

## Children and Young People Overview and Scrutiny Committee

22<sup>nd</sup> January 2014

### Scrutiny Action Plans

#### Recommendation

That the Children and Young People Overview and Scrutiny Committee:

- 1) Considers the update on the implementation of the recommendations outlined in the Scrutiny Actions Plans;
- 2) Determines whether any of the recommendations have been completed;
- 3) Considers what action it needs to take in respect of the recommendations outlined at 2.4 and 3.3 which are specific tasks to be undertaken by the Committee;
- 4) Considers the update on the involvement of the Chair and Party Spokespersons in the Early Years Commissioning exercise; and
- 5) Agrees what further action it should take in respect of the recommendations that it is responsible for.

#### 1.0 Background Information

- 1.1 The Scrutiny Action Plan document was introduced in early 2012 to provide members with an effective procedure for the monitoring of recommendations that have been formulated by previous Task and Finish Groups and subsequently approved by Cabinet. The document will allow members to receive regular progress updates at Overview and Scrutiny Committees. Information from the relevant Portfolio Holder / Head of Service responsible for the implementation of the recommendations will include key timescales, milestones and outcomes. Members are encouraged to raise questions in terms of the progress of recommendations.
- 1.2 The Scrutiny Action Plans that are currently live for the Children and Young People Overview and Scrutiny Committee are:
  - Academies and Free Schools
  - Children's Centres

## 2.0 Academies and Free Schools

- 2.1 A Task and Finish Group was appointed in July 2012 to explore the various aspects of academisation and the impact it would have on the future role of the Local Authority (LA) in education. Following completion of the review, the Group's nine recommendations were endorsed by the Children and Young People OSC on 30<sup>th</sup> January 2013 and subsequently approved by Cabinet on 14<sup>th</sup> March 2013. A copy of the Scrutiny Action Plan, which includes the list of recommendations and an outline of progress, is attached at **Appendix A**.
- 2.3 The Committee is asked to consider whether any of the recommendations included in the Scrutiny Action Plan have been completed and determine appropriate timescales for future updates.
- 2.4 Members are also asked to consider the three recommendations which were specific tasks to be undertaken by the Committee, as follows:

*The Children and Young People Overview and Scrutiny Committee should:*

- *investigate whether the School Improvement team has sufficient capacity to ensure it can carry out its role;*
- *consider if further scrutiny of services to vulnerable children is required; and*
- *request a report on the LA's strategy for addressing the risks to both insufficiency and oversufficiency of school places.*

The Committee is asked to consider what further action is required in respect of the above recommendations.

## 3.0 Children's Centres

- 3.1 In August 2013, the Children and Young People OSC carried out a Select Committee review of the Early Years Commissioning consultation and proposals. Following the review, the Committee's nine recommendations were approved by Cabinet on 12<sup>th</sup> September 2013. A copy of the Scrutiny Action Plan, which includes the list of recommendations and an outline of progress, is attached at **Appendix B**.
- 3.2 The Committee is asked to consider whether any of the recommendations included in the Scrutiny Action Plan have been completed and determine appropriate timescales for future updates.
- 3.3 Members are also asked to consider the recommendation which is a specific task to be undertaken by the Committee, as follows:

*That the Children and Young People Overview and Scrutiny Committee and the Health and Wellbeing Board monitors the key service delivery outcomes, as defined by the Learning and Achievement service, and the extent to which these are achieved by the Children's Centre providers.*

The Committee is asked to consider what further action is required in respect of the above recommendations.

### 3.4 Commissioning

3.5 Since the last meeting of the Committee, the Chair and Party Spokespersons have met with officers on two occasions to consider the tendering process and service specification for the Early Years Commissioning decision, as follows:

- 28<sup>th</sup> November 2013 – to consider the procurement timescales and process. Members were also invited to comment on the proposed Performance Management Framework.
- 17<sup>th</sup> December 2013 – to consider an update on the procurement exercise, including the tender questionnaire and evaluation criteria.

3.6 The Committee will recall its letter to Cabinet on 17<sup>th</sup> October 2013 which outlined the key risks included in the Equality Impact Assessment and its request that Cabinet acknowledge these risks in writing. The response from Cabinet is attached at **Appendix C** (this was circulated to the Committee by email on 11<sup>th</sup> December 2013).

## Appendices

Appendix A – Academies and Free Schools Scrutiny Action Plan

Appendix B – Children’s Centres Scrutiny Action Plan

Appendix C – Letter from Head of Learning and Achievement

|                           | Name                          | Contact details  |
|---------------------------|-------------------------------|--|
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**Scrutiny Action Plan  
Academies and Free Schools**

| Recommendation |   | Cabinet Comments | Lead Officer                     | Target Date for Action | OSC Update                    | Progress Notes   |
|----------------|---|------------------|----------------------------------|------------------------|-------------------------------|--|
| <b>R1</b>      | The LA should provide a timely response to any school that indicates an intention to convert to academy status, and ensure that the response contains up-to-date and accurate guidance and contact information.   | Approved         | Philip Edmundson / Greta Needham |                        | 22 <sup>nd</sup> January 2014 | Philip Edmundson is now taking the role of key contact for all schools considering transfer to Academy status. He will be supported in this by Legal Services (Meena Lekhi) who ensure that all supporting guidance and guidance information is accurate and update.   |
| <b>R2</b>      | The LA should co-ordinate an event, such as a seminar or conference, for headteachers of all schools, lead officers/members of the LA and other appropriate stakeholders. The intention would be for headteachers to network, share issues and build relationships, and to work towards agreed protocols with the LA around key issues such as school-place planning. | Approved         | Philip Edmundson                 |                        | 22 <sup>nd</sup> January 2014 | Learning and Achievement has plans to lead an event for head teachers of all schools, chairs of school governing bodies, lead officers, elected members and other stakeholders entitled "The Local Authority's New Relationship with Schools and Academies" before the end of the financial year. Democratic Services will timetable this into the Member Development Programme and School Governor Services will contribute to the event. |
| <b>R3</b>      | The LA should strongly encourage academies to sign up to a data-sharing protocol that guarantees the transparency of key school information.  | Approved         | Philip Edmundson                 |                        | 22 <sup>nd</sup> January 2014 | The Data Sharing protocol supports many aspects of the LA's work, including the consortia model and to offer a wide range of support and challenge to all compulsory settings, regardless of status. This needs to be updated and will be reissued to all schools and academies at the start of term 3 in 2014.  |

**Scrutiny Action Plan  
Academies and Free Schools**

| Recommendation  | Cabinet Comments | Lead Officer     | Target Date for Action | OSC Update                    | Progress Notes   |
|---|------------------|------------------|------------------------|-------------------------------|--|
| <p><b>R4</b> The LA should investigate options for a jointly agreed protocol between elected members and headteachers to clarify and define members' role as "champion of the learner". This should include guidance about how members can get to know their local schools and how they can engage with headteachers and governing bodies.</p>                            | Approved         | Philip Edmundson |                        | 22 <sup>nd</sup> January 2014 | This is an exercise that needs to be undertaken in consultation with Democratic Services (who are responsible for the member development programme) and Nigel Mills (Governor Services Manager).   |
| <p><b>R5</b> The LA should continue to review the Governor Training service it offers to academies on a traded basis, to ensure it is up to date, fit for purpose and provides governors with clear guidance on their roles and responsibilities. This review should also ensure that the training offered to Academy clerks equips them with the appropriate skills.</p> | Approved         | Greta Needham    |                        | 22 <sup>nd</sup> January 2014 | School Governor Services have invested significant effort in addressing Academy needs in a customised Governor Training and Development Programme offer available to Academies. The Programme offers a number of distinctive courses focused on the needs of Academy governors, Clerks and Chairs, and we are continuously responsive to newly arising needs. We have doubled the number of Academies buying into Governor Services in this academic year and have also won a contract from the South Northamptonshire Academy group of schools, so all the indications are that we are well on the right track. School Governor Services have also commissioned a nationally based trainer to deliver our Academy Clerks' training this term, with one of our Clerk Trainers working alongside her so that she can take this responsibility over in the future. |

**Scrutiny Action Plan  
Academies and Free Schools**

|           | Recommendation  | Cabinet Comments   | Lead Officer                              | Target Date for Action | OSC Update                    | Progress Notes  |
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|           |   |  |   |                        |                               | In pursuing the above direction, our aim is also to ensure that the Governor training and development offer from School Governance aligns with the local authority's school improvement agenda. |
| <b>R6</b> | The Children and Young People Overview & Scrutiny Committee should investigate whether the School Improvement team has sufficient capacity to ensure it can carry out its role.   | N/a – for the CYP OSC to consider                            | Philip Edmundson                          |                        | 22 <sup>nd</sup> January 2014 | Include this in covering report – identify what the Committee would like to do next.  |
| <b>R7</b> | <p>a) The LA should actively promote closer working arrangements between the different agencies that provide services for vulnerable children, including better integration of their different systems, processes and terminology, so that families receive a more consistent experience.</p> <p>b) The Children and Young People Overview &amp; Scrutiny Committee should consider if further scrutiny of services to vulnerable children is required.</p> | <p>7a – Approved</p> <p>7b – for the CYP OSC to consider</p> | <p>Jayne Mumford</p> <p>Jayne Mumford</p> |                        | 22 <sup>nd</sup> January 2014 | 7b - Include this in covering report – identify what the Committee would like to do next.   |

**Scrutiny Action Plan  
Academies and Free Schools**

| Recommendation   | Cabinet Comments  | Lead Officer  | Target Date for Action | OSC Update | Progress Notes   |
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| <p><b>R8</b></p> <p>a) The LA should urgently review its statutory duties for school-place planning in the context of an increasingly fragmented and diverse educational landscape.</p> <p>b) The LA should adopt a co-ordinating role between all relevant stakeholders (e.g., district councils, property developers, headteachers) to address the risks to sufficiency of school places caused by potential new housing developments.</p> <p>c) The Children and Young People Overview &amp; Scrutiny Committee should request a report on the LA's strategy for addressing the risks to both insufficiency and oversufficiency of school places.</p> | <p>8a – Approved</p><br><p>8b – for the CYP OSC to consider</p><br><p>8c – Approved</p> | <p>Peter Speers / Fay Ford</p><br><p>Peter Speers / John Harmon (Resources) /Janet Neale</p><br><p>Peter Speers / John Harmon (Resources)</p> |                        |            | <p>7c - Include this in covering report – identify what the Committee would like to do next.</p> |
| <p><b>R9</b></p> <p>The LA should review its approach to future planning developments to ensure it has the strongest possible evidence base to access Community Infrastructure Levy (CIL) funds.</p>   | <p>Approved</p>   | <p>Peter Speers / John Harmon (Resources)</p>   |                        |            |  |



**Scrutiny Action Plan  
Children's Centres**

| Recommendation |   | Cabinet Comments   | Lead Officer    | Target Date for Action                                 | OSC Update                    | Progress Notes  |
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| R1             | That Cabinet recognise the needs of deprived families across the county and how they will be affected by the reduction of the Family Support Funding.   | Cabinet recognises the importance of targeting resources on the needs of deprived families.  | Barbara Wallace | 16 <sup>th</sup> December 2013 – service specification | 22 <sup>nd</sup> January 2013 | The detail of the targeted approach to Children's Centres services is detailed within the Service Specification. The service specification has been shared with the Chair and Spokes on 28 <sup>th</sup> November and 17 <sup>th</sup> December 2013. |
| R2             | That Cabinet includes in its 2014/15 budget proposal that funding for the Children's Centres for 2015/16 and 2016/17 is ring-fenced so that there will not be a further reduction in funding. | Noted on the basis that the future funding of Children's Centres is a matter for decision as part of the 2014/15 - 2017/18 budget setting process and ring-fencing may have a disproportionate effect on other areas of the portfolio. | TBC             | February 2014  | 22 <sup>nd</sup> January 2013 | This recommendation is dependent on Cabinet decision and subsequent approval of the budget at Budget Council in February 2014.  |

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Children's Centres**

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| R3 | That Cabinet recognise the issues regarding potential redundancies and TUPE arrangements and how these issues will impact on providers, particularly third party providers, in terms of funding frontline services. | Approved – officers to note when taking forward the proposals. | Barbara Wallace<br><br>HR consultants   |  | 22 <sup>nd</sup> January 2013 | Officers from Pensions, Legal, Procurement and HR have been working together to look at options to mitigate against the potential pension and redundant liabilities. This work is ongoing.  |
| R4 | That Cabinet gives due consideration to the governance arrangements to be determined for the Children's Centres.  | Approved – officers to note when taking forward the proposals. | Barbara Wallace   |  | 22 <sup>nd</sup> January 2013 | The governance arrangements are dependent upon the outcome of the tender process and may be influenced by decisions relating to pensions, redundancies and building liability.  |
| R5 | That all Children's Centres offer Birth Registration services.  | Approved – officers requested to pursue                        | Barbara Wallace in negotiation with Kushal Birla's team who presently manage this service |  | 22 <sup>nd</sup> January 2013 | <p>An early meeting has taken place to consider a pilot scheme in Nuneaton as this area has the highest number of birth registrations. Comments from Kushal Birla: <i>Currently, all births within Warwickshire are registered through an appointment-only service delivered through the four registration service offices in Nuneaton, Rugby, Stratford and Warwick. The service previously delivered services at outreach offices in Atherstone, Shipston and Southam. The level of demand through these outreach offices was very low. The offices have been closed as running the business from these outlets was no longer financially viable.</i></p> <p>The All Party Parliamentary group recognises the value of promoting birth registrations in children's centres. No legislation is required to allow this to happen but cross-government political commitments</p> |

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|  |  |  |  |  | <p>will be needed to make it happen. However, at the last meeting in November 2013, a number of barriers were identified by Mark Rimmer (Chair of the Local Registration Services Association) who spoke to the meeting about birth registration in Children's Centres. Mr Rimmer began by noting that as well as being Chair of the Local Registration Services Association, he has also worked as Director of Registrars Services in Brent Council and had recently been appointed Head of Registration and Nationality at Barnet Council, so was able to bring a front-line perspective to the debate.</p> <p>At the outset, he expressed his support for the idea of registering births in Children's Centres and affirmed that all of his comments should be framed in that context. However, he wanted to highlight some of the practical challenges which surrounded running registration offices in Centres.</p> <p>In particular, Mr Rimmer noted that there is currently huge resource pressure on registration services, particularly in terms of staff resources and employment. Given this, he said that his priority needed to be the delivery of the most effective registration service possible within the resource constraints he was facing.</p> <p>There were, in Mr Rimmer's view, efficiencies connected with the delivery of registration services in a civic centre setting, as opposed to a Children's Centre. For one, there would be fewer demands on staff time and resource if registration was co-ordinated from a centralised location such as a civic centre, as staff would not be required to visit all the Children's Centres in a local authority in order to deliver the</p> |
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Children's Centres**

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|    |  |   |  |  |                               | <p>service. Mr Rimmer also suggested that good transport links to central civic locations meant that these were often appropriate places for registration services to be situated, as they would be accessible to new parents from across the local authority.</p> <p>Recognising the importance of Children's Centres, Mr Rimmer argued that one cost effective alternative could be to have Children's Centre staff stationed within civic centres, from where they could distribute information about Centres and collect contacts for new parents who present to the registrars.</p> <p>In response to the presentation, the Group's Chair Andrea Leadsom expressed the strong disappointment of the APPG in Mr Rimmer's assessment, and stressed that there was political interest in implementing birth registration in Children's Centres across Government. She was aware, for example, that the Prime Minister had shown specific interest in the proposal.</p> |
| R6 | That the Children and Young People Overview and Scrutiny Committee and the Health and Wellbeing Board monitors the key service delivery outcomes, as defined by the Learning and Achievement service, and the extent to which these are achieved by the Children's Centre providers. | Approved – to be actioned by the CYP OSC and the HWBB | Georgina Atkinson /<br>Monika Rozanski |  | 22 <sup>nd</sup> January 2013 | <p>CYP OSC – to be discussed at 22<sup>nd</sup> January meeting.</p> <p>The Performance Management Framework was considered by members of Overview and Scrutiny at the meeting on 28<sup>th</sup> November 2013. Responses to questions were presented to members at a later meeting on 17<sup>th</sup> December.</p>  |

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| R7 | That the Health and Wellbeing Board clarifies the strategic view of the Clinical Commissioning Groups (CCGs) regarding Children's Centres and their commissioning intentions to explore service delivery opportunities with the Centres.  | Approved                                | Monika Rozanski |  | 22 <sup>nd</sup> January 2013 | Will be raised at HWBB – 20 <sup>th</sup> January 2014. Awaiting feedback from officers on outcome of the meeting.  |
| R8 | That Elected Members support the Learning and Achievement service in the development of Service Level Agreements with the following partners and/or services: Job Centres Plus, Health Visiting, Midwifery, Children's Services, Public Health, CAHMS and Adult and Community Learning. | Approved – officers requested to pursue | Barbara Wallace |  | 22 <sup>nd</sup> January 2013 | <p>Members who are willing to support this process to be identified – raise at meeting on 22<sup>nd</sup> January.</p> <p>Partnership agreements are already in place with South Warwickshire Foundation Trust.</p> <p>Barbara Wallace met with Jo Dillon (Commissioning Support for Maternity Services) on 20<sup>th</sup> December. As a result, it will be necessary to present a Business Case for presentation to the Clinical Commissioning Groups, demonstrating the need for Children's Centres' strategic involvement with the acute hospitals.</p> <p>Meetings have also taken place to establish formalised working agreements with Adult Community Learning.</p> <p>A draft working agreement with Job Centre Plus is now in place.</p> |

**Scrutiny Action Plan  
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| R9 | That parents and other appropriate representatives are invited to contribute and submit their views at the appropriate stage of the procurement process. | Approved – officers to note when taking forward the proposals. | Barbara Wallace<br><br>John Hopper |  | 22 <sup>nd</sup><br>January<br>2013 | <p>There were two recommendations from Cabinet (nr 7, item 2b): <i>“That any procurement and tendering process should involve consultation with the Portfolio Holder for Children and Schools, the Chair of the Children and Young People Overview and Scrutiny Committee and Spokespersons on the Children and Young People Overview and Scrutiny Committee on the outcomes required.”</i></p> <p>(nr 9, item 2a): was that officers were to note when taking forward the process, that O&amp;S had requested that parents and other appropriate representatives were invited to contribute/ submit their views etc.</p> <p>On 31<sup>st</sup> October Paul White issued a detailed briefing note to Cllrs Whitehouse, Cockburn, Timms and Western (and Wendy/ David/ Chris L) in response to a number of issues raised by elected members after initial tender documents had been issued. The note confirmed that:</p> <p>1) As the Council's procurement processes are prescribed by legislation and regulation it was never the intention that there would be any consultation on the mechanics of the procurement process itself. In considering how and with whom we consult we needed to be mindful of any potential conflicts of interest – in relation to elected members and parents.</p> <p>2) In relation to consultation with members, proposals for how this would be undertaken. Following this, the draft specification outcomes and performance framework were presented to the Chair and Spokes on the 28<sup>th</sup> November 2013. Modified documentation was presented to Chair and Spokespersons on 17<sup>th</sup> December 2013.</p> |
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|  |  |  |  |  |  | <p>3) In relation to consultation with parents, that in addition to potential conflict of interest issues, there are practical issues with further consultation during the tendering process, e.g. who is invited, how are they selected etc. Despite the difficulties of consulting within the tender process, it was proposed that each of the members involved in the meetings referred to above bring one interested parent (a member of an existing advisory panel/forum was suggested) to the proposed consultation.</p> <p>Despite this suggestion no parents attended the Chair and Spokes meeting. By the time the final draft specification was completed, there was insufficient time to carry out any further consultation without delaying the issue of the tender documents and as the tender support workshop had been arranged for the 17<sup>th</sup> Jan' and all bidders (and members) had been advised of the issue date this was not considered desirable or practical.</p> |
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Your Ref:  
My Ref: L&A/SC/slk



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Chair of the Children & Young People  
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5<sup>th</sup> December 2013

Dear Cllr Hicks,

Thank you for your letter requesting a response from Cabinet to points raised in the Equality Impact Assessment relating to the review of Early Years and Children's Centres.

The group and collaboration models will be presented in the tender process in line with the new OFSTED framework which prepares local authorities for the inspection of children's centres in locality groups. Such an arrangement recognises the need to deliver services across a locality rather than upon individual sites and requires a different approach when working with priority groups.

Children's centres are required to be very familiar with those families in their area who are identified as having a greater level of need or circumstances that require particularly perceptive intervention requiring additional support. Such families are to be identified as their "target groups" and will vary according to the centre's identification of its community and their needs.

The priority therefore for each locality group will be to focus their work upon the most vulnerable families and plan their services accordingly. This will require continued support from key partners to ensure that the priority families receive the appropriate guidance to enable them to meet their own particular challenges.

The tender process will include a robust service specification and performance management framework which will specify the expected measurable outcomes. Potential bidders will need to demonstrate how their organisation is able to meet those outcomes within a group model of service delivery.

*Working for  
Warwickshire*

It will therefore be necessary for future providers of children's centre services to recognise their responsibility, albeit within a reduced budget, to focus their remaining resources upon those families having the greatest level of need.

Cabinet therefore recognise the issues raised in your letter and the need to continue to focus our work upon the most vulnerable families in Warwickshire.

Yours sincerely,

**Sarah Callaghan**  
**Head of Service Learning and Achievement**