

CHILDREN'S SERVICES OVERVIEW AND SCRUTINY PANEL

THURSDAY, 8 DECEMBER 2016

PRESENT: Councillors REPRESENTATIVE), Edward Wilson, Lynne Jones, Ross McWilliams, Marion Mills (Vice-Chairman) and Eileen Quick (Chairman)

Also In Attendance: Mr Parker and Mr Louden.

Officers: Alison Alexander, Hilary Hall, Kevin Mcdaniels and Davidf Cook.

APOLOGIES FOR ABSENCE

Apologies for absence were received by Cllr D Evans, Cllr Pryer and Mrs White. Cllr Hunt, Cllr Ilyas and Mr Parker (secondary Heat Teacher representative) attended as substitutes.

DECLARATIONS OF INTEREST

Councillor E Wilson declared an interest in the item 'Improving Choice in Education – Call In' as his wife works at St Edwards Catholic First School and his son works seasonally at Eton College. He remained in the room for the duration of the discussion and voting on the item.

Mr Louden declared an interest in the item 'Improving Choice in Education – Call In' as he was a school governor. He remained in the room for the duration of the discussion and voting on the item.

MINUTES

The Part I minutes of the meeting held on 16 November 2016 were approved as a true and correct record.

CALL IN - IMPROVING CHOICE IN EDUCATION

The Chairman informed the Panel that the Cabinet report 'Improving Choice in Education' had been brought back to the Panel as it had been 'Called In', as a signature to the Call In Cllr Jones was asked to give an overview of the reasons why it had been Called In.

Cllr Jones informed the Panel that the report had been Called In as there was not the required detail around the recommendations for an informed decision to take place. It was felt that the report did not show viable alternatives; the Call In was not about the merits of selective education but about Members duty to have the information to scrutinise Cabinet recommendations.

A briefing note was circulated to the Panel in response to the questions raised following the call-in of the Improving Choice in Education paper with a response being provided to the questions raised.

With regards to the extent of the proposed delegations Cllr Jones was content with the answers provided in the briefing note but the process had not been included in the original Cabinet report.

With regards to the questions about what is meant by a selective school Cllr Jones mentioned that the information given was not conclusive as it looks like selection would be about academic ability however this could also include selection around sporting or arts ability

With regards to increased Cllr Jones mentioned that the reply was that local selective schools was the option, however she would have liked to have seen some mention of Windsor who did not have a mixed school. She felt that the paper did not have sufficient information about selective education.

With regards to the consultation response element of the Cabinet report Cllr Jones mentioned that when the report was considered by this Panel before Cabinet this element of the report was not discussed.

Cllr Jones mentioned that she was happy with the answers provided following the Call In and would endorse that no further action was required as long as the Portfolio Holder adheres to what was said in the briefing note moving forward.

The Chairman thanked Cllr Jones for the issues raised and introduce Ms Cooke, public speaker on behalf of Excellent Education for Everyone, a group founded by borough residents.

Ms Cooke informed the Panel that she would not go over the reasons expressed in the Call In but there were also further concerns she wished to raise. It was felt that RBWM had already wasted tax payers money in its haste to establish a satellite grammar school. She mentioned that at Cabinet the Leader had said that that the free school meal figure at William Borlase school was a disgrace, but RBWM had sought a partnership with them. She also mentioned that there was no data provided to show that Grammar Schools would do better for the borough and questioned why tax payers money / resources was being wasted when there was no law to allow new selective schools. She also mentioned that the Prime Minister had said that potential new schools should focus on deprivation; RBWM was not a deprived area.

Mr Wilding, Claires Court Schools Ltd, said that at Cabinet the consultation element of the paper had a response regarding the Independent Schools, section (14 Q), the RBWM appears to make a statement about access to High Needs funding. He questioned if it was customary for RBWM to use such consultative exercises to make policy statements which clearly restrict parental choice in the choice of local solutions to their children's needs. He also questioned what recent objective research into local independent schools informed the comments submitted by the RBWM as independent schools accounted for a quarter of the schools in the borough. The Chairman mentioned that as the questions asked by Mr Wilding related to Cabinet she would ask Cabinet to send a response.

The Panel received a presentation from the Head of Schools and Education Services setting context to the report considered by Cabinet. The presentation covered the improving quality in education and current school standards, the national policy direction and the evidence base for the demand for selective education within RBWM. The presentation also highlighted the challenge to improve attainment for disadvantaged pupils in the borough showing the difference between those eligible for Free School Meals and those who were not. The Panel were also informed that in considering or responding to any proposals, the Royal Borough would want to consider particularly the impact on existing comprehensive schools and the Free School Meals attainment gap.

The Chairman said that with regards to comments made by Ms Cooke that there was no question of introducing selective education until it was legal, this was about exploring our options as our PM (who was also our MP) had expressed that this may be a way of lifting attainment levels of disadvantaged children.

Cllr McWilliams mentioned that Cllr Jones would be raising any outstanding issues from the Call In outside the meeting however he felt that as she had Called In the item all issues should be addressed at the meeting. He questioned if the answers provided in the briefing note were part of the consultation would it need to go back to Cabinet for approval. Cllr Jones mentioned that she had said that if the Portfolio Member gave reassurances that the

information in the briefing note be included in future reports then she would support the Cabinet reports recommendations.

Mr Parker approved the aim to improve attainment for disadvantaged pupils and thus the report would have benefited from looking at attainment of disadvantaged pupils as they progressed through secondary education. They could be more information on how selected testing was going to be done and if there would be positive discrimination for disadvantaged pupils; which would be against the principles of selective education. Other options should be looked at for improved attainment for disadvantaged pupils.

In response to questions from Cllr E Wilson the Panel were informed that part of the reports recommendations was to contact schools in the borough to see if they were interested in becoming a grammar school, it was noted that schools such as Charters were successful without being a grammar school. The Government had said that £240 million would be available to build grammar schools across the country. Cllr Wilson mentioned that it was important that responses are made public so they are aware which school do wish to become grammar schools and those that do not.

Cllr Airey, Lead Member for Children's Services, thanked the speaker for their views and informed the Panel that education was supported by the borough and millions have been invested into our schools. With regards to the allocation of funds for the proposed satellite grammar school only £5k had been spent and because of the change in direction by the Government this course of action had been stopped and the remaining funds returned. During the negotiations with William Borlase the small percentage of pupils eligible for free school meals was raised as a concern. She agreed that the information in the briefing note would be in future reports. She mentioned that the consultation response was required to be submitted by the 12 December 2016 and was based on borough policy and what our professionals wish to make the Government aware of, especially the consequences of aspects of new policy. The Cabinet report was not recommending setting up grammar schools but putting the question to establishments.

Cllr E Wilson commented on the university element of the consultation document and mentioned that there was the funding available to encourage children from all backgrounds, especially those eligible for free school meals, to go to university. It would be good to have a discussion with our schools on the funds that they could access. In response the Panel were informed that a number of borough schools had relationships with universities. A number of primary schools working with Reading University to get young children thinking about university.

Cllr E Wilson also mentioned that as the item was Called In by Cllr Jones he would like to know what questions she was going to ask outside the meeting regarding the consultation response. Cllr Jones replied that she was going to question what contribution did schools make to question 12 and along with question 13 did we have any evidence. She was also going to question what independent schools did to help those with SEN. The Panel were informed that data was available regarding the questions and that the questions were relating to government policy not our schools.

Mr Loudon mentioned that there was reference to the results from Holyport College but they had not yet taken any GCSE's and thus questioned why it was given as an example of success. The Panel were informed that this was used as an example of collaboration with an independent school and thus talked about success rather than attainment.

Resolved Unanimously: that after considering the Call In no further action was required.

FINANCIAL UPDATE

The Panel considered the Cabinet report that set out the Council's financial performance to date in 2016-17.

The Panel noted that there was a projected £435,000 underspend on the General Fund which was an improvement of £5,000 from the November financial monitoring report. The Council had a combined General Fund Reserves of £6,495,000 this was above the recommended minimum level set at Council.

Adults, Children & Health Services were reporting a projected outturn figure of £57,397,000 against a controllable net budget of £57,200,000, an overspend of £197,000 (0.3% overspend).

With regards to Children's Services the main budget pressures were coming from home to school transport, MASH agency staff and legal support. There were also underspends in fostering placements, residential childcare placements and leaving care costs.

The Panel were also shown the pressures facing the dedicated schools due to high needs passenger assistance, alternative provision due to exclusion and placements of children with special education needs in non-maintained and independent special schools.

Cllr E Wilson asked what the change in legislation was that had resulted in a 65% increase in SEN spend. The Panel were informed that The Children & Families Act introduced a requirement for councils to continue to fund education provision from the ages 19 to 25 if relevant outcomes were identified. This was introduced in September 2014 however it is over recent months that the impact of this legislation was becoming apparent and it was expected that the pressure would continue.

Resolved unanimously: that the Children's Services O&S Panel considered the Cabinet report and fully endorsed the recommendations.

SCHOOLS CAPITAL PROGRAMME 2017-18

The Panel considered the Cabinet report in relation to the Schools Capital Programme.

The Panel were informed that the annual report set out the proposed capital spend ahead of the February budget setting so that officers had the opportunity to tender for projects in good time and get the most competitive prices. The report sought approval for £60,000 to start feasibility work on the higher priority schemes in the programme.

The schemes set out in Appendix A had been prioritised to ensure that the Royal Borough met its statutory duties: namely the provision of sufficient school places and ensuring those spaces, where the council was responsible for the buildings, keeping the pupils safe, dry and warm.

Schemes had been prioritised with safeguarding, health and safety, water resistance and heating considerations in mind, based on the individual site maintenance assessments. Managing health and safety risks was important and approval was requested to ensure that the highest priority fire-risk and asbestos-risk projects were dealt with.

Expansion projects were funded through a mixture of Basic Need Grant and council funding which included section 106 contributions, while maintenance projects were funded by Schools Condition Grant from the Department for Education.

(Mr Parker left the meeting)

Cllr E Wilson asked if funding from S106 would now come under CIL, if we knew how many academies had applied for funding from the conditional improvement grant and had Larchfield Nursery requested the funding that had previously not been available due to funds going to

Holyport College. In response the Panel were informed that CIL money was not ring-fenced as S106 used to be, that Larchfield had been added to the list following the principles mentioned previously to keep schools safe, dry and warm and that all academies had submitted bids.

Cllr E Wilson mentioned that it was important that schools were clear how they were funded so this could be communicated to our residents.

In response to a question from Cllr Mills the Panel were informed that when replacing old boilers sustainability issues were taken into consideration.

(Cllr McWilliams left the meeting)

Resolved unanimously that: The Children's Services O&S Panel considered the Cabinet report and fully endorsed the recommendations. The Panel recommended that the LEA contact schools, especially the smaller schools, informing them of any funding opportunities such as the Academies Capital Maintenance Fund via Salix Finance for energy efficient projects.

DELIVERY OF ADULT SERVICES

The Panel considered the Cabinet report that summarised the business case, the progress on implementation and the identification of the level of support services functions that should transfer to Optalis by April 2018.

The Panel were informed that in October 2016 Cabinet approved the Royal Borough becoming an owner and shareholder in Optalis with an initial 45% ownership share at a cost of £771,302. Providing the partnership proved successful, the Shareholder Reference Group will broker a move towards an equal 50% shareholding within two years.

A full business case had been developed and was a Part II appendix to the report, the business case covered the following areas:

- Strategic rationale.
- The Optalis Partnership.
- Governance.
- Financial appraisal.
- Due diligence.
- Future business opportunities.
- Risks and risk management.
- Implementation.

The Panel were informed that the transfer of services would take place under teckal exemption rules which meant that the usual procurement rules did not apply. Each council would have three members on the holding company board as directors and the report recommended that for RBWM these be Cllr Saunders, Cllr Quick and Cllr Story.

Members noted that work was being undertaken in relation to support staff with staff being identified for transfer or for a cash equivalent being given. Optalis would purchase services from the borough, for example IT, for one year while the situation was reviewed.

Cllr Hunt asked how many Members were on the Executive Board and was informed that there would be three RBWM and three from Wokingham.

Cllr E Wilson asked if there would be any conflict of interest of Board Members being directors and RBWM councillors. The Panel were informed that they would be Board members

representing RBWM and at board meetings they will be making decisions about how the company can best serve local residents.

Cllr Wilson also asked a question regarding the transfer of support services and was informed that if a position allocated 75% of the role to Adult Services then they would be transferred if less volunteers would be sought, there could be restructures put in place or cash equivalent transferred.

Cllr Hunt mentioned that she was concerned about the number of staff being transferred out of the Council.

Resolved unanimously: that the Children’s Services O&S Panel considered the Cabinet report and fully endorsed the recommendations. There was some concern raised about the level of staff being transferred and the responsibilities being placed on those Councillors chosen to be the Council’s representatives on the Optalis Holding Limited Board.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act

The meeting, which began at 6.30 pm, finished at 9.15 pm

CHAIRMAN.....

DATE.....