

Minutes of a meeting of the Children and Families Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 3 November 2014.

PRESENT

Mr. L. Spence CC (in the Chair)

Mr. J. Kaufman CC
Ms. K. J. Knaggs CC
Mr. P. G. Lewis CC
Mr. A. E. Pearson CC
Mr. T. J. Pendleton CC

Mr. J. Perry
Mrs. C. M. Radford CC
Mr. E. D. Snartt CC
Mr. G. Welsh CC

Also in Attendance:

Mr. I. D. Ould CC, Cabinet Lead Member for Children and Young People

27. Minutes.

The minutes of the meeting held on 1 September 2014 were taken as read, confirmed and signed.

28. Question Time.

The following questions were put to the Chairman of the Children and Families Overview and Scrutiny Committee.

Question by Ms. Sue Whiting, resident:

(A) Dyslexia

- “1. Now that the code of practice following the Children and Families Act has come into force on 1 September and it is a statutory duty of the Local Authority to set out a local offer of provision, both in the County and out of the County, could the Chairman please tell me what the local offer is for children with dyslexia?
2. In view of his answer to my question in March 2014, is there likely to be better data on co-morbidity between dyslexia and anxiety or other related mental health issues?
3. What has been done to engage with families where there is a history of dyslexia?

As you will be aware this is dyslexia awareness week as well as equal opportunities and diversity and I continue to be contacted by parents who just want to know where a dyslexia friendly school is in Leicestershire.”

Reply by the Chairman:

“1. Leicestershire’s Local Offer web page (www.leics.gov.uk/index/children_families/local_offer.htm) links to the following services which support dyslexia:

- Learning Support Service provides bespoke training, assessment and tuition support to schools;
- Leicestershire’s Learning Support Service offers a service to schools where specialist tutors can meet directly with parents/carers and pupils;
- Leicestershire’s Learning Support Service publishes a Dyslexia Friendly Schools Pack freely available to schools;
- Leicestershire’s Learning Support Service web pages include specific pages with downloadable information and resources for parents/carers and pupils.

Leicestershire Psychology Service (LPS) provides comprehensive psychological, holistic assessments, commissioned whole school training / support for teachers of learners with Dyslexia and guidance to schools. Every school has a link educational psychologist and LPS also offer a duty line service which means any local parent or grandparent can contact the Duty Line to speak with a senior educational psychologist if there are concerns about Dyslexia and how best to support children.

The recently revised LPS web page includes downloadable information about Dyslexia for families.

It may be of interest to the questioner that LPS, in partnership with the Learning Support Service - STS, have organised a second regional Dyslexia Conference for professionals to take place in Spring 2015.

Three eminent Key Note speakers of national repute will be presenting and a series of workshops, led by local teachers and psychologists, will illustrate ‘best practice. We are especially pleased to note that the conference is once again supported by the local branch of the Dyslexia Association and note that local learners with Dyslexia will be making their unique contribution to the day.

In line with other special educational needs, Leicestershire Local Authority also uses independent provision out of the area for a very small minority of pupils with dyslexia whose needs are deemed to be so significant that provision over and above what is available locally is required.

2. Leicestershire’s Learning Support Service or Psychology Service does not hold this data. A research project along these lines can be commissioned by any interested group. This question was comprehensively addressed in the previous response – please refer to the minutes of the meeting held on 24 March 2014 ([http://politics.leics.gov.uk/Published/C00001043/M00003906/A100037681/\\$ResponsetoQuestionraisedunderSO35.docA.ps.pdf](http://politics.leics.gov.uk/Published/C00001043/M00003906/A100037681/$ResponsetoQuestionraisedunderSO35.docA.ps.pdf)).

3. Please see above responses to the first part of the question and, in addition:

- Leicestershire’s Learning Support Service is holding a family information event on 4 November during Dyslexia Awareness Week;
- Leicestershire’s Learning Support Service is in the process of producing new guidance about The Graduated Approach in relation to dyslexia, in line with the new Code of Practice. This will be available to download by 1December;
- Leicestershire Psychology Service has recently updated their dyslexia guide for parents and carers and this is available to download from the web page.”

Mrs. Whiting asked the following supplementary question on the reply to Question 1:

“How do parents access dyslexia provision?”

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

Mrs. Whiting asked the following supplementary question on the reply to Question 2:

“A report on the agenda for today’s meeting states that “casework experience suggests that there is a strong link between dyslexia and anxiety”. So would it therefore be advantageous in view of mental health problems encountered by children and adults to start to collect the data?”

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

Mrs. Whiting asked the following supplementary question on the reply to Question 3:

“The question asked what had been done to engage with families since 2010*. The Act and Code of Practice clearly state “working with parents” and you do not seem to be aware of Leicestershire Voice, the Parent Carer Forum or Parent Champions. More parents, children and families would be contactable if you also consulted them, so will you be acknowledging these groups in the future?”

** This was the last time an event was held at County Hall and the special needs teaching Service was stopped from to the voluntary library groups.*

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

Question by Ms. Marcella Forrest, Chair of Governors – St. Mary’s Church Of England School, Hinckley:

(B) St. Mary's Church of England School, Hinckley Challenge to a Decision Made by the Corporate Schools Group

Introduction

"On 17 October 2014, the head teacher and three governors of St Mary's Church of England School in Hinckley met with Sue Owen, Service Manager for School Organisation at Children and Family Services. Sue confirmed that at the Corporate Schools Group meeting of 4 September 2014, a decision was made to move Holliers Walk School to the Mount Grace School Site and allocate funding to convert this to a 630 place primary school.

We are writing to challenge this decision, asking that the decision be withdrawn and that a process entered into of discussions with all Hinckley Schools and other stakeholders as described on page 13 of 'In the Right Place.'

Working in partnership and effective engagement is considered essential if we are to be successful.

We will do this by:

- *Working in a way that is open and transparent, promoting fairness and equality of opportunity, and providing integrity and trust.*
- *Engaging with all schools within a locality to identify the best solutions where change is necessary.*
- *Listening carefully through consultation and other discussions with pupils, parents, school staff and their governors, and others with an interest in educational provision to ensure their views are heard and their needs are fairly represented in decisions taken.*
- *Working with all stakeholders in a joined up way, to underpin our emphasis on partnership and collaborative working.*

Grounds for Challenge

Our challenge to the Corporate Schools Group decision is based on:

1. The decision of that meeting lacks openness, transparency and equality of opportunity.
2. The consequences of the decision are a breakdown in trust in schools, amongst staff, governors, parents and public officials in Hinckley.
3. Because of the lack of openness and transparency and the breakdown in trust, there are reservations as to the integrity of the process. This has been exacerbated by the press coverage which has highlighted to the public, schools and public officials that a decision was made prior to the consultation ending and did not include all interested parties views. Without cancelling the decision and following the process it may be felt that the local authority has been failing in its duty to use public funds appropriately and that the 'alleged' consultation was at best a poor use of public funds and at worst a flagrant abuse of the trust placed by the public to spend funds correctly.

4. Examples of specific events include:

- (a) Carolyn Lewis, Leicestershire Diocesan Director of Education and Cath Allison, Head Teacher of Holliers Walk School have let us know they were informed of the decision approximately at the end of September / start of October and specifically told not to disclose this to anyone. This is not transparent, open, equitable or fair.
- (b) Hinckley County Councillor, David Bill, at a similar date, made enquiries about the process with the County Council and was assured that no decision had been made regarding the Mount Grace site.
- (c) St Mary's Church of England School Head Teacher, Nicola Harwood wrote to the Education Authority in May 2014 introducing herself as a new head, expressing an interest in being part of the discussions of the future of places in Hinckley. Replies from David Atterbury on 20 May 2014 and Sue Owen on 29 May 2014 both stated that no decision had been made and that discussions would happen in June and then on into the Autumn term.

We believe that the decision making breaches the integrity of local democracy and the best practice of good decisions are informed decisions in consultation with the professionals delivering the service together with all relevant stake holders.

Further, we believe that this decision indirectly discriminates against the provision of school places within the distinctive contribution of Church of England Schools. (We have written to our Roman Catholic colleagues to check if this is their experience as well.) St Mary's Church of England School is a popular school. In September 2014 we admitted 45 children and turned away 23. Additionally, informally, we highlighted the oversubscription problem to other parents who wanted to access the school but were unlikely to get a place. By failing to listen to the voice of the parents of Hinckley wanting this distinctive Church of England School education for their children, your decision making has indirectly discriminated against the provision of a Church of England school places.

Concluding Comments

We believe that a cancelling of the decision and the commencement of the process as set out in the document 'In the Right Place' will benefit all schools in Hinckley in being able to work together to identify the best option and possible solutions for the expansion of school places in the local area.

It may well be the best solution is for Holliers Walk to move to Mount Grace and we would be thrilled that a fantastic school site is secured for primary school children in Hinckley. However, we believe that, if this is the case, it would be far better for that school and for inter school relations if the decision is arrived at after the appropriate process has been worked through with equality of opportunity, openness and transparency.

We also believe that it is essential that the provision of places for children of parents wanting a distinctive Church of England School education is taken on in either the plans for capital spending up to 2017 or between 2017 and 2019. To leave St Mary's Church of England School static as a 315 school when total places are increasing dilutes the

provision of Church of England School places in Hinckley, where there is already over 50% over demand for places.

Questions

1. May we have a review of the process followed and the decision made by the Corporate Schools Group for the future use of the Mount Grace site by another Hinckley school?
2. Please can the existing recommendation be cancelled and the decision making process as outlined in the Leicestershire County Council document 'In the Right Place' be duly followed?"

Reply by the Chairman:

- "1. Yes, and the results of the review will be made available to you within one week from today.
2. The reason that the County Council needs a strategy is precisely so that the process for decision making regarding school organisation is transparent, inclusive, fair and aligned to a stated set of priorities. The consultation process has informed the final draft strategy that will be presented to the Cabinet for approval on 19 November 2014. In the meantime, whilst developing the draft strategy and going through consultation, it has been necessary to continue 'business as usual' – including the planning required to develop additional primary places in Hinckley. This 'business as usual' has been carried out through the current arrangements in place for school organisation and it would not be appropriate to change the way that they operate prior to the approval of the strategy.

However, it must be noted that the process is in keeping with the requirements of the revised School Organisation Regulations published by the Department for Education this year, which mean that schools can make such proposals without the prior approval of the Local Authority. The process means that Holliers Walk, having proposed the move, is now required to undertake consultation with parents and other key stakeholders, before subsequently seeking a Cabinet decision to proceed further. The consultation to be undertaken by the school will provide everyone with an opportunity to have their say."

Mrs. Forrest asked the following supplementary question on the reply to Question 1:

"Can you confirm and provide reassurances that this process will take place and will be open and transparent?"

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

Mrs. Forrest asked the following supplementary question on the reply to Question 2:

"What reassurances can you provide that due process and full consultation with all parties is followed and we are not indirectly discriminated against as a Church of England school?"

The Director of Children and Family Services, on behalf of the Chairman, undertook to respond to this question in writing.

29. Questions asked by Members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

30. Urgent Items.

There were no urgent items for consideration.

31. Declarations of Interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

The following members each declared a personal interest in respect of Item 10 on the agenda, as indicated:

Mr. T. J. Pendleton CC, as Chairman of Charnwood's Community Safety Partnership
Mr. D. Snartt CC, as Chairman of Charnwood's Community Safety Partnership

Ms. K. Knaggs CC declared a personal interest in matters relating to schools as a Governor of Roundhill Academy and as a child receiving education at the School

Mr. A. Pearson CC declared a personal interest in matters relating to schools as a School Governor and as a contractor providing services to schools in the County.

Mr D. Snartt CC, Mr L. Spence CC, Mr G. Welsh CC and Mr J. Perry declared personal interests in matters relating to schools, as they had family members who taught in Leicestershire.

Mr L. Spence CC indicated that, whilst this did not amount to an interest to be declared at this meeting, he felt it relevant to report that he sometimes worked for an academy within the County.

32. Declarations of the Party Whip.

There were no declarations of the party whip.

33. Presentation of Petitions.

The Chief Executive reported that no petitions had been received under Standing Order 36.

34. Management of School Admissions and Appeals in Leicestershire

The Committee considered a report of the Director of Children and Family Services concerning an update in regard to the current arrangements and performance data relative to the management of admissions and appeals in Leicestershire maintained

schools and academies A copy of the report, marked “Agenda Item 8”, is filed with these minutes.

Arising from the discussion, the following points were noted:

School Admissions

- The Council had a responsibility to ensure that schools had conducted a fair, compliant and legal admission process. The Council had the power to report any school that, in its view, had not to the adjudicator’s office. It was pointed out that this would be a rare occurrence because most schools had consulted the Council when they had wished to change their admissions policy;
- It was commented that excellent communications had been essential in order to keep parents informed of policy;
- After moving to the academy model, most schools had retained the Council’s admissions policy for a year before planning a change to their admissions criteria. A brand new school was able to have an entirely new set of criteria;
- The Council maintained a good dialogue with district councils over planned development to ensure adequate education provision. It was noted that this had proven more difficult to take account of this in those districts where no Core Strategy had been agreed;
- Currently 89% of pupils were placed in their first choice school. It was not anticipated that this figure would drop in future years.

School Appeals

- The Council charged schools for its appeals service based on a full “cost recovery” model. This included officer time, including the time of a County Council solicitor to clerk the appeal. The service currently cost £180 per appeal, though the Council was looking into reviewing this charge to take account of the present state of the market;
- Advice was provided to parents on the appeals process. A solicitor was present at each Appeal to ensure a fair process was followed on the day. It was noted that parents were often well prepared and able to make a good case at Appeals, though officers agreed to explore opportunities to offer increased support and guidance to parents;
- Those schools with more than 20 Appeals in the school year could apply for funding to cover these costs. A reduced £50 charge was sought from those schools where the Appeal had been withdrawn prior to the full hearing. Officers agreed to supply members with a copy of a detailed cost breakdown for School Appeals.

RESOLVED:

That the report be noted.

35. Annual Report of the Independent Reviewing Officers 2013/14.

The Committee considered a report of the Director of Children and Family Services concerning the 2013-14 Annual Report of the Independent Reviewing Officers. A copy of the report, marked "Agenda Item 9", is filed with these minutes.

Arising from the discussion, the following points were noted:

- One of the main challenges in this area of work was around partner agency engagement;
- The capacity of independent reviewing officers was monitored closely. Since June, some officers had had to be seconded to child exploitation work, which had meant that posts had been back-filled to meet work demands.

RESOLVED:

That the Annual Report of the Independent Reviewing Officers 2013/14 be noted.

36. Local Safeguarding Children Board/Safeguarding Adult Board Annual Report 2013/14

The Committee considered a report of the Director of Children and Family Services concerning the Local Safeguarding Children Board and Safeguarding Adult Board Annual Report 2013/14. A copy of the report, marked "Agenda Item 10", is filed with these minutes.

Arising from the discussion, the following points were noted:

- The Annual Report was commended as being well written and easy to read;
- The "Signs of Safety" process would ensure that the focus remained on the child and the family. The role of partner agencies would be key to its success;
- The Rotherham case had highlighted the need for a rigorous review of the child sexual exploitation work (see Minute 37 for further details). A report had been received at the Board which had highlighted only four key areas as "red" and requiring action and this action had been taken. The data available had highlighted that Leicestershire was effective at identifying cases of risk;
- Work had been carried out to ensure that assessment work was aligned to safeguarding procedures. It would be necessary to test that this was having the desired effect;
- The biggest effect on the number of missing person cases was the availability of high quality opportunities in localities for young people. Interviews with those who had gone missing were now carried out by youth staff, which was known to give rise to positive outcomes and a better understanding of the issues.
- The self-assessment carried out had been robust and co-ordinated by an interim member of staff rather than an established member of County Council staff.

RESOLVED:

That the Annual Report 2013/14 be commended.

37. Action Taken Since the Publication of the Independent Inquiry into Child Sexual Exploitation in Rotherham.

The Committee considered a report of the Director of Children and Family Services concerning the action taken by the County Council thus far in its response to the Rotherham child sexual exploitation case. A copy of the report, marked "Agenda Item 11", is filed with these minutes.

Arising from the discussion, the following points were noted:

- It was reported that the County Council had already taken many steps to address child sexual exploitation but, as with other local authorities, was still learning about this area and the expertise and resource it would require in the longer term. Though this area was a high priority, it was important to be measured and have regard to the difference between the national and Leicestershire context;
- It was known that in the Rotherham case, South Yorkshire Police's priorities had been at odds with those of safeguarding. This difference in emphasis was being looked at in conjunction with Leicestershire Police;
- The vulnerability of County Councils had been highlighted at a national meeting attended by the Cabinet Lead Member. It was known that some children were placed in care in Leicestershire by other local authorities without the knowledge of the County Council;
- A review of complaints made by young people was being undertaken by the County Council's Corporate Complaints team. It was noted that increased expertise was required to identify those children considered to be "at risk" as a result of complaints made. Children could raise any issues with a member of staff (not a social worker). Children over 10 years of age could receive advocacy support. The Children's Commissioner had also contacted the County Council to inform of those children who had raised concerns. It was noted that young people had played an active role in shaping County Council policy;
- It was hoped that the 'Chelsea's Choice' theatre production would continue to be performed in schools and academies. The County Council had urged academies to take up this offer and hoped that the Child Sexual Exploitation agenda would remain part of "everyday business".

RESOLVED:

That report and action taken thus far be supported.

38. Signs of Safety and Leicestershire's Growing Safety Strategy.

The Committee considered a report of the Director of Children and Family Services concerning an update on the progress of the Growing Safety Strategy. A copy of the report, marked "Agenda Item 12", is filed with these minutes.

It was reported that, as a result of the success of this area of work, the County Council, along with nine other local authorities, and in partnership with Professor Eileen Munro, had been awarded funding of £4.7 million from the Department for Education to roll it out across the County.

RESOLVED:

That the report be noted.

39. School Performance and Overview of Outcomes in Key Stage Tests and Examinations.

The Committee considered a report of the Director of Children and Family Services concerning the performance of schools, including inspection outcomes, statutory tests and examinations. A copy of the report, together with a supplementary appendix relating to the report, marked "Agenda Item 13" is filed with these minutes.

Arising from the discussion, the following points were noted:

- Early years and Key Stage 2 had seen the most improvement. Performance at Key Stage 4 and 5 had been largely static. It was expected that GCSE performance would largely in line with or above the national picture. It was noted that those children in Pupil Premium were not performing as well as others, though it was noted that Pupil Premium did have a very positive effect at some schools. 84-85% of Leicestershire schools were regarded as "good" or "outstanding";
- Tracking of pupils between Key Stage 3 and Key Stage 4 was essential in ensuring good results. The Council had less of a role in this regard as most secondary schools in the County were now academies. It was known that pupils in 10+ schools did not perform as well as those in 11+ schools;
- The importance of high quality teaching was stressed as having a greater impact on results than any other factor, including transition age.

RESOLVED:

That the report be noted.

40. Quarter 2 Performance Report 2014/15.

The Committee considered a report of the Director of Children and Family Services concerning Quarter 2 performance. A copy of the report, marked "Agenda Item 14", is filed with these minutes.

RESOLVED:

That the report be noted.

41. MTFS Savings and the Education Psychology Service.

The Committee considered a report of the Director of Children and Family Services concerning issues raised by the Professional Association of Educational Psychologists (AEP) in a letter to the Chair of the Overview and Scrutiny Committee regarding decisions about the Medium Term Financial Strategy (MTFS). A copy of the report,

together with a copy of the associated correspondence, marked "Agenda Item 15", is filed with these minutes.

The Director reported that, whilst reductions to service budgets were regrettable, they were entirely necessary in order to achieve the savings in the MTFs. Capacity to make savings with little impact were no longer possible, and though the Educational Psychology had received an 18% reduction, which would increase to 29% if the additional savings were approved in the new MTFs, this was less than many other services in the Department which had received a reduction of up to 33%.

RESOLVED:

That the report be noted.

42. Date of next meeting.

It was NOTED that the next meeting of the Commission would be held on 19 January 2015 at 2.00pm.

2.00 - 4.40 pm
03 November 2014

CHAIRMAN