

**MINUTES OF A MEETING OF THE CHILDREN AND YOUNG PEOPLE POLICY
AND SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD, ON
THURSDAY 5 JANUARY 2012**

Membership

Councillors

* J Aldridge (Chairman)	* S Hillier
* S Barker	* R Madden
* J Baugh	D Morris
* J Deakin	* R Pearson
* I Grundy	* C Riley (Vice-Chairman)
* E Hart	* T Sargent
* T Higgins (Vice-Chairman)	* J Young

Non-Elected Voting Members

Mr R Carson	Ms M Uzzell
* Mr S Geddes	<i>Vacant</i>
(* present)	

The following Members were also present:

Councillor A Brown
Councillor V Metcalfe Item 4

The following officers were present in support throughout the meeting:

Graham Redgwell Governance Officer
Matthew Waldie Committee Officer

The meeting opened at 10.00 am.

1. Apologies and Substitutions

The Committee Officer reported the receipt of the following apologies:

Apologies	Substitutes
Mr R Carson	--

2. Declarations of Interest

No declarations of interest were recorded. The Chairman pointed out that being a school governor did not constitute a prejudicial interest.

3. Minutes

The minutes of the meeting of the Children and Young People Policy and Scrutiny Committee held on 3 November 2011 were approved as a correct record and signed by the Chairman.

4. Academies - Discussion with Cabinet Member for Education and 2012 Games

Introduction

The Chairman welcomed Councillor Stephen Castle, Cabinet Member for Education and 2012 Games, and Terry Reynolds, Director for Learning, School Improvement and Early Years. The Committee considered Scoping Document CYP_SCR_029, setting out the main issues to be addressed, as well as Report CYP/01/12, which expanded on the issues noted in the Scoping Document and included an initial written response from the Cabinet Member to queries raised by Members.

Councillor Castle gave a brief presentation, covering various aspects of academies. He pointed out that each is “a publically funded independent school in the maintained sector”, which is run by an Academy Trust. Members noted the different kinds of academy, viz sponsor led, convertors, free schools, studio schools, and, shortly, Alternative Provision Academies and 16-19 Academies.

At present there are 57 secondary, 36 primary and 2 special schools in the county that are in the process of converting or are already academies; and from January 2012 they are expected to make up 75% of secondary schools, 8% of primary and 12% of special schools. This will make a considerable difference to the schools budget element of the 2012-13 dedicated schools grant, reducing it by £158m.

Academies do have to comply with the LA Scheme to co-ordinate School Admissions, but the requirement for mid-year admissions to comply has been removed.

The LA has no legal responsibility for standards at an academy – this is down to the governing body and the Academy Trust. However, the LA has a moral responsibility towards pupils and will monitor the performance of academies, and challenge them where necessary. Councillor Castle expressed his concern that academies are not obliged to keep the Local Authority informed of their results (either SATs or GCSEs).

The requirements for the appointment of governors are set out in articles of association, which have to be agreed by the Secretary of State. There has been a shift from the original legislation, which had prohibited the appointment of a local authority governor; now academies can appoint these, if they wish.

The local authority remains responsible for commissioning sufficient and an appropriate range of school places across the county. This may prove challenging, as the setting up of any school by a separate interest group, for instance, must affect the position of other schools.

Members noted that certain responsibilities, such as the provision of home to school transport and school crossing patrols, remained with the local

authorities. Whilst academies could determine their own term dates and opening hours any additional transport costs would be passed on to the LEA. Even though the overall trend was for schools to become academies, Councillor Castle believed that there would always be schools who wished to remain under local authority control, and the Council must maintain services for these.

Discussion

In response to a question on whether the creation of these new academies would require Essex to provide additional resources, Councillor Castle confirmed that it should not. Another concern was that money from maintained schools was being used to fund academies. Councillor Castle suggested that it should not be considered in such terms: academies all had a community of interest and should be seen as part of the Essex “family of schools”. Mr Reynolds added that the funding of academies was almost identical to that for maintained schools.

Concerning applications, Councillor Castle pointed out that the County Council would continue to co-ordinate the main admissions round centrally. It provided some literature, web-based assistance and help with placements. However, he pointed out that it was quite possible that in future, fewer parents would succeed in getting their children into their preferred schools. In the past, the Council had encouraged the development of popular schools, had been able to close schools where necessary, and had tailored schools provision according to need. This would not be possible in the future. It would, therefore, become difficult to match up numbers in certain cases, and there could also be a perception of falling standards to deal with. Councillor Castle stressed his commitment to achieving the best education possible for the children of Essex; but these new arrangements would need careful handling.

Concern was expressed on the proposed changes to school funding for primary education in the state sector, which were currently under consultation. The proposed changes would have an adverse effect on village schools in particular and might lead to a loss in budget of up to 25% for some smaller schools. It was noted that the consultation was actually owned by the Schools Forum, although it carried the County Council’s name. Mr Reynolds pointed out that the proposed changes sought to deal with existing inequities in the system. Councillor Castle added that the changes would reallocate funds, but not reduce the overall figure. He realised that some schools would be perceived as ‘losing out’ in the process, but decisions had to be taken for the overall benefit of children.

Councillor Castle was asked about future funding for the provision of new schools, now that the Building Schools for the Future programme had been terminated. He confirmed that it was under review. One particular concern of academies was that local authorities would make most of the funds from any capital grant available to the LA controlled schools, in preference to academies. It was possible that another Schools Forum-led consultation might be set up, to look at issues of capital.

Given the importance of the Government's role here, Councillor Castle was asked about how Essex communicated with the Ministerial Team. Councillor Castle confirmed that the Council did this on both professional and political levels. Senior officers (Dave Hill and Terry Reynolds) have experience from a professional angle; and Councillor Castle was a member of a ministerial advisory group, which was able to give direct feedback to ministers. This was making progress, but things did take time to develop.

Members enquired if there was any evidence that the creation of academies had raised standards. Councillor Castle suggested that it may take a little longer for such things to become clear. So far, the results seemed mixed: some schools had shown substantial improvement, others had stagnated. Academies were in a position to be able to take unilateral action in response to situations at a local level (for example, swift changes in leadership, if required). Whether these were effective in the long run remained to be seen. He noted the challenge for an LEA was to spot a flagging school and take appropriate action; but he would also expect that academy chains would have a corporate reputation to lose, and so would be careful to deal with potential problems. Stand alone academies seemed to find raising standards more difficult.

Further brief points were made:

- School Appeals. Councillor Castle confirmed that academies could have their own procedures for convening panels, as long as they met certain requirements, particularly relating to the independence of the Panel. The County Council would continue to offer its services here, for a fee.
- Safeguarding. Mr Reynolds pointed out that academies were accountable to the Essex Safeguarding Children Board in exactly the same way as any other schools, including maintained schools. The Board maintains a list of the Designated Staff at all schools, and Ofsted reviews this at each inspection.
- Governance. There seemed to be a lack of clarity in certain areas, with regard to governance. Councillor Castle welcomed any input on this from the Committee.
- Support for Governing Bodies. Essex had initially not provided anything specific for governing bodies of schools considering changing their status; but now a briefing pack had been prepared, to assist them in the decision-making process.
- Education Welfare Service (EWS). Mr Reynolds confirmed that the local authority has a statutory responsibility towards Education Welfare, but **only** in respect of legal proceedings; everything else is discretionary. The Council will continue to offer a full service, to schools who wish to pay for it. Members noted that Essex is in the top quartile of school attenders.

This final point illustrated a potential problem for the local authorities: how to continue to maintain their services on an economical basis to a dwindling client base. This applied both in terms of economies of scale, but also in

human resourcing, where it will no longer be viable to retain current staffing levels, with the inevitable loss of expertise. Mr Reynolds suggested it would require very careful focus on what they do to mitigate the detrimental impact on LEA schools. Members asked Councillor Castle to provide a briefing paper on the EWS budget.

The Chairman thanked Councillor Castle and Mr Reynolds for their frank and full responses to Members' questions; he believed that the Council's approach was to put the needs of children first and was pleased to see that Members and officers were engaging in dialogue with politicians as well as academics.

5. Matters Arising/Chairman's report

- a) Membership of the Committee. The Chairman noted the vacancy created by the resignation of Councillor Knapman and confirmed that it should be filled in due course. He also confirmed that officers would be contacting the Chelmsford Diocese, asking for a successor to Reverend Paul Trathen as the Representative of C of E schools. He added that Councillor Twitchen had resigned as a substitute Member, due to pressure of other commitments.
- b) Jim Bond. The Committee noted that Jim Bond had been made an MBE in the New Year's Honours List, for his work with the foster care of children. The Chairman indicated he would write to Jim, to congratulate him on behalf of the Committee.
- c) Youth scrutiny. The Chairman drew Members' attention to the briefing paper circulated before the meeting, relating to eating disorders, and informed them that the Committee would be revisiting this at a future meeting.
- d) The D&R Committee will be making site visits to Chipping Hill School, Witham, and Passmores School, Harlow, on the morning of Tuesday 17th January. An invitation had been offered to any Committee member to participate in this visit if they wished. Members were invited to contact officers if they were interested in attending.
- e) December Workshop. The Chairman confirmed that feedback from the December workshop had been positive overall and suggested that this format might be adopted on occasion at future meetings. The Committee agreed this stance.
- f) Improvement Notice. The Chairman confirmed that the Notice had now been lifted. In the wake of this, he suggested that the role of the Safeguarding Sub-Committee might change, to become a "Families Safeguarding Sub-Committee", concerned with the safeguarding of all ages – ie to be family focused. He proposed a membership made up jointly from each relevant scrutiny committee, viz CYP and COP, with respective chairmen having *ex officio* places. The Panel would elect its own Chairman.

The Chairman sought Members' views and several points were raised:
- it was noted that all vulnerable people should be included and that this should be made clear in the terms of reference

- continuity was vital, especially as the Council progressed the move of SCF performance from Adequate to Good
- the Panel should be large enough to allow for absentees at meetings but not be too large to be unwieldy. 8 plus 2 *ex officio* was suggested.
- the Committee retained the opportunity to set up a Task & Finish Group to deal with any particular issue

The committee supported this approach and agreed that it should be submitted to the Scrutiny Board for approval.

6. Safeguarding Children Sub-Committee

The Committee considered Report CYP/02/12, which provided an update on the recent work of the Safeguarding Sub-Committee. Councillor Sargent, as Sub-Committee Chairman, drew Members' attention to the proposed draft letter to Councillor Candy (Cabinet Member for Children's Services), along with the Tracker document prepared by the Sub-Committee. It was noted the letter sought clear indications of when issues had been addressed and by whom; the intention was for the Tracker to be filled in as the items were dealt with.

The Committee agreed the wording of the letter and the Tracker and agreed that it be sent out under the Chairman's name.

7. Cabinet Decision Call in

The Committee noted Report CYP/03/12, which concerned the call in made by Councillor Higgins in respect of a change in policy with respect to escorts provided on transport to Primary Schools. The Report confirmed that Councillor Higgins had withdrawn the call in at the informal stage, following discussion with the Cabinet Member for Education and the 2012 Games.

8. Corporate Parenting

The Committee received an oral update from Councillor Riley. He informed Members that he would shortly be accompanying Councillor Aldridge on a visit to Norfolk CC, to consider good practice in corporate parenting.

9. Forward Look

The Committee noted Report CYP/04/12, which listed possible items for scrutiny in the first half of 2012. No further items were proposed.

The Chairman proposed that policy development (pre-scrutiny) should become a bigger part of the Committee's role.

He made two particular points:

1. There will be many changes over the coming months – too many for the Committee to deal with; but Members needed to be aware of all potential changes, to be able to decide which ones merit detailed consideration.
2. More committee time may be required, so Members may wish to consider how this may be achieved.

The Committee supported this stance.

Members agreed that consideration should be given at future meetings to two particular subjects:

- Vision for Youth Services
- Commissioned and Traded Services (arising from discussion on academies set out at Minute 4, above).

10. Dates of Future Meetings 2011/12

The Committee confirmed the dates of future meetings as set out below and noted that they may comprise:

- Meetings in private
- Meetings in public
- Working groups
- Sub-Committee meetings
- Outside visits

Thursday 2 February 2012

Thursday 1 March 2012

Thursday 5 April 2012

Thursday 10 May 2012

The meeting closed at 12.30 pm.

Chairman