

# Children and Young People Policy and Scrutiny Committee

10:00	Thursday, 06 September 2012	Committee Room 1, County Hall
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**NB** There will be a pre-meeting for Committee Members only at 9.15am, in Committee Room 1

**Quorum: 5**

## **Membership**

Councillor T Chapman	Chairman
Councillor S Barker	Vice-Chairman
Councillor J Baugh	
Councillor R Callender	
Councillor J Deakin	
Councillor I Grundy	
Councillor E Hart	
Councillor T Higgins	Vice-Chairman
Councillor S Hillier	
Councillor L Mead	
Councillor D Morris	
Councillor R Pearson	
Councillor T Sargent	
Councillor J Young	

## **Non-Elected Members**

Richard Carson  
Stuart Geddes  
Rev Richard Jordan  
Marian Uzzell

**For information about the meeting please ask for:**

Matthew Waldie , Committee Officer

**Telephone:** 01245 430565

**Email:** [matthew.waldie@essex.gov.uk](mailto:matthew.waldie@essex.gov.uk)



Essex County Council

## **Essex County Council and Committees Information**

All Council and Committee Meetings are held in public unless the business is exempt in accordance with the requirements of the Local Government Act 1972.

Most meetings are held at County Hall, Chelmsford, CM1 1LX. A map and directions to County Hall can be found at the following address on the Council's website:  
<http://www.essex.gov.uk/Your-Council/Local-Government-Essex/Pages/Visit-County-Hall.aspx>

There is ramped access to the building for wheelchair users and people with mobility disabilities.

The Council Chamber and Committee Rooms are accessible by lift and are located on the first and second floors of County Hall.

If you have a need for documents in the following formats, large print, Braille, on disk or in alternative languages and easy read please contact the Committee Officer before the meeting takes place. If you have specific access requirements such as access to induction loops, a signer, level access or information in Braille please inform the Committee Officer before the meeting takes place. For any further information contact the Committee Officer.

Induction loop facilities are available in most Meeting Rooms. Specialist head sets are available from Duke Street and E Block Receptions.

The agenda is also available on the Essex County Council website, [www.essex.gov.uk](http://www.essex.gov.uk). From the Home Page, click on 'Your Council', then on 'Committees and Decisions' and select 'View Committees'. Finally, scroll down the list to the relevant Committee, click the 'Meetings' tab and select the date of the Committee.

Please note that an audio recording may be made of the meeting – at the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

## **Part 1**

(During consideration of these items the meeting is likely to be open to the press and public)

		<b>Pages</b>
<b>1</b>	<b>Apologies and Substitution Notices</b> The Committee Officer to report receipt (if any)	
<b>2</b>	<b>Declarations of Interest</b> To note any declarations of interest to be made by Members	
<b>3</b>	<b>Minutes - 050712</b> To approve as a correct record the minutes of the meeting held on 5 July 2012 (copy herewith).	<b>7 - 12</b>
<b>4</b>	<b>Matters Arising/Chairman's Report</b>	
<b>5</b>	<b>Schools Forum - CYP1912</b> To consider a report, CYP/19/12, plus Annex, on the constitution and role of the Essex Schools Forum. Yannick Stupples-Whyley, finance Business Partner, Finance Professional Services, will be in attendance to speak to the item and to respond to questions from Members.  A scoping document CYP_SCR_032 relating to this item is also attached.	<b>13 - 22</b>
<b>6</b>	<b>Home to School Transport</b> The position on post 16 transport is still under review and the Cabinet Member has not yet been presented with possible proposals. Therefore, there is nothing to report to Members at this stage.  There has been no further progress on Respite Travel as yet.	
<b>7</b>	<b>Forward Look</b>  To note that the agendas for the next three meetings will include the following items:  OCTOBER Quadrants and MAAGs YEA work on eating disorders and bullying	

## NOVEMBER

Essex Families pilot scheme  
Procurement of services for children and young people  
SEN strategy

## DECEMBER

General discussion on safeguarding  
SCF Peer Review Feedback

### **8 Date of Next Meeting**

To note that the next Committee activity day will be held on Thursday 4 October 2012.

The following dates are reserved for this Committee as activity days, and may comprise:

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

Thursday 1 November 2012  
Thursday 6 December 2012  
Thursday 3 January 2013  
Thursday 7 February 2013  
Thursday 7 March 2013  
Thursday 4 April 2013

### **9 Urgent Business**

To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.

### **Exempt Items**

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

**10      Provisional 2012 School Results**

To receive a report on the preliminary data relating to 2012 school examination results, from Tim Coulson, Director for Education and Learning.

**11      Safeguarding**

To note any issues arising from recent meetings of the Families Safeguarding Sub-Committee. The minutes of Sub-Committee meetings are sent to Members under separate cover.

**12      Urgent Exempt Business**

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.



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

County Councillors present:

T Chapman (Chairman)  
S Barker (Vice-Chairman)  
J Baugh  
R Callender  
J Deakin

I Grundy  
E Hart  
T Higgins (Vice-Chairman)  
L Mead  
D Morris

Non-Elected Voting Members present:

Mr R Carson  
Rev R Jordan

The following Members were also present:

Councillor R Gooding  
Councillor C Riley

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
Cllr S Hillier	
Cllr R Pearson	
Cllr T Sargent	
Cllr J Young	
Mr S Geddes	--

**2. Declarations of Interest**

Councillor Higgins declared that she is on the management committee of Stepping Stones Nursery, Colchester (specifically in relation to the consideration of respite care under the item on home to school transport).

**3. Minutes**

The minutes of the meeting of the Children and Young People Policy and Scrutiny Committee held on 14 June 2012 were approved as a correct record and signed by the Chairman.

**4. Matters Arising**

Members requested that a Forward Look be attached to every agenda in future.

## 5. Cycle allowance and cycle purchase scheme

Members considered report CYP/17/12, setting out the proposed Cycle Allowance and Cycle Purchase Scheme, and CYP\_SCR\_031, a scoping document in respect of these cycle schemes and of the provision of Home to School Transport. The Chairman welcomed Emma Toublic, Head of SCF Strategic Transport and Awards, and Nick Roberts, Passenger Transport Development and Delivery Manager, to the meeting.

Mrs Toublic drew attention to the following basic elements being put forward for consideration by the Cabinet Member.

1. Under the proposed Cycle Allowance scheme, parents of secondary age pupils would be paid £50 per term, where there was an entitlement to free transport but the pupils wished to travel to school by bicycle. This would only be payable if the cost of transport exceeded the allowance.
2. Under the proposed Cycle Purchase Scheme, a payment not exceeding £250 would be made, under the same conditions, to pay for the purchase of a cycle, along with other necessary equipment, and suitable road safety training.

She then responded to Members' questions.

**Numbers.** Although approximately 22,000 pupils could be eligible for the Scheme (including 3,200 over 16s), take up was likely to be modest - 100 or so were expected. Peterborough City Council, for example, had a take up of 30. In response to the suggestion that cycling would not be an attractive prospect to older pupils, Mrs Toublic pointed out that the YEA (who had been consulted) had indicated that it would be good for this older age group, as it would give them greater flexibility in time of travel, in keeping with the more irregular timetabling encountered post GCSE.

This would not affect the continued provision of a bus service. The County Council has a statutory duty to provide "transport", although this is not defined in legislation.

**Costs.** The £50 per pupil per term compared well to the average £3.80 cost per day of providing public transport. With regard to the purchase scheme, the Council would aim to achieve economies by bulk buying. After the initial cost of (up to) £250, a further £50 a term would be paid, to cover maintenance, etc.

**Security.** In the event of the theft of a cycle, although the responsibility for the cycle would rest with the pupil's family, the County Council would take into consideration any relevant circumstances, particularly in respect of low income families. Most schools now have secure housing for bicycles; the Council has



been proactive in this area, and still have subsidies available to schools. Members supported the use of tracking/coding of bicycles, where practicable.

**Risk Assessment.** This had been carried out, as described in the agenda item. A definitive legal opinion was being sought on the overall position, with regard to the County Council's liability, in the case of an accident. It had been suggested that the risk to the County Council was no greater than it would be in providing other forms of transport. Parents would be responsible for the maintenance of the cycle and the use of the Bikeability service would be made available.

**Involvement of families.** In response to a Member's suggestion, Mrs Toublic agreed that they might consider providing bicycles to primary school pupils, on the understanding that they could cycle with the parents. She pointed out that there would be issues around primary school pupils cycling on their own.

**Weather.** This was not felt to be a significant issue. Parents already had the responsibility to ensure pupils were ready for collection at coach pick-up points, up to a mile distance from home and it was not seen as being different to this.

The Committee expressed support for the proposed Scheme, endorsing its green elements, but it requested further figures, particularly relating to other authorities which had already had a similar scheme already in place. It also asked for a progress report in due course, on the basis that the proposals were agreed by the Cabinet Member.

## 6. Home to school transport

Members received report CYP/18/12, setting out the County Council's current policy on Home to School transport.

Mrs Toublic drew attention to the following main elements.

The County Council must provide transport in a number of instances, mostly based on the location or accessibility of the school being attended, with lower thresholds applied to those in Lower Income Families. Essex County Council may also provide transport on a discretionary basis, according to a limited number of conditions, which were listed in the agenda item.

It was noted that the Council sets certain requirements for all operators, including that each driver holds an advanced CRB certificate. This goes beyond statutory requirements.

Members then looked at specific issues.

**Costs.** These had gone down by over £3.6 million since 2009/10. One policy that helped achieve this was paying a mileage allowance to parents to take the children themselves, to special schools, instead of providing a bus or taxi service. This was often liked by parents, as it gave them greater flexibility and control.

There had been a marked increase in the number of Post 16 pupils, but a decrease in spend had been achieved by making slight policy changes, for example by requiring parents to take their children to pick up points.

The extension of the school leaving age is likely to incur an additional cost of £350,000. A paper is being written for Cabinet's consideration to look at Post 16 transport and to propose making certain minor changes, to enable this to be contained within the budget. Other local authorities are considering removing transport for Post 16s, as the requirement is to provide access to learning, but not necessarily transport. The Committee drew attention to two particular issues: the transition of pupils from local schools to specialist schools, and lengthy journeys being undertaken by those attending specialist colleges. They asked for these to be covered in this Cabinet paper.

The County Council is trying to encourage the use of standard bus services, which are also used by non-school passengers. This should encourage commercial investment. The Council does not have influence on public operators but would like to have more, one aim being creating a link between the commercial services and the County's subsidised ones. It generally has a good relationship with most operators. In respect of Personalised Transport Budgets, the aim is to have all likely transport needs assessed by one team and for them to produce one budget, with resulting appropriate payments. This is being taken forward and is being seen as a trail blazer in national terms.

**"Student Behaviour Initiative".** Poor behaviour was a problem on school transport, so the Council initiated a programme to educate pupils, starting at primary school age, by visiting schools (using drama and DVDs, for instance) in a pro-active manner. The Charman recommended that Members see these student behaviour training sessions for themselves and asked Mr Roberts to provide a list of dates for circulation to the Committee, both for the rest of this term and in the autumn, when available.

**Provision of schools own transport.** It was suggested that, now that schools were increasingly in control of their own budgets, that they should take on the responsibility – and costs – of home to school transport. Mrs Troublie pointed out that the Department for Education had no intention of changing these requirements, as any changes would impact on schools admissions. Some other local authorities had tried devolving budgets to schools, but with limited success.

**Framework Contracts.** The use of these is being explored. At present these cover only 10% of children. The intention is to extend this, but it is proving difficult, as the legislation is antiquated, dating back to the 1940s.

**Academies/free schools.** The Council uses traditional priority admission areas for transport purposes. A newly set up school could define its catchment as the whole of the county. In response to this issue, some local authorities have limited their provision. The new free school falls within the "Five Parishes" area of Brentwood. The current situation with this area is an anomaly and may well need to be considered as a specific issue.

**Respite transport.** Councillor Higgins suggested more could be done here, to provide more information on what is done, and greater clarity for parents. Mrs Toublic agreed to ask a member of her team to contact Councillor Higgins, to discuss this matter. The Committee will receive an update at its September meeting.

**Reduced fares for young people.** In response to the suggestion that the reduced cost travel might be reintroduced (using BITE cards or similar), Mr Roberts pointed out that the scheme had been very expensive and take-up had been limited. However, he needed to educate operators here, to convince them that they should see such schemes not as threats but as opportunities for their business.

**Staggered starts for schools.** Mr Roberts pointed out that efforts have been made to introduce staggered starts, to ease congestion, but this has proved unpopular with schools. Schools tend not to be very flexible, and changing times can prove complex. Academies/free schools may introduce such changes, but probably with less consultation with the Council.

**Automatic Vehicle Location.** A proposal is currently out to tender.

**“Point of Integration”.** In response to the suggestion that the general public should be allowed to use school buses, particularly in rural areas which are often poorly served, Mrs Toublic pointed out that there was a considerable level of opposition to such mixed use from parents. They seemed concerned over the integration of children with adults. However, this would seem a sensible approach and she will take this forward.

The Chairman thanked Mrs Toublic and Mr Roberts for their very helpful contribution to the meeting. She reminded them that Members would like to see the policy document on Post 16 transport, when it is available, with a view to providing some comments on this to the Cabinet Member.

## **7. Dates of future meetings**

The dates were noted. The date of the next meeting was confirmed as:

Thursday 6 September. Committee Room 1. Members' pre-meeting at 9.15am.

## **8. Bus Users Transport Groups**

In the light of the discussion under Item 6, above, Councillor Riley brought Members' attention to the Bus Users Transport Groups. He asked Members to encourage those who had public transport issues to attend these meetings when possible, so that problems may be drawn to the attention of those operating the services.

The meeting closed at 11.25 am.

Chairman

		AGENDA ITEM 5
		CYP/19/12
Committee:	Children and Young People Policy and Scrutiny Committee	
Date:	6 September 2012	
Essex Schools Forum		
Enquiries to:	Yannick Stupples-Whyley, Finance Business Partner 01245 433171 or ext. 52171 <a href="mailto:Yannick.stupples-whyley@essex.gov.uk">Yannick.stupples-whyley@essex.gov.uk</a>	

### *What is Schools Forum?*

Schools Forum is a partnership body that links the local authority and the school community in making decisions about school funding.

It was established under the Education Act 2002, which required all Local Education Authorities to establish a Schools Forum consisting of governing body and head teacher representatives. The purpose of Schools Forum is to advise the local authority on matters relating to the Schools Budget.

The role of Schools Forum has developed since its introduction and the Department for Education introduced roles and responsibilities of Schools Forum. The roles and responsibilities of Schools Forum are shown as Annex A.

The Cabinet Member has to accept the decisions of Schools Forum where they have the power to decide but does not have to accept their decision where Schools Forum is consulted with.

### *How is Schools Forum constituted?*

Schools Forum was until recently constituted in accordance with the School Forum Regulations 2010 and consists of school members, academy representatives and non school members. Where an authority has one or more special schools and nursery schools there must be at least one school member for each. There should also be representation for early years provision, 14-19 providers and faith groups.

The Department for Education has recently required all local authorities to reform their Schools Forum by July 2012. The key changes are:

- The removal of the requirement to have a minimum 15 members;
- Only school members will be allowed to vote on decisions concerning the funding formula for schools;

- Local authority attendance will be restricted to the Lead Member (or representative), Director of Children's Services (or representative) and to any officers either providing technical advice or presenting a paper; and
- Schools Forum will be required to hold public meetings.

Essex has reformed its Schools Forum in accordance with the draft School Forum Regulations 2012. The table below shows the current constitution of Schools Forum. The Governance Team is providing advice on the requirement to hold public meetings

<b>Type of Member</b>	<b>Phase</b>	<b>No. of Representatives</b>
School Members	Infant – Headteachers	1
	Infant – Governors	1
	Junior – Headteachers	1
	Junior – Governors	1
	Primary – Headteachers	2
	Primary – Governors	2
	Secondary – Headteachers	1
	Secondary – Governors	2
	Special – Headteachers	1
	Nursery – Headteachers	1
	Early Years Providers	1
	Academy Primary – Headteachers	1
	Academy Secondary – Headteachers	2
	Academy Secondary – Governors	2
	Academy Trust	1
Non School Members	14-19 Providers	1
	Faith Groups	1
	Trade Unions	2
		<b>24</b>

The number of members between primary and secondary is determined by pupil numbers and is annually reviewed. Two fifths of the total membership must attend a meeting for it to be quorate.

Members are appointed by asking for self nomination within the phase where the vacancy exists for example Infant Headteachers would be asked for self nomination if there was a vacancy for an Infant Headteacher. If one nomination is received the applicant becomes a member of Schools Forum. If more than one applicant applies, an election is held within the wider phase, so for an Infant Headteacher vacancy, all primary schools would be asked to vote.

There are three sub-groups of Schools Forum for finance, special educational needs and early years. The sub-groups consist of Schools Forum members and the groups report back to the main Schools Forum meeting.

*How is Schools Forum administered?*

The local authority appoints a Clerk to the Schools Forum. In Essex this falls within the role of the Finance Business Partner that has responsibility for school funding. The role of the Clerk is to arrange meetings, to compile the agenda, to distribute papers and to provide technical financial advice to the Schools Forum. The Clerk also briefs the Cabinet Member and the Chair and Vice-Chair of the key issues ahead of each meeting. The Authority also provides a minute taker for meetings.

The Chair and Vice-Chair are elected annually in accordance with the Terms of Reference. The Chair has the casting vote in the event of a tied vote and can give a view on behalf of the Schools Forum where it is impossible to convene an urgent meeting. The Chair can convene an urgent meeting without the need to give a minimum seven working days notice with a full agenda.

*How are Schools Forum decisions promulgated?*

All School Forum agendas, papers and minutes are published on the Essex Schools Infolink website. Schools are informed of when papers are available through notification in the Education Essex newsletter. Third parties may comment on decisions made by Schools Forum by either contacting Schools Forum members or by contacting the Authority.

*How can a third party pass on any views?*

Details of membership of the Schools Forum including contact details are published on the Essex Schools Infolink website. All reports contain contact details of the authors. Third parties should contact Forum members to pass on any views that they wish to raise. In previous meetings representatives of small schools were given the opportunity to speak to put across their views.

The Essex Schools Forum is engaging and challenging and has a in-depth knowledge of school funding. There is a good effective working relationship between Schools Forum and the Authority.





TABLE 1 - SCHOOLS FORUMS: POWERS AND RESPONSIBILITIES 2011-12

	Function	Local Authority	Forum	DfE Role
1	Formula Change (including redistributions)	Proposes and decides	Must be consulted	None
2	Contracts	Propose prior to invitation to tender, the terms of any proposed contract	Gives a view	None
3	Financial issues relating to: arrangements for pupils with special educational needs; arrangements for use of pupil referral units and the education of children otherwise than at school; arrangements for early years provision; arrangements for insurance; administration arrangements for the allocation of central govt grants; arrangements for free school meals	Consult annually	Gives a view and informs the governing bodies of all consultations carried out in lines 1, 2 & 3	None
4	Minimum funding guarantee	Proposes any variations and can decide to set the MFG at a higher level than 1.5%	Agrees any variation relating to the early years single funding formula; must be consulted on other proposals	Approves any other variations and adjudicates if Forum does not agree LA proposal on early years
5	Breaches of central expenditure limit	Proposes	Decides	Adjudicates where Forum does not agree LA proposal
6	Increases in central spend on prudential borrowing, termination of employment costs, combined services, schools' specific contingency and special educational needs transport	Proposes	Decides	Adjudicates where Forum does not agree LA proposal
7	Scheme of financial management	Proposes and consults GB and Head of every School	Approves	Adjudicates where Forum does not agree LA proposal
8	Membership : length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
9	Membership: appointment of Schools and Academies Members	Appoints those elected by members of the relevant sub groups. Facilitates election where required and appoints member if there is a tie or the election does not take place by a date set by the LA	None	None
10	Membership: Non Schools Members	Seeks nominations from the relevant bodies then appoints	None (but good practice would suggest that they gave a view)	None
11	Voting Procedures	None	Determine voting procedures	None
12	Chair of Forum	Facilitates	Elects (may not be an elected member of the council or officer)	None



# Policy and Scrutiny Scoping Document

<b>Committee</b>	Children and Young People Policy and Scrutiny Committee	
<b>Topic</b>	Schools Forum	<b>Ref:</b> CYP_SCR_032 <b>File Ref:</b> E.41.01/7/58
<b>Objective</b>	To consider in detail concerns expressed by school governors and head teachers during the call in discussion at the Committee's meeting in May 2012	
<b>Reasons for undertaking review</b>	Although the Committee accepted the changes being made by the Cabinet Member to the school funding formula following advice received from the Forum, it did agree to follow through concerns expressed about the way in which the Schools Forum (in its capacity as an adviser to the Cabinet Member) is constituted and goes about its business	
<b>Topic suggested by</b>	The Committee	
<b>Method</b> <ul style="list-style-type: none"> <li>• Initial briefing to define scope</li> <li>• Task &amp; Finish Group</li> <li>• Commission</li> <li>• Full Committee</li> </ul>	YES	
<b>Membership</b>	N/A	
<b>Issues to be addressed</b>	<ul style="list-style-type: none"> <li>• What is the Schools Forum? How and why was it created? Does it have any legal basis? Does the Cabinet Member have to accept its recommendations?</li> <li>• How is the body constituted? How are its members elected/appointed? Is there anything that says that all sectors of education provision have to be involved?</li> <li>• How is the body administered? How is the lead officer chosen? What powers does that lead officer have?</li> <li>• How are any Forum decisions promulgated? Are these published in hard copy/on a website and how can they be questioned?</li> <li>• How can a 'third party' pass on any views to the Forum?</li> </ul> <p>In the light of consideration of the above points, the Committee will then need to</p>	



<b>Lead Officer(s)</b>	Yannick Stupples –Whyley, Finance Business Partner, Finance Professional Services
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