

EDUCATION OVERVIEW AND SCRUTINY COMMITTEE

10 JANUARY 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 Brian Douglas-Maul
Councillor Amers Kudhail
Councillor Lorna Rattigan
Councillor Mark Statham
Councillor Stephen Wade

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)

Officers present: Ms Anne Birch, Interim Assistant Director - Access & Achievement
Ms Connie Beirne, Head of Service - Education Standards & Improvement
Ms Alex Groom, School Organisation Manager - Admissions & Pupil Place Planning Team
Ms Kate Mann, Service Manager - Admissions and Pupil Place Planning
Ms Andrea Potts, Assistant Director - Early Help, Youth Offending, Commissioning, Transformation & Business Support
Ms Isabel Vanderheeren, Lead on Transformation for Children's Services
Dr Paul Fantom, Democratic Services Officer

In attendance: Dr Alison Bruton, Head teacher - Queen Mary's High School
Mr Tim Swain, Chief Executive - The Mercian Trust

1/19 APOLOGIES

Apologies for absence were received on behalf of Councillor Carl Creaney, Councillor Vera Waters and Ms Wendy Duffus.

2/19 SUBSTITUTIONS

There were no substitutions.

3/19 DECLARATIONS OF INTEREST AND PARTY WHIP

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

4/19 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

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

5/19 MINUTES

Resolved:

That the minutes of the meeting held on 20 November 2018, a copy having previously been circulated, be approved as a true and accurate record, subject to the amendment of Minute 39/18, where the penultimate paragraph on page 10 should read ‘...where 81 per cent of the pupils of the cohort required SEND support’.

6/19 CHANGE IN THE ORDER OF BUSINESS

The Chair advised that item 9 would be considered as the next item of business by the Committee.

7/19 RIGHT FOR CHILDREN TRANSFORMATION PROGRAMME

A report on the Right for Children Transformation Programme was submitted [annexed]. This included a diagram illustrating the WR4C toolkit and documentation related to the transformation journey and becoming an evidence-minded organisation.

The Children’s Services Transformation Lead, Ms Isabel Vanderheeren, reported on the progress made regarding activity and the work streams linked to education and schools since the last presentation, which was made to the 9 October 2018 meeting of the Committee. She highlighted that the vision would not be delivered solely by Children’s Services, but it was essential to have collaboration, especially with schools, as different ways of approaching and offering support to children were required. It was noted that this report would also be made to the Schools Forum.

With reference to the partnership with the What Works Centre (WWC), a national organisation funded through the Department for Education (DfE), the WWC had undertaken a diagnostic that would assist in the development of new ways of thinking, understanding and approaching problems as an evidence-minded organisation. It was reported that the relationship with the universities would be beneficial in allowing additional capacity to be introduced and would be helpful when carrying out the evaluation process.

Ms Vanderheeren advised the Committee that in October 2018, the Council had applied to the WWC to become one of their change programme partners. The intention was to obtain additional funding to pilot a new way of working focused on moving services closer to families and having social workers situated in schools. Whilst this application was unsuccessful, it had nevertheless been a valuable experience. Members were advised that from April 2019 social workers would still be deployed to the localities and, once embedded, they would be able to work with those schools where high levels of support were required.

A Member referred to the WWC recommendation to ensure that the Outcomes and Performance Framework (PPF) included measures to capture the voice of children and families, and enquired how this would be done. Ms Vanderheeren advised that a 'Big Conversation' event was to be held in February 2019 and that it would be an opportunity to discuss with children and young people their experiences of services. Furthermore, the dialogue with looked after children and an induction programme for the localities was intended to inform practice and cultural change.

There was a question from a Member regarding why the WWC application had been unsuccessful and whether it was intended to re-apply. Ms Vanderheeren confirmed that WWC were approached to find out what more could have been done as it was possible that there would be other funding opportunities. She elaborated that the unsuccessful bid was for two one-year pilot projects, namely social workers being based in schools; and devolved social work budgets going directly to social workers based in the localities. It was a highly competitive process and bids were made to the DfE by 70 local authorities, including Walsall, and only four were successful.

A question was posed by the Chair about home schooling, what was done to ensure the right standards of schooling were adhered to, and whether this was within the terms of this programme. It was noted that this was not specifically the case, but it was relevant to vulnerable children who were not accessing schooling, as it was important to determine any barriers to their access and achievement.

The Chair emphasised that there needed to be confidence that the children who had been taken out of the school system were still receiving a good standard of education. Ms Vanderheeren stated that the transformation programme was intended to be for all children and would identify those children who required earlier support, and by sign-posting this for their parents. Therefore, the restorative practice approach, which was already being operated in some schools, was a key work stream within the transformation programme.

Resolved:

That the report be noted.

8/19 ACCESS TO GRAMMAR SCHOOL PLACES

The Chair welcomed and thanked for their attendance at the meeting, Mr Tim Swain, Chief Executive of the Mercian Trust (and former Head teacher of Queen Mary's Grammar School) and Dr Alison Bruton, Head teacher of Queen Mary's High School.

Mr Swain provided background and an introduction to the Mercian Trust, which had been incorporated on 1 January 2018, and was now comprised of six schools. These were Queen Mary's Grammar School, Queen Mary's High School, Aldridge School Academy, Shire Oak Academy, Walsall Studio School and, most recently, the Ladder School (a free school run in conjunction with the Ladder Foundation). He noted that this was an unusual composition for a multi-academy trust and that because there was provision for the whole spectrum of learning within a single Trust, it had received considerable attention.

Mr Swain outlined the circumstances relating to the two successful bids that the Trust had made in July 2018, and which entailed £3.5m of additional funding that would enable Queen Mary's Grammar School to increase the number of pupil places, raising their public admission number (PAN) from 150 to 180; and similarly for Queen Mary's High School, to increase their PAN from 120 to 150. He recognised the controversial nature of this expansion policy for the Trust's selective schools, but emphasised that this represented a real opportunity for extra money to be brought into the Borough that could be used to contribute to social mobility agenda and make the focus of these schools even more local. Of the country's 164 grammar schools, only 16 had been successful in this process and Mr Swain wished to express his appreciation to the Executive Director of Children's Services, Ms Sally Rowe, and the Portfolio Holder – Education & Skills, Councillor Chris Towe, for the support they had given to the Trust during that process.

It was noted that integral to the bidding process was the submission of a Fair Access Partnership Plan (FAPP), within which there were a number of key elements. To increase the chances of children from disadvantaged backgrounds accessing a selective school education, changes to the admissions arrangements had been successfully introduced for the current year 7 cohort. For example, there was the establishment of a lower cut off point on the entrance test qualifying score, which would apply to those children eligible for Pupil Premium. The new pupil places would be available for pupils entering year 7 in the 2020/21 academic year.

The Mercian Trust's outreach work involved contact with Walsall's primary schools and there was optimism that this would lead to their having a greater familiarity with the selective schools' entrance processes. It was noted that these presentations were for schools and for parents, and were being made around the Borough. By emphasising that this engagement would dispel myths regarding selective schools, Dr Bruton also stated that it would be for the benefit of all children, not just those eligible for Pupil Premium, as admission was open to all primary school children.

In response to a comment from the Chair, who had expressed concern about the growing number of tutors offering services to increase the chances of children passed the qualifying test, Dr Bruton stressed that due to the selective schools' test arrangements such tutoring tended to be ineffective. She added that the Trust was mindful that disadvantaged children often lacked support at home and was working to overcome the barriers that could prevent academically-able children from such backgrounds entering and thriving in a selective school environment. Whilst it was impossible to predict how children would develop and what outcomes would be achieved in five years' time, a key indicator was the GCSE Progress 8 measure, on which both selective schools had performed consistently well.

A Member enquired about the possible impact of these developments on the other schools in the Borough, especially in relation to the more academically-able Pupil Premium children. Mr Swain acknowledged that similar concerns had been already registered by a number of parties, as it was probable that there would be some level of impact, but this was likely to affect only a small number of pupils. He stated that this would be monitored over time by the Trust and added that an independent review was carried out regarding Pupil Premium, which it was noted had gone well and the recommendations and good practice had been shared as a consequence.

Further to questions concerning the percentage of the new pupil places at the selective schools that might be offered to Walsall children, Mr Swain's response was that the outreach work to familiarise primary schools with the qualifying test's requirements should increase the number of successful entrants from Walsall. Furthermore, the information would be assessed by reference to postcodes to determine which areas were least represented in the selective schools. On this basis, the Trust would then direct its outreach work towards schools in the cluster groups connected to those areas. He added that it was his ambition for 24 of the 30 places to go to Walsall children. However, in relation to a question on catchment areas, Mr Swain also referred to the Greenwich Agreement under which pupils could not be excluded from attending schools due to local authority boundaries.

In responding to questions from Members regarding the various aspects of the admission arrangements for the selective schools, Mr Swain pointed out that for particular areas of the Borough the percentage of pupils attending was lower due to the proximity of those areas to Birmingham. This meant that parents often applied to Birmingham's selective schools, such as those in the King Edwards Foundation. The Trust would review areas by postcode and focus on the schools in those areas.

Regarding a question from a Member on the Fair Access Partnership Plan, and whether this was a Government initiative, Mr Swain confirmed that it was a requirement of the aforementioned bidding process. However, he also attributed a measure of the Trust's success in that process to the FAPP already being in place.

Given the academic success of the Trust, the Chair enquired about the sharing of best practice. Mr Swain pointed out that good practice was shared across the Trust's schools. He recognised that selective schools started from a privileged position; however, outstanding work was carried out elsewhere. Due to the outreach work with primary schools, there was the opportunity to make available to them some elements of the Trust's continuous professional development (CPD) programmes.

The Portfolio Holder, Councillor Chris Towe, expressed his appreciation of the Trust's commitment to Walsall and his delight that the application for funding was successful, with extra school places being available for the young people in the area.

With reference to the use of tuition centres, the Vice-Chair advised that where these centres were Ofsted registered, parents on low income or in receipt of tax credits could claim the fees back. Dr Bruton again emphasised that the Trust did not advocate the use of tutors but was conformable with a greater familiarisation and understanding of the test and admission process being provided to parents.

The Chair thanked Mr Swain and Dr Bruton for their attendance and the Committee noted and looked forward to the continued progress of the Mercian Trust.

9/19 PUPIL PLACE PLANNING AND SCHOOL EXPANSIONS

A report was submitted on the school expansion programme, which set out the Council's statutory duty to provide sufficient school places and summarised the decisions made by the Cabinet at its meeting held on 21 November 2018 [annexed].

The Portfolio Holder, Councillor Chris Towe, advised that it was the Council's statutory duty to ensure that there were sufficient school places for resident children who wanted a school place. There was a general duty under section 14 the Education Act 1996 for the Council to ensure that there were sufficient schools in number, character and equipment to provide all children with the opportunity of appropriate education. He added that following a visit by the Education and Skills Funding Agency (ESFA) in 2017/18, the Council had been requested to review its school expansion programme by reference to ESFA planning data/forecasts to meet the requirements for additional places. Therefore, on 21 November 2018, the Cabinet had approved the continued expansion of Old Church CE Primary School, commencement of the statutory process to revoke the decisions to expand Leighswood School and Salisbury Primary School, and modification of the implementation date from September 2019 to September 2020 for Manor Primary School, St Michael's CE Primary School, Short Heath Federation, Mary Elliot School and Oakwood School. Councillor Towe also made reference to the use of temporary modular units in order to meet the demand to create school places.

The Chair stated that whilst this was a decision that might have been subject to being called-in, rather than potentially delaying the process it was better for it to be considered at this meeting. He emphasised the importance of Members having an understanding of this matter due them being approached by parents whose children were unable to attend the school of their choice.

The Assistant Director - Early Help, Youth Offending, Commissioning, Transformation & Business Support, Ms Andrea Potts, explained that costs associated with the school expansions programme delivered to date had been the subject of scrutiny from the funding agency, the ESFA, with the expectation that greater efficiencies and value for money would be achieved for future expansion projects. Pupil place planning data has been the subject of independent review and this had informed the proposed changes to the programme, approved by cabinet 21 November 2018. It was also the case that year-on-year, the need for school places would be reviewed. However, as pointed out by Ms Potts, there had been delays to the programme due to concerns at some of the sites over groundworks. Ms Potts confirmed that meetings had been held with all of the schools concerned. A review of the demand for places for pupils with special educational needs and disabilities and the current school estate formed part of the Cabinet recommendations.

The Interim Assistant Director - Access & Achievement, Ms Anne Birch, referred to the pressure on places and informed Members that the Council was looking at the specific needs of children and young people. Where a place could not be found for a young person, it was necessary to look further afield and, whilst educating Walsall's children

and young people outside of the Borough was not desirable, it was necessary until the number of school places could be increased to meet the demand.

With reference to Table 2 in section 2.2 of the report, and to Planning Areas 7 and 8, a Member sought clarification on the difference between the total places available in Reception and the 2021/22 projected Reception admissions. The School Organisation Manager - Admissions & Pupil Place Planning Team, Ms Alex Groom, stated there being a large increase in the birth rate in Walsall which had now reduced. The data from the Office of National Statistics (ONS) had been updated and subject to a peer review, so that the information on the number of children in the area was very specific.

A Member gave several examples of situations in Streetly, where three of the primary schools had been closed, and parents were increasingly frustrated because of the difficulties in finding school places for their children. He felt that should be a review of the planning processes and that it was necessary for the policy to be revised.

Ms Groom also advised Members that the Admissions team worked with colleagues in the Planning & Development and the Housing teams when developing plans. She reported that there was a surplus of between 3 and 5 per cent of places across the Borough as a whole; however, there were some children living in neighbouring local authorities being educated in Walsall schools. The Service Manager - Admissions and Pupil Place Planning, Ms Kate Mann, added that the Council's data accounted for cross-border migration but acknowledged that in recent years there had been an increase in the numbers of pupils being educated in Walsall schools who resided in either Birmingham or Sandwell, which had a particular impact on the schools in parts of the Borough that bordered these other local authorities. The Committee was reminded that this was permissible in accordance with the Greenwich Agreement, as there were no longer catchment areas.

Further to a question from a Member about how schools were selected for expansion, Ms Groom advised that consideration was given to a range of criteria, including waiting lists and Ofsted results, to determine the levels of demand for places. Detailed discussions were then held with the schools.

Ms Mann noted that for parents who lived in the Borough and applied for a school place before the deadline, there was usually a good possibility that their child would be allocated a place at one of their preferred schools. It was more problematic for parents who had recently moved and were making mid-year applications, due to a decrease in the number of places available. This was compounded by Infant Class Size legislation for Reception and Key Stage 1 and 2, which meant that those classes could not exceed 30 pupils. Consequently, parents could accept a place at another school but then seek redress using the school admission appeals process.

A Member asked if there were any guarantees that could be given to parents whose children had special educational needs and disabilities, and whose preferred schools, i.e. Mary Elliot and Oakwood, had had their expansion put back to September 2020, that they would not encounter any difficulties in obtaining a place in those schools. In offering assurance on this matter, Ms Potts advised that for the Mary Elliot School the pupil numbers were currently low and there is no projected need for additional places

until 2020 at the earliest. With regard to Oakwood School, discussions are ongoing with the school

Questions were received from Members regarding the possibility of placing temporary modular buildings in primary schools that were experiencing 'crunch points' due to an excess demand for pupil places, and of the issues around expanding Mary Elliot School and Oakwood School at the same time as there are proposals on the future provision of post-16 pupil transport. In response, Ms Potts stated the Council's duty was to ensure that there were sufficient pupil places across the planning areas. The proposals for post-16 transport were part of the draft revenue budget and capital programme 2018/19 -2021/22, the consultation period having been completed, there would be discussion of the relevant report by the Cabinet prior to its being considered by the Council on 28 February 2019.

Resolved:

1. That the report be noted;
2. That a report on the school admissions arrangements, setting out the operation of the processes in Walsall, giving examples of good practice, and through comparison noting any differences with neighbouring local authorities, be submitted to the next meeting of the Committee;
3. That, in relation to the problems experienced by parents in obtaining for their children a place at their preferred school, a letter to be sent to the Local Government Association by the Chair on behalf of the Committee to seek the views of the Association on this matter.

10/19 NEW LEAF INCLUSION CENTRE

With reference to Minute No 19/18, a further report on the New Leaf Inclusion Centre was submitted [annexed], which outlined the progress that had been made since the Centre was subject to an Ofsted inspection on 18/19 April 2018.

The Interim Assistant Director - Access & Achievement, Ms Anne Birch, informed Members that the first HMI monitoring visit had been undertaken by Ofsted in October 2018. Confirmation had been received via the monitoring report of Ofsted's satisfaction with the actions taken to ensure the safety and well-being of pupils at the Centre. It was noted that a substantive Deputy Head teacher had recently taken up post and that there were on-going discussions with the Council to secure a new or interim site for the Centre. The next HMI monitoring visit was to occur in spring 2019.

A Member having enquired about the reasons for the move to a new location, it was pointed out by Ms Birch that the Ofsted inspection report had criticised the two sites currently used by the Centre due to the condition of the buildings. Whilst steps had been taken to improve the current teaching space, a longer term solution was still being sought by the Centre's Management Board and the Council.

The Head of Service - Education Standards & Improvement, Ms Connie Beirne, advised the Committee that there having been some instability at the Centre previously, in terms of staffing and a reliance on agency workers, the appointment of the Deputy Head teacher was a very positive step. Furthermore, the process for the recruitment of a substantive Head teacher had now been initiated. Ms Birch also reported that the practice of regular 'Team around the School' meetings was proving successful in ensuring that effective measures were being taken, so that the work on improvements and the support needed from the Council could be co-ordinated.

In concluding the discussion on this item, the Chair expressed his appreciation for the work undertaken so far and looked forward to further progress to remove the Centre from 'Special Measures'.

Resolved:

That a further progress report be made to the Committee on the New Leaf Inclusion Centre during the forthcoming municipal year.

11/19 WORK PROGRAMME 2018/19 AND 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.

12/18 DATE OF NEXT MEETING

The date of the next meeting was 14 February 2019.

The meeting terminated at 7.48 pm.

Chair.....

Date.....