities

30. In early Summer 2021, following consultation with the Darlington Parent/Carer Forum as to the best way to work with parents to better understand any issues regarding access to childcare and any unmet demand, it was agreed that up-dated marketing information, sign-posting parents to sources of information about different types of local, registered, inclusive childcare across the borough could be shared. We will continue to work with the Parent Carer Forum to ensure that information and advice about access to inclusive childcare is easily available.
31. In the Autumn 2021 term, local authority officers met with senior leaders from Beaumont Hill Academy. The purpose of the meeting was to gather feedback regarding any unmet demand for before, after school and holiday care which the school felt its parents may have and to find out if there were any particular issues around access to childcare. The school reported that enrichment opportunities are provided for children and young people and training for parents which takes place after school has childcare provided. The school also has a breakfast club. The school added that the majority of children use school transport and therefore many children are away from the home from 8am until 4pm which supports parents to work and train. The school said that although they were not aware of parents who have issues with taking up employment due to lack of childcare, they would be consulting with parents via their parental survey and would feedback any comments relating to childcare demand. Additionally, the Beaumont Hill Academy runs themed coffee mornings for parents/carers and the local authority has been invited to attend one of these sessions, to discuss inclusive childcare. Officers were informed that holiday childcare for Beaumont Hill pupils is usually accessed through the DASH playschemes as school staff often work with Darlington Association on Disability during the holidays and this provides continuity of care for these children.
32. A further consultation with parents/carers of children aged 0-7 years with disabilities is planned for the Spring 2022 term. The local authority is keen to gather parental views on the expenditure of Disability Access Funding which is provided to enable access for 3 and 4 year olds with disabilities to their free Universal Entitlement Early Years Education place.

Provider feedback

33. Anecdotal feedback from some providers during the Summer was that they were experiencing recruitment and retention issues, such as, a lack of suitably qualified and experienced job applicants and experienced staff who are leaving the childcare profession to work in other areas of the economy, such as the retail sector. A Childcare Recruitment and Retention survey of local providers was therefore undertaken in October 2021. Of the 31 private and voluntary sector providers who were invited to respond, 17 providers completed the survey, this total consisted of 9 private day nurseries, 7 pre-schools and 1 out of school business representing 3 clubs.
34. When asked what three difficulties childcare providers faced with the recruitment and retention of staff: 65% said 'applicants without the relevant qualifications applying'; 47% said 'the quality of applicants at interview is poor'; 41% said 'applicants without the relevant experience applying'; 41% stated they had not experienced issues with recruitment and retention; 24% stated 'staff leaving for another job in a different sector'; 18% said 'staff leaving for another job within the childcare sector'; 6% stated 'no applicants applying'; and 6% said 'applicants interview skills are poor'. Providers were asked if the pandemic, in particular, has had an effect on the recruitment and retention of staff: 18% said yes but 82% said no.
35. When asked whether providers currently had any staff vacancies, 18% stated yes but 82% said no. Of those businesses which had vacancies: 2 were for apprenticeships; 1 was a Level 2 practitioner; 8 were for Level 3 practitioners; and 1 was for an auxiliary member of staff. Of those providers who stated they had issues with recruitment; 41% found it difficult to recruit at Level 3; 24% found apprentices difficult to recruit; and 18% found Level 6 practitioner vacancies difficult to fill. When asked for the three main reasons for these difficulties: 65% of responses stated 'salary is too low', 63% said 'level of responsibilities are too high compared with other jobs of a similar salary', 41% said 'hours which can be offered are insufficient' and 35% stated 'hours which can be offered are irregular'. Other comments which were submitted included:

'Can get better wages elsewhere.'

'Applicants do not realise the amount of work required within the nursery environment and find it hard to remain focussed and retain the passion for the job they think they wanted to do.'

'Too many people leaving the sector.'

'No guaranteed hours.'

36. Providers were asked what they thought the impact of the pandemic would be on staff recruitment and retention in the childcare market. Comments included:

'Staff have worked above and beyond and had so many restrictions placed upon their daily routines. The staff have coped well to keep the children in the setting safe, but it is such a low paid job. Staff have to train and have qualifications to work in a nursery yet they can

get paid more to work in retail/hospitality, it seems to be putting people off the industry or making them want to leave.'

'Psychologically and mentally it will have an impact, low wages do not help in retaining staff, staff could work in a supermarket for better pay rates...the hourly funding rates are low.'

'When there are plenty of higher paid jobs with less qualifications needed young people will not be tempted to work in Early Years, particularly when some employers are giving new starters extra benefits to start working with them.'

37. The childcare sector was asked whether the number of applicants applying for posts has changed compared to 2 years ago: 53% of respondents said it had remained the same; 29% said it had decreased; and 18% said it had increased. When asked whether the overall quality of job applicants has changed: 59% stated it has remained the same; 35% said it is worse; and 6% said it is better. Providers were asked to describe the general wellbeing of the childcare sector compared to 2 years ago: 53% said it was worse; 41% said it was about the same; and 6% said it was much better.
38. The relatively low survey return rate makes it difficult to make generalisations regarding local recruitment and retention issues. It appears that some providers are experiencing difficulties recruiting at certain levels, for example, for Level 3 practitioners. Survey feedback suggests that issues have not necessarily been caused but exacerbated by the pandemic. However, they can have an effect on a provider's ability to operate at full capacity and may go on to affect childcare sufficiency in the borough. Additionally, anecdotal evidence from provider groups is that the pandemic has impacted on work experience and volunteering opportunities, for example, sometimes parents volunteer to work in a setting and then find that they enjoy it and decide to go into childcare. This lack of opportunity may have impacted on recruitment, so to address this, the Education Partnerships Team is establishing a list of providers and schools that would be happy to provide work experience and this will be shared with secondary schools and colleges.
39. In the Autumn term 2021, staff from the Learning & Skills Team attended the Private and Voluntary Providers' Network meeting. Settings were given useful information about the apprenticeships scheme for the childcare sector and this meeting also provided childcare managers with an opportunity to feedback their various experiences regarding recruitment and retention of staff. Darlington College will attend the next Network meeting.

Local Employer feedback

40. Previous employer surveys have investigated the use of family friendly employment practices and explored the extent to which childcare supply meets the needs of businesses. They have reported that the number of businesses frequently experiencing problems due to childcare issues is relatively low; however, many found childcare was an occasional problem. Anecdotal evidence from the Childcare Sufficiency Task Group is that some businesses have recognised this and have introduced working patterns that fit in with school hours to encourage more women in particular to apply for roles and to open up recruitment to those who are unable to work full-time hours due to a lack of available childcare.

41. During the period August to September 2021, a survey was issued to the local employment market to ascertain whether local employers have had to change their working patterns or arrangements as a result of the pandemic and whether employers felt these changes would become permanent. This is pertinent for childcare sufficiency because a change in a household's working arrangements, such as an increase in home working, may affect childcare demand.
42. The survey was widely advertised via the Economic Growth Team and their communication channels including on Facebook, Twitter and the Council's monthly business newsletter. The link was posted on the Council staff briefing and was also disseminated via a Tees Valley Combined Authority list of over 600 Darlington businesses e-mail addresses. Unfortunately, the return rate was low at 21 responses. The main sector responses were, 21% from the Retail Sector, 15% from Manufacturing, 15% were from the Hospitality Sector, 10% were from Business and Professional Services and 10% from Education/Childcare. 48% of completions were from micro businesses (1-9 employees), 29% were small businesses (10-49 employees), 19% were medium sized businesses (50-249 employees) and 4% were large businesses (over 250 employees). 71% of respondent businesses did not operate shift working but of the 29% that did, 19% ran shift patterns that change on a weekly basis. The majority of businesses gave a month's notice of a change in shift patterns. 67% of respondents said that since April 2020, they had not had to make a permanent change to their business working patterns, 33% said that they had. Some of the explanations for a permanent change were:

'Some customers have wanted extra cleaning due to covid so extra shifts have been added.'

'We now work a 3:2 office-home hybrid in the office and an extended four day week in the training centre.'

'We have had to extend hours and open extra days to accommodate demand after lockdowns.'

43. 50% of respondents did not have staff who worked from home. Of the 50% who did have staff working from home, 5% were self-employed, 28% had seen an increase in staff home working since April 2020 and 17% had the same number of home working staff as before April 2020. When asked whether they felt they would see a permanent change in the size of their workforce within the next year, 75% said they thought the workforce size would remain the same and 25% said they expected a permanent increase in the size of the workforce. When asked within the next year whether a permanent change in business working patterns was expected, 88% of respondents said no and 12% said yes and explanations for this response included:

'Will keep the hybrid working and home flexibility.'

'People have got used to flexi hours. I will either have to change shift patterns or add childcare into the contract to cover costs.'

44. 71% of respondents stated that they employ staff who use registered childcare and 29% said their staff did not use childcare. When asked whether a lack of childcare is an issue when recruiting or retaining staff, 86% of respondents said no. When asked whether

businesses thought a lack of childcare had prevented prospective staff from taking jobs with them or not staying with their business when they become parents, 79% of respondents said no.

Additional information

45. Table 3 shows that in recent years the number of birth registrations in Darlington has declined. This may have market implications for providers.

Table 3 - The number of births registered in Darlington

Year of Birth (Sep-Aug)	Number of Births
2009/10	1,359
2010/11	1,324
2011/12	1,336
2012/13	1,284
2013/14	1,220
2014/15	1,231
2015/16	1,187
2016/17	1,107
2017/18	1,138
2018/19	1,048
2019/20	1,026

Source: Office for National Statistics Birth Registrations

Outcome of Consultation

46. The LA intends to continue to monitor and evaluate the local market position, paying particular attention to staff recruitment and retention issues and childcare business sustainability.

Conclusion

47. Indicators have shown that there has been sufficient capacity to meet demand throughout the pandemic. An extensive consultation with parents in Autumn 2020 in which there were more than 600 responses demonstrated the need for local childcare to be affordable and flexible, to be available to meet existing or new working patterns and where required, the need for accessible, affordable, inclusive holiday childcare.
48. Both the pandemic and recruitment and retention issues may ultimately impact some sectors of the childcare market and this will need to be monitored. Also, between 2010 and 2020 there has been a reduction of 333 birth registrations or 24.5% in the borough. This may have market implications for providers. The Local Authority is engaging with providers to ensure sufficiency of places and to work with the sector to assist with sustainability.

How will this work in Darlington?

49. 2021 Childcare Sufficiency findings will be presented to the childcare market and to schools in Spring 2022, to enable them to develop services to meet any changing childcare demand.
50. The priorities for the Local Authority continue to be to:
 - (a) Provide parents with up-to-date information about financial assistance towards childcare costs, including any available tax credits,
 - (b) Work with settings and other interested stakeholders to continually improve the quality of care and make settings/activities more inclusive,
 - (c) Assist childcare providers/activities to be as sustainable as possible during the pandemic.

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE
21 FEBRUARY 2022**

WORK PROGRAMME

SUMMARY REPORT

Purpose of the Report

1. To consider the work programme items scheduled to be considered by this Scrutiny Committee during the 2021/22 Municipal Year and to consider any additional areas which Members would like to suggest should be included.

Summary

2. Members are requested to consider the attached draft work programme (**Appendix 1**) for the 2021/22 Municipal Year which has been prepared based on Officers recommendations and recommendations previously agreed by this Scrutiny Committee in the last Municipal Year.
3. Once the work programme has been approved by this Scrutiny Committee, any additional areas of work which Members wish to add to the agreed work programme will require the completion of a quad of aims in accordance with the previously approved procedure. (**Appendix 2**)
4. Members are also requested to give consideration to a request to carry out a review of the Vulnerable Pupil Panel (**Appendix 2**).
5. In accordance with the agreed procedure (**Appendix 3**), the request was forwarded to the Assistant Director of Education and Inclusion for a view on its merits, using the identified criteria. The response of the Assistant Director is also attached (**Appendix 2**).

Recommendations

6. Members are requested to note the work programme and consider any additional items which they may wish to include.
7. In accordance with the agreed procedure, taking into account the views of the Assistant Director, Education and Inclusion, this Scrutiny Committee is requested to approve the inclusion of this item on the Scrutiny work programme.

**Luke Swinhoe
Assistant Director Law and Governance**

Background Papers

No background papers were used in the preparation of this report.

Author: Allison Hill

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	This report has no direct implications to the Health and Well Being of residents of Darlington.
Carbon Impact	There are no issues which this report needs to address.
Diversity	There are no issues relating to diversity which this report needs to address
Wards Affected	The impact of the report on any individual Ward is considered to be minimal.
Groups Affected	The impact of the report on any individual Group is considered to be minimal.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Council Plan	The report contributes to the Council Plan in a number of ways through the involvement of Members in contributing to the delivery of the Plan.
Efficiency	The Work Programmes are integral to scrutinising and monitoring services efficiently (and effectively), however this report does not identify specific efficiency savings.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

8. The format of the proposed work programme has been reviewed to enable Members of this Scrutiny Committee to provide a rigorous and informed challenge to the areas for discussion.
9. The Council Plan sets the vision and strategic direction for the Council through to May 2023, with its overarching focus being 'Delivering Success for Darlington' .
10. In approving the Council Plan, Members have agreed to the vision for Darlington which is a place where people want to live and businesses want to locate, where the economy

continues to grow, where people are happy and proud of the borough and where everyone has the opportunity to maximise their potential.

11. The vision for the Children and Young People portfolio is :

'a borough where young people get the best start in life, can maximise their potential and are safe'

to maximise the potential of our young people by working with partners to maximise educational achievement; working to remove barriers to young people reaching their potential and working at a Tees Valley level to match jobs with skills and training.

Forward Plan and Additional Items

12. Any Member seeking to add a new item to the work programme will need to complete a quad of aims.
13. A copy of the Forward Plan has been attached at **Appendix 4** for information.

Briefings

14. On 22 February, 2022 a TEAMS meeting has been arranged for Members of this Scrutiny Committee to meet with young people from the Darlington Youth Partnership and Council of School Councils to discuss projects the Council are working on to try and capture the voice of children and young people from across Darlington.
15. On 11 February, 2022 the Head of Employment, Education and Skills, Tees Valley Combined Authority attended a joint briefing with Members of this Committee and the Economy and Resources Scrutiny Committee to discuss the education and skills funding allocation as it relates to our authority and where specifically the spend is being focused.

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CHILDREN AND YOUNG PEOPLE SCRUTINY WORK PROGRAMME

Topic	Timescale	Lead Officer	Link to PMF (metrics)	Scrutiny's Role
Performance Management and Regulation	Q3 25 April 2022	Sharon Raine	Agreed set of indicators	To receive quarterly monitoring reports and undertake any further detailed work into particular outcomes if necessary
2021/22 Childcare Sufficiency Assessment	21 February 2022	Tony Murphy/Nicola Davies		Annual Report
Accessibility Strategy	21 February 2022	Tony Murphy/ Eleanor Marshall		Progress to date in respect of the review of the Special Educational Needs (SEND) Accessibility Strategy 2017-2020
Children and Young Peoples Plan	25 April 2022	Christine Shields		Annual Update
Missing and Exploited Young People	25 April 2022	Alison Poulter		To provide Scrutiny with an update following concerns over the increase in numbers of missing
Children's Services Self-Assessment - Overview	August 2022	Chris Bell		To provide Scrutiny with the Annual Self-Assessment for Children's Services so that constructive 'critical friend' challenge takes place to drive improvement in public services

Topic	Timescale	Lead Officer	Link to PMF (metrics)	Scrutiny's Role
Children and Young People Public Health Overview and Childhood Healthy Weight Plan	August 2022	Ken Ross	PBH 009 PBH 013c PBH 016 PBH 018 PBH 020 PBH 021 PBH 054	Annual Monitoring
Local Designated Officer Annual Report	August 2022	James Stroyan		To examine the Annual Report and assure Members that allegations made against staff who work with children are reported and how they are actioned
Learning and Skills Service Annual Report	October 2022	Paul Richardson		Annual Report to demonstrate challenge
IRO Annual Report	October 2022	Martin Graham	CSC201	To examine the Annual Report of the Independent Reviewing Officer for Looked After Children
Darlington Safeguarding Partnership Annual Report	October 2022	Ann Baxter, Independent Chair		Annually monitoring
Adoption Tees Valley Annual Report 2021/22	October 2022	Vicky Davidson-Boyd, Service Manager, Adoption Tees Valley		Annual monitoring

REVIEWS PENDING

<p>Autism Provision Review Group</p>	<p>Final Report to Health and Housing on 14 April 2021.</p> <p>Cross Party Joint Working Group to be established – ongoing.</p>	<p>Christine Shields</p>	<p>To review the provisions and services and contractual arrangements between this Council and our providers who provide the Autism provisions, diagnoses and support services for Darlington</p>
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MEMBER BRIEFINGS

<p>Topic</p>	<p>Timescale</p>	<p>Lead Officer</p>	<p>Link to PMF (metrics)</p>	<p>Scrutiny's Role</p>
<p>Tees Valley Combined Authority Education and Skills – Role and Funding</p>	<p>11 February 2022</p>	<p>Shona Duncan, Head of Employment, Education and Skills, Tees Valley Combined Authority</p>		<p>Joint presentation to CYP and Economy and Resources Scrutiny to receive specific information on the funding allocation as it relates to this authority and where the spend (adult education up to 28 years) is being focused.</p>
<p>Meet with Young People (Council or Schools Councils/Youth Partnership)</p>	<p>22 February 2022</p>	<p>Joanne Shutt</p>		

ARCHIVED ITEMS

Topic	When considered	Lead Officer	Scrutiny's Role
SEND - Outcomes for Parents following Covid-19	4 January 2021	Carla Scaith Darlington Parent Carer Forum	To continue to monitor SEND/ EHCPs. To receive the survey results from the Parent Carer Forum SEND Survey and to receive information relating to experiences of the Parent Carer Forum.
Trauma and Horizon Scanning	23 August 2021	Paige Thomason/ Martin Webster	To examine how Children's Services are starting to embed and respond to Trauma.
Looked After Children Off-framework.	23 August 2021	Jane Kochanowski	To examine the current situation with those placed off framework, commissioning of accommodation and costs
Adoptive Services	Item request approved by Scrutiny at the meeting held on 29 June 2020 – Not progressed	Vicky Davidson-Boyd	To examine how the Regional Adoption Agency is serving Darlington and to examine how the Coronavirus Pandemic has affected adoption
Early Help services available for new mothers	20 December 2021	Joanne Benson	To examine services available post and pre pandemic
Developing Darlington Care Collective	20 December 2021	Christine Shields/Martin Webster	To provide an Update on the Care Collective
Medium Term Financial Plan 2022/23 to 2025/26	Special 10 January 2022	Elizabeth Davison	To consider the MTFP 2022/23 to 2025/26 and make any views, and in particular, those in relation to those services and finances which are specifically within the remit of this Scrutiny Committee

QUAD OF AIMS (MEMBERS' REQUEST FOR ITEM TO BE CONSIDERED BY SCRUTINY)

REVIEW GROUP TO EXAMINE THE VULNERABLE PUPIL PANEL

NOTE – This document should only be completed if there is a clearly defined and significant outcome from any potential further work. This document should **not** be completed as a request for or understanding of information.

REASON FOR REQUEST?	RESOURCE (WHAT OFFICER SUPPORT WOULD YOU REQUIRE?)
<p>To look specifically at the mechanics of the vulnerable pupil panel and to learn about the process and what the scale of the attendance challenge is.</p>	<ul style="list-style-type: none"> • Democratic Officer. • Tony Murphy, Assistant Director Education and Inclusion • Calvin Kipling, Virtual School Head • A representative of the professionals who sit on the panel
PROCESS (HOW CAN SCRUTINY ACHIEVE THE ANTICIPATED OUTCOME?)	HOW WILL THE OUTCOME MAKE A DIFFERENCE?
<ul style="list-style-type: none"> • To identify which organisations are represented on the Panel • To identify the role of the local authority in getting children and young people back into education • Examine how decision-making takes place and how the voices of the child and family are heard • Examine the number of cases referred in the past year, the broad theme and the outcomes of referrals, issues arising. 	<ul style="list-style-type: none"> • To highlighted the importance of the work of the vulnerable pupil panel as the gatekeeper for educational placements. • To widen Councillor visibility of the existing Partnership engagements which tackle the issue of vulnerable children and to understand the Council's contribution to this.

Page 81

Signed CouncillorCyndi Hughes.....

DateFebruary 2022.....

SECTION 2 TO BE COMPLETED BY DIRECTORS/ASSISTANT DIRECTORS
(NOTE – There is an expectation that Officers will discuss the request with the Member)

Page 82

	Criteria
<p>1. (a) Is the information available elsewhere? If yes, please indicate where the information can be found (attach if possible and return with this document to Democratic Services) Attendance data during Covid is published by DfE at the following address https://explore-education-statistics.service.gov.uk/find-statistics/attendance-in-education-and-early-years-settings-during-the-coronavirus-covid-19-outbreak</p> <p>b) Have you already provided the information to the Member or will you shortly be doing so? We can provide a briefing report on the VPP for members</p>	<p>1. Information already provided/or will be provided to Member</p> <p>2. Extent of workload involved in meeting request</p> <p>3. Request linked to an ongoing Scrutiny Committee item of work and can be picked up as part of that work</p> <p>4. Subject to another Council process for enquiry or examination (such as Planning Committee or Licensing Committee)</p>
<p>2. If the request is included in the Scrutiny Committee work programme what are the likely workload implications for you/your staff? This can be accommodated into existing workload planning</p>	<p>5. About an individual or entity that has a right of appeal</p>
<p>3. Can the request be included in an ongoing Scrutiny Committee item of work and picked up as part of that? Yes</p>	<p>6. Some other substantial reason</p>
<p>4. Is there another Council process for enquiry or examination about the matter currently underway? The council is currently working with the Children’s Commissioner’s office on a national attendance audit. 10 LAs are involved in this process.</p>	
<p>5. Has the individual or entity some other right of appeal?</p>	
<p>6. N/A</p>	

7. Is there any substantial reason (other than the above) why you feel it should not be included on the work programme? N/A

Page 83



Signed

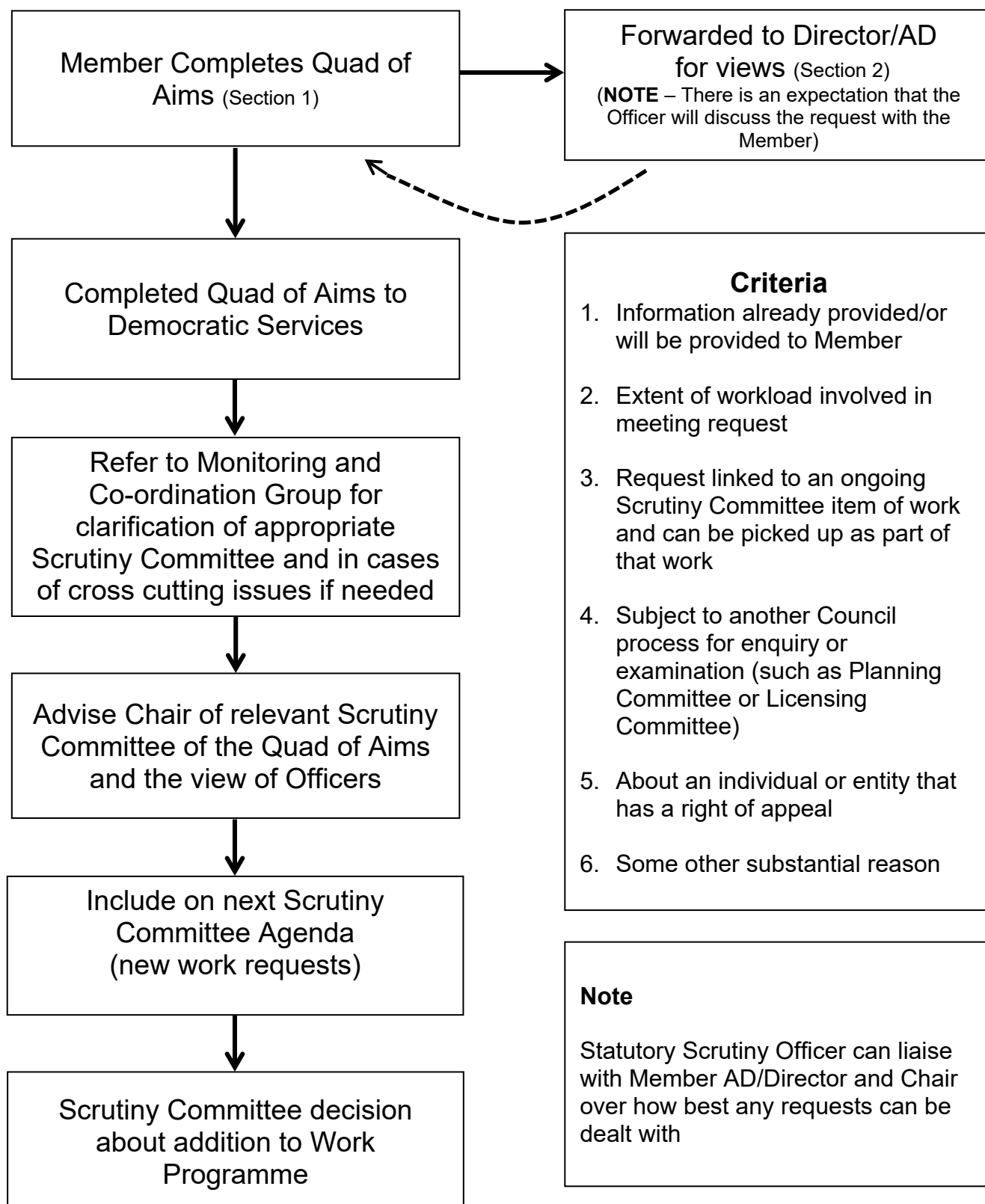
Tony Murphy

Position: Assistant Director, Education & Inclusion

Date: 9 February 2022

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PROCESS FOR ADDING AN ITEM TO SCRUTINY COMMITTEE'S PREVIOUSLY APPROVED WORK PROGRAMME



PLEASE RETURN TO DEMOCRATIC SERVICES

QUAD OF AIMS (MEMBERS' REQUEST FOR ITEM TO BE CONSIDERED BY SCRUTINY)

SECTION 1 TO BE COMPLETED BY MEMBERS

NOTE – This document should only be completed if there is a clearly defined and significant outcome from any potential further work. This document should **not** be completed as a request for or understanding of information.

REASON FOR REQUEST?	RESOURCE (WHAT OFFICER SUPPORT WOULD YOU REQUIRE?)
PROCESS (HOW CAN SCRUTINY ACHIEVE THE ANTICIPATED OUTCOME?)	HOW WILL THE OUTCOME MAKE A DIFFERENCE?

Page 86

Signed Councillor

Date

SECTION 2 TO BE COMPLETED BY DIRECTORS/ASSISTANT DIRECTORS
(NOTE – There is an expectation that Officers will discuss the request with the Member)

	Criteria
1. (a) Is the information available elsewhere? Yes No If yes, please indicate where the information can be found (attach if possible and return with this document to Democratic Services)	1. Information already provided/or will be provided to Member
(b) Have you already provided the information to the Member or will you shortly be doing so?	2. Extent of workload involved in meeting request
2. If the request is included in the Scrutiny Committee work programme what are the likely workload implications for you/your staff?	3. Request linked to an ongoing Scrutiny Committee item of work and can be picked up as part of that work
3. Can the request be included in an ongoing Scrutiny Committee item of work and picked up as part of that?	4. Subject to another Council process for enquiry or examination (such as Planning Committee or Licensing Committee)
4. Is there another Council process for enquiry or examination about the matter currently underway?	5. About an individual or entity that has a right of appeal
5. Has the individual or entity some other right of appeal?	6. Some other substantial reason
6. Is there any substantial reason (other than the above) why you feel it should not be included on the work programme?	

PLEASE RETURN TO DEMOCRATIC SERVICES

Signed **Position** **Date**

Page 88

PLEASE RETURN TO DEMOCRATIC SERVICES

**DARLINGTON BOROUGH COUNCIL
FORWARD PLAN**



**FORWARD PLAN INDEX
FOR THE PERIOD: 5 JANUARY 2022 - 31 MAY 2022**

Title	Decision Maker and Date
Access Opportunities for Young People	Cabinet 11 Jan 2022
Council Plan Performance Report 2021/22 – Quarters 1 and 2	Cabinet 11 Jan 2022
Customer Services and Digital Strategy 2021/24	Cabinet 11 Jan 2022
Darlington Credit Union	Cabinet 11 Jan 2022
Feethams House - European Regional Development Fund	Cabinet 11 Jan 2022
Maintained Schools Capital Programme - Summer 2022	Cabinet 11 Jan 2022
Annual Audit Letter 2020/21	Cabinet 8 Feb 2022
Calendar of Council and Committee Meetings 2022/23	Cabinet 8 Feb 2022
Housing Revenue Account 2022/23	Council 17 Feb 2022 Cabinet 8 Feb 2022
Land at Sparrowhall Drive	Cabinet 8 Feb 2022
Levelling Up Darlington	Cabinet 8 Feb 2022
Local Plan Adoption	Council 17 Feb 2022 Cabinet 8 Feb 2022
Medium Term Financial Plan 2022/23 to 2025/26	Council 17 Feb 2022 Cabinet 8 Feb 2022
Project Position Statement and Capital Programme Monitoring - Quarter 3	Cabinet 8 Feb 2022
Prudential Indicators and Treasury Management Strategy	Council 17 Feb 2022 Cabinet 8 Feb 2022
Rail Heritage Quarter Update	Council 17 Feb 2022 Cabinet 8 Feb 2022
Revenue Budget Monitoring - Quarter 3	Cabinet 8 Feb 2022
Schedule of Transactions - February	Cabinet 8 Feb 2022
Supplementary Planning Guidance (SPD) Design Code - Burtree Garden Village	Council 12 May 2022 Cabinet 8 Feb 2022
Darlington Cultural Strategy 2022/26	Cabinet 8 Mar 2022
Local Transport Plan	Cabinet 8 Mar 2022
Regulatory Investigatory Powers Act (RIPA)	Cabinet 8 Mar 2022
Restoration of Locomotion No 1 Replica	Cabinet 8 Mar 2022
Tees Valley Energy Recovery Facility	Cabinet 8 Mar 2022
Annual Procurement Plan 2022/23	Cabinet 5 Apr 2022
Supplementary Planning Guidance (SPD) Design Code - Skerningham Garden Village	Council 14 Jul 2022 Cabinet 14 Jun 2022

**DARLINGTON BOROUGH COUNCIL
FORWARD PLAN**

Proposed Waiting Restrictions on Woodland Road, Outram Street and Duke Street	Cabinet
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