

## **EDUCATION OVERVIEW AND SCRUTINY COMMITTEE**

**4 SEPTEMBER 2018 AT 6.00 PM AT THE COUNCIL HOUSE, WALSALL**

<b>Committee Members present</b>	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 Vera Waters
<b>Portfolio Holders present</b>	Councillor Chris Towe – Education & Skills
<b>Non-elected voting Members present</b>	Ms Teresa Tunnell (Parent Governor)
<b>Non-elected non-voting Members present</b>	Mr Russ Bragger (Primary Teacher Representative)
<b>Officers present</b>	Ms Sally Rowe, Executive Director (Children’s Services) Ms Anne Birch, Interim Assistant Director (Access & Achievement) Ms Connie Beirne, Head of Service (Education Standards & Improvement) Ms Claire Goss, Head of Service (SEND & Inclusion) Dr Paul Fantom, Democratic Services Officer

### **13/18 APOLOGIES**

Apologies for absence was received on behalf of Councillor Allah Ditta, Ms Wendy Duffus and Mrs Emma Robins.

### **14/18 SUBSTITUTIONS**

There were no substitutions.

### **15/18 DECLARATIONS OF INTEREST AND PARTY WHIP**

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

**16/18 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985  
(AS AMENDED)**

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

**17/18 MINUTES**

Further to the second paragraph of Minute 7/18, it was noted that the penultimate line should be amended to read 'revenue overspend was £280k...'

Further to the tenth paragraph of Minute 8/18, it was noted by the Portfolio Holder, Councillor Chris Towe, that the third line should be amended to read 'will become sponsored academies...'

**Resolved:**

That the minutes of the meeting held on 19 June 2018, as amended, a copy having previously been circulated, be approved as a true and accurate record.

**18/18 REVIEW OF WALSALL COUNCIL'S EFFECTIVENESS IN IDENTIFYING AND MEETING THE NEEDS OF CHILDREN AND YOUNG PEOPLE WHO HAVE SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES**

A report on a review to test the effectiveness of the Council's Special Educational Needs and Disabilities (SEND) practice prior to the forthcoming Ofsted inspection was submitted [annexed]. The report summarised the review, identified a number of strengths and areas for development and provided an action plan.

The Portfolio Holder, Councillor Chris Towe, informed the Committee that in Walsall, there were 2,001 children in receipt of an Education and Health Care Plan (EHCP) and 7,047 children required SEND support. He added that when considering attainment data for up to Key Stage 2, Walsall's children and young people with an EHCP were generally in line with the national average. However, for those requiring SEND support, this was not the case, with Year 1 Phonics being 3 points behind the national average and all other indices indicating a gap of between 8 and 12 points. Information on achievement by vulnerable adults at Key Stages 4 and 5 was currently unavailable and was to be published by the Department for Education later in the term. Emphasising that all children and young people should access the most appropriate, high quality educational provision, he noted that this had not been the case for many requiring SEND support, and added that the review highlighted what needed to be done and that the action plan would ensure that this happened.

The report was accompanied by a presentation delivered by the Assistant Director (Access & Achievement), Ms Anne Birch. This summarised the SEND review's findings, provided an overview of the preparedness of the Council and health agencies for local area inspection, and set out priorities and recommendations. It was noted that a parallel audit had been undertaken and report prepared by Walsall Clinical Commissioning Group (CCG) and this would be available in due course. In particular, the Committee's attention was drawn to the following:

### **Strategy and vision**

- The need to develop a clear vision supported by an accountability.
- The Strategic Education Inclusion Board's role and priorities for children with SEND.
- Vulnerable learners who are excluded or disengaged from education

### **Systems and structures**

- That information on children and young people is accessible and in one place.
- Moving the EHCP process from a paper-based to an electronic system.
- The multi-agency panel and the approach to the EHCP assessment process.

### **Support for families**

- Commissioning an alternative Independent Advice and Support Service provider.
- Updating the local offer website and clarification of its future management

### **Meeting the needs of vulnerable children and young people**

- Access to appropriate education for children and young people out of school.
- Redesigning the Behaviour Support service to better support children and young people at risk of exclusion.
- A graduated response to the Ofsted inspection of the New Leaf Inclusion Centre.

### **Effective partnership working for effective commissioning**

- Improving the relationship with the CCG and the access to Child & Adolescent Mental Health Services (CAMHS) for schools, children and young people.
- Developing a pathway to identify key transition points for all children and young people aged 0-25 years with SEND.
- Developing a framework for integrated working identifying need against provision and supported by the 'team around the child' approach.

With reference to the commissioning of an Independent Advice and Support Service, a Member enquired whether this would also lead to increased capacity and funding. In responding, Ms Birch acknowledged that capacity was currently stretched, especially given the reliance on volunteers, which was why it was important to seek an alternative provider. However, as the various options were still being considered, it was not possible to provide a definitive response to these questions.

A question was also raised regarding the local offer and responsibility for updating the website. Ms Birch confirmed that any new arrangement would provide for the website's maintenance and quality assurance requirements.

A Member noted that, in terms of the Behaviour Support Service, young people could continue to experience behavioural problems that might lead to their exclusion from college. Ms Birch stated that the account of the needs of such young people should be dealt with through the EHCP process. The Head of Service (SEND & Inclusion), Ms Claire Goss, recognised that this was an issue requiring more work and that the best way to make provision for 19-25 year olds was being pursued with FE colleges.

Having regard to developing the pathway identifying the key transition points, it was noted that for children and young people with SEND the amount of time taken to learn could be longer, and that because of this some were not progressing into further education but were going into adult social care. Ms Goss advised the Committee that in considering the transition points, bespoke activities would cater for all levels of learning and that work was being undertaken with local FE colleges. Furthermore, on the related question of outreach and autism, Ms Birch stated that to ensure that the same robust pathways were provided then the involvement of the CCG was required.

In view of the deadlines contained in the SEND review action plan, a request was made by a Member for there to be regular reports so that the Committee could see the progress being made. Ms Birch stated that because of the commitment not to give up on any of Walsall's children, and to achieve improved outcomes, the action plan was ambitious and had tight deadlines. The Chair, Councillor Aftab Nawaz, referred to the Committee's proposed work programme, which included the establishment of a working group for pupil exclusions and children not accessing education, and that this could be re-designated to include work on Special Educational Needs and Disabilities.

The Vice-Chair, Councillor Sarah-Jane Cooper, in referring to the evidence collected during the review, enquired why young people had not been included or interviewed during the process. Ms Birch responded that this was because of the time constraints and the timing, which had coincided with the half term holiday.

A Member referred to the figure of 2,001 children in receipt of an EHCP that had been mentioned by the Portfolio Holder in his statement, and enquired if this was a static total or whether there was movement in the number of cases. Ms Goss confirmed that this figure represented the total number of finalised plans but noted that there was a 20-week time limit within which the process was to be completed so, at any time, there were many cases being processed and the overall number was increasing. The Executive Director (Children's Services), Ms Sally Rowe, added that there had also been an increase in the age range, as EHCPs now catered for young people up to the age of 25 years whereas statements had only covered up to the age of 19 years.

The Chair referred to the third bullet point on page 20, which stated that the EHCP assessment was a critical piece of work, and asked whether the resources for this were available. Councillor Towe advised that this would be constantly reviewed and if there were any resource gaps, all would be done to find the resources. Ms Rowe indicated that this point in the report referred to the electronic systems for EHCPs, adding that a supplier had been identified, the resources were in place and that negotiations were currently taking place. She added that Ms Birch's remit included reviewing the resources in that part of the Directorate and ensure they were being focused correctly. It was noteworthy that there were some resources that Walsall had been unable to access for a number of years, and that this was being examined.

The Chair highlighted the concerns regarding the number of exclusions from schools due to behavioural or special needs matters, especially of children in the primary age range, and enquired whether schools publicised the number of pupils being excluded. Ms Birch reported that there had been discussions with schools regarding a new way of working, which was to give a graduated response via nurture provision in order to reduce the number of exclusions. The Head of Service ((Education Standards & Improvement), Ms Connie Beirne stated that this issue was being addressed with schools by working with the Head teachers to find out why exclusions were happening.

Further to questions from Members on whether the number of exclusions by schools was publicised, the timing of them, for example at year 10, and whether there might be inconsistencies of approach, the Committee was reminded by officers that decisions to exclude were made by the schools themselves. However, Ms Beirne stated that challenge was being provided to the schools to find out why the exclusions were happening. Furthermore, in view of the number of elected Members who sat on school governing bodies (with it being noted that the Council maintained a record of those schools having Members serving in that capacity), it was acknowledged that there was an opportunity for them to influence matters through the governing bodies. In addition, Ms Rowe confirmed that she had written to all Head teachers in the Borough to set out the Council's expectations about exclusions for the next year and the support that was available, noting also that this was a new approach to this issue.

**Resolved:**

1. That the main findings of the report be noted;
2. That a working group be established to support the implementation of the action plan, with a membership to include: Councillors Nawaz, Cooper, Kudhail, Rattigan, Statham and Waters, and Mrs Tunnell;
3. That the effectiveness of the actions implemented be monitored by the Committee on an annual basis.

**19/18 NEW LEAF INCLUSION CENTRE**

A report on the New Leaf Inclusion Centre was submitted [annexed]. Offering short stay provision for pupils aged 5-16 years, most of whom had been excluded from their previous school, the Centre was inspected by Ofsted on 18-19 April 2018 and graded as 'Inadequate' in all areas.

The Portfolio Holder, Councillor Chris Towe, confirmed that following publication in June 2018 of Ofsted's final inspection report, the Council had worked with the Centre to submit a Statement of Action detailing how the issues raised in the report would be addressed. Ofsted had received this and deemed it fit for purpose. He noted that, as in all such cases, a Direct Academy Order was placed on the Centre, requiring the Council to work with the Regional Schools Commissioner to identify a suitable academy sponsor and support the transfer. Until a sponsor was identified, the Council was responsible for ensuring the Centre's governing body would act to implement the Statement of Action. The Executive Director (Adult Services), Ms Paula Furnival, was

acting as Chair of the governing body and a comprehensive training programme for its members was being introduced. There was ongoing support for the Centre's interim Head teacher and a move to more suitable accommodation was being progressed.

A Member highlighted that statement on page 31 of the report that 'The New Leaf Inclusion Centre is a critical part of the local authority's graduated response to meeting the needs of those at risk of exclusion' and questioned why it was not being monitored more closely? The Assistant Director (Access & Achievement), Ms Anne Birch, explained Ofsted's involvement and the timescales concerned, emphasising that there was confidence in the interim Head teacher, with whom a close working relationship had been developed by the Head of Service (Education Standards & Improvement), Ms Connie Beirne. The Executive Director (Children's Services), Ms Sally Rowe, reported that having been seconded by the Matrix Trust, the interim Head was new in post at the time of the Ofsted inspection, and was working very hard to put in place the changes required, and that there was confidence that progress would be made.

Further to a question from the Chair on the Direct Academy Order, and whether there had been any interest from academies, Ms Rowe updated Members on the process and the position regarding local discussions.

With reference to a question on premises, Ms Rowe explained that some improvements had been made to the current site's environment but that matters had been complicated owing to the Direct Academy Order and, therefore, longer-term options were under consideration. Mr Rowe also referred to the ongoing discussions that were taking place regarding the Ladder School.

In response to the Committee's concerns expressed regarding why the situation at the Centre had been allowed to happen and how it had been handled, Ms Rowe informed Members that appropriate action had been taken and that there was confidence that that the required changes had been put in place, with effective support being provided to the Centre. It was also reported that the Centre now had a full complement of Governors. Ms Rowe stressed that the children and young people being educated at the Centre had particularly challenging needs and that it was essential to find suitably experienced teachers and school leaders to undertake these roles. This was supported by Councillor Towe, who reminded the Committee that the Statement of Action had been accepted by Ofsted and put into place. He also mentioned that he, Ms Rowe and the Interim Head teacher had arranged a meeting to which the parents of children at the Centre had been invited to attend in order to learn what improvements were being made, but was disappointed to note that none of the parents had taken the opportunity to do so.

**Resolved:**

1. That the report be noted;
2. That a further progress report be made to the meeting of the Committee to be held on 10 January 2019.

**20/18 WORK PROGRAMME 2018/19**

The Committee received the updated proposed work programme and details of the three working groups proposed for 2018/19 [annexed].

In accordance with the discussion under Minute 18/18, the proposed working group on pupil exclusions and children not accessing education be re-designated to include work on Special Educational Needs and Disabilities.

The Chair indicated that he wished for every Member of the Committee to be involved in the work of at least one working group and advised that the Democratic Services Officer, Dr Paul Fantom, would email them in order to ascertain their preferences.

**Resolved:**

1. That the Committee's proposed work programme for 2018/19 be approved;
2. That the three working groups, as amended, be approved;
3. That Members express their interests in relation to the working groups for autism/outreach and for out-of-Borough schooling.

**21/18 FORWARD PLANS**

The Committee received the Forward Plans of the Council and of the Black Country Executive Joint Committee [annexed].

**Resolved:**

That the Forward Plans be noted.

**22/18 DATE OF NEXT MEETING**

The date of the next meeting was 9 October 2018.

The meeting terminated at 7.30 pm.

Chair.....

Date.....