

Minutes of the Meeting of the Children and Young People Overview and Scrutiny Committee held on 6 April 2011

Present:-

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| Members of the Committee | Councillor Peter Balaam “ Carol Fox “ Robin Hazelton “ Julie Jackson “ Mike Perry “ Clive Rickhards “ Carolyn Robbins “ John Ross “ June Tandy (Chair) |
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| Invited Representatives | Max Hyde (Teacher Representative) Chris Smart (Governor Representative) Diana Turner (Governor Representative) Alison Livesey (Governor Representative) Joseph Cannon (Church Representative) |
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| Other County Councillors | Councillor Martin Shaw Councillor Heather Timms (Portfolio Holder for Children, Young People and Families) |
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| Officers | Dave Abbott, Assistant to Political Group Elizabeth Featherstone, Head of Service - Early Intervention Services Liz Holt, Assistant Head of Service – Manager of Commissioning Support Service Richard Maybey, Assistant to Political Group Ann Mawdsley, Principal Committee Administrator Jessica Nash, Assistant Head of Service – SEN and Inclusion Jane Pollard, Democratic Services Manager |
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1. General

(1) Apologies for absence

Apologies for absence were received on behalf of Councillor Tilly May and Rex Pogson.

Apologies were received on behalf of Councillor June Tandy, for late arrival, and Councillor John Ross took the Chair.

(2) Members Declarations of Personal and Prejudicial Interests

Councillor Julie Jackson declared a personal interest in Item 4 as a Governor of Oakwood Special Schools and as the relative of a child with special educational needs.

Councillor Julie Jackson declared a personal interest in Item 5 as a former member of the PRU Management Committee.

Councillor Julie Jackson declared a personal interest in Item 6 as her daughter currently uses post 16 transport.

Councillor Clive Rickhards declared a personal interest in Item 5 as he had ex-colleagues who were working for the PRU.

Councillor Carolyn Robbins declared a personal interest in Item 6 as her grandson currently uses post 16 transport.

Diana Turner declared a personal interest in Item 4 as her grandson (aged 19) has special educational needs.

(3) Minutes of the Children, Young People and Families Overview and Scrutiny Committee meeting held on 8 March 2011

The minutes of the meeting held on 8 March 2011 were agreed with the following corrections:

Page 1 – 1. General (1) Apologies for absence

Councillor Mike Perry to be removed from the third line.

Matters Arising

Page 3 – 2. Public Question Time

Ann Mawdsley undertook to forward to Cllr Robin Hazelton, the Portfolio Holder's response to Mr Don Bates' public question.

Page 4 – 4. Development of Draft Measures and Targets in Support of the CBP 2011-13

Jane Pollard reported that the Overview and Scrutiny Board had taken account of the views of the O&S Committees in relation to the draft measures and targets in support of the Corporate Business Plan (CBP), and forwarded their comments to the Cabinet, to be taken into account in the future development of the CBP.

(4) Chair's Announcements

The Chair noted that the Committee's report on Pupil Attainment would be considered by the Cabinet on 14 April 2011.

2. Public Question Time

None.

3. Questions to the Portfolio Holder

Councillor Heather Timms

1. Councillor Robin Hazelton asked the Portfolio Holder for an update on the proposed changes to the Warwickshire PRUs. Councillor Heather Timms noted that there were currently two PRU sites at Keresley and Pound Lane, with induction courses only being held at Merttens Centre.
2. Councillor Clive Rickhards asked what the current rate of take-up had been for primary schools expressing an interest in becoming Academies. Councillor Heather Timms noted that there had not been the same interest expressed by primary schools as with secondary schools, and Elizabeth Featherstone agreed to provide a briefing note to Members giving an update on Academies.
3. Councillor Julie Jackson asked whether there had been any more applications to set up Free Schools. Councillor Heather Timms confirmed that the Priors School in Priors Marston was the only school in Warwickshire to date that had applied for and been approved for Free School status. The Chair requested that the report scheduled for 8 June on Academies and Traded Services include an update on Free and Federation Schools.
4. Councillor Peter Balaam asked whether any special schools in Warwickshire were looking at academy status. Councillor Heather Timms confirmed that there were not.

Councillor June Tandy joined the meeting and took the Chair.

4. The proposals of the Special Educational Needs (SEN) Green Paper and its Consultation questions

The Committee considered the report of the Strategic Director of Children, Young People and Families giving an overview of the key themes of the SEN Green Paper "Support and Aspiration" and providing information to inform the Warwickshire County Council response to the Consultation by 30 June 2011.

The Chair reminded members of the Committee that this would be a substantial item on the agenda for the 8 June meeting.

Max Hyde stated that success depended upon services working together and there had not always been buy-in from health colleagues. She recommended that the response to the Consultation should point out that the Green Paper does not set out clear responsibilities,

particularly in those cases where children had both special educational needs and mental health problems. It was also not clear in the Green Paper whether the SEN outcomes would be measured in schools, and whether Ofsted would look at the range of actions put in place to achieve outcomes, or only at the outcomes achieved. Jessica Nash responded that the intention of the Green Paper was to move to a system that looked at the whole journey for these children and young people and not just summative measures, creating a link between personal development and making a difference to learning and improving learning opportunities post 16. Liz Holt noted that she was a new member of the Health Transitions Board and she would pass the comments of the Committee to that Board.

During the ensuing discussion the following points were noted:

1. The Department for Education did not intend to legislate until May 2012 at the earliest, with personal budgets expected to be in place in 2014.
2. It was not clear yet, locally or nationally, how personal budgets would be set up, but there would be caveats around individual budgets and the statutory entitlement to education would sit with the Local Authority. Parents would, it was believed, be given the option to manage individual budgets for interventions such as sensory therapy and speech and language, with key worker support.
3. The Green Paper looked to shared budgets around complex needs and special schools and provision with budgets for less complex needs being devolved into school budgets to make whole school improvements.
4. Concern was raised about the linking of SEN and disabilities, which was based on a medical model and not on a social model.
5. Local Authorities would, at a date yet to be determined, be required to make clear and transparent the range of services they offered, mapping out what was offered, what was available and how this could be accessed.
6. Work was already underway ahead of the Green Paper, bringing professionals together from a cluster of primary schools to collaborate on putting in place, monitoring and evaluating outcomes. This work would be used as a model, which other schools, including academies, would be encouraged to put in place.
7. The Local Authority would be making an offer to Heads and Area Groups setting out how they wanted to contribute in working with SEN.
8. Professionals locally and nationally believed there would be a change to the identification and certification process in relation to statementing.
9. It was suggested that the title "Giving Parents Control" was misleading and a title such as "Allowing Parents to Participate" would better represent a service where professionals retained the responsibility for assessments and advising and empowering

parents through a clear sense and understanding of the different options available.

10. Under current Warwickshire admission arrangements, children with a statement of SEN that named a school, had to be admitted unless that school is considered to be an unsuitable environment. It was not clear whether this would in the future include all children with SEN needs, and clarity around this needed to be sought. Jessica Nash confirmed that this issue was being discussed on an ongoing basis with colleagues and there was general agreement that there needed to be an incremental sense to the new SEN category to enable schools to appropriately plan for provision.
11. There was already a lot of work being done with school staff and parents, looking at the systems currently in place, identifying gaps and looking at how these could best fit within the White Paper.
12. Concern was raised about the removal of bias towards inclusion and Jessica Nash confirmed that this concern had been raised by a number of stakeholders already.
13. In response to concern raised regarding delays with statementing, Jessica Nash stated that since April 2010 96.6% of all statements had been actioned and completed within the statutory deadline. She added that this timeline was shrinking and it was important that this progress was maintained.
14. The West Midlands Mediation Service worked with 13 Local Authorities, providing a proactive solution for situations where there was not agreement about the most appropriate way to meet needs identified.
15. Contextual value added information would be removed from future performance tables, and the progress element of students would therefore not be represented in the “snapshot” of school performance.
16. Any developments made by schools in response to the White Paper would need to be made in consultation with Governing Bodies.
17. Behavioural, emotional or social difficulties (BESD) of pupils could be manifested through SEN and there was a need to look at a single process with more precise assessment methods.

The Chair thanked Jessica Nash and Liz Holt for their contributions.

The Overview and Scrutiny Committee agreed to note the key messages of the DfE SEN Green Paper “Support and aspiration: A new approach to special educational needs and disability” and agreed that consideration should be given to inviting parents and teachers who had experience with statementing, dealing with key workers and/or direct payments, to give Members a wider view.

5. PRU – Interim Report

The Committee considered the report of the Strategic Director of Children, Young People and Families giving an update on the implementation of the recommendations made by the Committee, which had been agreed in full by the Cabinet on 16 December 2010.

Elizabeth Featherstone noted that the restructuring of the Warwickshire PRUs would be complete for September 2011. She added that the officers were working closely with the Chairs of the Area Behaviour Panels (ABPs) and all Headteachers on how best to manage and fund the changes, and on the whole, there had been strong support for this direction of travel.

During the ensuing discussion the following points were noted:

1. Hot meals were now being provided at both Pound Lane and the Keresley Centre.
2. There was still a lot of work to be done to ensure buy-in from all Heads, but the aim was to devolve more money to partners to invest in preventing exclusions, for example with Learning Support Units (LSUs), FE colleges and vocational training places. Officers were in the process of putting together a map of what alternative provision was available.
3. Provision would still be made for pupils given permanent exclusion, in a restructured PRU from September and through a different system long-term.
4. In response to a query regarding funding, Elizabeth Featherstone noted that there had been a reduction of approximately one third of the staffing costs of PRUs and this sum would be devolved to Partnerships.
5. One of the drivers of the Education Bill was that any school excluding a pupil would retain responsibility for that pupil, including Academies.
6. Concern was expressed that despite the recommendation proposed by the Committee and agreed by the Cabinet that some of the savings from the closure of PRUs would go towards improving the environment of the remaining facilities, that this had not happened. Elizabeth Featherstone stated that the sites would not be used in the longer term, and physical improvements had been limited to safer playing environments and egress and access and emphasis had been placed on the quality of teaching and enhancing the curriculum opportunities for young people. Councillor Heather Timms stated that meetings had taken place with Margaret Ryan to agree the best approach and John Harmon (Assistant Head of Service, Capital and Property) had reported progress to the last PRU Board.
7. Headteachers retained the right to exclude pupils, with a requirement for exclusions to be upheld by the Governing Body. Governing Bodies of Academies was currently under consideration by the DfE, to ensure processes were in place across all schools that ensure a balance of power. It was acknowledged that there were critical points when exclusions

increased, such as the appointment of new Headteachers, and this needed to continue to be monitored in the future.

8. Common Assessment Frameworks (CAFs) had had a positive impact in Warwickshire, in terms of identifying issues and support and resolving issues for young people at an early stage.
9. Permanently excluded children were most likely to be NEETs or involved in crime and how these young people were dealt with would impact on the future of Warwickshire society.
10. It was agreed that the next report to the Committee should include an outline of support being given to primary schools and pupils, and how that support would be evaluated.
11. In response to a query regarding the effectiveness of ABPs, Elizabeth Featherstone reported that considerable progress had been made over the past months in taking up the challenges. She added that it was still the responsibility of the Local Authority to have some kind of provision for excluded children, including from Academies.
12. The Chair agreed to discuss with Elizabeth Featherstone how best to provide information and training to inform Members.

Elizabeth Featherstone agreed to provide a briefing note to members of the Committee responding to queries raised.

The Committee, having considered the progress report, requested a further visit to the two PRU sites during the summer term (Pound Land and the Keresley Centre) to consider progress on their original recommendations agreed by the Cabinet.

6. Work Programme 2010-11

The Committee noted the Work Programme with the following changes:

Visit to Warwickshire PRUs – at a date to be determined
PRU – Report moved from 8 June to 1 September

Jane Pollard confirmed that a further proposal for a Task and Finish Group on Post 16 Transport would be taken to the Overview and Scrutiny Board meeting on 25 May 2011.

7. Any Other Items

There were no urgent items.

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Chair

The Committee rose at 12.10 a.m.

