

MINUTES of the meeting of the Education Scrutiny Committee held at the Education & Conference Centre, Blackfriars Street, Hereford on Monday, 14th July, 2003 at 2.00 p.m.

Present: Councillor J.P. Thomas (Vice-Chairman)

Councillors: H. Bramer, N. J. J. Davies, Mrs. J.E. Pemberton,
Mrs S.J. Robertson, D. C. Taylor, Ms. A. M. Toon, W.J. Walling.

Church Representatives: J. D. Griffin, Rev M. Smith.

Parent Governor Representatives: Mrs. S.E. Wright.

Co-opted Teacher Representatives: Mr C Lewandowski, Mr J.D. Pritchard.

In Attendance: Councillors: D.W. Rule (Cabinet Member – Education), J. B. Williams, R.M. Wilson (Cabinet Member – Highways and Transportation)

VICE-CHAIRMAN IN THE CHAIR

1. CHAIRMAN AND VICE-CHAIRMAN

The Committee noted the appointment at Council of Councillor D.C. Short as Chairman and Councillor J. P. Thomas as Vice-Chairman.

The Vice-Chairman informed the Committee that the Chairman was unable to attend the meeting due to illness.

RESOLVED: That the Clerk to the Committee write to the Chairman, Councillor D.C. Short, to express the Committee's best wishes for a speedy recovery.

2. APOLOGIES FOR ABSENCE

Apologies were received from Mr M. Burgess and Councillors R.M. Manning and D.C. Short (Chairman).

3. NAMED SUBSTITUTES

There were no named substitutes.

4. DECLARATIONS OF INTEREST

Councillors Mrs S.J. Robertson and Ms A.M. Toon expressed 'Personal Interests' in item 11 – Home to School/College Transport. Mr Lewandowski and Mr Pritchard expressed 'Personal Interests' in item 19 – Statutory Members and Co-opted Representatives on Education Scrutiny Committee.

5. MINUTES

RESOLVED: That the Minutes of the meeting held on 26th March, 2003 be approved as a correct record and signed by the Chairman.

6. SCRUTINY – ROLE AND TECHNIQUES

The Committee received a presentation on the role of scrutiny and the techniques that Scrutiny Committees can use in their work.

The Policy Officer briefly described the background to scrutiny and outlined some of the key principles and risks to effective scrutiny. She advised in relation to questioning skills, the development of work programmes and highlighted the 10 steps to undertaking successful in-depth reviews. She further advised that some issues could be investigated by methods other than by formal Committee for example select Committee style, task and finish groups, presentations, briefings or by meeting in other venues. She summed up by directing Members to a number of useful documents and websites.

The Committee noted that the role of scrutiny was that of ‘critical friend’ rather than that of adversary. On questioning the level of public involvement in scrutiny, the Committee were informed of the current level of publicity. It was suggested that the Council’s newspaper ‘Herefordshire Matters’ be used to inform the public of the role of scrutiny generally.

RESOLVED: That the presentation be noted and the Council’s newspaper ‘Herefordshire Matters’ be used to inform the public of the role of scrutiny.

7. THE OUTCOME OF INDIVIDUAL OFSTED SCHOOL INSPECTIONS FOR HEREFORDSHIRE SCHOOLS SINCE SEPTEMBER 2002

The Head of Inspection, Advice and School Performance (IASPS) presented a report on the outcomes of the Ofsted inspections of Herefordshire schools undertaken since the start of the academic year in September 2002.

He reported that twenty-seven Herefordshire schools had been inspected by Ofsted during the current school year and appendix 1 to the report gave a brief summary of the outcomes of those published Ofsted reports. One school, Brookfield EBD Special School, had been placed in special measures in September 2002. That was an unexpected decision as the school had only been open for two terms and had many strengths. However, the school had now been removed from Special Measures after only two terms following follow-up visits by HMI. At the end of June 2003, Herefordshire had no schools in a negative Ofsted category. He further commented that Ofsted reports were awaited on schools at Clehonger, Kingsland and Madley, which he anticipated would contain similar, favourable comments.

The Committee discussed a number of the reports and noted that the governors of individual schools arranged any press coverage on the outcome of their inspection; that the Ofsted reports took a realistic view of conditions in schools and that due to physical constraints at some schools, the Act of Worship by the whole school was not always possible.

RESOLVED: That the report be noted

8. LOCAL PUBLIC SERVICE AGREEMENT TARGETS

The Committee received a report on progress towards the Local Public Service Agreement (LPSA) targets.

The Head of Policy and Resources reported that under the LPSA scheme the Council had agreed to work towards targets in 13 areas of work, three of which specifically related to education. He reported that progress was being made in relation to the target 'Improving Quality in Early Years Provision'. The report set out details of the stretch targets under the LPSA; the outcome of Ofsted inspections of early years settings and commented on the more demanding area of quality assurance accreditation.

The Committee noted that good progress was being made in generating interest in a quality assurance accreditation scheme. However, achieving the target would depend on a further 57 early years settings expressing an interest and the majority of the 191 registered childminders in the County being persuaded to join the childminder network or join the accreditation scheme.

The Head of Inspection, Advice and School Performance (IASPS) reported upon the 'Pupil Attainment Targets'. The report outlined progress on target 9, "Improving the attainment levels of pupils in Herefordshire" and target 10, "Increasing the proportion of higher ability pupils obtaining 5 or more A* - B grades at GCSE and level 5 and above in English, maths and science at the end of Key Stage 2". He commented that overall while the targets were extremely challenging they were still attainable.

The Committee acknowledged the difficulty in attaining targets which were dependent on pupil performance. While recognising there were ethical questions, it was suggested that the Cabinet Member (Education) consider possible methods of encouraging high school and special school pupils concerned to achieve the targets.

Concerning the target 'Improving the life chances for children in care by improving their educational outcomes' the Head of Children's & Student's Services reported that while parts of the target had already been achieved, care needed to be taken not to lose the momentum.

The Committee briefly discussed the role of the Council as 'Corporate Parent'; the level of care received by children in care when not at school and the criteria for referral of children for special attention.

RESOLVED: That the position outlined in the report be noted and it be recommended that the Cabinet Member (Education) consider methods of encouraging relevant pupils to achieve the LPSA targets by making available small sums of money for schools involved to achieve this purpose.

Note: Reverend M. Smith requested that his abstention from voting be recorded.

9. EXCELLENCE CLUSTER AND LEADERSHIP INCENTIVE GRANT

The Committee received an up-date on the Excellence Cluster Bid (EC) and the Leadership Improvement Grant(LIG).

The Head of Inspection, Advice and School Performance reported that following on from the successful Education Action Zone (EAZ) a Transformation Outline Plan (TOP) had been submitted to the DfES, which had resulted in the submission of a more detailed Transformation Action Plan (TAP). This Plan had been accepted, with amendments, and the Excellence Cluster would begin its formal work in September 2003. He reported that the Excellence Cluster in Herefordshire would receive an annual grant of £660,000 from the DfES for three years beginning September 2003. In addition, the three high schools in the Excellence Cluster (Haywood, Kingstone

and Fairfield High Schools) would each receive £125,000 annually for three years as part of the Leadership Improvement Grant (LIG). None of this funding required matched funding from the Council, although a significant amount of senior officer time had been used in securing the bid and would be needed to support the programme from 1st September onwards. He also drew attention to the 9 primary schools in the Associate Group which would be linked with particular strands of work to the national initiative.

The Committee briefly discussed the issue of defining 'gifted and talented pupils', one of the strands, and any potential consequences. The Committee acknowledged that the success of the bid would bring additional finance to those schools named in the report. However, while the bid had had to comply with national policy, it was noted that a degree of inequity would be created with other schools in the County that were equally deserving. The Committee questioned how the benefits derived through the EAZ and the EC bid were being cascaded down to other schools around the County.

RESOLVED: That the report be noted and future reports on this subject should specify how benefits derived through these schemes were being cascaded down to other schools in the County.

10. BEST VALUE REVIEWS 2003/2006

The Committee were invited (a) to determine Councillor representation on the review teams for the 2003/04 Best Value Reviews, following the local elections, (b) to review the scope of the best value review of SEN Assessment and provision for statemented pupils, and (c) to consider the remaining reviews in the 5-year programme.

Review Panels

The Director of Education reported that there were currently two reviews under the Best Value programme. The reviews covered the Inspection and Advisory Service (IASPS) and the Assessment of Special Educational Need (SEN) and provision for statemented pupils. The membership of both review teams needed to be reconsidered following the local elections. It was proposed that as a preliminary step for the reviews, familiarisation seminars would be held for each group. The Committee were therefore invited to determine two or three Councillor representatives for each of the two panels. The Committee noted that a number of other representatives would continue to serve on the current review panels.

Scope of the review of SEN assessment and provision for Statemented Pupils

The Head of Children's and Student's Services reported that, given recent national changes in funding, inclusion and disability legislation, the opinion of the review panel was that the remit of the review was too narrow. The proposal was to widen its research and discussions to cover the role of other SEN support services, the wider role of Educational Psychology Service, other funding mechanisms, delegation of SEN funding, monitoring, and the possibilities of inter-agency working. The widened remit would involve bringing forward the review of the Learning Support Service and the Physical and Sensory Support Service and, to some extent, revisiting the earlier Review of the Medical and Behavioural Support Service. The Committee noted that the proposal would involve lengthening the time frame of the review to the Spring of 2004 to allow for additional research and that the proposal was in line with Audit Commission recommendations.

The Review Programme

The Director of Education referred to appendix 1 to the report which listed the programme of reviews completed to date and indicated the remaining subject areas yet to be reviewed. He commented that, from experience, each review was likely to be resource intensive and it was therefore important to ensure that the scope of each review was sufficiently wide to make it possible for a comprehensive review of the Education Service to be completed in a programme covering one or two reviews each year.

RESOLVED:

- That (a) Councillor Mrs JE. Pemberton, Councillor J.P. Thomas Mr C. Lewandowski and Mrs S.E. Wright be appointed to the Inspection and Advisory Service Review and Councillor Ms. A.M. Toon, Councillor Mrs. S.J. Robertson and Mr J.D Pritchard be appointed to the review of Special Education Need;**
- (b) having considered the programme of reviews set out at appendix 1 it was decided that no further adjustments were required at this stage.**
- (c) the scope of the Best Value Review of Special Educational Needs Assessment and Provision for Individual Statemented Pupils be widened to include other SEN support services (including Learning Support Services and Physical Sensory Support Services) the wider role of the Educational Psychology Service, other funding mechanisms, delegation of SEN funding, monitoring and the possibilities of inter-agency working.**

11. HOME TO SCHOOL/COLLEGE TRANSPORT – REVIEW OF DISCRETIONARY AREAS OF POLICY

The Committee considered the scope of a possible review of the Council's discretionary policies on home to school/college transport.

The Director of Education reported that the best value review covered transport in support of people benefiting from services provided by the Social Care Directorate, public transport services provided or arranged by the Environment Directorate, and home to school/college transport. A summary of the main recommendations was set out at appendix 1 to the report.

The Director reported that good progress was being made in relation to the joint planning of routes and services. Software had been assessed and a decision to purchase was imminent. Work had begun to develop ideas around the recommendation that changes in the daily opening/closing times of schools and other relevant Council services might be considered. He also highlighted that consideration needed to be given to the scope of a possible review of discretionary areas of home/college transport. The current discretionary policy, including costs, were detailed in the report.

The Director indicated there were several areas in which the Council currently exercised discretionary arrangements, namely: walking distance to pick up points; travelling time on school transport; denominational transport and charges for post-16

transport and vacant seats for all age groups. The report outlined a number of options and considerations for the review. He commented upon the inclusive nature of education and the substantial contribution the denominational schools made to education in the County

In response to a question concerning the 'yellow bus' scheme, as used in America, the Committee were informed that the capital costs to initiate such a scheme with sufficient busses to cover the County was prohibitive.

The Committee agreed that an in-depth review should be undertaken into all the discretionary policies identified in the report and requested that officers formulate a structure and mechanism (a project plan) for undertaking such a review.

RESOLVED: That the report be noted and officers present a draft project plan to the next meeting for undertaking a review of the discretionary policies on home to school/college transport.

12. SCHOOL ORGANISATION PLAN

The Committee were invited to comment on the draft School Organisation Plan (SOP) for Herefordshire 2003 to 2008.

The Head of Policy and Resources reported that the key purpose of the SOP was to set out clearly how the Local Education Authority (LEA) planned to meet its statutory responsibility to secure sufficient education provision within its area in order to provide an adequate number of places and promote higher standards of attainment. He highlighted six key points contained in the draft plan and commented upon the conclusions drawn. He also outlined the process for further consultation.

The Committee briefly debated the range of data collected. In response to a question, The Director of Education reported that while data in relation to ethnic group and gender (shown at table 5 to the report) was collected it would be inappropriate, particularly in relation to community schools, to collect data on pupil denomination.

RESOLVED: That the report be noted.

13. PUPIL ADMISSION POLICY FOR COMMUNITY HIGH SCHOOLS

The Committee considered the preparations for implementing the new co-ordinated admissions arrangements for high schools for admissions in September 2004.

The Director of Education reported that, following consultations, and consideration by the Local Admissions Forum, the Council had approved the general criteria for admission of pupils to community high schools in September 2004 as set out at Appendix 1 to the report. He further reported that, under the Education Act 2002, Local Education Authorities were required to co-ordinate admissions to maintained schools within their area, on the basis of arrangements agreed through the Admissions Forum and approved by the Secretary of State. The co-ordination duty applied to high schools for admissions from September 2005, but could alternatively be introduced one year earlier. Following consultation the Council had agreed that the new, co-ordinated arrangements be introduced for admissions for the school year beginning September 2004. The report outlined the progress being made with the implementation namely in relation to: the booklet of information for parents; the preparation of an information leaflet for parents (Appendix 2) and the circulation of information and application forms for parents. Following approval by Council a

detailed co-ordination scheme for Herefordshire had been submitted to, and approved by, the DfES. The scheme, which was underpinned by agreements reached with neighbouring LEAs and voluntary aided schools, was set out at Appendix 3. The report also indicated administrative issues concerning allocating places after applications had been received and dealing with late applications and appeals.

The Committee noted the change to the admission policy at Aylestone High School and that the move to a co-ordinated scheme for 3 school preferences may result in a greater level of parental preference appeals.

RESOLVED: That the position concerning the Pupil Admission Policy for Community High Schools be noted and further progress reports be provided at appropriate points in the coming year.

14. THE STANDARD SCHOOL YEAR

The Committee were invited to consider the proposed standard school year for 2004/05, following the decision by other West Midland Local Education Authorities to move away from an earlier agreement.

The Director of Education reported that the Local Government Association (LGA) had set up an Independent Commission to consider the organisation of the school year. The Commission's principles for a six-term year were detailed in the report. The West Midlands LEAs had met to produce uniform term dates across the West Midlands. As a result of a number of meetings four options were produced (Appendix 1). Despite earlier meetings a number of LEA's had reverted to the original holiday arrangements. Locally, the problem had been compounded by neighbouring LEA's who had changed their proposals to include Good Friday and Easter in the 2-week holiday break. He recommended that to avoid problems for families living close to county boundaries, the term dates should be as set out in Appendix 2 to the report.

RESOLVED: That the position be noted and the term dates for 2004/05 as set out in Appendix 2 to the report be accepted.

15. COMPLAINTS AND APPEALS

The Committee considered the summary of comments, complaints and appeals relating to the Education Directorate, for the period 25th January 2003 to 30th June 2003.

RESOLVED: That the report be noted.

16. INFORMATION ITEM – ANNE FRANK EXHIBITION

The Committee noted the arrangements for the internationally renowned Anne Frank, a history for today, Exhibition to be held in Hereford Cathedral from 3rd to 30th October 2003.

RESOLVED: That the report be noted.

17. EDUCATION CAPITAL PROGRAMME

The Committee received details of the current capital programme, were invited to identify issues to be addressed to improve the monitoring of the programme and were asked to consider priorities for future capital expenditure particularly in 2004/5 and 2005/6.

The Head of Policy and Resources reported that the current capital programme had been developed, and was being implemented, within available resources. Capital investment in schools must reflect the needs identified in the assessments of condition, suitability, and sufficiency within the Education Asset Management Plan. Following the work carried out in 2001/02, 9 priorities, detailed in the report, had been set in the local policy statement of the Education Asset Management Plan. A full list of schemes (other than the maintenance programme) reflecting the three categories: (a) final payments (b) schemes under contract and (c) design fees on projects which had not yet been contractually committed, was attached to the report at Appendix 1. He also reported that there was a significant amount of work to be undertaken to meet the 9 priorities set in 2002 and these were detailed in the report. To formalise the assessment of projects, it was proposed that a project assessment questionnaire, a draft of which was attached to the report at appendix 2, be sent to schools for completion.

He further reported that the DfES had launched the 'Building for the Future' initiative under which all high schools in the country would be replaced or refurbished between 2005 and 2020. He commented in particular on the bid criteria and the possible submission of a bid under a rural pilot scheme.

The Committee noted the report and supported in principle a bid under a rural pilot scheme. The Committee also noted that the bid under the New Opportunities Fund for a sports hall at Kingstone had reached its second stage. On capital funding for 6th Forms it was further noted that, where the LEA owned the premises, funding for schemes were allocated to the LEA rather than the Learning and Skills Council (LSC).

RESOLVED:

- That**
- (a) the existing Education Capital Programme be noted;**
 - (b) the priorities previously set and the opportunities to meet those priorities detailed in the report be noted; and**
 - (c) a bid under a 'building for the future' rural pilot scheme be supported in principle.**

18. COMMITTEE WORK PROGRAMME

The Committee considered the expected range of business during the coming year.

The Director reported that the list of wide ranging matters for consideration, attached to the report at Appendix 1, may vary according to new issues or a change in priority.

Following a suggestion that the Committee review the method of appointing LEA Governors, the Director of Education suggested that such a review may be premature. It was further suggested that the Committee debate the forthcoming 'Instrument of Government' required for each school. It was agreed that item 8 on the list – Teachers' Workload Agreement would be a priority item for discussion.

RESOLVED: That subject to the above comments the work programme be approved.

19. STATUTORY MEMBERS AND CO-OPTED REPRESENTATIVES ON EDUCATION SCRUTINY COMMITTEE

The Committee reviewed the statutory membership and co-opted representation on the Education Scrutiny Committee.

Consideration was given to a report by the County Secretary and Solicitor detailing the existing membership and term of office; current vacancies and efforts made to secure replacement members and suggesting that Headteachers be represented on the Committee.

The Committee acknowledged the logic in reviewing the statutory and co-opted representation on the Committee following local elections. However, it was suggested that, as the non-voting co-opted teacher representatives had been elected to the Committee by a ballot of teachers, their term of office would continue until such time as a request for a new election was received, at which point they would have to submit themselves for re-election if they wished to continue.

Concerning the vacancy for a co-opted Special School Teacher representative, the Committee acknowledged that the sector had a limited number of eligible teachers. It was therefore proposed that special school head teachers and SENCOs be included as eligible for election in this category.

The Committee acknowledged that, as the Education Programme Panel no longer existed, Headteachers had ceased to be formally represented on the Council's decision-making structure. It was therefore agreed that 1 primary and 1 secondary headteacher be nominated by the respective Associations of Headteachers to serve on the Committee. It was suggested that, rather than the Committee setting a term of office, it be left to the Association's discretion.

The Diocesan representatives advised that their respective authorities would notify the County Secretary and Solicitor of any change of representative.

RESOLVED:

- That**
- (a) the term of office of the non-voting co-opted representatives continue until a request for a new election by teachers is received;**
 - (b) further efforts be made to fill the vacancy of co-opted Special School Teacher representative from any of the following eligible groups: SENCOs, SEN teachers in primary and secondary schools, and Headteachers of special schools;**
 - (c) the Associations of Headteachers be invited to nominate 1 primary headteacher and 1 secondary headteacher to serve as non-voting co-opted representatives with the term of office to be at the relevant Association's discretion; and**
 - (d) Diocesan Authorities continue to notify the County Secretary and Solicitor as and when changes occur to their representation.**

The meeting ended at 4.48 p.m.

CHAIRMAN