

EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY 23 FEBRUARY, 2016 AT 6.00 P.M. AT THE COUNCIL HOUSE

Committee Members Present	Councillor R. Burley (Chair) Councillor E. Hazell (Vice Chair) Councillor S. Coughlan (Substitute) Councillor A. Ditta Councillor M. Follows Councillor T. Jukes Councillor A. Kudhail Councillor G. Perry Councillor D. Shires Councillor T. Wilson
Portfolio Holders Present	Councillor M. Bird (Leader of the Council) Councillor E. Hughes (Care and Safeguarding) Councillor C. Towe (Learning, Skills and Apprenticeships)
Non elected non voting Members present	R. Bragger (Primary Teacher Representative)
Officers Present	David Haley - Director (Children's Services) Lynda Poole – Assistant Director (Access and Achievement) Debbie Carter - Assistant Director (Children's Social Care) Alan Michell - Head of Youth Support Service Phil Ward – Head of Inclusion and SEND Kate Mann - Admissions, Planning & Transport Manager Lloyd Haynes - Senior Finance Manager Neil Picken – Senior Committee Business and Governance Manager
Also Present	Frances Done - Independent Chair of Walsall Education Challenge Board Mark Dakin Headteacher, St Giles Primary Andrew Welsbury Chair of Governors St Giles Primary

Nin Matharu	Headteacher King's Hill Primary
Mike Fox	Chair of Governors King's Hill Primary
Mrs C Lee	Headteacher Greenfield Primary
Davina Clancy	Headteacher Old Church Primary School
John Bonhomme	Chair of Governors Old Church Primary School
Lynn Bland	Headteacher Salisbury Primary
Jane Clark	Headteacher Pelsall Village School
Brenda Etchells	Chair of Governors Pheasey Park Farm Primary School

561/16 APOLOGIES

Apologies for absence were received on behalf of Councillor S. Wade and P. Welter.

562/16 SUBSTITUTIONS

The Senior Committee Business and Governance Manager advised that Councillor S. Coughlan was substituting for Councillor S. Wade.

563/16 DECLARATIONS OF INTEREST AND PARTY WHIP

Councillor R. Burley declared a non pecuniary interest in agenda item 6 – Proposed Primary School Expansions – School Capacity - as she is a Governor at Salisbury Primary School.

Councillor G. Perry declared a non pecuniary interest agenda item 6 – Proposed Primary School Expansions – School Capacity - as he is Chair of Governors at Pelsall Village School.

Mr S. Raynor declared a non pecuniary interest in agenda item 6 – Proposed Primary School Expansions – School Capacity.

564/16 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

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

565/16 **MINUTES**

Members considered the minutes of the meeting held on 5 January, 2016.

Resolved:

That the minutes of the meeting held on 5 January, 2016, a copy having previously been circulated, be approved as a true and accurate record.

566/16 **CALL IN OF CABINET DECISION – PROPOSED EXPANSION OF BEACON, KING’S HILL, GREENFIELD AND ST. GILES PRIMARY SCHOOL**

The Chair welcomed everyone to the meeting and thanked them for taking the time to attend.

She explained that ‘Call In’ was a process which, when implemented, prevented a Cabinet decision from being implemented until the matter has been debated at the relevant Scrutiny Committee. Usually a ‘Call In’ would consider the matter soon after the decision of Cabinet, however, in light of the fact that there had been a half term, it had been agreed that every opportunity should be given for Head teachers and Governors to attend. The meeting date of 23rd February, 2016 was therefore agreed by the Chair and with Councillor James, whom called the matter in to allow all interested parties to be able to participate in the meeting.

In terms of debate, the Chair advised that she would first call Councillor James to address the Committee, supported by Head teachers and Governors, on the reasons for the call in. Submissions from any other Head teachers or Governors would then be invited next as the Committee were keen to gather as many points of view on the matter as possible, whilst avoiding repetition. Following this, the Portfolio Holder for Learning, Skills and Apprenticeships would be invited to address the Committee, with the support of Officers, to respond to the points raised.

The Chair advised that she had studied the report carefully. She referred those present to the minutes of the previous meeting of the Committee at which the issue had been debated at length. The Committee had been unsatisfied with the report and made a number of recommendations for implementation, prior to consideration of the matter by Cabinet. It was hoped the Cabinet had taken account of the recommendations of the Committee before making its decision. In closing she advised that she would be moving a recommendation in due course.

The Chair then invited Councillor James, as the Member that ‘Called In’ the matter, to address the Committee.

Councillor James formally thanked officers within Democratic Services for the help and support they had provided throughout the process. He then addressed the Committee with the support of Davina Clancy, Headteacher at Old Church Primary School, John Bonhomme, Chair of Governors at Old Church Primary and Lynn Bland, Headteacher at Salisbury Primary.

During the submission it was confirmed that the Call In had been submitted on the following grounds:-

1. Concerns over consultation policy;
2. Use of data;
3. Policy opposition;
4. Council Standards.

Key messages from the submission included:-

- The suggestion that the matter of school expansions had been predetermined in November, 2015 based on capital costs over need;
- Investment in terms of school expansions should only be available to schools that were rated as 'Good' by Ofsted.
- Schools Forum had not been consulted;
- It wasn't clear what the 7 criteria for expansion were during consultation;
- Concerns regarding the way in which the local school feasibility study was undertaken;
- Darlaston was in need of additional school places as demand already outstripped supply.

The Chair then invited other Headteachers and Governors to address the Committee. The following points were raised:-

- The Chair of Governors at St. Giles School addressed the committee stating that, in Willenhall, they had not experienced any difficulties with the consultation process.
- The Chair of Governors at King's Hill School advised that they had been well informed and supported by the Council.

Councillor James, in closing, invited the Portfolio Holder to visit Darlaston Schools to develop relationships between the Council and Schools in the area. He re-iterated that he had been inundated with concerns regarding the school expansion process and referred to a recommendation that he had prepared for circulation.

The Chair thanked all for their submissions and read out the recommendation proposed by Councillor James. In doing so she proposed an amendment to the wording as follows:-

'In light of the concerns raised the Committee recommend that future consultation arrangements are amended to ensure that any future proposals for additional forms of entry (school enlargements) in Walsall Schools be consulted on with all school cluster groups, through the Chair of each cluster.'

It was noted that this would be in addition to the existing consultation process.

At this point it was made clear to all present that the Scrutiny Committee was not the decision making body. It was able to listen to debate and make recommendations to Cabinet on alternative courses of action, however, Cabinet could still implement its original decision.

The Chair then invited the Portfolio Holder (Learning, Skills and Apprenticeships) to address the Committee, with the support of Officers.

The Portfolio Holder reassured all present that the consultation process had been undertaken properly. Ten schools had been considered for expansion prior to the consultation process commencing, however, the four decided upon were deemed most suitable. He stressed that it was of the utmost importance that the matter should not be further delayed as the building works would need to be completed by September, 2016.

The Head of Youth Support Services advised that the decision was in no way predetermined. He confirmed that mid-year admissions could be challenging but stressed that the decision to expand was based on a range of data and not just mid-year admissions. It was also confirmed that it was each schools responsibility to manage mid-year admissions. In closing, it was highlighted that cost was a consideration when approving schemes but that this was only one element of the decision making process.

In response to a question, the Executive Director (Children's Services) advised that 75% of Walsall's schools were good or outstanding. The national average was 81%. He confirmed that a full breakdown would be circulated to the Committee and the Member whom called in the matter.

The Chair recommended that:-

In light of the concerns raised the Committee recommend that future consultation arrangements are amended to ensure that any future proposals for additional forms of entry (school enlargements) in Walsall Schools be consulted on with all school cluster groups, through the Chair of each cluster.

This was seconded by Councillor Kudhail.

Members of the Committee then raised a number of points including:-

- The need for a long term strategy as there was a limit as to the number of places the Council are able to provide through expansions;
- The need to revise the consultation process before it is next undertaken to include greater engagement with elected members;
- Concern that cost may have overly influenced the decision on which schools to expand.

The Leader of the Council, with the permission of the Chair, then addressed the Committee. During his submission he stated that he wished to make it clear that Cabinet would uphold their original decision the following evening as there had been a special meeting convened to consider any recommendations regarding the call in. He also stated that alternative ways of funding other school expansions would be investigated.

The Chair, in closing, thanked everyone for attending and participating in debate. It was clear that all were striving to make Walsall education the best it can be for the children and young people of Walsall.

Resolved:

In light of the concerns raised the Committee recommend that future consultation arrangements are amended to ensure that any future proposals for additional forms of entry (school enlargements) in Walsall Schools be consulted on with all school cluster groups, through the Chair of each cluster.

567/16 UPDATE ON PROGRESS OF THE EDUCATION CHALLENGE BOARD

The Committee considered a report [annexed] which provided an update on the work and progress of the Education Challenge Board, established in November, 2014.

The Chair welcomed Frances Done, Independent Chair of the Education Challenge Board, to the meeting.

Frances addressed the Committee explaining that the Board focussed on how well the Council was doing to implement the actions as set out in the action plan. Overall, the picture was one of improvement. There were still areas which required further work. One particular area of concern was the fact that whilst Walsall schools are improving, so too are schools nationally. This meant that whilst Walsall schools were achieving more it would not be reflected in benchmark exercises as the national average was also improving. Essentially, Walsall's school performance was not improving rapidly enough to close the gap with national averages.

In Key Stage 2, progress was being made. It was noted that Academy performance was of particular concern. This presented a challenge for the Local Authority it is responsible for attainment levels of children but does not have any direct line of accountability over Academies. To try and resolve the situation the Executive Director (Children's Services) explained he was challenging the Regional Schools Commissioner and Head teachers to improve performance.

The Committee were informed that performance information had been expanded to include the performance of pupils with Special Educational Needs and those on free school meals, by ethnicity. There was a need to focus on 'narrowing the gap' in attainment. These statistics would allow the Board to monitor progress made, identify areas of good practice which can then be offered to those schools which underperform and to identify priorities for focussed improvement. A specific report was to be considered by the Board in Spring, 2016.

In terms of the Action Plan it was highlighted that the involvement and engagement of Heads and schools had improved and was much better than had previously been the case.

School to school improvement was mentioned as a complex area of work. There was a willingness to engage but greater efforts needed to be made to make it happen. With regard to governor support, it was acknowledged that a great deal of work had been undertaken as part of the School Improvement Team Governor support development plan. It was noted that there was low take up of governor induction courses despite it being at no cost to new governors. The Executive Director was aware of the need to strengthen this area of work and would be providing an update report to the Board in April, 2016.

Members were referred to the high level version of the scorecards as appended to the report. Members were also advised that to achieve the demanding targets set in the revised School Improvement Strategy, the pace of change would need to be increased. The Assistant Director (Access and Achievement) advised that progress was being made and that Walsall was catching up with the national benchmark.

A Member questioned what the Regional Schools Commissioner was doing to help the Council challenge Academies which were not performing. It was explained that concerns were raised with the Commissioner. In terms of action there had been changes to Academy Sponsors in 2 cases and changes to Head teachers. The Council has good relationships with Academy Sponsors and the majority had a Local Authority representative on Improvement Boards. Members were advised that the Regional Schools Commissioner was responsible for 600 schools. It was envisaged that the regional capacity would be increased to support the Commissioner in his role.

A Committee Member expressed concern that the Government continued to push the conversion of schools to Academies. Many schools were on an improvement journey and being forced to become Academies. This did little for the motivation of staff, many of whom were reluctant to make the transition. It was concerning that the Governments agenda to make all schools Academies would undermine the good work currently being carried out. It was noted that Local Authority Maintained Schools were improving more quickly than Academies.

The Executive Director (Children's Services) advised that under the new Education Act the Government would have the powers to turn any school into an Academy as part of a multi Academy Trust. It was confirmed that the Government had made it clear that all schools would be Academies by 2020. There was a need for the Local Authority to work in a different way in future.

A Committee Member asked if the Executive Director was consulted when a conversion was made and a sponsor chosen. He advised that there was no requirement for that to happen but confirmed that he was consulted. He again reiterated that in the new Act decision making in terms of which sponsors are chosen would also be removed from School Governors and would lie with the Department for Education.

Nationally the performance of Academy Schools was equal to that of maintained schools. However, this was not the case in Walsall as the performance of most Academies required improvement to meet the levels of maintained schools.

The Portfolio Holder (Learning, Skills and Apprenticeships) addressed the Committee stating that he had visited a number of Academies. Some Academies were performing well, however, there was a need to continue to build relationships and support Academies.

A Member of the Committee welcomed the further analysis of SEN to identify those schools demonstrating relatively good performance and practice. It was also welcomed that further support would be offered to those schools which had relatively lower performance. There was concern, however, as the Councils central SEN team was being cut following the reduction in support grant from the Government. There would be less checking that schools were spending money on SEN where they should and this was a problem. Further, school budgets were also becoming increasingly stretched and so it was asked how it would be possible to improve when money was so tight?

The Independent Chair stated that a thorough analysis of SEN provision had been undertaken. It was clear that results in schools varied considerably. It was important, even in times of austerity, to focus on the child as that was the approach which achieved results. It was also important to identify and share good practice.

The Chair commented that whilst this was appreciated and an important step, what was needed was clarity as to what actions would be undertaken. The Independent Chair stated that this would be the next stage of the process.

The Independent Chair was asked to comment on the performance indicator which showed an increase of persistent absence in Primary Schools of 0.8% from baseline. The Independent Chair advised that there had been an issue with the data supplied and this was being investigated by the Board.

Resolved:

That the report be noted.

568/16 UPDATE ON THE SPECIAL EDUCATIONAL NEEDS REVIEW

The Committee received a report [annexed] outlining what had been achieved to date since the Committee last met in November, 2014, and an explanation of the key steps which needed to be undertaken in the short and medium term to improve the quality of provision and outcomes for children with Special Educational Needs and Disabilities (SEND) in Walsall.

It was asked how many schools applied for disabled access? The Assistant Director (Access and Achievement) advised that there used to be a grant for disabled access but this ceased a number of years ago. It is now devolved to schools as money is accessed through the curriculum to ensure that mainstream schools are more inclusive. Pupil Premium is also used and it is the role of Governors to ensure that sufficient access is in place.

The number of out of Borough placements and the target to reduce complaints from parents was raised. The Committee were advised that Phil Ward had been appointed to the role of Head of Service – SEND. He had been tasked to review all placements to ensure that pupils are receiving the right provision, in the right place. In terms of complaints, the Head of Service – SEND advised that there would always be some complaints as the issue of SEN was very emotive. He was working closely with the Parent Partnership and engaging more with parents to the voice of them and their children. It was hoped that by working more closely with parents would reduce the number of complaints. In terms of the reasons for complaints, the Committee were advised that information was not specific enough in Education and Healthcare Plans. Psychiatrist reports and types of provision were also challenged.

Discussion ensued on the provision of transport. The Committee were advised that there was an Annual Review was underway and the Council was engaging parents about their children’s ability to travel to school. There is a policy in place and engagement was promoted. Whilst independence was promoted wherever possible it was important that travel arrangements were safe for the individual. The Executive Director (Children’s Services) advised that Walsall, historically, had been generous with the support provided for travel arrangements. It is important that the policy was reviewed.

In response to a query regarding the number of Tribunals each year, the Executive Director (Children’s Services) agreed to circulate the information to Members.

A Member referred to the fact that there appeared to be an issue with funding as mainstream schools were not releasing payment to specialist schools, such as Shepwell School. This meant that young people’s transition between schools could be delayed.

In closing, the Assistant Director (Access and Achievement) advised that an appointment would be made to the post of SEND School Improvement Partner.

Resolved

That the Executive Director (Children’s Services) circulates details as to the number of Tribunals held each year to Members of the Committee.

569/16 WALSALL SELF ASSESSMENT OF SERVICES (PERFORMANCE DATA)

Resolved:

That this item be deferred to the next meeting of the Committee.

570/16 FEEDBACK FROM MEMBERS THAT UNDERTOOK VISITS TO WALSALL CHILDREN’S HOMES

Resolved:

That this item be deferred to the next meeting of the Committee.

571/16 QUARTER 3 FINANCIAL MONITORING POSITION FOR 2015/16

Resolved:

That this item be deferred to the next meeting of the Committee.

572/16 AREAS OF FOCUS AND FORWARD PLANS

Members considered the Areas of Focus and Forward Plans of the Council and the Black Country Executive Joint Committee.

Resolved:

That the Areas of Focus and Forward Plans be noted.

573/16 DATE OF NEXT MEETING

The date of the next meeting was noted as 19 April, 2016.

The meeting terminated at 8.40 p.m.

Chair:

Date:.....