

EDUCATION OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 3 November 2020 at 6.00 pm

Virtual meeting via Microsoft Teams

Held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020; and conducted according to the Council's Standing Orders for Remote Meetings and those set out in the Council's Constitution.

Committee Members present: Councillor Sarah Jane Cooper (Vice-Chair in the Chair)
Councillor Daniel Barker
Councillor Rose Burley
Councillor Brian Douglas-Maul
Councillor Sat Johal
Councillor Tina Jukes
Councillor Pard Kaur
Councillor Farhana Mazhar
Councillor Saiqa Nasreen
Councillor Lorna Rattigan

Portfolio Holders present: Councillor Chris Towe – Education & Skills

Non-elected voting Members present: Mrs Philomena Mullins – Archbishop of Birmingham's Representative

Non-elected non-voting Members present: Ms Sharon Guy – Primary Teacher Representative
Ms Wendy Duffus – Secondary Teacher Representative

Officers present: Ms Sally Rowe, Executive Director – Children's Services
Mrs Sharon Kelly, Director – Access & Inclusion
Ms Tanya Collier, Interim Lead Accountant
Mr Andy Crabtree, SEND Improvement Lead
Ms Trudy Pyatt, Head of Inclusion
Mr Rob Thomas, Head of Access
Dr Paul Fantom, Democratic Services Officer

40/20 WELCOME FROM THE VICE-CHAIR

The Vice-Chair opened the meeting by welcoming everyone, and explaining the rules of procedure and legal context in which the meeting was being held. She also directed members of the public viewing the meeting to the papers, which could be found on the Council's Committee Management Information system (CMIS) webpage.

Members and officers confirmed that they could both see and hear the proceedings.

41/20 **APOLOGIES**

Apologies for absence were received from Councillors Gazanfer Ali and Lee Jeavons.

42/20 **SUBSTITUTIONS**

Councillor Tina Jukes substituted for Councillor Lee Jeavons.

43/20 **DECLARATIONS OF INTEREST AND PARTY WHIP**

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

44/20 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)**

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

45/20 **MINUTES**

A copy of the Minutes of the meeting held on 10 September 2020 was submitted [Annexed].

Further to the sixth paragraph of Minute 34/20 (page 7), it was noted that the eighth line should be amended to read 'being closely monitored by the DfE...'

Further to the eighth paragraph of Minute 36/20 (page 9), it was noted that the second line should be amended to read 'arrangements that had been made...'

With reference to Minute 36/20, the Portfolio Holder, Councillor Chris Towe, noted that most of the backlog had been cleared, leaving a small number of more complex cases that were being dealt with. It was anticipated that the national average of 60 per cent would be reached in November with confirmation to be made at the next meeting of the Committee.

Resolved (unanimously by roll call):

That, subject to the inclusion of the aforementioned amendments, the Minutes of the meeting held on 10 September 2020, a copy having previously been circulated, be approved and signed by the Chair as a true and accurate record.

46/20 **DRAFT REVENUE BUDGET 2020/21 – 2023/24**

The Committee received a report on the draft revenue budget, which included the medium term financial outlook for the period 2020/21 to 2023/24 [Annexed]. The Committee's feedback would be reported to the Cabinet on 9 December 2020, to inform the final draft budget to be considered by the Cabinet on 10 February 2020 and the recommendation to the Council on 25 February 2021.

The Interim Lead Accountant, Ms Tanya Collier, reported that in terms of the savings to be made, the total operational proposals relating to the remit of the Committee were £1.009m, which was to be achieved over the next two years. Members sought clarification on the impact the proposed savings would have in relation to home to school transport, and the Head of Access, Mr Rob Thomas, outlined the various activities being undertaken to ensure that the Local Authority continued to meet its responsibilities for providing the appropriate number of home to school transport places for the Borough.

Further to an enquiry from a Member regarding the provision of home to school transport in Streetly, the Director of Access & Inclusion, Mrs Sharon Kelly, would contact the Member concerned directly.

Resolved (by roll call):

1. That it be noted that the draft revenue budget proposals relating to the remit of the Committee and the policy proposals shown in Appendix 1 would be formally reported to the Cabinet;
2. That it be noted that consultation would be undertaken on all new 2021/22 policy proposals shown in Appendix 1 and that feedback would be presented to the Cabinet on 9 December 2020;
3. That it be noted that further savings proposals would be presented to the Cabinet on 9 December 2020 in order for a balanced budget to be delivered by February 2021. These would be reported to a future meeting of the Committee for consultation.

It was recorded that Councillor Rose Burley abstained.

47/20 CORPORATE FINANCIAL PERFORMANCE – QUARTER 2 (PERIOD 5 – AUGUST 2020) FINANCIAL MONITORING POSITION FOR 2020/21

A report was submitted detailing the budget monitoring position for period 5 – August 2020 – and the revenue and capital forecast for the financial year end 2020/21 for services under the remit of the Education Overview and Scrutiny Committee [Annexed].

The Interim Lead Accountant, Ms Tanya Collier, reported on the 2020 revenue forecast position, which would be an overspend of £0.543m. With reference to Table 1, it was noted that this had resulted from pressures within home to school transport, but following mitigating action the forecast position was net nil. She advised Members that for services under the remit of the Committee, there were a number of risks totalling £0.352m, which had not been included in the forecast but were set out in Tables 4 and 5 of the report.

Resolved (unanimously by roll call):

1. That the revenue and capital forecast for the financial year end 2020/21 for services under the remit of the Education Overview and Scrutiny Committee be noted;
2. That the mitigating actions being taken to address the overspend be noted.

48/20 UPDATE ON THE JANE LANE SPECIAL SCHOOL

A report was submitted to the Committee to provide an update on the Jane Lane Special School, which was currently in Special Measures [Annexed].

The Head of Inclusion, Ms Trudy Pyatt, summarised the report, noting that the School was placed into Special Measures in November 2018. Since that time, the Local Authority had worked with the School to support and challenge its development, and this was being carried out in conjunction with the School's Interim Executive Board and the leadership team of the Castle Special School. A number of visits had been undertaken by HMI to monitor progress and capacity, with a visit being due in March 2020 but which did not occur due to the Covid-19 pandemic. Ms Pyatt reported on the arrangements and procedures introduced to continue to challenge and monitor progress against identified actions.

In response to questions from the Committee, Ms Pyatt stated that, with a few exceptions, the pupils due to return to the School had done so in the summer of 2019, and that staffing levels continued to be monitored to ensure that they were appropriate and sustainable.

A Member expressed the concerns that the School was still being led by an interim Executive Board and leadership team, that some parents and carers felt they were not being involved in the life of the School and, that as a result of being placed in Special measures, the School had been automatically subject to a Direct Academy Order.

The Committee was advised by Ms Pyatt that the making of a Direct Academy Order when a school was placed in Special Measures was a decision of the Secretary of State for Education. During discussion, the Executive Director – Children's Services, Ms Sally Rowe, emphasised the importance of the Local Authority continuing to support the School's current Executive Board and leadership. She noted that should there be sufficient progress, it might be possible to have further discussions with the DfE regarding the Order and adding that the monitoring visits undertaken by HMI since the School was placed in Special Measures had given the external assurance that such progress was being made. Councillor Towe stated that the interim Executive Board, together with the leadership of the Castle Special School (which was rated as an outstanding special school) had provided high levels of support to the Jane Lane Special School and engagement with parents. That this might have been affected by the pandemic was recognised and Ms Rowe and Ms Pyatt requested that Members to report to the Local Authority any situations where communication was insufficient or inadequate.

Further to a question on risk assessments in schools, the Director of Access & Inclusion, Mrs Sharon Kelly, reported that since September 2020 72% of Walsall schools (including all secondary schools and most special schools) had been affected in some way by the pandemic. However, Health & Safety Executive (HSE) assessments were positive and the Local Authority had requested that all Walsall schools review their own risk assessments.

Resolved (by roll call):

That the high level of support and challenge to the School's leadership and governance with regard to standards and improvement and financial management, be continued.

It was recorded that Councillors Rose Burley and Saiqa Nasreen abstained.

49/20 UPDATE ON OFSTED OUTCOMES FOR SCHOOLS AND SETTINGS

A report was submitted to the Committee to provide Members with an update on the current position of Ofsted visits across the Borough and the current Ofsted outcomes for schools within Walsall [Annexed].

The Head of Inclusion, Ms Trudy Pyatt, summarised the report and explained the new Ofsted framework that had been introduced in September 2019. It was noted that from March 2020, routine inspections and monitoring inspections had been suspended due to the pandemic but interim visits had been introduced when schools re-opened in September 2020. The purpose of these visits was to ascertain how schools were coping during the pandemic and to check what procedures had been put in place, for example, with respect to vulnerable learners and remotely taught pupils, and how children were being supported in the transition back to full-time education.

During discussion, Members raised questions concerning the measures introduced in schools for pupils taking GCSE examinations, how additional funding was being utilised, and the steps being taken to ensure social distancing by children outside of schools.

It was reported by Ms Pyatt that all Walsall schools were performing risk assessments and additional funding was being made available to the schools for 'catch up' programmes to support those pupils who were taking GCSE examinations.

The Director of Access & Inclusion, Mrs Sharon Kelly, reported that £650m of funding was being provided by the DfE through contracts to five charities that were delivering national tutoring programmes that schools could access. In addition, £350m was being received directly by schools through the 'Wellbeing for education return grant' for the wellbeing and psycho-social recovery of pupils as they returned to full-time education in autumn 2020. She added that whilst the Local Authority was not responsible for quality assuring this funding, with it being the responsibility of schools to use funding in the best way possible, this was dealt with under the remit of the HMI's assurance visits. As the Local Authority had regular contact with HMI, it would be made aware should any concerns be raised.

In response to the Committee's discussion regarding the impact of funding constraints, which were preventing some schools from buying in supply teacher support, Mrs Kelly advised that this had been raised at the chief officers' forum and that the Local Authority was in regular contact with the DfE. Mrs Kelly thanked the schools, trade unions and the public health team for the work they had carried out with the Local Authority on this matter.

Mrs Kelly advised Members that schools were using their staff to encourage social distancing by pupils when leaving school, but reminded the Committee that in order to be effective this also required the support of parents and the wider community.

Councillor Chris Towe reported that he had a copy of a briefing note containing the questions that Ofsted were posing when they made virtual visits to schools during autumn 2020. Councillor Towe would make this note available for circulation to the Committee.

Resolved (by assent):

That the report be noted.

50/20 EXCLUSIONS IN SCHOOLS

A report was submitted to the Committee concerning exclusions in schools in Walsall during the 2018/19 academic year [Annexed].

The Head of Access, Mr Rob Thomas, summarised the report and provided the legal definitions of permanent and fixed period exclusions. The report contained 2018/19 data for both types of exclusion and was analysed by prevalence, phase (i.e. primary or secondary), free school (FSM) eligibility, gender, ethnicity and special educational needs (SEN). He noted that when the 2019/20 academic year data became available, it was probable that it would be affected by the Covid-19 pandemic. A review was also being conducted, involved the Access, Inclusion, Early Help and SEN teams, to examine the current exclusions guidance and procedures to achieve a more holistic view for all of the agencies involved.

Further to questions from Members on which types of exclusion were the major cause of concern, Mr Thomas noted that whilst there were circumstances when an exclusion was unavoidable, and he provided some examples, the work of the Exclusions team and the Early Help team sought to minimise the number of exclusions taking place. The Director of Access & Inclusion, Mrs Sharon Kelly, referred to the work being undertaken with the Police and the Prevent team, with several projects being run in Walsall's schools.

The Head of Inclusion, Ms Trudy Pyatt, stated that the intention of the Council's inclusion strategy was to put structures and processes in place to recognise the reasons for disruptive behaviour and to support and children and young people and upskill staff accordingly. She referred to the work currently been carried out with the West Midlands Education Lead for Violence Reduction, Hayley Walton, regarding gang-related incidents. The Youth Offending team had also been carrying out an investigation funded by the DfE into the impact of such incidents on the mental health and wellbeing of young people.

Councillor Chris Towe noted it was the responsibility of schools to inform the Local Authority when children were at risk of exclusion so that attempts could be made to resolve situations. He added that the Local Authority was mindful that some schools had 'off-rolled' some of their disruptive students to improve results, and that monitoring of this was being continued.

Resolved (by assent):

That the report be noted;

51/20 EHCP DASHBOARD

Members received for information, the dashboard on Education, Health and Care Plans.

In response to questions on the backlog and new cases, an explanation of the methodology employed and the new structure introduced during the last eighteen months was provided by officers. It was noted that the backlog had been reduced by 350 and for the next report to the Committee, further improvement was anticipated. It was significant that this had been achieved during the period of the Covid-19 pandemic, with the Local Authority being committed to continuing to work with schools and families in Walsall at a time when some other local authorities had temporarily ceased to undertake this work.

Resolved (by assent):

That the EHCP Dashboard be noted.

52/20 WORK PROGRAMME 2020/21

Members received and considered the Committee's Work Programme [Annexed].

It was reported that the Committee had not considered whether a working group or working groups should be established to carry out investigations during the remainder of this municipal year and a number of suggested topics were presented for the Committee's consideration.

Resolved (by assent):

That the establishment of a working group or working groups be deferred to the 2021/22 municipal year.

53/20 FORWARD PLANS

Members received and considered the Forward Plans of the Council and the Black Country Executive Joint Committee [Annexed].

Resolved (by assent):

That the Forward Plans be noted.

54/20 DATE OF NEXT MEETING

The date of the next meeting would be held on Tuesday, 5 January 2021 at 6.00 pm.

There being no further business, the meeting terminated at 7.54 pm.

Chair.....

Date.....