

**MINUTES OF A MEETING OF THE PEOPLE AND FAMILIES SCRUTINY
COMMITTEE HELD AT COUNTY HALL, CHELMSFORD, ON THURSDAY 12
SEPTEMBER 2013**

County Councillors:

* G Butland (Chairman)	* P Honeywood
* A Bayley	* R Howard
* D Blackwell	N Hume
* R Boyce	* M McEwen
* J Chandler	* M McGeorge
* J Deakin	* C Seagers
* R Gadsby	A Wood
T Higgins	

Non-Elected Voting Members :

Mr R Carson	* Rev R Jordan
Mr M Christmas	Ms M Uzzell

*present

The following Members were also present:

Councillor K Bobbin	
Councillor R Gooding	(Item 4 only)
Councillor R Madden	(Item 4 only)
Councillor A Naylor	(Item 4 only)
Councillor J Young	(Item 4 only)

The following officers were present in support throughout the meeting:

Robert Fox	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
Cllr T Higgins	Cllr J Deakin
Cllr N Hume	
Cllr A Wood	
Mr R Carson	--
Mr M Christmas	--

2. Declarations of Interest

There were none.

3. Minutes

The minutes of the People and Families Scrutiny Committee meeting of 4 July 2013 were approved and signed by the Chairman.

4. Consultation on the closure of The Deanes School, Benfleet

Members noted paper PAF/07/13, which included the final Report of the Deanes School Task & Finish Group. The Chairman reminded the meeting that the matter under consideration was the ratification (or otherwise) of the final report of the Task & Finish Group. The intention was not to consider the decision taken by the Cabinet Member, or to present any new evidence or arguments concerning the proposals, but it was to look at the report itself.

Several individuals were identified as wishing to address the meeting. Mrs Allport-Hodge, on behalf of the Save The Deanes Group, thanked the Task & Finish Group for its work on the report. It had been carried out in an open and honest manner. She had a few comments/questions on the Report itself:

- What responses had been received from the King John and Appleton Schools? The Chairman responded that the Group had not seen a response, and he could not confirm whether any response had been received as part of the consultation exercise
- Councillor Sheldon's comments (on page 20 of the Report) demonstrate that even he, as a governor of the King John School, does not understand on why this line has been taken. The Report itself picks up on this
- The figures concerning predicted intake used by the County Council are subject to a narrow interpretation, a view shared by the Save The Deanes Group's qualified statistician, Mr Jeremy Wright. The Save The Deanes Group have also sought external opinion on this, from a Professor Reeves. The Chairman pointed out that, although these latter figures may emerge during the formal consultation to follow, they had no bearing here, as the request materialised after the publication of the Report
- The Community role of the School, as referred to in the final bullet on page 4 of the Report. Mrs Allport-Hodge suggested that this was an important factor, which was totally ignored by the Cabinet Member. The Chairman reminded the meeting that the focus was on the Report itself
- The fourth bullet on page 11 of the Report refers to the T&F Group's concern that no paper evidence has been forthcoming showing the process undertaken to arrive at the original decision was made. The Chairman confirmed that he had expressed a desire to see an audit trail, but had received none. He was not able to say whether one had existed and had subsequently been lost, only that none had been produced.

Joe Cook, speaking as a long-term member of the local community, with family attending The Deanes, praised The Deanes for its success in forging a relationship with the Glenwood School.

He had concerns over the way in which the County Council was proceeding with these proposals, which he felt should be built on trust. He thanked the Task & Finish Group for the way in which it had carried out its scrutiny; he believed that it had restored a measure of faith in the governance system.

In response to Mr Cook's query on how matters would proceed now, the Chairman confirmed he would make that clear later in the meeting.

Jeremy Wright, on behalf of the Save The Deanes Group, pointed out that the Cabinet Member had drawn attention to the importance of the "facts and figures". However, Mr Wright suggested that the figures they used had not been reliable. He drew attention to 3 points:

1. Looking back at the forecasting figures in the past, the figures for children at The Deanes between the years 2008 and 2013 were out by 24% – a substantial error. The Castle Point forecast over the 2012-2013 period showed a 5.9% error over one year; and then the new forecast that came out two months later was out by 17%.
2. When forecasting the rebuild situation, all the schools have maximum numbers of children who can attend the school as set figures, because they are deemed to be full, but the figures for The Deanes School are just balancing figures; and no consideration has been given to any outside influences such as housing in the neighbouring areas. When the newbuild figures are added on, they cannot add them on to schools that are already full. In response to a question from the Chairman, Mr Wright confirmed that he is in agreement with the Report's concern about the figures.
3. The year to year forecasting changes seem to change constantly, so they cannot be relied upon.

Elaine Wright also expressed her support for the Report, particularly with regard to the unreliability of the figures.

Councillor Ray Gooding, Cabinet Member for Education and Lifelong Learning, then addressed the meeting.

Referring to the Report itself, he was a little disappointed about some of the information it provided. As he had stated initially, he wanted to receive information, and he felt that the Report fell short in this respect. Figures and details had been received from Officers, the Save The Deanes Group and Mr Wright, but the Report had not fully addressed these.

He also had concerns about the way the Report was issued. He had received a copy of the Report on the Friday before the decision was published on Monday, 2 September and had been informed that it would not be published before the decision was made. However, he subsequently discovered that it had sent to a number of people before the Monday. He also felt that it was unfair on the School to give it a "false hope" in the Report before that weekend.

The Chairman then addressed the meeting, as Chairman of the Task & Finish Group.

He set out a few points about the consultation:

- The timetable, viz the 2 September deadline, was not of the Group's choosing

- No local Members were chosen to sit on the Group, but they were specifically invited to give evidence
- The Group had to rely on its own resources – it was not able to take external advice on the figures, for example
- He believed there was a lack of scientific input from the districts, and Castle Point BC in particular, which did not help the situation
- The Group met five times, taking evidence from almost 50 people
- The Group's role was not to be cheerleader for any particular party but to give an objective view of the evidence presented to it, and the conclusion of this process is that the Group was not convinced that the Cabinet Member's decision was the appropriate one. The Group was not saying that it should or should not be closed, but that the case was not proven
- It does come down to numbers and the major difference between the two views is that the Executive does not believe that the school would manage to attract 600 pupils. On the evidence it had received, the Group believed that, with a newbuild, it could – as it was not a failing school. Basildon Academy and Clacton had subsequently failed despite newbuilds but had been failing schools already; whereas Belfairs (which had not been a failing school) was now thriving, after its newbuild
- The Group also see the area as having a growing population – and this is the case across South Essex, rather than just in the Castle Point district.

With regard to Councillor Gooding's point about the timing and distribution of the Report, Councillor Butland pointed out that the Cabinet Member had received a draft copy on 19 August, to which he had given an interim response on 23 August, and a fuller reply on 29 August. On Friday 30 August, Councillor Butland took the view that 1, it was not for the Executive to decide when the Group should publish its findings and 2, it would be courteous to let certain parties see the Report, to allow them to consider it over the weekend, on the understanding that it would not be made public until the Decision was made so. These were: members of the People and Families Scrutiny Committee, Councillor Jill Reeves, as the local Member, the local Member of Parliament, and the School Headteacher.

The Chairman defended the Group's approach to issuing the Report, which was not published until after the Cabinet Member's decision was published and refuted the suggestion that the Cabinet Member had received the Report at the same time as these other parties.

He added that the Group had received no support from the Executive on how the Press Release was to be publicised. The Chairman had expressed a wish to see the press release before it was issued, as he was concerned about how the process would be managed, particularly if the Report and the decision took two different views. However, when the Press Release was issued on the Monday, Councillor Butland had neither seen it, nor had been aware of it being issued. This raised concerns about the scrutiny process, which he was raising with the Scrutiny Committee.

He concluded by stating that he defended the Cabinet Member's right to make such decisions (and emphasised that the Task & Finish Group is not a decision-making body), but he was disappointed in the way in which it had been done.

He invited comments from Members of the Committee, who raised a number of issues/concerns:

- The independence – both perceived and actual – of this Committee and any of its Task & Finish Groups was a crucial element of the scrutiny process
- The apparent uncertainty of the numbers under consideration presents the process with significant problems, as the County Council's case hangs on such figures. This uncertainty illustrates the difficulties for the district councils concerned
- There is also concern over the methodology used by the Executive. Councillor Butland noted that this echoed the Task & Finish Group's concern over the figures: it was not convinced by the certainty displayed by the Executive
- There is a shortage of schools on a national level, and Castle Point will have to build a lot of new housing over the next few years. This has put local Members in a difficult position, as they are being pressured by local people to avoid extra development, but Central Government is requiring district councils to commit to substantial building programmes
- Ideally, the Committee would like to have considered the Report before its publication. The Chairman acknowledged this, adding that it would have been presented to a meeting of the Committee before it was submitted to the Cabinet Member, but the tight timetable had not allowed this
- It is not for a Committee to revisit the conclusions of its Task & Finish Group; and the Group can only come to any conclusion on the basis of evidence it has received
- This whole process has demonstrated the need for a greater common understanding between the Executive and Scrutiny. Councillor Butland agreed, pointing out that the Chairman of the Scrutiny Committee would be talking to the Leader about this very matter.

Dr Coulson assured the meeting that all information held by the Executive was shared with the Task & Finish Group. In response, Councillor Butland acknowledged this, and confirmed his belief that nothing had been withheld from the Task & Finish Group in the course of its investigations.

There being no further comments forthcoming on the Report, a motion was proposed and seconded to accept the Report. This was carried unanimously by the Committee.

The Chairman confirmed that now the Committee had ratified the Report, the work of the Group was essentially done. The formal consultation period would now run over the next 6 weeks, at the end of which the Cabinet Member would make his decision. The Chairman outlined the process, as previously requested, as stated, as with all directions this would be subject to call in.

5. Young Essex Assembly

The Committee noted paper PAF/08/13, which provided an overview of the work of the Young Essex Assembly ("YEA") and set out a number of options for future working between the YEA and the Scrutiny Committee. The Chairman welcomed Clare Ratcliffe, YEA Co-ordinator, and invited her to address the meeting.

Mrs Ratcliffe reminded the meeting briefly of the aims and activities of the YEA:

- YEA membership reflects the County Council – 75 democratically elected members aged between 11 and 19, elected every 2 years
- Conducting a snapshot survey is an important part of the process – this has consistently demonstrated bullying as the overriding issue of concern to young people in Essex
- The main aim is to make a positive difference to the lives of the young people of Essex
- Following a recent restructuring, the work is divided up between five groups: Cabinet Group, Communications Group, Research Group, Sitings Committee and UK Youth Parliament. The Cabinet Group is the one with the most direct contact with ECC members and officers, but it has yet to meet a scrutiny committee.

Mrs Ratcliffe had produced a summary of the activities of the YEA and would circulate this to Members after the meeting.

Earlier in 2013, the then Chairman of the Children and Young People Policy & Scrutiny Committee, Cllr Tracey Chapman, asked for proposals on how the Committee could work with the YEA. The YEA have produced 3 options:

Option A: Committee meetings to be held in school holidays where possible and YEA cabinet subgroup invited to join these meetings as full members.

Pros: close involvement of YEA members; YEA members can provide informed scrutiny

Cons: timetabling may limit YEA member attendance

Option B: Regular meetings between YEA Cabinet subgroup and Chairman/other Scrutiny Committee members outside of school hours.

Pros: regular contact between YEA members and Committee members

Cons: lack of contact between YEA members and officers; and lack of YEA influence on the Committee agenda.

Option C: Information on upcoming agenda items provided to YEA Cabinet members, who then respond either in writing or via YEA co-ordinator. Feedback on the meeting to be provided in writing or by someone present at the meeting.

Pros: YEA input into meetings

Cons: lack of actual YEA representation at meetings; and YEA members would not build up relationships with Committee members.

The Chairman invited comments from Members.

Although a concern was expressed by one Member about the cost of the YEA project, particularly in these times of severe financial restraints, the Committee as a whole gave its full support to the work of the YEA and Members wished to encourage the involvement of young people in the democratic process, and, as a part of that, scrutiny.

Several Members suggested encouraging the YEA members to get involved with their local Youth Strategy Groups.

It was noted that, at each election, the issue of Bullying was listed as top concern. It was suggested that, to avoid duplication of work done, that other topics should also be considered by the YEA.

The Chairman suggested that he, along with a number of Committee Members, would like to attend a YEA Cabinet meeting, in order to establish just what the YEA members would like the Committee to do. Councillors Blackwell, Deakin and McGeorge also expressed the desire to be involved in this.

It was agreed that Mrs Ratcliffe would report back to the YEA Cabinet members, to ensure they were happy for this group to attend one of their meetings and to adopt this approach.

6. People and Families Scrutiny Training Day

It was noted that a planning day is being arranged for all Members of the Committee. However, as the originally scheduled date, Thursday 10 October, was not suitable for a number of Members, alternative dates would be circulated after the meeting.

7. Date of next meeting

The Committee noted the date of the next meeting:
14 November 2013, Committee Room 1, at 10.00 am.

The meeting closed at 12.06 pm.

Chairman