

**Children and Young People Overview & Scrutiny Committee
Minutes of the meeting held at 9.30am on 14 December 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 John Ross (Vice Chair)
Councillor Martin Shaw
Councillor June Tandy (Chair)

Co-opted members

Joseph Cannon (Church Representative)

Invited representatives

Max Hyde
Chris Smart
Diana Turner

Other County Councillors

Councillor Heather Timms (Portfolio Holder for Child Safeguarding, Early Intervention and Schools)
Councillor Bob Stevens (in attendance for member briefings)

Officers

Ross Caws, Commissioning Development Manager
Wendy Fabbro, Strategic Director – People Group
Elizabeth Featherstone, Head of Service – Early Intervention Services
Mark Gore, Head of Service – Learning and Achievement
Martyn Harris, Democratic Services Officer
Sara Haslam, Schools Funding and Strategy Manager
Richard Maybey, Democratic Services Officer
Simon Smith, Strategic Finance Manager

1. General

1.1 Apologies

- Sharon Ansell, Alison Livesey, Rex Pogson, Councillor Sonja Wilson

1.2 Members' Declarations of Personal and Prejudicial Interests

- Councillor Julie Jackson
 - Personal interest, item 4: Former member of the PRU Management Committee
 - Personal interest, item 6: Daughter is an employee at North Warwickshire and Hinckley College
 - Personal interest, general: Governor at Oakwood Special School
- Councillor Clive Rickhards
 - Personal interest, item 4: Former colleague currently working at the PRU
- Chris Smart and Diana Turner
 - Personal interests, items 5 and 7: Member of the Funding Formula Project Review Team

1.3 Minutes of the meeting held on 12 October 2011

- Agreed as an accurate record and signed by the Chair

2. Public Question Time

Ranjit Samra was in attendance to ask a question about the review of the Local Schools Funding Formula (items 5 and 7) and it was agreed that the question should be taken after the presentation by officers.

3. Questions to the Portfolio Holder

3.1 Changes to the school admissions code

Councillor Peter Balaam asked if schools were being given adequate time to submit a considered response to the consultation.

Councillor Heather Timms stated that the relevant officer was currently considering this issue and would issue a response to the committee.

3.2 Proposal to close the PRU

Councillor Mike Perry asked if the concerns expressed in the consultation responses would be taken into account by Cabinet when taking its decision. Councillor Timms stated that all responses have been considered and the risks associated with those concerns have been evaluated.

4. Member briefing: Future of the Warwickshire PRU

Ross Caws and Elizabeth Featherstone delivered a presentation to inform members of the reasons for the proposed closure and the main points that were raised during the consultation period. A copy of the presentation is available [here](#). During the ensuing discussion, the following points were raised:

- 4.1 What happens if a child is excluded from alternative provision?
 - Area Behaviour Partnerships (ABP) seek to ensure there is no gap in a child's education by commissioning the most appropriate provision
 - The Local Authority (LA) needs to develop clearer contracts with providers so there are clearer expectations on all sides
 - There needs to be a better exchange of information between all parties to understand the reasons for potential exclusion
- 4.2 If an ABP has spent its devolved budget for the year, how would it then fund provision for new exclusions? Is there a danger that ABPs could commission inappropriate provision to avoid over-spending?
 - With agreement from the Schools Forum, the ABPs could carry forward an over-commitment and access extra in-year funding from the Dedicated Schools Grant (DSG)
 - A planning officer from the LA is supporting the ABPs to oversee how they commission and mitigate the risks of in-year overspends
- 4.3 Will Learning Support Units (LSUs) be able to support not just pupils at risk of exclusion, but also other pupils, such as those with Special Educational Needs (SEN)?
 - The LA offers a service to schools that can help them develop their LSUs to address a wide range of needs
- 4.4 Was the consultation broad enough?
 - The consultation reached all relevant stakeholders, including schools, elected members and parish councils
 - A number of public meetings took place and the comments were recorded and considered
- 4.5 How can the LA be assured that schools are making sufficient effort to manage behaviour in school before choosing to exclude? What control does the LA have over the alternative provision chosen by the ABPs?
 - Acting as the champion for learners and families, the LA is encouraging ABPs to work collaboratively for the benefit of all schools. Heads are recognising the financial impact that exclusions have on other schools
 - The LA will provide ABPs with a list of quality-assured providers. However, they are not obliged to commission from this list, and can seek out more appropriate provision on a local basis
- 4.6 Will transport costs be included within the provision? For pupils who move school, will there be financial assistance to buy new uniforms?

- ABPs are encouraged to negotiate “all-in” packages, including transport costs. However, the preference should be for alternative provision to be as local as possible
 - The LA does not know if the ABPs will fund uniform costs
- 4.7 What support is available for parents and families of children at risk of exclusion?
- There are two family support workers at the PRU who, through the CAF process, are generating positive outcomes for pupils – such as exclusions being rescinded altogether
 - The LA recognises the positive impact of family support, and has invested additional funding to the service recently
- 4.8 Other comments
- The integrated approach that the LA is proposing is welcomed
 - The positive elements of the PRU should be leveraged if the LA is going to implement a short-stay assessment function
 - Future planning should take into account that family dysfunction is likely to grow as economic conditions worsen
- 4.9 The Chair closed the discussion, thanking officers and members, and noting that there had been cross-party concerns over the future arrangements. The Chair requested that the Children and Young People Overview & Scrutiny Committee receives future reports to monitor the performance of the ABPs, with an honest account of how they are operating.

5 Member briefing: Local Schools Funding Formula briefing

Simon Smith and Sara Haslam delivered a presentation on the drivers for a revised schools funding formula, and to explain the process by which the proposals had been established. A copy of the presentation is available [here](#). The ensuing discussion began with a public question.

- 5.1 Ranjit Samra asked whether members felt the proposed reallocation of Specialist Schools Funding was fair and equitable. Currently, his school receives funding for three specialisms. Under the proposals, all specialist school funding would be distributed equally, resulting in a £300,000 budget reduction over 3 years for his school. Mr Samra stated that this will result in a loss of provision for students and possible staff redundancies. He believed that the proposed changes to specialist school funding could be omitted, given that specialisms will still be considered by Ofsted and that the outcomes of the national review are still unknown. Regarding the consultation, Mr Samra stated that schools were asked to respond without knowing the true financial impacts – and his response would have been different had these been available.
- 5.2 In response, Simon Smith recognised that specialist school funding would be an area of concern for those schools affected, and therefore a level funding protection would be put in place to help manage the transition. Regarding the consultation, the proposals had been taken to a number of forums and the Schools Forum had agreed with the underlying principles. While recognising

the concerns of specialist schools, Diana Turner welcomed the principle that funding should follow the child, rather than be allocated to schools. Diana stated that there was consensus among the Project Review Team, including head teachers from schools that would receive less as a result.

- 5.3 As a supplementary question, Mr Samra asked whether the transitional period of three years could be extended to five years, mirroring that given to the Young People's Learning Agency as it moves to the Education Funding Agency.
- 5.4 Mark Gore stated that the Local Authority will not, as a matter of principle, ring-fence specialist school funding, but is committed to providing 3 years of transitional support. Transitional arrangements for other areas could be extended to 5 years, dependent on the outcomes of the national funding formula review.
- 5.5 The discussion was then opened to members of the committee. Clarification was sought over the changes to funding for ethnic minority groups and for those with English as an additional language.
- Some schools receive funding for ethnic groups, despite those groups achieving well anyway. The proposals will see more funding directed to those who need it, such as those with English as an additional language, regardless of their ethnicity.
- 5.6 Will the Local Authority consider an arrangement to prioritise staff who have been made redundant for redeployment in other schools?
- The LA is looking at ways to mitigate the impact of reduced funding over the transitional period, and it is hoped that natural wastage will reduce the number of compulsory redundancies needed.
- 5.7 Can members be given a breakdown of how the proposed changes will impact each school?
- Yes, this information will be provided

Resolved: The Committee noted the processes undertaken in the review of the Local Schools Funding Formula and requested further information on how the changes would impact individual schools.

6 Area Behaviour Partnerships

Representatives from Warwickshire's four Area Behaviour Partnerships (ABPs) were in attendance to inform members how they are operating under the new pilot of devolved funding.

- 6.1 David James from the Northern ABP reported that they had appointed a co-ordinator who was establishing links with alternative providers. There was a need to develop protocols with schools and providers to place pupils as quickly as possible. Around 50% of funding is currently being directed towards early intervention in schools, but the ambition is to increase this as the number of exclusions falls.
- 6.2 Don O'Neil of the Eastern ABP reported that they have met on three occasions so far, and have looked at not just alternative provision, but also the In-Year Fair Access and Managed Move protocols. The ABP are setting an ambitious target of zero exclusions, and schools are working collaboratively to achieve this via Learning Support Units (LSUs). However, it is recognised that LSUs require additional upfront funding to be successful.
- 6.3 Mark Feldman from the Central ABP reported that their co-ordinator had started work on 1 September 2011, and has brought an enthusiastic and proactive approach to reducing the number of permanent exclusions. All schools in the area have been allocated £30,000 of devolved funding to establish an LSU. The ABP recognises that LSUs are not a solution to all problems, and alternative provision may not always be appropriate, so they will continue to permanently exclude if necessary. However, in common with other ABPs, the aim is of course to reduce the number of exclusions.
- 6.4 David Williams from the Southern ABP stated that the long-term aim is for zero exclusions based on a successful prevention programme. The focus of the ABP is on pre-exclusion provision, and the use of funding for this is similar to the other ABPs. Where alternative provision requires a pupil to travel, the cost of transport should be included within the package.
- 6.5 The Chair thanked the ABP representatives for attending the meeting and then opened the discussion to questions from members.
- 6.6 Use of funding
Will the packages for alternative provision include additional costs such as transport and uniform, which is especially significant for families living in areas of deprivation?
- A challenge for ABPs will be to understand what the full costs of each placement are and to utilise funds in the best way for the needs of the pupil
 - For example, if a pupil lives in Bedworth, it may be more appropriate to place them with a provider in Coventry rather than the LA-approved North Warwickshire college in order to reduce travel time
 - If a pupil moves school under the Managed Move process, the LA has a statutory duty to fund transport costs. If placed with an alternative provider, the transport costs would rest with the ABP

6.7 Learning Support Units (LSUs)

Have the ABPs allocated money to grammar schools for the provision of LSUs?

- Eastern ABP: No
- Southern ABP: Yes, to provide support for pupils who need help in accessing education – such as those with anorexia

Is the allocation from the ABPs sufficient for the set up and operation of an LSU?

- Eastern ABP: No, the cost of an LSU is more than the allocation from the ABP. Schools are therefore looking at reallocating their own budgets
- Southern ABP: Two schools have found it difficult to set up an LSU with their ABP allocation. However, they support the principle of LSUs and are looking at reallocating their own budgets

6.8 Zero exclusions

Is it right for ABPs to be targeting a zero exclusion rate, given there are certain behaviours that governors agree should not be tolerated (carrying of knives etc)?

- Eastern ABP: While there are extreme circumstances that should always result in exclusion, the zero rate ambition is a positive one, and progress is being made towards it
- Central ABP: The ABP is demonstrating the negative financial impact that exclusions can have on other schools. So while exclusions will sometimes be necessary, heads are taking great care in reaching that decision. The focus is moving to LSUs and prevention, and school budgets are being reallocated to support them
- Southern ABP: Care should be taken when using the term permanent exclusion, as the negative associations can impact a pupil's chances in later life. Also, pupils who move to alternative provision can still be on the school roll, so it is not always an accurate description of the situation

6.9 Self-exclusion

How can schools control pupils who deliberately exclude themselves?

- It should be in the remit of the ABP to engage those pupils and ensure the provision they receive is appropriate to their needs. While the cost of this may be high, it can have huge benefit to communities
- The Education Social Work Service has always been very helpful in addressing this problem, and the ABPs are now buying this service in following removal of LA provision

Resolved: The Committee endorsed the initial work of the Area Behaviour Partnerships and requested an update later in the year.

Adjournment

Having been in session for 3 hours, the Committee was adjourned. A special meeting to consider the remainder of the agenda items was later scheduled for 2pm, 17 January 2012.

Work programme items

Prior to formally closing the meeting, the Chair received the following suggestions for future work programme items:

- Relationship between scrutiny and the sector-led improvement initiative
- Impact of the new school admissions codes

The meeting rose at 12.30pm

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Chair