

**Minutes of the meeting of the
Children and Young People Overview and Scrutiny Committee
held on 6th November 2013**

Present

Members:

Councillor Jonathan Chilvers
Councillor Peter Fowler
Councillor Bob Hicks (Chair)
Councillor Julie Jackson (Vice-Chair)
Councillor Danny Kendall
Councillor Dave Parsons
Councillor Mike Perry
Councillor Jenny St. John
Councillor Whitehouse
Councillor Chris Williams (substitute for Councillor Yousef Dahmash)

Co-opted members:

Joseph Cannon, Church Representative

Other Councillors:

Councillor Timms, Portfolio Holder, Children and Schools

Officers:

Georgina Atkinson, Democratic Services Team Leader
Sarah Callaghan, Head of Learning and Achievement
Helen King, Deputy Director of Public Health
Jayne Mumford, Interim Service Manager, (SEN and Disability), Learning and Achievement
Steve Pendleton, Head of Vulnerable Groups and Virtual School
Mike Taylor, Interim Operational Director, People Group
Claudia Wade, Interim Service Manager (Policy and Strategy)

Other representatives:

Diana Turner, Warwickshire Governors Association

Members of the public:

Ellie Costello, Siblings at the Same School
Hayley Hindle, Siblings at the Same School

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1. General

(1) Apologies

Apologies for absence were received on behalf of Councillor Yousef Dahmash, Max Hyde (Teacher Representative) and Chris Smart (Warwickshire Governors Association).

(2) Members' Disclosures of Pecuniary and Non-Pecuniary Interest

Councillor Whitehouse declared a non-pecuniary interest; the nature of the interest being that he was a Governor of St. John's Nursery and Primary School in Kenilworth.

Councillor Kendall declared a non-pecuniary interest; the nature of the interest being that he was a teacher at Alcester School.

Councillor Jackson declared a non-pecuniary interest; the nature of the interest being that she was a governor Oakwood Academy which has a nursery and that she was the trustee for Nicholas Chamberlaine Schools Foundation.

Councillor Perry declared a non-pecuniary interest; the nature of the interest being that he was a Trustee at Kind Edward VI School.

Councillor Parsons declared a non-pecuniary interest; the nature of the interest being that he was a Governor at Nethersole School.

Councillor Fowler declared a non-pecuniary interest; the nature of the interest being that he was a Governor at an Academy school.

(3) Minutes of the meetings held on 14 August 2013 (Select Committee), 23 August 2013 (Select Committee) and 26 September 2013 (Call-in)

The Committee agreed that the minutes of the previous meetings held on 14 August 2013 (Select Committee), 23 August 2013 (Select Committee) and 26 September 2013 (Call-in) be signed by the Chair as a true and accurate record, subject to the following amendment:

23rd August – Item 1, 'Members' Disclosures of Pecuniary and Non-Pecuniary Interests'

Councillor Jackson declared a non-pecuniary interest; the nature of the interest being that she had a relative who had a disability.

With regard to the minutes of 26th September 2013, Councillor Whitehouse requested confirmation on when the Chair and Spokespersons of the Children and Young People Overview and

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Scrutiny Committee would be consulted on the tendering process and key outcomes in respect of Early Years Commissioning. Councillor Timms, Portfolio Holder for Children and Schools, advised that once the pre-qualitative stage had been completed, the service specification would be shared with those members.

2. Public Question Time

Ellie Costello and Hayley Hindle were in attendance to represent Siblings at the Same School. The first question asked was presented on behalf of a parent who was unable to attend the Committee meeting, as followed:

There is now a recognition that siblings should be placed together and the proposed changes reflect this and this would be seen as 'immoral' in many other councils. However, there are still families where siblings have been separated and originally made their school choice based on good faith, not to 'cheat' the system. Will there be any support to help these families in placing their children together?

I for one have been reading comments this morning about children left on playgrounds unattended without any support and am aware of more and more reports of cars being spotted by our schools that parents should be aware of. I don't leave my oldest in the playground but she is 20 minutes late and missing register. I would desperately like her moved to our catchment school but no place or support and the stress on the kids and parents is awful. (Mine are really struggling) So, where is the support for these children?

In response, Councillor Timms offered to investigate the issue further, once she had received full details of the individual circumstances. She accepted that there was an issue in siblings being separated in areas where schools were over-subscribed and the proposed consultation for Schools Admission Arrangements 2015/16, which would include proposed Super Priority Areas, would seek to address those issues.

A second question was asked by Ellie Costello with regard to the timescale associated with the forthcoming consultation. She explained that Schools Admission applications for 2014/15 had to be submitted by 18th January 2014; however, this was before the close of the consultation and therefore parents would not know at the point of application whether they would be within a Super Priority Area. This was considered to be an unfair risk to parents and the Committee was asked to confirm what reassurance would be given those parents.

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Councillor Timms explained that the decision regarding Super Priority Areas would not be made until March 2014 and would be dependent on whether the identified primary schools wished to be part of a Super Priority Area. This risk would be clearly outlined in the public consultation document. Mike Taylor, Interim Operational Director (People Group) added that the development of Super Priority Areas was a national initiative and therefore the County Council was constrained by statutory processes; however, the public consultation would include the proposed Super Output Areas, as well as seeking views on the Admissions Policy, and would take into consideration key factors, such as birth rates.

With regard to academy schools, Sarah Callaghan, Head of Learning and Achievement, explained that the County Council would maintain an on-going dialogue with those schools in order to raise awareness of the potential implications caused by to changes to their Admissions Policy.

3. Questions to Cabinet and Portfolio Holders

Members considered the Forward Plan of decisions by Cabinet and the Portfolio Holder for Children and Schools.

Following the request of the Corporate Parenting Panel on 11th September 2013, the Committee agreed to ask the Portfolio Holder for Children and Schools to investigate the difficulties experienced by the Independent Reviewing Service in the recruitment of officers, which had been attributed to the pay scales. Members were advised that existing pay scales for the Independent Reviewing Officers (IROs) had caused difficulty in recruiting high quality staff and subsequently the service was under-resourced and experiencing performance issues.

In response to a question raised, Mike Taylor clarified that a survey across the West Midlands region had identified Warwickshire County Council as in the lower quarter of pay rates for IROs and, although Warwickshire was considered an attractive place to work, the higher salaries offered at other authorities had created an additional challenge in recruiting officers. As a temporary solution, a proposal would be submitted to the Staff and Pensions Committee that a Market Forces Supplement be applied to the posts on a fixed-term period. Members were reassured that the recruitment process would continue to be rigorous and quality based.

Councillor Jackson expressed concern at how young people may be affected by the performance and recruitment issues within the Independent Reviewing Service and requested that qualitative information be presented to the Committee to outline the impact on young people.

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The Children and Young People Overview and Scrutiny Committee agreed to:

- 1) Request that a report on the performance issues in the Independent Reviewing Service and how this had affected young people be presented to its meeting on 22nd January 2014; and
- 2) Note the decisions.

4. Support for Children in Schools

Jayne Mumford, Interim Service Manager (SEN and Disabilities), Learning and Achievement, presented the Committee with a report which outlined a number of recent initiatives to reduce the number of Out of Authority placements, reduce the overspend in Special Educational Needs (SEN) provision and improve outcomes for all children and young people with SEN. Members noted that at the time of the report there were 328 children in 'Out of Authority' placements at a cost of £13.535 million which had created an overspend of £2.984 million. It was reported that the County Council had been successful in the Targeted Basic Need bid for a new school for 80 pupils at the existing Manor Park School site in Nuneaton.

In response to questioning from the Committee, Jayne Mumford advised that the overspend would be reduced through a combination of the development of the specialist school in Nuneaton, in addition to a review of existing Out of Authority placements with the Educational Psychology Service to identify which children can be placed within the county. Building capacity in mainstream schools and a review of existing system and processes would also help to further reduce the number. Following further questioning, members noted that:

- 1) The number of children with a Statement of SEN in Warwickshire was higher than other comparable authorities. The Children and Families Bill 2013 would remove the need for a Statement and would instead implement a single Educational, Health and Social Care Plan focusing on a child's individual needs. This would require a shift in the way that assessments were undertaken.
- 2) As transport costs for Out of Authority placements were significant, a review would be undertaken to ensure that where those placements were essential, the most cost effective form of transport was provided while ensuring that journey times for children were not unreasonable. Rising transport costs was an issue across the full spectrum of care services and therefore the review of transport provision would be considered wider than Out of Authority placements.

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In response to a concern raised regarding how children with disparate needs would be managed and supported effectively, Sarah Callaghan agreed that children with Behaviour, Emotional or Social Difficulty (BESD) had different needs to those with Autism Spectrum Disorder and explained that they would not be placed within the same classroom.

The item continued with an update on the Area Behaviour Partnerships. Steve Pendleton, Head of Vulnerable Groups and Virtual School, explained that the Pupil Referral Units for permanently excluded children were closed in July 2012 and the funding was devolved to existing schools to make provision for those children. The performance of this approach was monitored by the Access to Education Steering Group, which was chaired by the Portfolio Holder for Children in Schools. Members noted that the new approach had seen a steep decline in the number of permanent exclusions, decreasing from 88 in 2010/11 to 20 in 2012/13. It was reported that young people at risk of permanent exclusion now had greater support in their local schools to gain appropriate qualification and progress to education, employment or training. The work of Area Behaviour Partnerships was considered to have made a significant contribution to the decline in the number of young people Not in Education, Employment or Training (NEET) from 5.2% in 2010 to 3.6% in 2012.

In response to a question raised regarding those children who had been permanently excluded, Steve Pendleton explained that a number of children come into the county following attendance at a Pupil Referral Unit in another authority. In the interim period, provision would be made for those children using alternative providers until it was considered appropriate to either place in mainstream school or issue a Statement of SEN.

The item concluded with an outline of the forthcoming Children and Families Bill 2013 and Special Education Need and Disability (SEND) reforms. Jayne Mumford advised that a Strategic Board of education, health, social care and parent/carers representatives would be established to undertake a strategic steer in the implementation of the legislative requirements by 1st September 2014. Members were reassured that representatives from Family Voice, the Parent Partnership and the Parent Carer Steering Group would both be invited to join the Strategic Board.

The Children and Young People Overview and Scrutiny Committee agreed to request an update on the implementation of the Children and Families Bill 2013 and the SEND reforms at its meeting scheduled for 3rd June 2014.

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5. Impact of the Pupil Premium

Claudia Wade, Interim Service Manager (Policy and Strategy), Learning and Achievement, presented an outline of the proposed work by the County Council to reduce the gap between the educational attainment of disadvantaged children. She explained that the level of the Pupil Premium would rise to £1,300 per pupil who had been registered for free school meals within the previous six years. Ofsted had implemented new measures by which schools would be assessed for the impact of the Pupil Premium on disadvantaged children in terms of progress and attainment.

Members were advised that a Council and county-wide approach was required for Warwickshire which would co-ordinate key partners, such as schools, consortia, Children's Centres and Early Intervention services, to develop a strategy with the primary aim to narrow the attainment gap. Members noted that Warwickshire had a larger gap than other comparable authorities.

In response to questioning from the Committee, Claudia Wade explained that the County Council was to be the catalyst to link key partners and ensure a strategic and co-ordinated approach to Narrowing the Gap initiatives across Warwickshire, including the best use of the Pupil Premium. The County Council would ensure that there was a consensus between schools and partners in respect of key measures and targets to which all partners would be held to account. Following further questioning, members noted that:

- 1) The allocation of Pupil Premium funding would be determined by the school's governing body following advice from professional staff. Each school was required to account for and publish Pupil Premium expenditure on its web site.
- 2) Schools that were considered by Ofsted to have allocated Pupil Premium funding inappropriately and were unable to demonstrate a positive impact would be subject to Special Measures. To mitigate this risk, issues would be identified with schools at the self-assessment stage and subsequently the County Council would offer support and guidance.
- 3) Although expenditure of the Pupil Premium would be monitored by the County Council, it could only challenge schools if it considered that the funding was being allocated inappropriately. Members considered that monitoring of the expenditure was an important role of the Corporate Parenting Panel and the Chair of the Panel (Councillor Chris Williams) agreed to raise this.

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- 4) There was a wide scope for how the Pupil Premium could be allocated, which could range from extra-curricular activities (such as the provision of a musical instrument) to the supply of kits for Physical Education classes in order to enrich a child's overall experience at school.
- 5) Schools would be expected to demonstrate the impact of the Pupil Premium on a child's performance within the school year.

A discussion took place with regard to the expenditure of the Pupil Premium on one-to-one tuition. The Committee was advised that children demonstrated the greatest progress when teaching in the school was judged by Ofsted as either 'good' or 'outstanding'; therefore, primary focus was on the quality of the teaching and ensuring that it was the highest quality to achieve the best outcomes of children. At present, there was no data to indicate a link between the success of interventions and whether they were delivered by qualified or unqualified teachers, although it was anticipated that Ofsted would collate this data and so would be available in due course.

A concern was raised that a county-wide strategy was likely to increase pupil attainment overall but still not fully address or narrow the attainment gap. In response, Claudia Wade advised that the new Ofsted measures would identify those schools where progress of disadvantaged children was insufficient, even if overall pupil attainment was high. The measures would also identify leadership issues and assess how both existing and newly qualified teachers were being supported to achieve the highest quality standards of teaching for pupils.

The Children and Young People Overview and Scrutiny Committee agreed to:

- 1) Endorse the development of a Narrowing the Gap Strategy which would incorporate the recommendations of the National Educational Trust report;
- 2) Accept the proposal that the strategy be implemented as soon as possible following the close of the consultation, on condition that the consultation was meaningful and undertaken effectively; and
- 3) Request that an update on the development of the Narrowing the Gap Strategy be provided at the next appropriate stage.

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6. Update on the Ofsted Framework

Members considered an update on the recent changes to the Ofsted Framework which were implemented in September 2013. Claudia Wade explained that while the basic elements of the framework had not changed, there were a number of new features which included: a greater emphasis on collecting parents' views and how those were addressed; the impact of the Pupil Premium and dedicated sports funding; and a greater focus on how the governing body held leaders to account.

In response to a question raised, the Committee was advised that the new framework would consider the overall improvement of performance of the school and pupil progress data and therefore would not necessarily judge a school as 'requires improvement' for a slight dip in performance. As the framework did not include graded criteria for 'requires improvement', the school must recognise the reasons why it was not judged to be 'good' as an indicator of the areas where improvements were necessary. Ofsted had placed a significant focus on the quality standard of teaching which was a predominant factor in the outcome of the inspection.

A discussion took place with regard to a child's 'school readiness' and the role of both Children's Centres and nursery schools.

The Children and Young People Overview and Scrutiny Committee agreed to note the report.

7. Memorandum of Understanding between the Health and Wellbeing Board, Healthwatch and Overview and Scrutiny

Members were provided with an outline of the Memorandum of Understanding (MoU) between the Health and Wellbeing Board, Healthwatch and the Adult Social Care and Health and the Children and Young People Overview and Scrutiny Committees. The document recognised the distinct and unique relationships between the four bodies and clarified how the bodies would work together in delivering a co-ordinated approach and their respective statutory functions.

The Committee was informed that the document would be launched at a half-day workshop between the four bodies which had been scheduled for 26th November 2013. The workshop would apply the principles of the MoU in order to develop a joint approach towards the implementation of key recommendations of the Francis Report.

The Children and Young People Overview and Scrutiny Committee agreed to:

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- 1) Ratify the Memorandum of Understanding; and
- 2) Participate in a half-day workshop to apply the Memorandum of Understanding and consider the implications and joint actions in response to the Francis Report and its recommendations.

8. Work Programme 2013-14

The Chair presented the Committee with the proposed Work Programme for 2013/14 and invited members to suggest additional items for consideration at future meetings.

Members were advised that a number of additional items had been added to the Work Programme following the meeting of the Chair and Spokespersons on 25th October 2013. One of those items included a report on the proposed changes and diversion of funding from the Primary Inclusions Support Groups. The Committee was asked to consider undertaking a site visit of the ISGs to gain first-hand experience and understanding of the sites before considering the officer report.

A discussion took place with regard to the next meeting of the Committee which had been scheduled for 22nd January 2014. Members were advised that a report on the Admissions Policy and Primary School Places Provision had been scheduled which would be a detailed, important and potentially sensitive piece of work that would generate a high amount of public interest.

The Children and Young People Overview and Scrutiny Committee agreed:

- 1) The proposed Work Programme 2013/14;
- 2) To undertake a site visit of the Primary Inclusion Support Groups;
- 3) Add a report by the Director of Public Health in respect of the transition of Public Health from the Primary Care Trust to the County Council, focusing on children-related services, to the meeting scheduled for 2nd April 2014; and
- 4) Schedule the next meeting on 22nd January 2014 as a full day meeting, to consider the Admissions Policy item in the morning and all other scheduled items in the afternoon.

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9. Any Urgent Items

There were no urgent matters raised for discussion.

Members were provided with an update on the appointment of two Parent Governor Representatives to the Committee. While recent attempts had been made, two representatives were yet to be appointed and Warwickshire Governor Services would continue efforts to encourage volunteers.

10. Date of Next Meeting

The Children and Young People Overview and Scrutiny Committee noted that the date of the next meeting had been scheduled for 22nd January 2014.

The Committee rose at 12.30 p.m.

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Chair