

**MINUTES of the meeting of Children's Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 10 December 2010 at 10.00 am**

**Present:** Councillor WLS Bowen (Chairman)  
Councillor ME Cooper (Vice Chairman)

**Councillors:** DW Greenow, AW Johnson, Lavender, G Lucas, PM Morgan, SJ Robertson, RV Stockton, AM Toon, WJ Walling,

**Co-opted Members** Mr PF Burbidge, Mr P Sell, Mrs OR Evans and Mr M Harrisson

**In attendance:** Councillors: JHR Goodwin, PJ Edwards, TM James, RI Matthews, AT Oliver and PD Price (Cabinet Member – ICT, Education and Achievement)

The Committee observed a one minute silence in memory of the former Chairman of the Council, Councillor PE Harling who had recently passed away.

**36. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Brig P Jones CBE, Councillor Mrs JE Pemberton; Mrs Catlow-Hawkins; Mr P Haydon; Mrs E Lowenstein. An apology was also received from Councillor J Hyde (Cabinet Member – Children’s Services).

**37. NAMED SUBSTITUTES**

Councillor P Morgan substituted for Councillor Brig P Jones CBE. Councillor DW Greenow substituted for Councillor JE Pemberton

**38. DECLARATIONS OF INTEREST**

The following interests were declared:

<b>Name</b>	<b>Interest</b>	<b>Reason</b>
Councillor WLS Bowen	Personal	Governor – Kingsland CE Primary and Luston Primary schools.
Councillor M Cooper	Personal	Governor - John Masefield High School
Councillor G Lucas	Personal	Governor – Brampton Abbots CE Primary School
Councillor PM Morgan	Personal	Governor – Ashperton Primary School
Councillor SJ Robertson	Personal	Governor - Burghill Community Primary School
Councillor RV Stockton	Personal	Governor – Colwall CE Primary School
Councillor AM Toon	Personal	Governor – Whitecross High School
Mr PF Burbidge	Personal	Governor – St Mary’s RC High School. He declared that in view of his position he would not be voting In relation to agenda Item 6.
Mr P Sell	Personal	Director of Education – Diocese of Hereford. He declared that in view of his position he would not be voting In relation to agenda Item 6.

**39. MINUTES**

**RESOLVED: That the minutes of the meetings held on 1 and 22 October 2010 be approved as a correct record and signed by the Chairman.**

**40. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY**

No suggestions for scrutiny were received from the public.

**41. CALL-IN OF CABINET'S DECISION THAT DILWYN CHURCH OF ENGLAND PRIMARY SCHOOL BE DISCONTINUED ON 31 AUGUST 2011**

Mr P Burbidge, Chair of St Mary's Roman Catholic High School, and Mr P Sell, Director of Education, Diocese of Hereford, both declared personal interests in this item and in view of their positions declared that they would not be voting.

The Committee reviewed the Cabinet decision that Dilwyn Church of England Primary School be discontinued on 31 August 2011, which had been called-in by three Members of the Committee.

The agenda report detailed the stated reasons for the call-in. Appended to the report was the decision notice of Cabinet setting out the decision and the report to Cabinet on 25 November 2010 on which that decision had been based and the joint statement issued at the meeting. The draft minutes of Cabinet held 25 November 2010 were circulated prior to the meeting. Also attached to the report were the minutes of Cabinet on 12 July together with agenda report when the options for Dilwyn C of E school had been previously considered.

Both the Liberal Democrat Group Leader and the Herefordshire Independents Group Leader criticised the Council's constitution for the way it restricted free debate on call-in issues.

The Cabinet Member (ICT, Education and Attainment) reported that there had been no significant change at Dilwyn school since Cabinet had considered the matter at its July 2010 meeting that would improve the financial position or the sustainable outlook for the school. Consultation over and above that required had taken place and officers had worked with both Diocesan authorities to investigate possible ways forward. A number of questions or comments had been made at Cabinet and these were covered in the minutes of that meeting.

In the course of considering the stated reasons for the call-in the following principal points were noted in relation to each point:

Stated reason - first bullet point

- A question was raised concerning the accessibility of pupil numbers. The Herefordshire Local Admissions Forum (HLAF), which usually received reports on pupil numbers in schools, had been cancelled. It was claimed that there had been no information on the closure of Dilwyn School and accurate pupil numbers had been difficult to obtain. It was suggested that the HLAF was an independent body and could have considered the matter. In response the Assistant Director, Planning, Performance and Development reported that the recent HLAF had been cancelled due to lack of business. Consideration of Dilwyn school had been ongoing since January 2009 and HLAF had received reports on pupil numbers, but not specifically in relation to Dilwyn.

- While Hope-under-Dinmore and Brilley schools had closed with the agreement of the governing bodies, it was claimed that the local authority had actively campaigned to dissuade parents from placing their children at Dilwyn. In response the Committee questioned where the evidence was for such a claim.

#### Stated reason – second bullet point

- The Education and Inspections Act 2006 placed the likely effect of the discontinuance of the school on the local community as a material consideration. It was pointed out that the community had raised money to support the school and that the closure of the school would have a knock on effect to other community groups in the village. The Interim Director of Children's Services responded that community representation had been well understood throughout the process. There had been extensive discussions with the community and the school. An opportunity to work differently at the school had been led by the local authority. Unfortunately this had not lead to an increase in the numbers on roll.
- Following reference to the Council's Small Schools Policy the Cabinet Member (ICT, Education and Attainment) responded that the policy had been in existence for a number of years and hadn't been questioned. For the last 2 years Dilwyn school had been dealt with under that policy and options, including federating with another school had been pursued.
- The Interim Director of Children's Services strongly refuted claims that pupils had been directed away from Dilwyn school. A member of scrutiny committee noted that no evidence had been produced to support any such claim. With the Diocese, intensive support had been given over a number of years in an attempt to increase the numbers on roll.
- Comment was made that greater emphasis should be given to the community particularly as the government was due to issue the Localism Bill. Cabinet had failed to consider the affordable housing need in the area. Other schools in a similar situation had been helped. In response a contra comment was made that the community had made its own decision by not sending its pupils to this particular school.
- Community Groups used the village hall for meetings and activities.
- The Committee noted that it was a case of balancing the impact, value for money and the quality of education.
- It was questioned whether there was a structured framework that set out what a rural community should consist of. The Interim Director of Children's Services reported that the consultation had followed the statutory process and the responses received had been reported to Cabinet.
- Questioned on who owned the school and playing fields the Director of Education, Diocese of Hereford, responded that a 'reversion order' would be sought by the Trustees should the premises not continue as a educational establishment. The playing fields were Glebe land.

#### Stated reason – third bullet point

- The Interim Director of Children's Services reported that while a number of headlines concerning intended changes had been issued by government, until statutes were changed the Council was obliged to comply with current law. He highlighted the considerations within the Education and Inspections Act 2006 set out in the report to Cabinet.
- While the call-in Members had no problem with government policy or the Small Schools Policy, they wished to ensure that statutory procedures had been adhered to.
- The Cabinet Member (ICT, Education and Attainment) reported that a well attended meeting had been held with the local community and the school management when the facts had been put. The statutory process had been explained and the level of assistance the Council was giving to the community

had been highlighted. This had resulted in 60 to 70 letters on similar lines that supported the federation proposal. Through out the process the community had had every opportunity to respond.

- Questioned whether the Director and Cabinet Member were satisfied that every option had been explored the Interim Director of Children's Services responded that the process had been undertaken and all options and alternatives had been exhausted. His concern now lay with the continued quality of education for the children at the school. While national government may be considering changing statutes this matter now required a local decision.

Stated reason – forth bullet point

- The Interim Director of Children's Services responded that federating with St Mary's had been actively considered by the Council and the Dioceses under the Small School Policy and the options had been discussed with, and by, the Governors. Only 3 schools had expressed any interest in federating and only St Mary's had produced a proposal. Having worked with St Mary's on the federating proposal the final proposal had not been sufficiently robust in addressing the financial; long term stability; safeguarding and educational opportunities needed by a small cohort.
- It was reported that Burghill Community Primary School may have an interest in federating with Dilwyn School. Burghill had recently had a video link to a school in Ohio and it was suggested that technology may be a way of linking schools together and worthy of Cabinets consideration. It was also suggested that more affordable housing for local workers e.g. at Tyrells, would increase the school population. In response the Interim Director of Children's Services commented that technology had a significant opportunity to improve education delivery in the County and the Cabinet Member (ICT, Education and Attainment) had been championing its development. However, technology would not address the financial situation, the numbers on roll and long term sustainability of the school. Neither would it replace the social interaction of pupils.
- Responding to criticism concerning the last minute submission at Cabinet of the Joint Statement and the limited time allowed to consider it, the Cabinet Member (ICT Education and Achievement) responded that time had been taken to ensure that all options had been explored before a decision was taken and that the situation had been explored from early 2009.
- All schools, including Lord Scudamore, had been asked 2 years ago about possible federation.

Stated reason fifth bullet point

- It was commented that reference to Eardisley should probably refer to Almeley Primary School. It was suggested that the villages referred to had been supported in building houses and therefore the numbers on roll had increased and this scenario should be available to Dilwyn.
- Responding to a suggestion that Dilwyn School be mothballed until pupil numbers increased the Director of Education, Diocese of Hereford reported that discussions were ongoing over the future of the property, including the possibility of it becoming a 'free school'. If the school ceased under the trust deed to be an educational establishment the property would revert, hence the reversion notice' to the rightful owners.

Stated Reason – sixth bullet point

- The Interim Director of Children's Services reported that as at 3 December there were 31 pupils at the school. There had been no evidence that parents had refused Dilwyn School because of any possible closure. The potential for new house building in the area had been investigated but the number of expected houses would not provide sufficient numbers of children over a number of years to make the school viable.

- It was asserted that there were written statements that parents would consider sending pupils to Dilwyn if it was federated with St Mary's. It was also asserted that, according to government figures, the birth rate was increasing, and therefore pupil numbers would be rising. It was also alleged that the 2008 aborted report to Council on possible school closures had influenced parental choice. In response the Cabinet Member (ICT Education and Achievement) commented that Dilwyn School had known about the falling rolls issue for some years. The Interim Director of Children's Services responded that survey responses had not identified the 2008 report to Council as being a reason for not sending children to Dilwyn School. He further commented that while there were areas that were experiencing an increased birth rate this was not the case in the North West of the county which had 160 spare spaces in schools.
- It was suggested that due to the economic down turn parents with children in private schools may be considering moving them to council schools. The Interim Director of Children's Services commented that if this were to happen the numbers would be minimal and would not affect the underlying position at Dilwyn.

**RESOLVED: that the Committee accepts the decision of Cabinet with no further comment.**

The Cabinet Member (ICT, Education and Achievement) stated that both he and the Interim Director of Children's Services had noted the comments made during the debate.

**At this point the Committee adjourned for 12 minutes and resumed at 11.53am**

#### **42. PERFORMANCE DIGEST - QUARTER 2 2010-1011**

The Committee considered the Performance Digest for Children's Services for Quarter 2 of 2010-11.

The Assistant Director Planning, Performance and Development, presented the report which drew Members attention to a number of key areas for consideration based on the Every Child Matters outcome areas and he highlighted a number of key issues.

During the course of debate the following principal points were noted:

- Due to an increase in demand following national serious case reviews i.e. Baby P case, and subsequent heightened awareness within various children's agencies, there had been a significant increase in the number of referrals to children's social care and this was under review.
- One post within the directorate reorganisation had specifically been designated to look at the provision for children with Autism needs.
- Concern was again expressed regarding the NEET statistics (Not in Education, Employment or Training) namely that students are not recorded if they go to university and then drop out. The Interim Director of Children's Services acknowledged these were difficult statistics to capture and warned that things may get more complicated before they improved. In the current economic climate NEET may be an area for scrutiny to look at in the future.
- Questioned about the Connexions Service the Interim Director of Children's Services reported that the Service was now provided in-house and supported by the Area Based Grant (£1.4m) which was likely to be reduced. Connexions provided services to individuals, and worked on a County and sub-regional basis.
- Responding to comments about pupil absence figures the Committee noted that a number of initiatives were in place to address the matter and that resources had been targeted through the directorate restructure to progress projects. Responding to whether pupil absence was affected by 'armed forces leave', a Member briefing note would be provided. Further questioned about whether guidance was provided on the taking of holidays the Interim Director of Children's

Services reported that no written guidance was produced, however, officers did provide advice on this issue.

- A Member briefing note would be provided to clarify the provision of post 16 transport.
- Funding for Chlamydia screening was on-going via Public Health.

**RESOLVED: that the levels of performance for Quarter 2 of 2010/11 as set out in the report be noted.**

#### **43. CONSULTATION ON PRIORITIES FOR THE CHILDREN AND YOUNG PEOPLE'S PLAN 2011-2014**

The Committee considered the partnership priorities for the next Children and Young People's Plan, covering the period 2011-2014.

The Head of Children's Trust Development presented the report and highlighted that while The Department for Education (DfE) had removed the requirement to have a plan of this nature, there was a real commitment in the County for partnership working to continue and a plan was needed to focus and direct the work of the partners. The new plan would benefit families, children and young people and was currently drafted for consultation. The final plan would be published in April 2011. The plan would focus on the top priorities that partners in the Children's Trust would deliver that would make lives better for families and their children. The proposed priorities of the new plan were appended to the agenda report.

The Committee considered the priorities and during the course of debate the following principal points were noted:

- It was commented that preventative work was money well spent. The Interim Director of Children's Services reported that the directorate restructure had been predicated on helping parents and families to help themselves.
- In relation to reducing childhood obesity and the importance of breastfeeding in providing the best start in life, it was questioned whether funding for initiatives would continue. Health colleagues would be consulted and a briefing note provided to Members on the issue. A briefing note was also requested providing further information (statistics, definitions and clarification) on the National Child Measurement Programme.
- The rate of smoking and drinking in the youth population would only change when there was a change in the youth culture and education was a key element in this.
- It was suggested that percentage figures used in the plan should be supported with actual figures.
- Responding to the suggestion that, with appropriate safeguards in place, the Youth Council should be contactable via Facebook the Committee noted that this was already being investigated.
- While all the priorities were excellent, appropriate funding was necessary. The Interim Director of Children's Services responded that the Young Peoples Plan should lead to a 3 year strategic plan and in turn should produce a business plan for its delivery.
- While it was questioned whether attainment levels correlated to social groupings it was noted that attainment at the Hereford Academy had significantly improved.
- Considering opportunities for young people and the NEET target (Not in Education, Employment or Training) it was questioned how many apprenticeships the Council offered. Members would be provided with information by briefing note.
- The Committee noted that the existing "duty to co-operate" amongst the partners in the Plan would remain in place, although schools and colleges will be

removed, subject to parliamentary approval, in the Education Bill due shortly. The Interim Director of Children's Services responded that the partnership would have to comply with the statute. However, locally the partnership was looking to develop a 'family of provision' and the Heads of schools and colleges had indicated that they were keen to be part of that family.

**RESOLVED: that the draft priorities set out in the consultation document for the Children and Young People's Plan be noted and on the close of the consultation an update report be presented to the March 2011 Committee meeting.**

**44. OFSTED INSPECTIONS OF SAFEGUARDING AND LOOKED AFTER CHILDREN IN HEREFORDSHIRE - JUNE AND SEPTEMBER 2010: OUTCOMES AND ACTION PLAN**

**RESOLVED: That consideration of this item be deferred to the next meeting.**

**45. ATTAINMENT AND ACHIEVEMENT IN THE SECONDARY PHASE**

The Committee considered the attainment and progress of pupils in the secondary phase of maintained schools in Herefordshire in 2010.

The General Inspector Secondary/Secondary Strategy Manager and the General Inspector presented the agenda report and highlighted that: No Herefordshire high school was graded in an inadequate OFSTED category and five schools were graded outstanding; in 2010 good GCSE results were maintained with some improvements in a number of key benchmark measures continuing the positive trend at KS4; Herefordshire schools continued to demonstrate attainment which was generally in line with or higher than the national average; the national rate of progress was beginning to improve at a faster rate than in Herefordshire in the key benchmark of 5+A\*-C grades at GCSE including English and mathematics; the performance of vulnerable groups continued to improve although there was some variability and some notable successes; girls performed better than boys in 2010 in a number of areas and for some schools the gap in performance between boys and girls had widened. Officers took the Committee through the report in some detail.

In the course of discussion the following principal points were noted:

- Questioned about how gifted and talented pupils were identified and supported the Committee were informed that schools had received training on the national standards and were expected to keep a register and policy on gifted and talented pupils. The training had provided a focus on the identification of such pupils and disseminated areas of good practice. The Committee requested further information on this subject via a Member briefing note.
- Concern was expressed that attainment in BTEC courses may not be reported in the same way as GCSEs were. The Interim Director of Children's Services warned that until the context behind the attainment statistics were known and a baseline had been established there would be complications in interpreting the outcomes.
- Questioned about Herefordshire's attainment when compared to the County's socio-economics, the Interim Director of Children's Services responded that in fiscal terms the County were doing more for less. He commented that in his view further improvements should be made in early years and primary attainment to ensure that momentum was maintained that would further improve attainment at secondary schools.

**RESOLVED: that the standards in the secondary phase of maintained schools be noted and a further update be included in the 'educational standards' report planned for the March 2011 Committee.**

**At this point the Committee adjourned for 8 minutes and resumed at 1.38pm.**

#### **46. REVENUE BUDGET MONITORING REPORT 2010/11**

The Committee assessed and commented upon the Children's Services revenue budget for 2010/11 at the end of quarter one and were provided with comparisons to the 2009/10 budget and outturn.

The Assistant Director Planning, Performance and Development reported that since the agenda report further savings had been made and the current projected outturn position predicted an overspend of just under £900k and highlighted that this was almost entirely due to the pressures on external placements and placements for children with complex needs. The agenda report outlined the service pressures and measures being put in place to address those pressures.

During the course of debate the following principal points were noted:

- The Committee noted that Wigmore High and Primary schools had applied for academy status and this was likely to take effect from January 2011 and not April as indicated in the report.
- It was confirmed that academies complied with the national admissions code. On changing to an academy the Specialist College status disappeared but it was thought that Beacon Status could be retained.
- The Interim Director of Children's Services reported that all schools in the county were keen to be part of the 'family of education' regardless of the status of the school and were keen to sign the pledge to young people on education delivery. Schools were keen to work with the Council on various initiatives to take this forward.
- In January or February of 2011 a 'market place' would be held for school heads to see the range of services on offer from the Council.
- In view of the changing relationships with schools with the advent of academies, free schools, federations etc, Members requested a report explaining the interrelationships and pressures on the directorate central services. However, as the subject should interest all Councillors it was decided that an all Member seminar on the issue should be arranged in the New Year.
- Noting the continued budget pressures on external placements and placements for children with complex needs it was suggested that Cabinet Members should give consideration to whether it would be more cost effective for additional provision to be made locally.
- Noting that other authorities place children in this county, concern was expressed that this placed additional pressures on Herefordshire services. The Assistant Director Planning Performance and Development, reported that there was a duty on other authorities to notify the Council of placements. If on leaving care the young person continued to live in the County this could place additional pressures on other services e.g. housing.

**RESOLVED: that**

- 1. the position set out in the Revenue Budget report be noted;**



2. **the Cabinet Member(s) give consideration to whether it would be more cost effective for additional provision to be made locally for looked after children and children with complex needs; and**
3. **consideration be given to arranging an all Councillor seminar on the themes of the interrelationships and pressures on the directorate central services following the changes to school management.**

**47. MOBILE WORKING FOR SOCIAL WORKERS WITHIN SAFEGUARDING AND VULNERABLE CHILDREN SERVICE**

The Committee were informed of the current position in respect of mobile working for children's social workers and support workers within Herefordshire.

The Interim Director of Children's Services presented the agenda report and commented that mobile working had great benefits for social workers, allowing them to work more flexibly and keep their records up to date. Information regarding children can be immediately updated and thereby was the most efficient way of using the current electronic system to ensure that children are safeguarded. More mobile ICT provision would significantly reduce travel costs and time that social workers spent on the road as they could work from a local base to them or return home to do their written work. A number of options for mobile working were either being considered by the Council or were being implemented and these were detailed in the report.

The Interim Director of Children's Services reported that in any system, confidentiality and information security was essential. Under the 'locality working' agenda work would need to progress to enable more flexible working, however this needed to be seen in the context of the current financial constraints.

It was suggested that closer consultation was needed with mobile technology providers to ensure that when planning applications for local transmitters were considered the technology could be optimised.

**RESOLVED: THAT:**

- 1) **Scrutiny Committee supported the proposal for:**
  - (a) **ICT technical options to be identified between the Children and Young People's Directorate and ICT Services to find a suitable and cost effective way for staff to work in a more mobile way.**
  - (b) **A review to take place on the current ICT equipment used by social workers and family support workers and where necessary replacements to be costed to enable them to work remotely**
  - (c) **All Herefordshire children's workplaces, including children's centres and the proposed locality "hubs" have capacity and connectivity for staff to connect to the network when in the locality; and**
  - (d) **Further work is undertaken on the financial feasibility of the proposal.**
- 2) **the Cabinet Member(s) make every effort to secure the necessary funding to further the project; and**
- 3) **the Cabinet Member(s) be encouraged to work with the mobile technology providers to optimise coverage in the County.**

**48. COMMITTEE WORK PROGRAMME**

The Committee considered its work programme.

**RESOLVED:** That subject to inclusion of the reports requested earlier in the meeting the work programme be approved and the programme be reported to Overview and Scrutiny Committee.

The meeting ended at 2.03 pm

**CHAIRMAN**