



LEAD MEMBER FOR LEARNING AND SCHOOL EFFECTIVENESS

DECISIONS to be made by the Lead Member for Learning and School Effectiveness, Councillor Nick Bennett

MONDAY 13 JULY 2015 10.00 AM

CC2. COUNTY HALL, LEWES

A G E N D A

- 1 Decisions made by the Lead Cabinet Member on Monday 8 June 2015 (*Pages 3 - 6*).
- 2 Disclosure by all Members present of personal interests in matters on the Agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct.
- 3 Notification of items which the Lead Member considers to be urgent and proposes to take at the end of the appropriate part of the agenda.
- 4 Proposed de-designation of Langney Children's Centre - Report by Director of Children's Services (*Pages 7 - 8*).
- 5 Hastings Academy Trust - process for ending sponsorship - Report by Director of Children's Services (*Pages 9 - 12*).
- 6 Any urgent items previously notified under agenda item 3.

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3 July 2015

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LEAD MEMBER FOR LEARNING AND SCHOOL EFFECTIVENESS

MINUTES of a meeting of the Lead Member for Learning and School Effectiveness held in CC2, County Hall, Lewes on Monday 8 June 2015.

Councillors Field, Forward and Shuttleworth spoke on items 3, 4, 5 and 6 (see minutes 3, 4, 5 and 6)

Councillor Charlton spoke on items 3 and 6 (see minutes 3 and 6)

Councillor Tidy spoke on item 6 (see minute 6)

1 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 11 MAY 2015

1.1 The Lead Member approved as a correct record the minutes of the meeting on 11 May 2015.

2 REPORTS

2.1 A copy of the reports referred to below are contained in the minute book.

3 APPROVAL TO CONSULT ON A REVIEW OF DISCRETIONARY SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) TRANSPORT PROVISION FOR THE 2016/17 ACADEMIC YEAR

3.1 The Lead Member considered a report by the Director of Children's Services which sought approval to consult on a review of discretionary Special Educational Needs and Disabilities (SEND) transport provision for the 2016/17 academic year.

DECISION

3.2 RESOLVED to (1) to approve consultation on the options set out in the report in order to reduce spend on the discretionary home to school/college budget from the start of the 2016/17 academic year;

(2) to approve, two parallel consultations over summer 2015; the first, on reducing the level of support for students with Special Educational Needs and Disabilities (SEND), and the second on removing travel support for post-16 students from low income families (LIF) and FE link transport; and

(3) to note that decisions on whether to proceed with these changes following the consultation final report and appropriate Scrutiny meetings, will be taken in the context of wider savings proposals by either the Lead Member or Cabinet in November 2015.

Reasons

3.3 It is anticipated that East Sussex County Council will need to reduce expenditure by £70-90 million between 2016/17 and 2018/19 and all areas will need to be considered.

4 APPROVAL TO CONSULT ON A REVIEW OF DISCRETIONARY POST-16 SUPPORT FOR LOW INCOME FAMILIES (LIF) AND RURAL LINK TRANSPORT PROVISION FOR THE 2016/17 ACADEMIC YEAR - REPORT BY DIRECTOR OF CHILDREN'S SERVICES

4.1 The Lead Member considered a report by the Director of Children's Services which sought approval to consult on a review of discretionary post-16 support for low income families (LIF) and rural link transport provision for the 2016/17 academic year.

DECISION

4.2 RESOLVED to (1) approve consultation on the 2 proposals set out in the report to reduce spend on the discretionary home to school/college budget from the start of the 2016/17 academic year;

(2) approve two parallel consultations over summer 2015; the first on reducing the level of support for students with Special Educational Needs and Disabilities (SEND), and the second, as set out in this report, on removing travel support for post-16 students from low income families (LIF) and FE link transport; and

(3) note that decisions on whether to proceed with these changes following the consultation final report and appropriate Scrutiny meetings, will be taken in the context of wider savings proposals by either the Lead Member or Cabinet in November 2015.

Reasons

4.3 It is anticipated that East Sussex County Council will need to reduce expenditure by £70-90 million between 2016/17 and 2018/19 and all areas will need to be considered.

5 REVIEW OF THE IMPLEMENTATION OF THE HOME TO SCHOOL TRANSPORT POLICY REGARDING CHILDREN LIVING WITHIN THE SHARED COMMUNITY AREAS - REPORT BY DIRECTOR OF CHILDREN'S SERVICES

5.1 The Lead Member considered a report by the Director of Children's Services which sought approval to review the implementation of the Home to School transport policy regarding children living within the shared community areas. The headteacher of Willingdon Community School, Mr Ian Jungius addressed the Lead Member.

DECISION

5.2 RESOLVED to agree the Home to School Transport (HTST) policy continues to be applied as written to ensure that children living within shared community areas are only provided with free transport to their nearest designated school, provided the eligibility criteria are met.

Reasons

5.3 The County Council has statutory obligations to provide free home to school transport for qualifying children. However, in East Sussex the policy has been interpreted more generously to provide discretionary transport to children who are not entitled for that support under the current policy or legislative requirements. The County Council is no longer in a position to provide free transport to children who do not have a statutory entitlement.

6 HASTINGS ACADEMY TRUST - PROCESS FOR ENDING SPONSORSHIP

6.1 The Lead Member considered a report by the Director of Children's Services which sought approval for East Sussex County Council to withdraw from the sponsorship of Hastings Academy Trust.

DECISION

6.2 RESOLVED to defer consideration of the proposal to a future Lead Member meeting.

Reason

6.3 This will allow for local Members to be briefed on the proposal before a decision is made.

(The meeting ended at 11.05 am)

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Committee: **Lead Member for Learning and School Effectiveness**
Date: **13 July 2015**
Title of Report: **Proposed de-designation of Langney Children's Centre**
By: **Director of Children's Services**

Purpose of Report: **To seek the Lead Members approval to de-designate Langney Children's Centre in Eastbourne following a consultation with local families about the appropriate relocation of services currently based at the Centre.**

RECOMMENDATION

The Lead Member is recommended to approve the de-designation of Langney Children's Centre to enable Langney school to use the building to accommodate additional nursery provision for two year olds.

1. Background

1.1 Eastbourne has seen a significant rise in births over the last 10 years rising from 862 in academic year 2001/02 to 1,190 in 2011/12. In addition, the adopted Eastbourne Core Strategy Local Plan provides for 5,022 new dwellings across the town in the period from 2006 to 2027.

1.2 Rising births and the roll out of the two year old offer have meant that the numbers of funded children in the town have been rising in recent years. It is anticipated that existing Early Years places will be more or less full by 2014/15, with shortfalls likely to arise in the West and East areas in the period to 2017/18. The increase in the 0-5 age group will have on-going implications for primary school places.

2. Supporting information

2.1 This proposal has minimal financial impact. The cost associated with running the Centre at Langney is approximately £8,000pa. These funds will be re-directed to secure space in community venues for the relocated services.

2.2 Langney Children's Centre is one of 5 Centres within the Eastbourne area and is a fairly small Centre situated on the Langney primary school site. Following recent changes to the Children's Centre offer and an increasing focus on targeting services towards the most disadvantaged, particularly those at level 3 on the continuum of need through the home visiting keywork service, the Centre offers a fairly limited number of regular universal activities on site. These are listed below with the number of families who attend.

Twins Club	8 different families accessed this group from January to March
Baby Club	23 different families accessed this group from January to March
Pop in and Play	32 different families accessed this group from January to March

The Centre is also used to provide parenting courses, adult education services and a volunteer preparation course.

Parents who use the services that currently run at the Centre will be consulted on the use of alternative community venues

2.3 "Designation" of Children's Centres is the process used by the Department for Education to certify that a Centre meets the statutory definition of a Children's Centre. De-

designation means that the Centre will be removed from the list of designated Centres held by the Department for Education and will not therefore be subject to inspection by OFSTED.

3 Conclusion and Reason for Recommendations

3.1 Additional early years education places are needed in the Langney area of Eastbourne and releasing the current Children's Centre building to provide these places is in the interests of children in that area. The current, limited, regular services provided from the Centre can be relocated to local community venues, using the small budget currently used for Centre premises costs. To release the building, however, it needs to be formally "de-designated" as a Children's Centre (otherwise it will continue to be subject to the requirement to deliver the broad range of services that are expected in order to meet the statutory definition of a Children's Centre). It is therefore proposed that Langney Children's Centre is "de-designated", the regular services relocated to community venues and the building used to accommodate the Langney Primary School nursery.

STUART GALLIMORE
Director of Children's Services

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Local Member: Councillor David Tutt

Agenda Item 5

Report to: **Lead Members for Learning and School Effectiveness**

Date: **13 July 2015**

By: **Director of Children's Services**

Title of report: **Proposal to end Local Authority's role as co-sponsor for Hastings Academy Trust**

Purpose of report: **To provide the Lead Member with information to support a decision**

RECOMMENDATION

It is recommended to the Lead Member that the Local Authority (LA) ends its role as co-sponsor for the Hastings Academy Trust.

1 Background

1.1 The Hastings Academies Trust was formed in 2011 to sponsor two secondary academies in Hastings and St Leonards.

The Trust's sponsors are:

- The University of Brighton
- BT

East Sussex County Council (ESCC) acts as co-sponsor to the Trust.

1.2 The Hastings Academy and The St Leonards Academy have been in operation since September 2011. The Local Authority's role as co-sponsor enabled it to play a leading role in the creation of the Trust and development of the first two academies. Acting as co-sponsor has, however, provided the LA with limited influence in the Trust since this early set-up phase.

1.3 The LA in its role as a Trust member has supported the two secondary academies in their journey to 'Good' Ofsted judgements and the extension of the Trust to include seven local primary schools. Dudley Infant Academy, West St Leonards Academy and The Baird Primary Academy joined the Trust during the 2013-14 year, whilst Churchwood Primary Academy, Hollington Primary Academy and Robsack Wood Primary Academy joined the Trust in September 2014. Silverdale Primary Academy recently joined in February 2015.

1.4 Academy schools were first introduced under the Labour Government through the Learning and Skills Act 2000 to improve pupil performance and break the cycle of low expectations in schools that had been struggling for some time or were in communities with low expectations. The first Academy schools were all 'sponsored academies' and all needed a private sponsor - an individual or an organisation. The sponsors were expected to bring "the best of private-sector best practice and innovative management" to academies, "often in marked contrast to the lack of leadership experienced by the failing schools that academies have replaced". Academy schools were given greater financial and academic freedoms to enable them to be more creative in delivering education and in order to improve performance.

1.5 The Academies Act in 2010 introduced by the Coalition Government made it possible for Ofsted rated 'Good' or 'Outstanding' schools to become 'convertor academies' without the need for a sponsor. Schools that are Ofsted rated 'Inadequate' and are placed in Special Measures are required to become a sponsored academy. Under this Act local authorities are not permitted to be sponsors of academies.

1.6 Local authorities have statutory duties to improve education for all children, as set out in Sections 13 and 13A of the Education Act 1996 as amended and as defined by the

Academy Act 2010 and the Education Act 2011. In 2014 the Government introduced the role of 'Regional School Commissioner' (RSC). There are eight regional RSCs and they are responsible for approving and monitoring academies and free schools in their area on behalf of the Secretary of State for Education. Their main responsibilities are to monitor the performance of the academies in their area and take action when an academy is underperforming.

1.7 Where the LA has concerns about the performance of an academy school they have a duty to raise any concerns they have about an academy's performance directly with their Regional Schools Commissioner. Statutory guidance from the Department for Education on 'Schools Causing Concern' also places a duty on the LA to 'seek to work constructively with academies and alert the Department for Education when they have concerns about standards or leadership in an academy.'

2 Supporting information

2.1 At the time ESCC sought to be a co-sponsor of the Hastings Academy Trust this was the most effective way for the Council to support the schools to improve performance. However, the education landscape has changed significantly since the Hastings Academy Trust was created and the New Academies Act in 2010 provided the opportunity for all schools to convert to academy status. Local Authorities are now not permitted to sponsor new academies. This has led the LA to review its role as a co-sponsor and it has reached the view that acting as a sponsor creates an unhelpful distinction in its relationship with the academies it sponsors and those that it does not sponsor. Being a co-sponsor of the Trust makes it difficult for the LA to discharge its statutory role in working with the Regional Schools Commissioner in relation to academies because of the conflict of interest.

2.2 The LA has a responsibility to champion educational excellence across all its schools and is committed to working with them irrespective of their status. All secondary schools in Hastings are now academies with either Hastings Academy Trust or ARK. It is anomalous that ESCC has a different relationship with the schools that are part of the Hastings Academy Trust than with the schools that are part of the ARK Academy Trust. The LA believes that it can more effectively champion the needs of all pupils in Hastings if it is not as a co-sponsor of the Hastings Academy Trust.

2.3 The recommendation to withdraw from the Hastings Academy Trust as co-sponsor is being proposed at a time when the University of Brighton, as the main sponsor, is also reconsidering its role and has reached the conclusion that now is the right time to consider changing the sponsorship arrangement. The University now has broader ambitions across Sussex and is seeking more involvement in the Trust.

2.4 The LA will continue to work with schools in the Hastings Academy Trust in order to support their shared ambition for educational excellence and remains committed to supporting them to achieve this. We will continue to work closely with the Academy Trust and support further improvements and any necessary expansion to accommodate more pupils if required.

2.5 The LA's role as a co-sponsor for other academies will also be reviewed going forward and this will be done at a time that is appropriate to the situation for each academy trust.

2.6 The LA will need to give one year's notice of resigning from Hastings Academy Trust, which means that the resignation will take effect from July 2016.

2.7 There are no financial implications relating to this report.

3. Risks

3.1 The proposal for the LA to cease its role as co-sponsor has not been universally supported and, in particular, ESCC councillors who represent Hastings have expressed their concerns.

3.2 Through dialogue with LA officers, the following risks have been identified and suggested mitigation is provided for each as follows:

- Impression that the LA is 'turning its back' on Hastings: the LA will continue to work closely with all schools in the Hastings area and will ensure that this is communicated clearly to schools and their communities;
- Loss of influence of the LA in the Hastings Academy Trust: the LA has very limited opportunity to influence the schools in the Hastings Academy Trust through its role as co-sponsor. Removing the conflict of interest created by acting as co-sponsor enables the LA to communicate any concerns unequivocally and raise any concerns about performance with the RSC; and
- Loss of ESCC badge/logo from the Trust and sense of confidence this instils in the local community: the LA will ensure that its commitment to the schools in the Hastings area is visible to the community by maintaining a strong partnership with the schools in the Hastings Academy Trust and using the LA's communication channels to share this with the local community.

4. Conclusion and reasons for recommendations

4.1 It is recommended to the Lead Member that the LA ends its role as co-sponsor for the Hastings Academy Trust.

4.2 As set out in the briefing, the policy context has changed significantly since the LA took the decision to act as co-sponsor. At the time the Hastings Academy Trust was established, acting as co-sponsor provided a mechanism to influence the development of the academies and maintain close links with the schools in the Trust. The policy context was less clear about the role of LAs in relation to academy schools and acting as co-sponsor provided an effective way of securing an ongoing role for the LA.

4.3 Now that the policy context has been clarified, acting as co-sponsor presents a number of challenges, in particular:

- The LA discharges its responsibilities for outcomes in all academy schools via the RSC; acting as co-sponsor creates confusion in terms of accountability and may place the LA in the position of raising concerns with the RSC about an academy school where it acts as co-sponsor; and
- Acting as co-sponsor for some academies and not for others creates an unequitable relationship between the LA and its academy schools and this compromises the LA's responsibility to champion educational excellence across all its schools.

4.4 Ending the LA's role as co-sponsor for the Hastings Academy Trust has the following benefits:

- It clarifies the LA's role in relation to schools in the Trust and aligns this with the policy context which no longer allows LAs to sponsor academy schools;
- It addresses the ambiguity that currently exists in the LA's role as co-sponsor where the LA is perceived to have responsibility but lacks any formal remit to discharge this. As co-sponsor, the LA does in fact have very limited powers to influence key decisions at both a strategic and operational level such as the appointment of the Headteacher;
- It removes the reputational risk to the LA from the underperformance of schools in the Hastings Academy Trust;
- It removes the conflict of interest for the LA and clarifies lines of accountability by allowing the LA to communicate any concerns about the

performance of academy schools in the Hastings Academy Trust unequivocally with the Trust and with the RSC; and

- It creates an equitable relationship between the LA schools in Hastings and across the county which allows the LA to effectively discharge its responsibility to champion educational excellence for all pupils.

STUART GALLIMORE
Director of Children's Services

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LOCAL MEMBERS

Cllr Peter Pragnell
Cllr Michael Wincott
Cllr Godfrey Daniel
Cllr Trevor Webb
Cllr Phil Scott
Cllr Kim Forward
Cllr John Hodges

BACKGROUND DOCUMENTS

There are no background documents to this paper.