

## SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES

MINUTES of a meeting of the Scrutiny Committee for Children's Services held at County Hall, Lewes, on 20 June 2007.

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PRESENT	Councillor Elkin (Chairman) Councillors Dowling, Field, (Vice-Chairman) Gadd, Kramer, Ost, St Pierre, Whetstone and Waite  Jeremy Taylor (C of E Diocese) Frank Myers (RC Diocese) Sarah Maynard (Parent Governor) Sam Gregory (Parent Governor)
Chief Officer	Matt Dunkley, Director of Children's Services
Legal Adviser	Jonathan Ruddock-West, Assistant Director of Law
Scrutiny Lead Officer	Gillian Mauger
Also present	Councillor Glazier, Lead Member for Children's and Adult Services Penny Gaunt, Assistant Director Strategy and Resources Bill Lyttle, Head of School Improvement Service Jack Cordery, Head of Integrated Children's Services (East) Geoff Evans, Head of Admissions and Transport (client) Annie Petch, Democratic Services Officer

Before the start of the meeting the Committee thanked Councillor Gadd for his past Chairmanship.

### 1. MINUTES OF LAST MEETING

1.1 RESOLVED – to confirm as a correct record the minutes of the last Scrutiny Committee meeting held on 14 March 2007.

1.2 The Chairman advised the Committee that Rhiannon Barker, from East Sussex Downs and Weald Primary Care Trust had accepted the position of Health Representative on the Committee.

1.3 Under this item the Director of Children's Services updated the Committee that following consultation with Lead Members from all parties a new target measure around bullying had now been developed. A benchmark survey on the attitudes of young people towards bullying would be carried out in July, followed up with subsequent surveys at regular intervals to measure the impact of the work by the Anti-Bullying Team.

### 2. APOLOGIES FOR ABSENCE

2.1 Apologies for absence were received from Councillor Paul Silverson, Mrs Carole Shaves and Rhiannon Barker.

2.2 The Chairman advised the Committee that due to having a prejudicial interest in the call-in item Tony Campbell had appointed Mr Frank Myers as his substitute for the meeting.

### 3. DISCLOSURE OF INTERESTS

3.1 Councillor Kramer declared a personal interest in item 5 in that she is Chair of Trustees for the Bridge, in Hastings.

3.2 Mr Jeremy Taylor declared a personal interest in item 9 in that he is a trustee for Southern Educational Leadership Trust.

3.3 Councillor Field declared a personal interest in item 6 in that she is a director of the Sussex Careers Service.

### 4. REPORTS

4.1 Copies of the reports referred to below are included in the minute book.

### 5. URGENT ITEM

5.1 The Chairman advised the Committee that he had received a call-in request as an urgent item. The call-in was on the decision made by Cabinet regarding assistance with transport for pupils attending denominational schools. The item was considered as urgent due to the fact that the call-in request had not been received prior to the agenda being despatched, and not discussing the item at this meeting would mean that the Committee would need to hold another formal meeting by 28 June 2007.

### 6. EAST SUSSEX CHILDREN'S CENTRES

6.1 The Committee considered a report by the Director of Children's Services providing information on the development of Children's Centres in East Sussex.

6.2 The Committee was updated on the work during each of the phases:

- Phase 1 - 10 Children's Centres were opened in Phase 1 (although the opening of one of these had slipped into Phase 2) and all childcare targets were all met. Initially there had been concern from GOSE over the Department not achieving the Phase 1 targets but, as this had not been founded, East Sussex County Council was now considered low risk and was progressing better than other local authorities in the South East.
- Phase 2 - East Sussex County Council is on target to open all Phase 2 centres by April 2008 and anticipate a significant number opening early in autumn 2007.
- Phase 3 - The level of funding for this phase is not yet known. Phase 3 will not focus as much on providing specific Children's Centres buildings but will be focussed more on signposting provision and access to home-visiting services. There will be a range of models for providing provision, including the siting of some provision in local primary schools.

6.3 In response to queries from the Members it was confirmed that:

- Although it was still too early to provide hard data on the impact that the centres there had been a good uptake of places and the number of young women who access support for domestic abuse was increasing.
- The overspend of £150,000 in Phase 1 was due to an accelerated building programme with additional contractors being used. No overspend was anticipated in Phase 2.
- East Sussex County Council still has some way to go to narrow the difference between the super-output areas and the rest of the county. However priority was being given to

the 30% super-output areas and ensuring that areas of rural deprivation were catered for.

6.4 Members questioned whether residents could access Children's Centre services across county borders. The Director of Children's Services agreed to investigate this matter further and provide information to Members outside of the meeting.

6.5 Members recognised a key indicator of success for the Children's Centres would be measuring the impact they had have on improving the start for children at primary school level.

6.6 RESOLVED – to (1) note the continued progress of the Children's Centre Programme;

(2) Receive an update in autumn 2008 on Phase 3 funding and outcomes, particularly in relation to the impact of Children's Centres on improving the start for children at primary school level; and

(3) Receive feedback at the September meeting from Members who attend the visits to Children's Centres in July.

## 7. THE EAST SUSSEX COUNTY COUNCIL YOUTH DEVELOPMENT SERVICE

7.1 The Committee considered a report by the Director of Children's Services on the role of the Youth Development Service.

7.2 The Head of Integrated Children's Services provided further numerical data on the key targets by which youth services are measured:

- Contact – what proportion of the 13-19 population access youth services – the 25% target equated to 11,000 young people
- Participation – of those reached how many actively participate to the point of shaping and planning activities and learning – the 15% target equated to 6,500 young people
- Recorded Outcomes – what proportion of those young people who participate achieve recorded outcomes – the 60% target equated to 3,700 young people
- Accredited Outcomes – what proportion of those young people achieving recorded outcomes go on to achieve externally accredited (validated) outcomes – the 30% target equated to 600 young people

7.3 The Head of Integrated Children's Services acknowledged that the only target the Service was not meeting was the accredited outcomes and further work was ongoing in this area. The aim was to find an area that a young person was interested in and then develop this to produce some accredited outcomes.

7.4 In response to queries from the Members it was confirmed that:

- The importance of young people enjoying themselves was recognised by the Service and early feedback received from the inspectors shows that the Service was strong on supporting young people to enjoy themselves.
- Citizenship was at the heart of youth work in terms of values and contributions made.
- The Youth Development Service was developing the level of volunteers in the Service through the Millennium project.

- Precise figures are not available on the level of contribution to universal Youth provision made by the voluntary sector, although it was acknowledged to be substantial. A Youth Offer mapping exercise was currently being carried out in relation to this and the results would be available in the autumn. A future aim of the Service was to be able to capture the outcomes of the work carried out by the voluntary sector.

7.5 RESOLVED – to (1) note the contents of the report; and

(2) Express Members' thanks and appreciation to the staff in the Youth Development Service and;

(2) Receive a further report in September providing the outcomes from the Youth Offer mapping exercise, the final judgement on the Enhanced Youth Inspection; and an update on progress towards the target for accredited outcomes.

8. PROGRESS REPORT ON ACTION FOLLOWING THE SCRUTINY REVIEW OF HOME TO SCHOOL TRANSPORT

8.1 The Committee considered a report by the Director of Children's Services updating them on Scrutiny Review of Home to School Transport.

8.2 Issues and comments regarding the content of this report were raised under item 14 of the agenda.

8.3 RESOLVED – to note the contents of the report.

9. PROGRESS REPORT ON ACTION FOLLOWING THE SCRUTINY REVIEW OF SCHOOL ADMISSIONS

9.1 The Committee considered a 12 month update report by the Director of Children's Services on the progress against the recommendations in scrutiny review action plan and an update on changes to school admissions resulting from the Education and Inspections Act 2006.

9.2 RESOLVED – to (1) note the content of the report; and

(2) Sign off the action plan from the Scrutiny Review of School Admissions and agree that no further monitoring was required.

10. PROGRESS REPORT WITH REGARD TO RECOMMENDATIONS MADE IN THE SCRUTINY REPORT OF MARCH 2006 ON THE CfBT EAST SUSSEX SCHOOL IMPROVEMENT SERVICE (SIS)

10.1 The Committee considered a 12 month update report by the Director of Children's Services on the on the progress against the recommendations in scrutiny review action plan.

10.2 In response to queries from the Members it was confirmed that:

- There had been an increase in candidates for headteachers and there were more applications from within the county. There was a good group of deputy headteachers and was important these were supported when preparing for headteacher interviews.

- East Sussex County Council compared favourably to other regions in terms of recruitment and nationally was comparable in terms of turnover. It was acknowledged that six schools still had recruitment difficulties though.
- There is a national problem with the current processes in place for headteacher recruitment. A working group was currently looking at any differences between church schools and other maintained schools for recruitment of headships to try and ensure consistency of approach.
- Places on the National Professional Qualification for Headteachers (NPQH) are likely to be rationed in the future and achieving the qualification may become mandatory in 2009; this could result in recruitment difficulties. The School Improvement Service is considering running a scheme alongside the NPQH qualification to complement it.

10.3 RESOLVED – to (1) note the progress made against the recommendations from the Scrutiny Review of the School Improvement Service action plan; and

(2) Sign off the action plan and agree that no further monitoring was required.

## 11. CONTEXTUAL VALUE ADDED DATA

11.1 The Committee considered a report by the Chairman of the project board updating on the work of the Contextual Value Added Board and outlining its suggestions for further work in this area.

11.2 Thanks and appreciation were given to Martin Kaliszewski for his training sessions and all Members were urged to attend the next training session being held on 1 November, prior to the next Education Standards Panel meeting.

11.3 RESOLVED – to support the following suggestions of the project board:

(1) Training on contextual value added data should form part of the annual training programme for all members; and

(2) The Education Standards Panel should have a further presentation on how contextual value added data is used by schools and the local authority to set targets, with a view to exploring this issue further.

## 12. FUTURE TOPIC FOR A SCRUTINY REVIEW

12.1 The Committee considered a report by the Director of Law and Personnel outlining suggestions for a future scrutiny review on a health related issue such as smoking cessation, alcohol abuse or exercise and sport.

12.2 RESOLVED – to (1) canvass all Committee members for volunteers to form a review board. At its first meeting the review board will agree the exact scope of the review based upon the suggestions within the report; and

(2) To agree that a desk top review on the recruitment and retention of teachers be carried out by the Scrutiny Officer and Councillor Dowling. A report on the findings of this review is to be presented to the Committee in the autumn.

### 13. SCRUTINY COMMITTEE 2007 WORK PROGRAMME

13.1 The Committee considered a report by the Director of Law and Personnel.

13.2 RESOLVED – to note the work programme without comment.

### 14. FORWARD PLAN

14.1 The Committee considered the Forward Plan for the period 1 June 2007 to 30 September 2007.

14.2 RESOLVED – to request a report on the Autistic Spectrum Disorder policy and strategy at the meeting in November 2007.

### 15. CALL IN – REGARDING ASSISTANCE WITH TRANSPORT FOR PUPILS ATTENDING DENOMINATIONAL SCHOOLS

15.1 Mr Tony Campbell with the support of two other committee members, Mrs Sarah Maynard and Mr Jeremy Taylor, had called-in the decision on assistance with transport for pupils attending denominational schools, made by the Cabinet on 5 June 2007. The Monitoring Officer had agreed to the call-in on the basis that it was confined to three out of the eight points raised in the call-in letter.

15.2 The Committee considered a report by the Director of Law and Personnel on the call-in process. The Committee's legal advisor confirmed that as this was a matter concerning education, the parent governors and diocesan representatives would have a vote.

15.3 Mr Frank Myers outlined the reasons for the call-in on behalf of the Diocesan of Arundel and Brighton. He expressed regret that the Monitoring Officer had not allowed five of the eight grounds on which he believed the process was flawed. He also stated that he did not believe that the Monitoring Officer's judgement on prejudicial interest was correct. Mr Myers also advised the Committee that should the Committee not agree that further research should be carried out and the decision be referred back, then the Diocesan of Arundel and Brighton would consider supporting parents who wish to exercise their right to refer the decision to the Ombudsman.

15.4 Mr Myers outlined the argument behind the three grounds specified in the call-in request:

#### The impact on school places was not researched

It was felt that there was insufficient research into this matter and an analysis of the impact on schools of introducing charges should be carried out in a few areas, such as Bexhill, Hastings and Eastbourne.

A request for a record of any input the school place planning officers made to the decision making process was made.

The local dioceses could have been approached and we could have also approached the dioceses in Essex and Northamptonshire for evidence of impact.

Questionable data from neighbouring local authorities and a lack of interest in who uses the places at St Richard's school was also highlighted.

The Council had failed to recognise in the financial benefit to itself from Church land, buildings and finance

The savings analysis to support the decision was superficial and it failed to take all the costs and benefits into account.

The Council has a duty to give a balanced account of the situation and the facts about the value of the contribution by the Church were not provided as part of the consultation.

The Secretary of State's advice was ignored so no relevant research was carried out.

The Secretary of State's statement was included in a formal letter to Chief Education Officers as far back as December 1981. It was repeated in 1996 and the DfES has seen fit to include the same wording in its latest Guidance which was available in draft in December 2006. No research was done to establish which schools might fall into the category of those where the Council had supported the siting of schools on the basis that children would be able to get to them by assisted transport. It is clear therefore that the Council failed to have regard to this advice. Subsequent legislation has enhanced, not weakened the duty of local authorities to promote diversity of choice in schooling and meet the preferences of parents.

15.5 Mr Myers requested that the matter be referred back to Cabinet to allow for further research to take place

15.6 Mr Jeremy Taylor supported Mr Myers and advised the Committee that the Bishop of Chichester wants to stand shoulder to shoulder with the Diocese of Arundel and Brighton. Mr Taylor supported the argument about the impact on school places, specifically in relation to the effect on Bishop Bell CE School in Eastbourne should the decision stand, as church places are at 50% of the intake and a disturbance in the admissions process would not be welcomed. He also drew attention to the pressures on parents, who were above the financial line for assistance, who would have to pay for several children. He also thanked the Head of Admissions and Transport, and the Lead Cabinet Member for Children's and Adult Services for their willingness to discuss issues.

15.7 Mrs Sarah Maynard advised she was speaking on behalf of parents and had taken advice from the Centre of Public Scrutiny and the Chairman of Public Accounts Committee. She advised the Committee that parents who had discussed this issue with her had opposed the decision, in view of this she asked for further evidence that the consultation carried out had been taken into account. Mrs Maynard also expressed concern about the call-in procedures followed.

15.8 Mrs Maynard also explained that she had spoken with officers in the Transport and Environment Department who had not been able to access all the financial information on 93% of the Transport to School budget, and therefore without this information it was difficult to make a judgement on the 7% specified in this decision.

15.9 The Director of Children's Services responded to the arguments and issues raised. He reminded the Committee that the views made by the scrutiny review of Home to School Transport were taken to the Executive Review of Transport and the amount of evidence had been substantial. The Director accepted the concerns in respect of the partnership with the Dioceses raised in the call-in but went on to remind the Committee that Church schools have benefited from public funds over the years as well as vice-versa, and that the relationship between Church and state over education had historically been one of give and take.

15.10 The Secretary of State had not legislated to make support for transport mandatory and had passed up the opportunity to make it so, apart from cases of children in receipt of certain

benefits. East Sussex County Council had taken a balanced view of the advice by the Secretary of State and sought to make a decision in context of the whole Council. The Council will be providing support to St Richards School regardless of what parents earn. If more support was given then the Council would have to make cuts in other areas. It is not solely a financial decision; it is a fairness decision as well.

15.11 Work had been carried out using evidence based on what had happened in schools elsewhere. They had looked at other local authorities and no evidence had been found to show a drop in admissions to Church schools when support for denominational transport was reduced or removed.

15.12 Members of the original scrutiny review reminded other Members of the Committee that comprehensive research had been carried out as well as consultation with parents.

15.13 The Committee was reminded that the Cabinet decision had not been in line with the views made by the scrutiny review, but had been a compromise reflecting the views of those people against the proposed cuts following the consultation and was also linked to the charging policy and vacant seat policy.

15.14 The Committee was informed that St Richards School was built in 1950s, but the Council had not been able to locate any agreement with the Diocese about its siting and transport arrangements.

15.15 The Director of Children's Services advised the Committee that the 93% part of the budget highlighted by Mrs Maynard was statutory. There was an issue here regarding procurement and managing the supply of transport, with the need to ensure it is done better and the best possible prices are sought. The Director agreed to provide further data on this to the Committee when it was available.

15.16 The Lead Member for Children's and Adult Services reminded the Committee that the Cabinet Members had taken into account a large amount of relevant evidence when the decision was made. The process had been fair and the compromise that had been reached showed continued commitment to the schools.

15.17 A vote on the Motion moved by Mr Myers that the Committee refer the decision back to Cabinet for further consideration and research was taken and lost.

15.18 RESOLVED, by a vote of 7 members for and 2 members against, to proceed with the original decision.

The Chairman declared the meeting closed at 1.40pm