

## **EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE**

**TUESDAY 23 JUNE, 2015 AT 6.00 P.M. AT THE COUNCIL HOUSE**

**Committee Members Present** Councillor P. Smith (Chair)  
Councillor E. Hazell (Vice Chair)  
Councillor R. Burley  
Councillor A. Ditta  
Councillor M. Follows  
Councillor T. Jukes  
Councillor A. Kudhail  
Councillor G. Perry  
Councillor S. Wade  
Councillor T. Wilson

**Portfolio Holders** Councillor E. Hughes (Care and Safeguarding)  
Councillor C. Towe (Learning, Skills and Apprenticeships)

**Non elected non voting Members present** R. Bragger (Primary Teacher Representative)  
D. Blackwell (Secondary Teacher Representative)

**Officers Present** David Haley - Executive Director (Children's Services)  
Lynda Poole – Assistant Director (Access and Achievement)  
Tony Griffin - Interim Assistant Director (Children's Social Care)  
Andrea Potts - Assistant Director (Early Help, Children's Commissioning & Workforce Development)  
Neil Picken – Senior Committee Business and Governance Manager

### **496/15 APOLOGIES**

Apologies for absence were received on behalf of Councillor D. Shires and Mr S. Raynor.

### **497/15 SUBSTITUTIONS**

None.

#### 498/15    **DECLARATIONS OF INTEREST AND PARTY WHIP**

There were no declarations of interest or party whip identified at this meeting.

#### 499/15    **MINUTES**

Members considered the minutes of the meetings held on 14 April, 2015.

##### **Resolved:**

That the minutes of the meeting held on 14 April, 2015 a copy having previously been circulated, be approved as a true and accurate record.

#### 500/15    **INTRODUCTION FROM THE CHAIR**

The Chair welcomed all to the meeting and advised that Mr Blackwell (Secondary Teacher Representative) would be retiring and that this would be his last meeting. The Chair thanked Mr Blackwell for his contribution to the Committee over a number of years and wished him well in his retirement. These sentiments were echoed by the Committee.

The Chair referred Members to the report within the agenda which addressed many aspects detailed within the review of scrutiny arrangements in Walsall, undertaken by Professor Steve Leach.

In particular, the Chair sought the Committees views on whether or not the Minutes should make reference to individual members.

The Senior Committee Business and Governance Manager advised that the Chief Executive had issued guidance to Group Leaders on this matter in 2013. Minutes were not a verbatim record but a summary of proceedings which includes procedural matters which may arise during the transaction of business and reflects the essence of discussion and most importantly the decision itself. Further, Scrutiny Committees are non-political arenas and attributing statements to members could encourage political debate and prolong business whilst members make detailed addresses purely for the record.

Members debated the matter. It was the majority view that the Minutes should remain as they are currently produced because altering them would only serve to overcomplicate matters.

A debate followed during which members commented that:-

- The work programme should be balanced including both education and social care;
- The work of the Education Challenge Board should be scrutinised at each meeting with a focus on a number of themes throughout the year;

The Executive Director (Children's Services) advised that the Committee had a role in holding the Education Challenge Board to account. The Independent Chair had attended the previous Children's Services Scrutiny and Performance Panel to respond to questions and present the work of the Board.

**Resolved:**

That the Minutes of future meetings remain unchanged and should not reference individual Committee Member contributions.

**501/15 REVIEW OF OVERVIEW AND SCRUTINY IN WALSALL**

The Committee considered a report [annexed] setting out the findings of a review of the scrutiny function undertaken by Professor Steve Leach during March and April, 2015.

The Committee considered the report and recommendations. The Portfolio Holder (Care and Safeguarding) welcomed a greater emphasis on working groups as they were identified as areas of good practice, within the review.

In relation to a briefing session prior to each Committee it was agreed that they should be trialled. The Senior Committee Business and Governance Manager agreed to arrange training on the performance scorecard. The Executive Director (Children's Services) advised that there could be opportunities to use this time to receive training or further information prior to the meeting.

The Committee discussed recommendation 14 and felt that, given the current budget pressures, the support arrangements in terms of taking minutes should remain the same. In relation to recommendation 16, which proposed a budget being established to draw on external advice, it was the Committee's view that this was not required.

**Resolved:**

1. That sessions, to take place 30 minutes before each Committee be arranged for training and briefings;
2. That the support provided to the Committee in terms of taking minutes remains the same;
3. That a budget of 20k to draw upon external advice, when required, to support the work of the Scrutiny should not be established.

**502/15 AREAS OF FOCUS 2015/16**

The Committee considered a report and presentation [annexed] providing background information to enable the Committee to agree the areas of focus for the 2015/16 Municipal Year.

The Assistant Director (Access and Achievement) addressed the Committee in relation to education in Walsall.

The Committee was advised that, since 2014, the Local Authority had categorised all schools and Academies against their performance, outcomes and quality of provision. The categories direct and allocate Local Authority resources so the schools that are achieving less well and have more challenges to improvement receive more challenge, monitoring and support. The categories for each school were reviewed each term and are also known as 'bands'.

It was highlighted that the information detailing which band schools were in was confidential. An agreement between the council and schools was in place regarding this specific point.

The Chair stated that it was his view that the Council's assessment of which band schools were in needed to be made public. Without the information in the public arena it would be difficult to scrutinise the Council to ensure that it was doing its job effectively. He stressed the importance of making this information public.

A Member of the Committee advised that banding was different from Ofsted judgments and that levels of support for schools differed according to the band in which they were placed. The banding arrangements changed according to the school's performance and circumstances. For example, a Head and Deputy Head could leave which would require additional support from the Local Authority and hence, a change in banding. The Member continued stating that publishing the schools in each band would be a risk as not only could they change each term but the information could be misinterpreted by the public as official judgments rather than a tool to identify where challenge and support was required. Further, schools in lower bands could be perceived, sometimes incorrectly, to be underperforming. It was important to note that schools may stop participating in the process and become wary of asking for support if the information was to be made public. The relationship between schools and the Local Authority had improved from previous years and this required trust on both sides. It was the Member's view that the information in relation to banding should be kept private between schools and the Local Authority.

The Chair disagreed stating that this would never be his view, as a local Councillor.

A number of Members supported the view that the information should be kept private. Parents had full access to Ofsted judgements which would help inform their choice of school for their children. The banding arrangement with the Local Authority was not an official judgement and should not be published.

The Chair re-iterated his view stating that schools cover up and protect their own backs. Further to this, if the Local Authority did not wish to make the information public it would prevent the Committee from having evidence available on which to judge performance.

The Portfolio Holder (Care and Safeguarding) advised that making the information public could lead to a misinterpretation of the facts by the media. The purpose of the banding system was to ensure that schools receive appropriate support in order to

assist them in making improvements to benefit education for the children of the Borough.

A further Member advised that they were on a committee when banding was discussed previously. He advised that this was a very important issue for schools. When schools receive a poor judgement it takes a considerable period of time to overcome the stigma that becomes attached to them. It was vitally important that the Local Authority works with schools to support them in raising standards. Further, it would be wrong to highlight and kick those schools striving to improve outcomes with the support from the Local Authority. In light of this it was their view that the information should be kept private.

The Senior Committee Business and Governance Manager advised that it was his understanding that the matter would require further discussion between the Local Authority and Head Teachers. Given this, a clear steer from the Scrutiny Committee, in terms of whether it wished for the information to remain confidential or indeed be made public, would facilitate future discussions.

Further to the advice provided, it was moved by Councillor Perry and seconded by Councillor Wade:-

**That the banding arrangements which place schools in categories A – D remains confidential.**

The motion having been put to the vote was declared carried with 9 members voting in favour and 1 against.

The Chair questioned how many schools were in special measures? The Assistant Director (Access and Attainment) advised there were 3 schools in Special Measures but stated that no schools had entered special measures during the last two years (excluding the University Technology College).

The Executive Director (Children's Services) advised that the Council's challenge was to ensure that schools judged to require improvement and those that are 'coasting' improve rapidly.

The Chair asked whether the Council was robust in its own assessment of schools and whether it was a close representation to that of Ofsted. The Assistant Director (Access and Achievement) advised that the Council was robust in its assessments that followed the Ofsted criteria. School performance was measured on each indicator.

The Assistant Director (Access and Achievement) highlighted that 3 School Improvement Advisors would be recruited to assist in delivering school improvement. A Member asked how big a role School Improvement Advisers would play and also how difficult it was to recruit Head Teachers as it was their understanding that it was difficult to recruit to schools in poorer areas of the Borough. The Executive Director (Children's Services) advised that it was a real challenge to recruit and retain quality Head Teachers in schools. The difficulty of the challenge should not be underestimated and it was a significant issue for the Council. Strong leadership and

staff were the key to deliver the initiatives to raise school improvement within Walsall. There were schools which would not have substantive leadership in place for September, 2015.

A Member asked whether young people excluded from school would be allowed to take exams. The Assistant Director (Access and Attainment) advised that historically this was not the case, however, young people are now enrolled to take exams or explore alternative pathways.

The Chair asked why the 4 secondary schools rated inadequate were all Academies. The Assistant Director (Access and Attainment) explained that work was underway with Regional School Commissioners to hold these schools to account. The Council is challenging the Regional School Commissioner on the performance of Academies and advised that Interim Executive Boards were in place in 3 schools. It was stated that one of the schools had employed 4 different Head Teachers over a 14 month period.

In terms of development and expansion of schools, it was asked if there was a capacity for a development in Goscote due to a nearby housing development. Officers advised that there were no section 106 monies available as the new housing development was not significant enough in terms of size. Children that reside at the new dwellings would be offered a place at Edgar Stammers or Goldsmiths. The Committee were assured that work was being undertaken with the Economy and Environment Directorate and that an update on school developments would be brought to the next meeting of the Committee.

The Committee received a presentation on Safeguarding. In response, a Member questioned how long it took for Foster Carers to be approved as it was his understanding that the private sector are able to process applicants much quicker than the Council. The Member was advised that this information would be provided and discussed at the Committee meeting to be held on 8 September, 2015.

A discussion followed on the issue of domestic violence. It was explained that the Domestic Violence Referral Team processes had been changed to facilitate 'real time' decision making. There was still a need to do better and find different ways of working. There would be linkages with Adults Services to avoid a person 'falling through the net' and this was being developed.

In terms of the Areas of Focus for the municipal year, a member of the Panel moved that a Working Group be established to consider Youth Service Provision.

## **Resolved**

1. That the list of banding arrangements which place schools in categories A – D remains confidential;
2. That a list of school building works/improvements be submitted to the Committee at its meeting to be held on 8 September, 2015;
3. That the recruitment process for Foster Carers be considered by the Committee at its meeting to be held on 8 September, 2015, as part of the item 'Fostering and Adoption' Final Working Group report;

4. That a Youth Provision Working Group be established consisting of the following Members:-

- Councillor G. Perry
- Councillor T. Jukes
- Councillor A. Kudhail
- Councillor R. Burley
- Councillor T. Wilson

#### 503/15 **EDUCATION HEALTHCHECK**

The Committee considered a report [annexed].

The Committee were advised that since 2014 the Local Authority categorised all schools and Academies against their performance, outcomes and quality of provision. The categories direct and allocate Local Authority resource so that the schools that are achieving less well and have more challenges to improvement receive more challenge, monitoring and support. The category for every school is reviewed each term.

Members considered the report and appendices noting that a substantial number were judged by Ofsted as inadequate or requires improvement. This included Academies. It was asked what was being done to address this, particularly within Academies. The Executive Director (Children's Services) advised that in many cases Sponsors took over schools which were not performing in order to raise attainment and improve. This required time to become embedded.

#### **Resolved**

That the report be noted.

#### 504/15 **BLACK COUNTRY UNIVERSITY TECHNOLOGY COLLEGE**

The Executive Director (Children's Services) advised that following an inspection in March 2015, the Black Country University Technology College (UTC) was placed in Special Measures. The UTC subsequently took the decision to close and informed the Council. The Council then undertook to secure alternative places for the pupils who had attended the UTC.

It was made clear the Council had not been invited to discussions regarding the closure of the UTC and this had been raised with the Department for Education. It was re-iterated that the Council is supporting all students to find alternative places.

There then followed a number of questions by the Chair including:-

Q. What was the Local Authorities role in the college since September, 2011?

Q. Were any Governors representatives of the Council?

- Q. What knowledge did the education section, portfolio holder and Scrutiny have of events leading up to the closure and the closure itself?
- Q. Did the college ever ask for support?
- Q. Who was held to account for the closure?
- Q. What happened to the staff?
- Q. What happened to the students?
- Q. What powers did the Council have to intervene?

Other Members of the Committee asked:-

- Q. Who knew about the failures in advance of the closure?
- Q. What support was in place for students and would they be required to re-start a year due to the disruption?
- Q. How well had parents and students been engaged with prior to and after the closure?
- Q. There is another 14 – 19 school within the Borough where the same challenges apply - is the Council engaging with them?

The Executive Director (Children’s Services) suggested that he provide a briefing note to respond which was accepted by the Committee.

**Resolved:**

That the Executive Director (Children’s Services) provides a briefing note to Members of the Committee responding to the questions raised in relation to the closure of the Black Country University Technology College.

**505/15 DATE OF NEXT MEETING**

The date of the next meeting was noted as 8 September, 2015.

The meeting terminated at 9.15 p.m.

Chair: .....

Date:.....