

Minutes of the Meeting of the Children and Young People Overview and Scrutiny Committee held on 1 September 2011

Present:

Members of the Committee

Councillor Peter Balaam
Councillor Carol Fox
Councillor Julie Jackson
Councillor Mike Perry
Councillor Clive Rickhards
Councillor Carolyn Robbins
Councillor Martin Shaw
Councillor June Tandy (Chair)
Councillor Ron Cockings (replacing Councillor Sonja Wilson)

Invited representatives

Alison Livesey (Governor Representative)
Rex Pogson (Church Representative)
Chris Smart (Governor Representative)
Diana Turner (Governor Representative)

Other County Councillors

Councillor Heather Timms (Portfolio Holder for Child Safeguarding, Early Intervention and Schools)

Officers

Hugh Disley, Head of Service – CYPF Development Programme
Elizabeth Featherstone, Head of Service – Early Intervention Services
Paul Galland, Strategic Director
Mark Gore, Head of Service – Learning and Achievement
Liz Holt, Head of Children's Strategic Commissioning
Richard Maybey, Democratic Services Officer
Greta Needham, Head of Service – Law and Governance
Janice Ogden, Assistant Head of Service – Business Support, CYPF
Julie Robottom, Project Manager (0-19) – Commissioning Support Service, CYPF

1. General

(1) Welcome and apologies

The Chair welcomed Janice Ogden and Julie Robottom to the meeting, and offered the Committee's thanks to Paul Galland for his excellent service to the local authority.

Apologies for absence were received on behalf of Max Hyde, Joseph Cannon, Councillor John Ross and Councillor Sonja Wilson (who was replaced by Councillor Ron Cockings for this meeting).

(2) Members declarations of personal and prejudicial interests

A general declaration was made for all relevant Councillors and members of the Committee in their roles as School Governors and/or School Trustees.

Councillor Julie Jackson declared a personal interest in Item 6 as a former member of the PRU Management Committee.

Councillor Clive Rickhards declared a personal interest in Item 6 as he has former colleagues working in the PRU.

(3) Minutes of the meeting held on 8 June 2011

The minutes were agreed as an accurate record of the meeting and signed by the Chair.

(4) Minutes of the meeting held on 8 August 2011

The following changes to the minutes were agreed (amended text is underlined):

Page 3, paragraph (e)

“It was noted that from 1 September, if a child was excluded from a school and referred to the PRU, the ABP would be charged for these places from devolved funding”

Page 4, paragraph 15

“Every effort was being made to support ABPs, including having a linked lead officer to each panel, and implementing use of the In-Year Fair Access Protocol”

With the addition of these changes, the minutes were agreed as an accurate record of the meeting and signed by the Chair.

(5) Chair’s announcements

None

2. Public question time (Standing Order 34)

None

3. Questions to the Portfolio Holder

Learning Support Units

Councillor Clive Rickhards asked what the local authority is doing to promote the use of Learning Support Units (LSUs) within schools.

Councillor Heather Timms explained that the authority is actively promoting the use of LSUs within schools, but they are not a one-size-fits-all solution and the four Area Behaviour Partnerships (ABPs) are developing individual plans accordingly.

Elizabeth Featherstone added that a number of schools have shown an interest in buying expertise from the local authority to help set up their LSUs, and staff have been meeting with the ABPs to promote the importance of early intervention. Elizabeth also clarified that the strategy for primary schools is different, with a pilot scheme based around school clusters underway. For those not part of a cluster, the Early Intervention Service is working with individual primary schools to consider the various options for pupils excluded or at risk of exclusion.

4. Relationship with Schools

- 4.1 Following an introduction from Paul Galland, the Committee discussed the content and possible implications of the report. A collation of the points raised during this discussion will be included in the Committee's written response to the Overview & Scrutiny Board, which will be received at its meeting on the 14 September 2011.
- 4.2 The Committee agreed to endorse the recommendations of the report, subject to two amendments outlined in the resolution below.
- 4.3 Cllr Peter Balaam, supported by Cllr Rickhards, Cllr Jackson and Cllr Tandy, moved a further amendment to delete the words "and promotes" from Recommendation 2. The remaining five members of the Committee voted against the amendment, therefore the motion was lost.

Resolved:

That the Committee endorses the recommendations within the Relationship with Schools report, subject to the following amendments (amended text is underlined):

R20 Early discussions take place between the Council and representatives of head teachers and governors to discuss how the Council can best fulfil its democratic mandate to constructively challenge and support schools, while also acting as a champion for children and families, and to agree what information and assistance schools need to provide to facilitate this.

R21 The Council should encourage all schools, including Academies, to continue to have local authority representatives on their board of governors.

5. Academies and Traded Services

- 5.1 Greta Needham introduced the report, setting out the current position with regard to Academies in Warwickshire – including the number of schools that have converted or are in the process of converting and the current level of buy-back of traded services from the local authority.
- 5.2 Greta stated that it was likely that the majority of secondary schools in Warwickshire would convert to Academy status over the next twelve months. Therefore, the goal for the local authority over the next year would be to develop a traded services offer that was appealing to Academies, who would inevitably be seeking the most competitive deal.
- 5.3 During discussion, the following points were noted:
 - 5.3.1 Local authority services that wish to trade with Academies will need to produce a valid business case
 - 5.3.2 The local authority could offer a brokerage service to Academies, introducing them to suitable market providers – however, this would be in competition with the authority's own traded services offer
 - 5.3.3 The local authority's traded services would need to be operated in a business-like manner, with a focus on the needs of the customer. This may require the recruitment of personnel with appropriate business and marketing skills
 - 5.3.4 There is a possibility of market failure, which may result in Academies coming back to the local authority for provision of service. However, there is a risk that it may be financially unviable for the local authority to continue providing services if demand is too low – so there may not be a service for Academies to come back to
 - 5.3.5 Officers are seeking to understand the reasons why schools choose to trade with other providers, looking objectively at the services they offer
 - 5.3.6 The local authority – via its School Admissions Forum – may continue to monitor the admissions procedures of Academies to ensure they are in line with the Admissions Code. However, this would require the Forum being given access to the relevant information from Academies, which is unlikely
 - 5.3.7 As a school converts to Academy status, the duty to fulfil certain statutory duties transfers from the local authority to the governing body. While the responsibility for informing and training governors about their new duties will now rest with each Academy and the Young People's Learning Agency, the local authority's Governor Training and Development services remain available as a traded service to those Academies that wish to continue to receive them. Officers agreed to take steps to inform schools and local authority governors of their changing responsibilities via the issue of guidance and protocols

- 5.3.8 The local authority should consider encouraging its governors to seek training for their respective governing body in order to better understand their statutory duties
- 5.3.9 It was confirmed that the local authority does send condition surveys to schools so they are aware of any building and maintenance requirements

Resolved:

(1) That the Committee notes:

- The significant implications of the Academy programme for the role of the local authority in relation to schools
- The potential future financial impact of more schools moving to Academy status
- The early indications of buy back from Academies of Warwickshire's traded services
- How the policy for Academies will affect the role of Elected Members in relation to schools
- Any areas for scrutiny as appropriate

(2) That the Committee recommends:

- The local authority has regard to recruiting personnel with the necessary commercial and business skills to aid the financial viability of its traded services
- Existing guidance on statutory duties be circulated to all Elected Members and local authority governors to help them ask the right questions when conversion to Academy status is discussed

6. Meeting the Needs of Pupils Excluded or at Risk of Exclusion from School

- 6.1 Elizabeth Featherstone introduced the report, noting that it did not reflect the discussions held at the Committee's recent call-in meeting (8 August) and that the consultation document within it had not yet been finalised or released. Elizabeth confirmed that the consultation would be circulated to all the consultees normally involved in a school organisational issue.
- 6.2 During discussion, the following points were noted:
- 6.2.1 The School Governors Forum should be considered an important consultee in the process of closing the PRU. The Forum's next meeting falls after the consultation deadline, so action should be taken to ensure it has opportunity to consider and respond. Officers agreed to consider extending the consultation deadline, should the Forum not be able to arrange a special meeting in the interim

- 6.2.2 The Equalities Impact Assessment is a legal requirement that must be reported to the decision maker, but there is no requirements for action to be taken as a result of its findings
- 6.2.3 Members and officers recognised the need for regular updates to be brought to the Committee to monitor progress of the transformation
- 6.2.4 While Members were satisfied with the progress of recommendation 2 (to remove primary aged children from the PRU), some concern was raised about the two primary aged children who are currently undertaking the assessment process for a statement. Officers reported that specialist placements will be made for these children upon completion of the process very shortly, and will begin at the latest by the October half-term 2011. In the interim period, they will continue at the PRU
- 6.2.5 It was confirmed that the local authority does have statutory duties around children missing from education and a review of these services is currently in progress. It was agreed that a report would be brought to the Committee at its meeting in October 2011, detailing the statutory duties and the findings of the service review on the In Year Fair Access Protocol (IYFAP)

Resolved

- (1) That the Committee notes the updates on the Committee's recommendations from November 2010 and the proposed consultation documents and timetable
- (2) That appropriate action is taken to ensure the School Governors Forum has an opportunity to consider and respond to the consultation

7. Impact Assessment on Posts Lost to the Directorate

- 7.1 Hugh Disley presented the report, containing information on the number of posts lost to different service areas. Hugh explained that it was too early to establish the impact of these lost posts, as many had left in the recent months up to June 2011. Mark Gore stated that further posts will be lost in the coming months, such as within the Learning and Achievement service and the County Music Service. These figures would be included in future reports. Continued monitoring would be necessary in order to report with any certainty on the impacts.
- 7.2 During discussion, the following points were noted:
 - 7.2.1 While noting the officers' introduction, concern was raised about the lack of information available on the impact to young people and families. Officers replied that continued monitoring was necessary to understand the performance against agreed Service Level Agreements (SLAs). These SLAs are coming to an end currently, and will be reviewed according to the resources and capacity available

- 7.2.2 Officers also confirmed that further work was underway to identify the proportion of posts lost (not just raw numbers), and this would be provided to the Committee when available
- 7.2.3 Regarding the increasing demand for foster carers and social workers, officers stated that child safeguarding has been agreed as a service priority and they acknowledged the need to recruit when necessary in order to protect frontline resources
- 7.2.4 Members asked for regular updates to be added to the Committee's work programme, with the next report requested for its meeting on 7 March 2012

Resolved

- (1) That the Committee notes the position of the four Business Units as a result of the loss of posts
- (2) That the Committee agrees to monitor continuing impact upon children, young people and families as CYPF moves into the People Group, with an updated report requested for its meeting on 7 March 2012
- (3) That following consideration of the updated report on 7 March 2012, the Committee advises Cabinet of potential issues or outcomes that may arise due to the deletion of posts from services that are working with children, young people and families

8. Work Programme 2011-12

The Chair introduced the report, which included a draft work programme for the Committee to amend as appropriate. Following discussion, the work programme was agreed subject to the amendments outlined in the resolution below.

Resolved

That the Committee agrees the work programme at Appendix A, subject to the following changes:

- a) A report on the authority's approach to Children Missing from Education is brought to the October meeting, alongside the In-Year Fair Access Protocol report
- b) A report on the Local Schools Funding Formula is brought to the December meeting
- c) An update report on Academies and Traded Services is brought to the December meeting
- d) The report on Young Carers scheduled for December is moved to the February 2012 meeting
- e) The report on Corporate Parenting scheduled for December is moved to the February 2012 meeting

f) An update report on Posts Lost to the Directorate is brought to the March 2012 meeting

9. Any other items

There were no urgent items.

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Chair

The meeting rose at 12.55pm

DRAFT