

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

County Councillors present:

T Chapman (Chairman)
S Barker (Vice-Chairman)
A Brown
J Deakin

T Higgins (Vice-Chairman)
D Morris
T Sargent
J Young

Non-Elected Voting Members present:

Mr S Geddes
Rev R Jordan

The following Members were also present:

Councillor V Metcalfe
Councillor C Riley

Items 1-5

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 R Callender	
Cllr I Grundy	
Cllr S Hillier	
Cllr R Pearson	
Mr R Carson	--

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting of the Children and Young People Policy and Scrutiny Committee held on 5 July 2012 were approved as a correct record and signed by the Chairman.

4. Matters Arising

There were no matters arising.

5. Schools Forum

Members received report CYP/19/12, providing background information on the Essex Schools Forum, and CYP_SCR_032, the Scoping Document for the Committee's scrutiny of the Essex Schools Forum. The Chairman welcomed to the meeting Tim Coulson, Director for Education and Learning, Yannick Stupples-Whyley, Finance Professional Services, Rod Lane, Chair of the Essex Schools Forum, and Jeff Fair, Vice Chairman of Essex Schools Forum.

Mr Stupples-Whyley drew Members' attention to a few salient points:

- The Schools Forums are statutory bodies, created by the 2002 Education Act. Originally purely consultative, they now have decision-making powers in certain areas (as set out in the annex to the paper)
- Representation on Forums is based on numbers, and divided by the type of school. The make-up of the present Essex Schools Forum is shown in the paper
- There is no longer any required minimum number of members. When matters relating to schools funding is being discussed, only school members can vote. They have a four-year term of office. When these expire, all relevant bodies are contacted and nominations sought
- There are 3 Schools Forums within "greater" Essex: one each for Essex, Southend and Thurrock
- All administration and clerking of meetings is carried out by the local authority. Meetings are now open to the public and press.

Members were invited to ask questions and raise issues.

Representation. Although small schools have no specific representation at present, it is the responsibility of the schools to contact representatives and put their views across. It is anticipated that free schools will have a voice, as they develop.

Some Members were uncomfortable with the present lack of representation from North Essex. This concern would be taken back to the Forum, but the Forum's Terms of Reference did not permit any engineering of the membership, even to achieve a better demographic spread of members. One Member suggested that the terms of reference did carry an inherent bias toward metropolitan areas and unitaries.

It was also suggested that school bursars would be useful members of the Schools Forums.

Attendance. Usually the attendance at Schools Forum meetings is good – about 20 out of the 24 membership. There is provision for the use of substitutes. Members have named substitutes, but they can be represented by others, if necessary.

Funding. The same funding formula is used for all schools. All funding agreed to is within the overall schools grant allocated to Essex. In response to a question on precisely how much of the schools budget was fixed by the Schools Forum, Mr Coulson pointed out that, in terms of influence, all of it, but with regard to actual decision making, very little (about £5 to £6m). He did add, however, that the level of influence was very high; a Cabinet Member would consider carefully going against the recommendations of the Schools Forum.

Regarding the specific changes to small schools funding, the Government's aim was to eliminate any disparities and to apply the same formula across all schools by the end of this Parliament, under the terms of a National Funding Formula. Essex was trying to minimise the volatility of budget for schools from these changes. The Schools Forum recognised that schools generally could not expect to enjoy increased funding over the next few years, so it should be looking at ways of helping schools (and especially small ones) to use their resources more efficiently. Furthermore, the DfE's view is that there are too many small schools. A review highlighted that Essex had funded small schools more than elsewhere. In view of this drive towards a single formula, it is not yet clear what the role of the County Council will be in the process in the future. It was pointed out that there seemed some contradiction in the two current policies of reducing the number of small schools and creating free schools.

Actual decision-making process for 2011/12. Although the conclusions reached were not easy ones (and two of these, concerning small schools and special needs funding, were strongly disagreed with by some schools), the actual process was sound. The Forum had a good understanding of the issues involved, and it did listen to a wide range of views expressed.

There had been a delay in the provision of figures to schools, which had been a weakness within the process. This should not recur, as future budgets will be based on the number of pupils per school in October (rather than on the January ones); so schools should have their final budget figures much earlier - by the January for the following year.

Relationship with Cabinet Member. The Cabinet Member receives all paperwork, can attend any meeting and speak. He sends a representative whenever he is unable to attend.

Public Awareness/Accountability. It was suggested that very little was known about the Essex Schools Forum, as little was made public. Thought should be given to publicising its role more widely. Specifically, something targeted at school governors might be useful. Mr Lane confirmed he would take this latter suggestion up with the School Governors Association.

The Schools Forum may not be accountable to the public, but Council Members are. They need to be fully informed of the Forum's powers and activities. The Forum should be subject to scrutiny. In response, Mr Coulson made two points. The first was that all papers and meetings are now accessible to the public. The second was that there are two key decision times for the Schools Forum: the main one, in October, regarding funding; the second in the spring, when changes

for the coming year are decided. He confirmed that officers would produce appropriate material for the Committee at these times.

Decision making. Concerns were expressed about where the responsibility for certain decisions lay, and about the Forum's ability adequately to represent its differing interests. Mr Fair confirmed that it was a balancing act that was not always easy. The overarching principle was to aim at what was best for the children of Essex as a whole and to avoid applying anything unfairly. The process was outcome driven – seeking an equitable impact on all schools – but how to measure these outcomes was not easy. Historically, they had reviewed them on a three-yearly funding basis, but the latest Government proposals had made this difficult. Mr Fair was uncertain about just what form this process would take in future.

The Chairmen thanked the attendees for their helpful contributions to the meeting. She pointed out that a number of issues had been raised and points made. She proposed that these be addressed to the Cabinet Member and that the Committee should consider his response in due course.

The issues were as follows:

- a) The new statutory instruments make it clear that any school can put forward a person for election to the Schools Forum; this answers the concerns of smaller schools that they are in some way excluded from the process.
- b) The Committee would welcome clarification of where decision making powers on determining the Funding Formula in the future will lie (basically, will they continue to rest with the Cabinet Member?).
- c) The Committee noted that the timing of the decision making process has been brought forward so that schools should know their final budgets by January. This change is very much welcomed.
- d) Given that representatives cover wide areas of school activity, what guarantee can be given that they accurately and fully reflect the views of their 'electorate'?
- e) The Committee is aware that north Essex is severely under represented amongst the membership of the Forum. Can anything be done to remedy this, given that representatives are voted in by their peers? Would holding meetings at differing venues be helpful?
- f) There is anecdotal evidence that Governing Bodies are unaware of the Forum's decisions. Whilst these are made available via Infolink, can consideration be given to having a more formalised procedure in place, to ensure that decisions and recommendations become more widely known? Having public meetings in the future should be helpful.
- g) It was explained that the funding arrangements for each school will continue to include a lump sum, to be £150,000 in 2013/14. Funding for each school consists of the lump sum plus per pupil funding and an amount based on deprivation.
- h) It was indicated that it is likely that a National Funding Formula will be introduced within the lifetime of the current Government. Do you have any views on what the implications of this might be – particularly whether there

would then be any role for the Council either as a local education authority or as a scrutinising body?

In conclusion, the Chairman thanked the Forum members for their work and indicated that any concern expressed did not reflect on the conscientiousness and expertise of those individuals.

6. Home to school transport

Post 16 transport. It was noted that this was still under review and that the Cabinet Member had not yet been presented with possible proposals.

Respite Travel. Members noted that there had been no further progress on this.

7. Forward Look

The agenda items already agreed by the Committee for the remaining meetings in 2012 were noted.

The following suggestions were made for future agenda items:

- Children's Centres – with particular reference to the Barnardo's takeover
- Community budgets
- DBITs (Divisional Based Intervention Teams) – probably not until 2013
- Public Health/JSNA from an educational point of view
- Youth Strategy Groups – probably not until 2013

8. Dates of future meetings

The dates up to April 2013 were noted. The date of the next meeting was confirmed as:

Thursday 4 October. Committee Room 1. Members' pre-meeting at 9.15 am and Committee meeting at 10.00 am.

9. Exclusion of the Public

Resolved:

That the public (including the press) be excluded from the meeting during consideration of the following items on the grounds that they involve the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972:

PART II (business taken in private)

10. Provisional 2012 School Results (Paragraph 3 – information which is likely to reveal the identity of an individual)

The Committee received a brief report on the provisional figures received so far. It was noted that a full analysis would be brought to the Committee, once the full results are known. This will be added to the Forward Look (see minute 7 above).

11. Safeguarding Update (Paragraph 2 – information relating to the financial or business affairs of any particular person (including the authority holding that information))

The Committee received a brief report on the latest issues under consideration by the Families Safeguarding Sub-Sommittee.

The meeting closed at 11.55 am.

Chairman