

## CHILDREN'S AND YOUNG PEOPLE SCRUTINY AND PERFORMANCE PANEL

16 April 2009 at 6.00 p.m.

**Panel Members present** E. Hughes (Chair)  
M. Bird  
B. Cassidy  
R. Carpenter  
H. Khan  
R. Martin  
E. Pitt

### **Non-Elected Voting Members**

Evelyn Chawira Parent Governor  
Alan McDevitt Parent Governor

### **Non-Elected Non-Voting Members**

Bob Grainger Secondary School Teacher Representative

### **Officers present**

Jude Allerton BSF Project Support Officer  
Alison Butcher BSF Project Director  
Kay Child Interim Assistant Director –  
Children's Services  
Barry Fielding BSF Interim Project Director  
Louise Hughes Assistant Director – Children's  
Services  
Kevin Kendall Head of Property Services  
Paul Nicholson Regeneration Manager –  
Development  
Sue Wedgwood Assistant Managing Director –  
Walsall Children's Services - Serco  
John Williams  
Angela Walker Scrutiny Officer

In opening the meeting, the Chair introduced Kay Child who had been appointed as interim Assistant Director for Children's Services

### **92/08 APOLOGIES**

Apologies for absence were submitted on behalf of Councillor C Towe, Councillor K Chambers and Ken Yeates for the duration of the meeting.

### **93/08 SUBSTITUTIONS**

The following substitution to the panel was submitted for the duration of the meeting:

- Delete: Councillor C Towe
- Substitute: Councillor R Carpenter

#### **94/08 DECLARATIONS OF INTEREST AND PARTY WHIP**

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

#### **95/08 MINUTES**

##### **RESOLVED:**

**That the minutes of the meeting held on 5 March 2009, copies having previously been circulated, be approved as a true and accurate record.**

#### **96/08 FORWARD PLAN**

##### **RESOLVED:**

**That the forward plan dated 9 March 2009 be noted**

#### **97/08 BUILDING SCHOOLS FOR THE FUTURE**

As resolved at the meeting of 5 March 2009, the Panel received an update and further detailed background information on the scoring of criteria for Building Schools for the Future (BSF) funding and the selection of schools.

Barry Fielding introduced Alison Butcher, who had recently been appointed as BSF Project Director. Members were pleased to note that Barry would be contracted to continue to support the BSF project team in the future.

Members were informed that discussions with Partnership for Schools on Wave 6a were moving forward and that an agreement in principle had been reached whereby a sixth school could be included in Wave 6a. The Office of the Schools Commissioner had not been satisfied that enough National Challenge Schools had been included in Wave 6a and therefore successful negotiations had taken place to include a sixth school in this wave. Cabinet would make the decision on which school was selected.

Barry Fielding added that an announcement on Wave 7 was due on 22 April 2009 and he was confident that Walsall, being a high priority area, would also be included in this wave. Receipt of Wave 7 funding would enable Walsall to address all of its National Challenge Schools.

The Chair enquired whether the shortfall in Learning and Skills Council funding for colleges would affect BSF funding and whether there was likelihood that BSF funding would be used to address any of this shortfall. In response, Barry Fielding stated that all Government funded programmes were likely to come under scrutiny in light of this, however, there was no indication that BSF would be affected.

Kevin Kendall explained that the condition surveys used as the basis for the scoring of the building condition criteria were between four and five years old. However, local knowledge of officers from both Property Services and Walsall Children's Services – Serco, was also utilised and factored into the scores allocated. Any investment received since the surveys had been carried out had also been taken into account.

Barry Fielding added that where investments had been made at a school premises, efforts would be made to ensure they would be retained and not demolished or rebuilt as part of the BSF programme.

A Member asked why Pupil Referral Units (PRU's) and Special Schools had been added to the scoring matrix since the last time this had been presented to Scrutiny. Barry Fielding responded that if a PRU had been included in Wave 6a, it would not have been cost effective and would have been at the expense of other secondary schools. The scoring matrix showed that one PRU and one special school had scores that would place them in Wave 7 and as such would receive a maximum of £6-7 million. Officers were therefore investigating the possibility of integrating a PRU within another secondary school.

In response to a co-opted Member's question, Barry Fielding stated that the additional school to be included in Wave 6a would mean that up to £115 million would be available to address the six projects, rather than the original estimate of between £85-100 million for the five schools. The co-opted Member explained that his query originated from the fact that a recent Cabinet report on Sheffield stated that the indicative funding allocation for the rebuild and refurbishment of the school would be £23.5 million and he wanted to compare the likely costs for each school under BSF. In response, Kevin Kendall explained that Sheffield was a 50% rebuild and 50% refurbishment. Barry Fielding added that Sheffield was subject to a different procurement method and would be funded through the National Framework. National Framework funds the entire project whereas projects within BSF were not funded for the entire project value.

Louise Hughes stressed that the addition of a sixth school to Wave 6a had been a significant achievement for Members and the BSF team, as they had faced some resistance from Government during negotiations. This was a good news story and meant that another school would now be elevated into Wave 7 as well.

Members expressed concerns that Willenhall School may not be addressed in Wave 6a despite it being the only school to be considered as having a "serious condition" in terms of its buildings. In response, Kevin Kendall stated that the building condition scores formed only part of the picture in calculating the total score for each school. A Member enquired as to which of the criteria meant that Willenhall achieved a lower ranking than other schools. Barry Fielding responded that affordability was one of the key criteria, as Willenhall would be a complete rebuild. Members were informed that it might be possible to resequence rebuilds if the Council received both Wave 6a and Wave 7 and to submit one business plan covering both waves.

A Member stated that it was important to ensure that the contract was monitored properly, that value for money was achieved and that the appropriate materials were used in each of the projects. This would all need to be overseen through strong political leadership. Barry Fielding responded that the contract would be monitored; however, ongoing contract management would not be required until approximately 18 months time. The next stage in the process would be for Partnership for Schools to appoint specialist architects to work with Headteachers and schools to produce designs for the work to be carried out. The designs would need to be signed off by Government and there would be ongoing checks and balances to ensure each project was within the affordability gap.

Members discussed the importance of using local labour wherever possible for the contract. A Member advised that sometimes frameworks could be prescriptive as to what labour can be used on a project. The Council's framework contract allowed the requirement for local labour to be used, however the framework contract would not apply under BSF. Barry Fielding assured Members that a constraint regarding the use of local labour could be entered into the BSF contract.

A Member expressed concern over the affordability gap presented by BSF. The Member explained that the Council had assets in its unused school playing fields that could be sold and the capital receipts from the sale of these could be ploughed back into the BSF programme to address the affordability gap. He added that the Council needed to start looking into this now in anticipation of future events. The Member asked that officers send a letter to the secretary of state to ask for leeway to use any capital receipt from the sale of playing fields to address the BSF affordability gap. Louise Hughes responded that there was already action underway by part of the team to look into addressing the affordability gap and that it was vital that early preparation work was done to plan how the affordability gap could be bridged. Barry Fielding gave assurances that a letter would be sent to the Secretary of State and Partnership for Schools proposing the use of capital receipts from the sale of playing fields to address the affordability gap. Louise Hughes added that the BSF programme actually sits within the remit of the Regeneration Scrutiny and Performance Panel, but that the Children's and Young People Scrutiny and Performance Panel would continue to receive updates as a client of the programme. Louise Hughes would inform Tim Johnson, as Executive Director for Regeneration, of the Panel's resolution.

**RESOLVED:**

**That officers of the BSF team write to the Secretary of State and Partnership for Schools, requesting the potential for leeway to use capital receipts from the sale of Council owned unused school playing fields to address the BSF affordability gap.**

**98/08 UNAUTHORISED ABSENCE POLICY**

Sue Wedgwood talked to the briefing note on page 28 and 29 of the agenda papers. Historically, there had been high levels of absenteeism in Walsall and it was identified that absences due to extended leave were affecting this. A working party was established in 2006 to address this and as a result, a policy was created to guide schools in dealing with these issues. Members were informed that new legislation from the Department for Children Schools and Families (DCSF) was released in summer 2008 and, in light of this; the working group had been reconvened to review and update the policy. Initial findings suggested that although Headteachers welcomed the policy, they felt it needed to be implemented consistently across all schools. She added that where the policy had been adopted and followed, it had been successful.

Sue Wedgwood stressed the importance of pupils attending school regularly, as it was key to improving GCSE attainment. The policy helped to ensure that children were safeguarded, if the policy was not adhered to and unauthorised extended leave was taken, the child's name would be taken off role, however the child would still be monitored by Walsall Children's Services – Serco.

A Member stated that it was important to ensure a uniform approach was taken in applying the policy and that schools should be given the necessary support to do this.

A co-opted Member stated that this was more of a problem at undersubscribed schools where a child could be taken on unauthorised extended leave and on their return given their place back due to the number of spare places on role. The Member asked how many penalty notices had been issued since the policy had been implemented. Sue Wedgwood responded that she did not have the figures but that they could be provided outside of the meeting. She added that Croft Community School had been very successful in implementing the policy and that it was unfortunate the Headteacher had been unable to attend the meeting.

A Member stated that once the policy was in place, community engagement was crucial in order to address those abusing the policy. He added that it was important to stress the implications of poor attendance, such as the fact that only 26% of pupils who are absent 20 days or more per year achieve 5 or more good GCSE grades, as it was likely that parents would not be aware of this. The Member stated that he was aware of councillors who had come under pressure from constituents whose children were not given their place back at their school on return from unauthorised extended leave. Councillors would be asked to attempt to get the child back into the school, however, the Member felt that in these instances, Councillors should not bow to the pressures and instead uphold the school's policy.

A co-opted Member expressed the opinion that when a child returns from extended leave it can have a negative impact on not only their own education in that they would have to catch up with the rest of the class, but can also impact the entire class in doing so. Sue Wedgwood disagreed that there was an adverse affect on the rest of the class in these cases and explained that the policy did not stand alone, but was part of a raft of measures aimed at raising aspiration and the value of education.

The Panel agreed that once the working group had updated the policy, Sue Wedgwood would bring this back to Scrutiny for their consideration

## **RESOLVED**

**That:**

- a) **Sue Wedgwood will provide Members with the number of penalty notices issued since the unauthorised absence policy was introduced, outside of the meeting**

**and;**

- b) **An update on the unauthorised absence policy will be presented to the Panel once it has been refreshed by the working group**

## **99/08 CARRY OVER ITEMS**

### **RESOLVED:**

**That the carry forward items for 2009/10, as outlined in the report previously circulated, be agreed**

## 100/08 TRAINING OPPORTUNITIES

The Panel noted the available training opportunity – Comprehensive Area Assessment – a half-day workshop for Elected Members on CAA and the implications for local Overview and Scrutiny processes.

The meeting terminated at 7.15 pm

Chair:

Date:

DRAFT