

**To: All Members of Cabinet:
RJ Phillips (Leader)
LO Barnett
AJM Blackshaw
H Bramer
JP French
JA Hyde
JG Jarvis
DB Wilcox**

Chief Executive's Office

Chief Executive: N.M. Pringle

Your Ref:

Our Ref: NMP/SAHC

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12th February, 2008

Dear Councillor,

**MEETING OF CABINET
THURSDAY, 29TH NOVEMBER, 2007 AT 2.00 P.M.
THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD**

AGENDA (07/15)

**HEREFORDSHIRE COUNCIL - NOTICE UNDER REGULATION 15 OF THE LOCAL
AUTHORITIES (EXECUTIVE ARRANGEMENTS((ACCESS TO INFORMATION) REGULATIONS
2000 (AS AMENDED)**

Notice is hereby given that the following report contains a key decision. When the decision has been made, Members of the relevant Scrutiny Committee will be sent a copy of the decision notice and given the opportunity to call-in the decision.

Item No	Title	Portfolio Responsibility	Scrutiny Committee	Included in the Forward Plan Yes/No
3	Principles on Provision of Education in Herefordshire in 21st Century	Children's Services	Children's Services	Yes

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST



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To receive any declarations of interest by Member in respect of items on this agenda.

3. PRINCIPLES ON PROVISION OF EDUCATION IN HEREFORDSHIRE IN THE 21ST CENTURY

To approve the principles to guide the future pattern of provision of education in Herefordshire in the 21st Century and to endorse the next steps in the review process. *(Pages 1 - 20)*

NEXT STEPS AND SOME EARLY CONSIDERATIONS

Comments are sought from Cabinet on the principles set out in this additional paper.

EXCLUSION OF THE PUBLIC AND PRESS

In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.

RECOMMENDATION:

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act as indicated below.

4. RESPONSE TO THE REVIEW OF THE COURTYARD CENTRE FOR THE ARTS

To respond to the 'Review of the Courtyard Centre for the Arts' conducted by the Community Services Scrutiny. *(Pages 21 - 42)*

Yours sincerely,



**N.M. PRINGLE
CHIEF EXECUTIVE**



Copies to: Chairman of the Council
Chairman of Strategic Monitoring Committee
Vice-Chairman of Strategic Monitoring Committee
Chairmen of Scrutiny Committees
Group Leaders
Directors
Head of Legal and Democratic Services



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BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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PRINCIPLES ON PROVISION OF EDUCATION IN HEREFORDSHIRE IN 21ST CENTURY

PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

29TH NOVEMBER 2007

Wards Affected

County-wide

Purpose

To approve the principles to guide the future pattern of provision of education in Herefordshire in the 21st Century and to endorse the next steps in the review process.

Key Decision

This is a Key Decision because it is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000;

It was included in the Forward Plan.

Recommendations

That

- (a) the principles on which the strategic plan for the pattern of school provision should be based as set out in Appendix 1 be approved; and**
- (b) the process which involves draft proposals being published on 10th January 2008, consultation on the proposals until Friday 29th February, and a meeting of Cabinet in March 2008 to approve proposals be endorsed.**

Reasons

- (a) The principles paper has been amended to reflect many of the queries raised in the consultation period.
- (b) The review of school provision is a strategic piece of work, and Cabinet should confirm that the programme is to its satisfaction.

Further information on the subject of this report is available from
George Salmon – Head of Commissioning & Improvement on (01432) 26 0802

Considerations

Background

The review of school provision was agreed by Cabinet in the spring of 2006. The programme involving reviews on an area by area basis suffered delays and failed to address cross-county issues in a timely way. This has caused much frustration in schools. Under instruction from the new Director for Children's Services and new Cabinet Member, the review was re-launched by issuing a Principles Paper on which to base future proposals across the whole County. This approach has received universal support amongst schools. The debate has moved to the principle themselves, and how they will be applied. Although the paper was written in the context of falling rolls, it should also be applicable in the context of stable or even higher pupil numbers.

Eight principles were set out in the draft paper sent out for consultation i.e.

1. The aim should be to provide the best for all children and young people in Herefordshire;
2. There should be equity of provision for all children wherever they live in the County;
3. Maximum benefit is to be derived by partnership working between schools, parents/carers, and key agencies;
4. More diverse provision within a strategic framework in terms of status of school, specialism, age-range, and partnering arrangements should be seen as flexible means by which the needs of individual children in each area of the county can be met;
5. Strong leadership at Local Authority, School and Community level is essential to deliver continuing improvements in a changing world;
6. The interests of the more vulnerable and those with additional needs should be met through providing equal opportunities and making positive and proactive intervention;
7. Resources appropriate to teaching and learning in the 21st Century must be provided in terms of finance, staffing, teaching materials, equipment and accommodation;
8. All maintained schools in Herefordshire should continue to be part of a community of provision within a strategic framework.

Responses

In the initial consultation over fifty written replies were received. In addition the paper was discussed in meetings with Government Office West Midlands, Strategic Monitoring Committee, Children & Young People's Scrutiny Committee, the Children & Young People's Partnership Board, the Shadow Board, Hereford Association of Governors, Hereford Association of Secondary Headteachers, and Primary Headteachers. Copies of the responses have been placed in the Members Room, with the original draft Principles Paper.

There is no outright rejection of any principles, but some additional points were raised. GOWM suggests reference to the changing role of the Local Authority and greater emphasis on the wider children's agenda. Others point out the need to stress the role of the school in the community and the critical role of the parent and family in a child's life.

Clarification has been sought on what action would follow negative school OFSTED reports, querying the validity of that snapshot view in all circumstances, and noting that the Local Authority has a prime addressing underperformance.

Doubt has been thrown on the value of federated arrangements, but the principle of diversity is generally supported, especially linked to faith schools. Some have queried whether diverse provision will cause greater confusion to parents.

There is a general consent that the smallest school should be able to employ 3.5 FTE teachers, although an argument for the two class school is presented, with the emphasis on the close personal relationship developed between teacher and learners. The current widespread practice of partnership working was emphasised with one suggestion for further 'reward' for greater co-working.

On a matter of detail a journey time of 45 minutes for a primary aged child is seen as too long with 30 minutes suggested instead. At secondary level this is less of an issue with one thought that no restriction should be in place, and another suggesting that it is impractical for special schools.

It is interesting to note that young people on the Shadow Partnership Board were not concerned with travel time. They thought that the smallest schools did provide a limited experience, and had no hesitation in wanting quick action to resolve poor standards of teaching and learning.

The general reactions are summed up by such phrases as 'the aims of the draft are laudable', 'paper had some very good points', 'the principles reflect government policy and learning, and a general consensus among educationalists and hence can be endorsed'.

Unsurprisingly many of the responses pre-judge the next stage in the review process. There is a common concern over accuracy and availability of up-to-date data on future pupil numbers, and how the principles will be used to formulate proposals. At this point many felt that changes will be resource driven rather than principle led.

Next Stages

The principles have been amended in light of the comments received and the amended paper is attached as Appendix 1. If approved, proposals will be brought forward and announced on 10th January to schools with a full briefing offered to all Councillors on 11th January. The same presentations and information will be available to all meetings. Further discussion on the proposals will be undertaken particularly with the schools where change is proposed.

This is in line with the DCSF guidance and legal requirements on procedures to follow in cases of school reorganisation. There has to be discussion and informal consultation over initial proposals of any change that alters the character of a school, closes or ceases to maintain a school. If these proposals are to be taken forward, formal Council approval is required to publish statutory proposals that invite comments on the formal proposals. Cabinet will then have to decide if they wish to give final approval to the proposal set out in the statutory notice. In the past School Organisation Committees have been responsible for making the final local decision. However, the Education and Inspections Act 2006 abolished School Organisation Committees. The final decision now rests with the Council, albeit there is a right of appeal against the Council decision to the National Adjudicator.

To comply with the process, the following timetable is planned.

January 10 th	Announcement to Headteachers and Governors of draft proposals
January 11 th	Briefing for all Councillors
January 10 th - February 29 th	Informal Consultation on the proposals for change
March 27 th	Report to Cabinet seeking approval to formal proposals
April/May	Publication of Statutory Notices and Formal Consultation with regard to specific and individual schools

Financial Implications

The principles will shape how revenue will be used in the future. In the main, it will not influence the level of the Dedicated Schools Grant which is a direct function of pupil numbers.

If radical proposals emerge, there maybe a requirement to meet additional redundancy and transport costs. Fundamental change is also likely to require significant capital investment.

Risk Management

The principles paper attempts to set out clearly the basis on which future school provision should be made. To that extent it itself represents action to mitigate the impact of falling rolls on the future quality of education provision within the county and value for money.

Alternative Options

The review of school provision could proceed without a set of clearly stated principles and rely, as it has done previously, on policies set out in plans some years ago, and on policies emerging in response to new initiatives from the Department of Children's School and Families.

Consultees

All Councillors
 All Headteacher and Governors in Herefordshire
 Hereford Diocese
 Archdiocese of Cardiff
 Hereford Association of Governors
 Teaching Professional bodies
 Children and Young People's Partnership
 Shadow Partnership Board
 Government Office West Midlands

Appendices

Appendix 1 – Principles to Guide the Provision of Education in Herefordshire in the 21st Century

Background Papers

Written responses to Consultation Paper

Draft Paper 'Principles to Guide the Provision of Education in Herefordshire in the 21st Century'

PRINCIPLES TO GUIDE THE PROVISION OF EDUCATION IN HEREFORDSHIRE IN THE 21st CENTURY

Introduction

Herefordshire Council is committed to working in partnership with parents, schools, settings, colleges and their stakeholders together with other partners to meet the wider Every Child Matters agenda and the requirements of the Children's Act. A prime aim is to ensure that the school system is fit for purpose, will sustain improvement in the years ahead, and is able to meet the changes and challenges to come. This does include all five outcomes for children, given the significant impact schools can have on the broad life of a child.

This Statement of Principles will guide our work, set our standards, underpin our values and inform the future organisation of schools to enable us, with partners, to give the best opportunities and the best outcomes for all learners. Our aims for all our children and young people are:

- that they all can have the best start and maximise progress in their education;
- that through their learning and entitlement they can develop all their abilities and talents to achieve the highest standards;
- that through high quality provision and support they can realise the highest aspiration and expectations for their benefit and that of the whole community;

- that such a sound foundation will prepare them for a positive and fulfilling adult life as citizens living in a global context.

To deliver this vision, resources will have to be used to maximum effect. The provision of school places and school organisation are major determinants in how resources are allocated and expended. Once the principles on which to base educational provision have been agreed, the review of school provision will make proposals which will deliver the vision. Decisions taken now will shape provision over the next 20-30 years.

In developing the Statement of Principles we have taken account of the vision, ambitions and local priorities set out in the

- Herefordshire Partnership Plan;
- The Children and Young People's Plan;
- The Early Years & Childcare Plan;
- The Education Asset Management Plan;
- The 14-19 Learning Entitlement for Young People.

In these strategic plans there are common themes aiming to build an equal and inclusive society; to realise the potential of individuals and communities, to seek continual improvement and to provide excellent education, training and learning opportunities in Herefordshire for all ages.

It is noted that the Local Authority does have a changing role in terms of school provision. No longer are its statutory responsibilities centred on providing sufficient places and maintaining standards of teaching and learning. It also has duties to seek

more diverse provision and offer choice to parents. The DCSF envisage that the Local Authority will act as a strategic planner, commissioning places from schools.

STATEMENT OF PRINCIPLES

1. The Best for All of Herefordshire's Children and Young People

We place the child/young person, his/her needs and the development of his/her potential, at the centre of all we do. We base our strategies and decisions on what will benefit the education and welfare in the widest sense of all Herefordshire's children and young people.

In line with the holistic approach under Every Child Matters, we believe that, with consistent nurture, support and encouragement from their schools, peers, family and community, our children/young people can succeed in their learning and grow into mature, healthy, well-rounded individuals who contribute positively to society.

We seek the greater involvement of children and young people, individually and collectively, in the development of their learning and self-esteem by taking account of learner voice, opinions and assessments in a variety of forms. We value their contribution to developing provision and appropriate educational pathways.

Practical Steps

- The Local Authority in conjunction with School Improvement Partners will provide advice, support and challenge to secure continual improvement in the work of schools delivering all five outcomes;
- Schools will be encouraged to develop extended services for children and families;

- The role of schools in providing services and co-located bases for multi-professional teams delivering services across the five outcomes will be considered in the development of integrated services, and creation of 'teams around the child';
- The Shadow Partnership Board and Youth Council will be consulted as part of the current school review;
- The statutory requirement to review any school placed in a negative Ofsted Category will be achieved through a report with recommendation for any future action to the Cabinet Member for Children & Young People.

2. **Equity:**

We believe that all children and young people should be equally valued and should have a common entitlement in their school, settings and in the community educational partnerships. We believe that educational strength, expertise and experience should be shared for the benefit of all, and the enterprise and innovative capacity of individual schools must contribute to the collective resources in the county.

In an era of diversity, specialism and declining numbers, parental preference can best be addressed within a county-wide strategic framework, which ensures a high quality entitlement for all, supplemented by enrichment opportunities available through collaborative working between schools and other providers.

Practical Steps

In order to achieve the aims of equity and excellence for all in the context of limited financial resources and falling rolls,

- We acknowledge the need to review and refine the funding mechanisms for schools to establish greater parity between schools, and also broaden opportunities for pupils in the overall provision;
- We will encourage and facilitate networking and opportunities for collaboration;
- Advice, support, training and resources will be made available to schools to allow them to be inclusive with appropriate access to the curriculum for all;
- Schools need to be supported in developing skills to meet the full range of pupil needs, carefully monitoring outcomes and targeting resources to greatest effect;
- Current transport arrangements will be revised in light of national initiatives to ensure that expenditure is focused on services which improve access to these groups most in need.

3. Partnership:

With other agencies, we positively embrace responsibilities set out in the Children Act 2004, and this will be reflected in our vision, strategies and plans. We believe in open and constructive partnership working with and between schools, key agencies and parents/carers to ensure we deliver a first class education service that meets the needs of each learner. Indeed in a rural area, partnership working between schools is likely to be the only way in which some specific needs of individual learner can be met.

Practical Steps

To achieve better outcomes for our children and young people, we will work together with partners to create new structures or arrangements in the development of a flexible learning organisation that can successfully face new challenges as they emerge. At present, this includes a review of the role of the school in association with the private and voluntary providers in delivering the Foundation Stage to children under 5, and the work within the 14-19 Strategy to develop individualised/personalised curricula for all pupils, prior and post-16.

4. Diversity:

We recognise the benefits of considering diversity of provision in pursuit of equity, inclusion, improvement and innovation, so that provision can be shaped to meet the particular circumstances of various areas of the County.

Practical Steps

The local authority will consider action which will

- select from the range of national initiatives i.e. Academies, Trusts, Federations (and where appropriate adapting them to local circumstances), to support the transformation of primary and secondary schools to sustain a first class service;
- endorse and promote new arrangements in school organisation such as co-locations and amalgamations of infant and junior or primary and secondary schools, mergers and federations, where these are the most appropriate means of sustaining or improving standards and services in the locality, and that improvement is demonstrable;
- encourage community focused schools, at times working in clusters or networks, to provide local access to high quality education for children of all ages and adults, and to offer access to other services such as Health where that is appropriate;
- achieve co-located provision with other agencies on school sites to further the effective delivery of the ECM agenda through the aligned development of children's centres and extended services;
- consider different legal status for schools, where this is judged to bring significant benefit to children and young people.

5. Leadership:

Strong leadership from the local authority, headteachers and school governing bodies is essential to meet the evolving agenda and to manage the changes. We recognise the strength of leaders in Herefordshire, and will continue to support and challenge them to ensure a high quality experience for learners through a period of change.

Practical Steps

We will work in partnership with headteachers and governors to create:

- a shared vision amongst leading professionals built upon common values and principles;
- a passion for excellence;
- a commitment to working collaboratively with many partners for the benefit of Herefordshire learners;
- a commitment to each other to support, to challenge and to lead;
- a willingness to consider the development of new ways to disseminate best practice and generate new approaches to improve the service;
- with the cooperation of Governing Bodies, internal arrangements which allow headteachers at least 50% non-teaching time;
- the opportunities for different models of school leadership through, for example, federated schools.

6. **Additional Needs:**

We believe in equal opportunities and in positive, active intervention for children with additional needs and those who are vulnerable.

Practical Steps

We aim to ensure that:

- the needs of these children and young people are identified at an early stage so that the school and, where necessary, specialist staff can intervene speedily and appropriately with greater emphasis on in-school provision;
- a continuum of provision is developed which has greater flexibility to ensure access to the best outcomes for an individual as no single school or setting can meet all needs at all times;
- there is appropriate transition or transfer arrangements for pupils between school and specialist settings, which include short-term intervention or part time placements, and flexibility between sectors;
- a broad, personalised curriculum is provided and presented in an innovative, vibrant, exciting and challenging way. This will offer, particularly at KS3 and KS4, a diverse menu of alternative curriculum pathways to meet the needs of individuals and, in so doing reduce the incidence of exclusion;

- those pupils who have become disaffected or have been excluded will be encouraged and supported to re-engage in their education within their own school or at another local school as quickly as possible so that they have the maximum chance of success;
- Herefordshire's specialist provision is developed so that only a few children with the most complex low incidence need will have to go outside our boundaries.

7. **Resources:**

We recognise that a high quality of teaching and learning exists in Herefordshire schools. However, we also acknowledge the need for schools to be fully fit for purpose for the challenges already posed in the first two decades of the twenty-first century, and to be appropriately resourced in terms of finance, staffing, materials, equipment and accommodation.

Practical Steps

In order to achieve this

- The Local Authority will continue to campaign for more equitable funding for Herefordshire;
- resources will be focused to achieve maximum effect and will be directed to priorities;
- the LMS Scheme will be reviewed to reduce the resources allocated under non-pupil factors e.g. floor area;
- proposals will be brought forward to reduce the percentage of budget spent on non-teaching costs;
- e-learning opportunities will be advanced through ICT systems and infrastructures;
- capital investment will be made, as resources allow, to ensure that buildings and facilities support the drive to improvements in teaching and learning;

- permanent need will be met in permanent buildings, which, where provided through new capital investment, will be built on sustainable principles;
- resources will be focused on those areas which have greatest impact on teaching and learning, through by reducing surplus space through changes in school organisation and in the LMS Scheme;
- schools will be supported in developing and sustaining partnerships to improve local access to specialist staff, resources and services which can be better provided collaboratively than individually;
- training programmes will be provided to ensure that all staff have access to high quality training and development to maintain and improve standards and to demonstrate and disseminate best practice.

8. A Community of Schools:

We are committed to maintaining a community of schools in Herefordshire that primarily serve their local area but may also allow for parental preference, accessing the curriculum and extended services on a strategic countywide basis. In maintaining this commitment to quality and excellence in a time of falling rolls and increasing demands, we recognise that we cannot compromise on quality in times of scarcity.

Practical Steps

- The review will produce a robust Strategic framework within which all maintained schools, whatever their status, will have a place;
- Those schools exploring changes of status will be supported by the Local Authority on the understanding that the change of status will not affect the role of that school in the strategic framework;
- The Membership of Schools Forum and the Local Admission Forum will be reviewed in light of any changes in school status;
- We will endeavour to restrict pupil travel time to primary schools so that no child or young person, unless by choice, has to travel more than 30 minutes to school.

9. Schools within their Community:

The tangible and often intangible value that both primary and high schools can have in their community is acknowledgeable, and every effort should be made to improve that

relationship. First and foremost schools should be valued for presenting excellent education for children living in the area they serve. Through the extended schools initiative schools should increasingly offer additional experiences to their children, services for their parents, and to members of the public in the locality. As publicly funded and maintained buildings schools are one of the most valuable assets in the public domain in Herefordshire. Full use of these assets should be sought, but in a way which does not undermine their core role.

Practical Steps

The Local Authority will:

- Encourage and support schools to offer wider range of services;
- Advise on and support appropriate third party use of school buildings and sites managed through school governors;
- Consider the community provision made by the school in any debate over change.

NEXT STEPS AND SOME EARLY CONSIDERATIONS

Comments are sought on these principles. Once agreed, by the Council the ability of current provision to deliver the vision at a time of falling rolls will be assessed. The traditional model that schools educate children between the ages of 5 – 16, with some to 18 between 9.00 and 3.30 on 190 days in a year, following a standard curriculum is rapidly changing to reflect the national transformational agenda. At this stage it is envisaged that schools in the future will offer more flexible services with schools offering places or provision for children and young people of all ages as well as adults in the local community.

Possible ways forward include

1. more diverse provision in terms of status of school (aided, trust, academy, federated) and age-range. This will be supported where it can be reasonably demonstrated that standards of teaching and learning will improve, or that resources can be used more effectively;
2. in the primary sector all schools will be expected to have at least 3.5 F.T.E. teachers, including a headteacher with no more than 0.5 teaching workload. (This would require all schools to have at least 55-60 pupils on roll);
3. in the secondary sector all schools must be able to demonstrate that they are able to offer either independently or working in partnership with another school, the learning entitlement for academic and vocational subjects
4. no Sixth Forms should be created with fewer than 120 students;
5. any school where the per pupil funding for children without SEN exceeds the DfCFS unit DSG funding (currently £3,400) will be subject to more detailed review;
6. school transport will be organised where practical, and where geography allows, to reduce the journey time for students to less than 45 minutes;
7. all accommodation used for the core teaching and learning will be in permanent accommodation, that meets the current standards expressed in DfCFS Building Bulletins. Future capital investment programmes of the Council should be formulated to make good those areas which are below standards;
8. parental choice will be supported through ensuring that there is diversity of provision, and that schools are provided in strategic locations throughout the County, (and not necessarily through expanding schools which only the more mobile parents can access).

Again comments are sought on these ideas. As part of the process to develop proposals

for individual schools, the following information is being collected on the circumstances of each school;

- quality of education as assessed by Ofsted;
- funding level in terms of per pupil amount ;
- number of children under the age of 5 living in catchment area as at August 31st 2007 ;
- projection of future numbers of children on roll;
- current and future surplus space;
- distance to alternative schools;
- quality of accommodation;
- number of temporary classrooms;
- number of children on excessive journeys;
- volume of services offered to community under extended schools;
- potential for all through school or alternative organisation.

This will be used alongside other information which maybe brought to our attention to shape proposals that will emerge in the next stage.

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