

EDUCATION OVERVIEW AND SCRUTINY COMMITTEE

26 MARCH 2019 AT 6.00 PM AT THE COUNCIL HOUSE, WALSALL

- Committee Members present:** Councillor Aftab Nawaz (Chair)
Councillor Sarah Jane Cooper (Vice-Chair)
Councillor Daniel Barker
Councillor Carl Creaney
Councillor Brian Douglas-Maul
Councillor Amers Kudhail
Councillor Lorna Rattigan
Councillor Mark Statham
- Portfolio Holders present:** Councillor Chris Towe – Education & Skills
- Non-elected voting Members present:** Mrs Teresa Tunnell (Parent Governor)
- Non-elected non-voting Members present:** Mr Russ Bragger (Primary Teacher Representative)
Ms Wendy Duffus (Secondary Teacher Representative)
- Officers present:** Ms Sally Rowe, Executive Director -
Children's Services
Mrs Sharon Kelly, Assistant Director -
Access & Achievement
Ms Connie Beirne, Head of Service -
Education Standards & Improvement
Mr Lloyd Haynes, Senior Finance Manager
Dr Paul Fantom, Democratic Services Officer

25/19 APOLOGIES

An apology for absence was received on behalf of Councillor Stephen Wade.

26/19 SUBSTITUTIONS

There were no substitutions.

27/19 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip for the duration of the meeting.

28/19 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

There were no agenda items that required the exclusion of the public.

29/19 **MINUTES**

A copy of the Minutes of the meeting held on 14 February 2019 was submitted [annexed].

Resolved:

That the Minutes of the meeting held on 14 February 2019, a copy having previously been circulated, be approved and signed by the Chair as a true and accurate record.

30/19 **THE JANE LANE SCHOOL, A COLLEGE FOR COGNITION AND LEARNING**

The Committee considered a report [annexed] on the actions taken by the Council in response to Ofsted's inspection of the Jane Lane School. Ofsted had judged the School to be inadequate in all areas with there being safeguarding issues requiring urgent attention.

The Portfolio Holder, Councillor Chris Towe, informed the Committee that he was deeply concerned about what had happened at the Jane Lane School. He expressed his appreciation for all of the work undertaken by the Council's officers, the Chair and members of the Interim Executive Board (IEB) and to the other Head teachers and schools that had been involved in ensuring that the School was re-opened as soon as possible.

The Assistant Director – Access & Achievement, Mrs Sharon Kelly, provided an overview of the key points, the timeline and the actions that had been taken.

Mrs Kelly reported that, at the Council's request, the School had been subject to a safeguarding inspection in September 2017, when Ofsted had deemed safeguarding to be effective, and it was noted that until April 2018 challenge to the School had been difficult. However, during the summer 2018, concerns were raised regarding the standards of leadership, safeguarding, and teaching and learning in the School, and the School Improvement Partner was experiencing difficulties in holding the School to account. The School Improvement Protocol having been revised in July/August 2018, in September 2018 the Jane Lane School received a red categorisation. Following leadership and safeguarding reviews, there were concerns leading to further escalation. The School was issued with a Notice of Concern, requiring it draw up and submit an action plan to the Council, but when this was received it was not deemed to be fit for purpose, which led to further escalation. In November 2018, the School was issued with a Performance Standards and Safety Warning Notice. An inspection of the School was conducted by Ofsted on 27/28 November 2018. Interim and additional leadership capacity was provided to the School in December 2018 and in January 2019. A Direct Academy Order was received by the School in January 2019.

It was noted that as a consequence of extreme staff absenteeism and other difficulties, the School was closed to pupils from 4 February 2019 until after half term. A meeting between Council officers and the parents of pupils at the School was held on 13 February 2019. Under the new interim leadership, the School was re-opened to KS 3/4 pupils after the half term holiday; primary pupils and post-16 pupils have been educated off-site since the half term, however. The Statement of Action was submitted to Ofsted on 18 March 2019 and it was reported by Mrs Kelly that Ofsted had now confirmed that this was fit for purpose.

Three representatives of the local community were then invited by the Chair to briefly address the Committee.

Ms Zara Sands, the mother of a pupil at the School, explained to Members the continued anxiety being felt by her son due to the problems that had occurred at the School. She informed the Committee that to enable the children to cope with these challenges, more support was required. In response, and in view of the individual circumstances being referred to, Mrs Kelly confirmed that she would discuss this matter directly with Ms Sands.

Ms Jo Yarnell, the Chair of the parent-carer forum FACE Walsall, stated that she had met with officers but still had questions in relation to staffing and the use of agency staff at the School. She emphasised the importance of the children at the School having a settled routine, for which permanent staff would be required. She also felt that there had been insufficient communication, with the minutes of the officer-parent meeting that was held on 13 February 2019 only recently becoming available. Other concerns expressed by parents related to the post-16 provision and the education of some of the children at home, with the latter being presented as a choice when the parents in question had no alternative. She advised that FACE Walsall had arranged a SEN information day to enable parents to talk with providers. In relation to Education, Health and Care Plans (EHCPs), Ms Yarnell referred to the gap between requirements and the current position, stating that parents felt there to be insufficient support and that this was having a negative impact on the health and wellbeing of children.

Mrs Kelly pointed out that the IEB was responsible for staffing issues and it was expected that developments would be communicated to parents directly via updates. It was also noted that parents did not need to wait for the annual review should changes to an EHCP be needed, and it was expected that this would be a discussion between parents and the school. In relation to children being educated at home, Mrs Kelly advised Members that whilst every effort had been made to find the right provision in schools for these children, regrettably, in some cases, this could not be achieved. Nevertheless, there was continued discussion with schools to find appropriate placements.

Mr Andy Summers, an independent advocate for a number of parents at the School, had prepared a document that responded to a number of the points made in the report and this was tabled at the meeting [annexed]. Mr Summers expressed the concern that the Committee was being asked not just to note the report but to endorse it as a true picture of the position at the Jane Lane School. In light of the inadequacies, and given that a number of children and young people that had been let down by the School, he felt that this should not be done by the Committee at this time. He asserted that whilst the report described good practice, it did not include any comments with respect to citizen impact and that the views of the parents should be carefully considered so that the Committee could undertake an in depth examination of the issues.

Further to a question from the Chair regarding the minutes of the 13 February 2019 officer-parent meeting, the Executive Director – Children's Services, Ms Sally Rowe, advised the Committee that this had been a large meeting, where there had been many participants. Therefore, it had taken some time to produce minutes that were reflective of the wide range of views being expressed at the meeting.

A Member noted that most of the actions referred to in the report were associated with the School's leadership. Whilst it was evident that some actions had been taken in November 2018, he was concerned that staffing issues and absenteeism did not appear to have been addressed at this time, and he asked whether the pupil: teacher ratio had now been improved. Mrs Kelly pointed out that steps were taken because of the link between absenteeism and the quality of the leadership at the school.

Further to a question of whether there could be communication with smaller groups of parents, with information being posted on the school portal, Mrs Kelly stated that liaising with smaller groups could be beneficial and confirmed that information had already been communicated via the portal. She added that whilst the School's leadership was the responsibility of the IEB, the Council continued to work closely with the School and the IEB, which included participating in weekly meetings.

In view of the implications for the children affected by the closure of the Jane Lane School, a Member highlighted the necessity of regular monitoring of the School and the importance of maintaining discipline. Therefore, he favoured the provision of a co-ordinating teacher who would be responsible for communication with the parents.

Ms Rowe referred to those Head teachers who had been working with the School to achieve the required improvements, stating that they were very good leaders of schools rated as outstanding by Ofsted. The Council had sought powers from the Secretary of State to enable the IEB to be formed as the School's Governing Body and, with new leadership, it was expected that there would be rapid improvement at the School. She added that the School received support from the Council on a weekly basis, and also that Ofsted had, and would, continue to monitor matters closely. Of the 150 children who had been pupils at the school, the majority had now returned or were in appropriate placements, and it was planned for all of the pupils to return to Jane Lane School safely. She informed Members that she had received a number of positive emails from parents regarding the actions being taken by the Council and the IEB.

In response to a question from the Chair regarding whether Ofsted had approved the action plan, Ms Rowe confirmed that this had now occurred. The Chair also requested that this be circulated to the Members of the Committee.

The Vice-Chair enquired about the support provided to children from the School currently being educated at home. Mrs Kelly stated that a small number of children were receiving education at home and that the level of support depended on individual circumstances.

A Member drew the Committee's attention to the perspective of the teachers at the School. He considered that from November 2018 to February 2019, the staff at the School had also experienced distress. However, since this time there had been improvements and stability had increased accordingly.

In response to a question from a Member on the size of classes at the School, Mrs Kelly advised that new furniture had been ordered for the primary age children, that the current building was being adopted, and that the capital plan was being reviewed in the longer term. A further question being asked in relation to the High Needs Funding Block, and the impact on the School, the Senior Finance Manager, Mr Lloyd Haynes, pointed out that there was provision for the retention of money each year to support special schools and

pupil referral units, so that the position at the Jane Lane School would not affect the funding of the other special schools in the Borough.

Further to questions concerning the loss of mentors at the School and whether the timescales for EHCP assessments had been adhered to, Mrs Kelly informed Members that there had been some delays with respect to organising alternative provision but that this was to ensure that the needs of the children were being met appropriately.

The Chair concluded the discussion by stating that he was confident that lessons had been learnt from what had happened at the Jane Lane School. There were concerns regarding the effectiveness of communication with parents, especially given that they needed to be confident that their concerns were being listened to, and that this should be relayed to the IEB to ensure that parents were in future contacted on a regular basis regarding developments.

Councillor Towe stated that he hoped that parents were reassured that the Council was taking all possible steps to resolve the problems at the School. However, a Direct Academy Order having been placed on the School, the transfer to Academy status would be progressed by the Regional Schools Commissioner.

Resolved:

1. That the report be noted and the actions taken by the Local Authority in managing the case of a special school being judged inadequate be noted;
2. That an update on progress be provided to the Committee in three months.

31/19 SCHOOLS FUNDING AND PUPIL PREMIUM

The Committee considered a report [annexed] providing an overview of schools funding and pupil premium funding, which explained the financial systems within which the Council and schools have to operate and identified the main points and key issues.

Further to a question from a Member concerning the action being taken by the Council to ensure that schools obtain the required funding, the Senior Finance Manager, Mr Lloyd Haynes, provided the Committee with an explanation of the Government's funding regime and outlined the work undertaken to set the individual funding formulae for schools.

In response to a question from the Chair on the monitoring of expenditure, Mr Haynes stated that this responsibility had been delegated to the schools. Academies were funded directly by the Government, whereas maintained schools had to complete termly returns and set out the annual balances that were held. Ms Rowe added that for maintained schools, an audit process allowed an in-depth review of expenditure monitoring. It was also noted that since they could employ a provider of this service from the independent sector, not all schools utilised the services of the Council's Finance team. However, if a school became overspent then a Licensed Deficit Protocol had to be completed, which was conditional on school expenditure being monitored by the Local Authority.

It was reported by Ms Rowe that one of the issues affecting the Jane Lane School related to the use of Pupil Premium funding by the School, and a Member sought clarification on the provision of SEN support up to £6k. Accordingly, it was confirmed by Mr Haynes that the SEN allocation per pupil and other factors contributing to SEN funding are shown within each school's budget allocation.

A Member enquired about the maintained nursery schools supplement and the impact of this on Walsall's schools. Mr Haynes confirmed that work was being undertaken on the three year position. He added that should the funding levels be reduced in 2020/21, then the schools concerned would still remain financially viable in that year; however, further work would need to be undertaken with each school to identify options to seek to continue this viability in the future, for instance, through consideration of federation or amalgamation with other schools.

Resolved:

That the report be noted.

32/19 TEACHER SUPPLY AND RECRUITMENT

The Committee considered a report [annexed] that outlined the work taking place in the Borough on teacher supply and recruitment. An overview of the DfE's latest teacher recruitment and retention strategy was appended to the report.

Councillor Towe informed the Committee that whilst the Council was not responsible for teacher supply and recruitment, it worked through the Walsall Strategic Education and Inclusion Board to promote initiatives to attract and retain the best teachers, and that this was one of the Board's five principles. He noted that all local authorities faced difficulties, particularly in recruiting teachers in subjects such as mathematics and science, and for those schools requiring improvement or in special measures.

Further to a question from the Committee regarding the comparison of local and national educational standards, the Head of Service - Education Standards & Improvement, Ms Connie Beirne, referred to the elements of the Newly Qualified Teacher (NQT) Development Programme, which was being undertaken collaboratively with the University of Wolverhampton.

A Member pointed out that one of the key issues for teachers was work load and that in some areas of the country, for example Coventry and Nottinghamshire, teacher recruitment was being carried out on the basis that the schools were workload-friendly. He considered that this approach could be of assistance to teacher recruitment in Walsall.

Resolved:

That the report be noted.

33/19 THE WORKING GROUP ON SEND, PUPIL EXCLUSIONS AND CHILDREN NOT ACCESSING EDUCATION

The Committee received the report of the SEND Working Group [annexed].

The report was introduced by the Chair of the Working Group, Councillor Nawaz, who thanked all the Members and the officers who had supported the Group.

There was discussion by the Committee of the preferred options to progress the report; namely, whether it should be considered by the Cabinet or by full Council. There was a consensus of opinion that the report should be referred to the Cabinet for its consideration of the Working Group's findings, conclusions and recommendations.

The Portfolio Holder, Councillor Towe, expressed his thanks to the Committee for establishing the Working Group and noted that the report would be considered by the Cabinet in due course.

Resolved:

1. That the report be presented to the Cabinet for its consideration of the findings and recommendations contained therein;
2. That any feedback from the Cabinet be provided to the Chair in due course.

34/19 FORWARD PLANS

Members considered the Work Programme and the Forward Plans of the Council and the Black Country Executive Joint Committee [annexed].

Resolved:

That the revised Work Programme and the Forward Plans be noted.

35/19 DATE OF NEXT MEETING AND CONCLUDING REMARKS

The date of the next meeting would be approved by the Council in May 2019.

The Chair closed the meeting by thanking the Members of the Committee and the Council's officers for their work and support during the 2018/19 municipal year.

The meeting terminated at 7.54 pm.

Chair.....

Date.....