

EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 23 January 2013

Present:

Councillor Nicholas Bennett J.P. (Chairman)
Councillor Lydia Buttinger (Vice-Chairman)
Councillors Kathy Bance MBE, Nicky Dykes, Judi Ellis,
Brian Humphrys, David McBride, Alexa Michael and
Neil Reddin FCCA

Dolores Bray-Ash JP, Father Owen Higgs, Darren Jenkins,
Joan McConnell, Alison Regester and Andrew Spears

Also Present:

Councillor Stephen Wells, Portfolio Holder for Education

53 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Pauline Tunnicliffe, Executive Support Assistant to the Portfolio Holder for Education. Apologies were also received from Janet Latinwo and Hilary Richardson.

54 DECLARATIONS OF INTEREST

The Chairman reminded the Committee that the Declarations of Interest made at the meeting on 12th June 2012 were taken as read

55 MINUTES OF THE EDUCATION PDS COMMITTEE MEETING HELD ON 6TH NOVEMBER 2012 AND MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

In considering matters outstanding from previous meetings, the Chairman noted that at the meeting of Education PDS Committee on 11th September 2013 it had been agreed to make representations to London Councils to extend the use of 'The Hub' to support the availability online of evidence needed to support admission applications. Representations had been made as requested and the Chairman asked Officers to contact London Councils again for a response.

RESOLVED that the minutes of the meeting held on 6th November 2012 be agreed.

56 QUESTIONS TO THE PDS CHAIRMAN FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

No questions had been received.

57 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

No questions had been received.

58 PORTFOLIO HOLDER UPDATE AND CHILDREN'S CHAMPION UPDATE

The Portfolio Holder for Education gave an update to Members on work being undertaken across the Education Portfolio.

Work was ongoing to relocate courses currently delivered at the Education Development centre to the Widmore site of the Bromley Adult Education Centre to create a joined-up service for adult education, workforce development and employee training. There had previously been discussions with the Principal of Bromley College of Further and Higher Education around the potential to deliver aspects of adult education through the College.

With regard to the review of the Primary School Development Plan that had been reported to the meeting of the Education PDS Committee on 6th November 2013, the Portfolio Holder noted that there had been applications submitted for three free schools in the Borough which might impact the proposed temporary and permanent expansion of places at certain schools. A traffic management issue had also been identified with regard to the proposal for Keston C.E. Primary School to permanently increase its intake to 60.

Discussions continued with the RC Archdiocese of Southwark around the future use of the former All Saints Secondary School site, plans to convert Roman Catholic primary schools in the Borough to academy status through an umbrella trust by Summer 2013 and the potential to establish a four form of entry Roman Catholic secondary school in the Borough. In considering the establishment of a Roman Catholic secondary school in the Borough, a Member highlighted the importance of ensuring that this provision was supported by Roman Catholic primary schools across the Borough. A Co-opted Member also noted the importance of ensuring any secondary provision established had a strong leadership team.

The Committee were advised that a motion setting out the Local Authority's education commitments had been considered and agreed by Members at the meeting of Full Council on 21st January 2013. A copy of this motion was provided to Members of the Committee for their information, as was a document outlining the roles and responsibilities of the Children's Champion.

RESOLVED that the Portfolio Holder update and Children's Champion update be noted.

59 PORTFOLIO HOLDER PROPOSED DECISIONS

A) REFRESH OF THE EDUCATION PORTFOLIO PLAN 2012/13

Report ED13017

The Portfolio Holder introduced a report outlining a refresh of the Education Portfolio Plan 2012/13 following the appointment of the new Executive Director for Education and Care Services. Seven clear policy objectives had been identified which reflected strongly the policies of the Secretary of State for Education and aimed to support the continued provision of a high quality education across the Borough.

In considering the Portfolio Plan, the Chairman highlighted the need to add key activities to the Education Portfolio Plan around the delivery of adult education and the potential to establish a University Technical College in the Borough. A Co-opted Member also requested that support of early years provision be added as a key activity, and that early years priorities be integrated into each area of the Portfolio Plan.

The Vice-Chairman noted the ambitious target for promoting educational opportunity in the Borough, which aimed to ensure that no maintained schools would be causing concern by 2015 and that no maintained school should remain in a high priority category for more than 18 months.

In considering the aim to develop a strategic plan for accelerating the remaining academy programme within the Borough, a Member queried the planned recruitment of a project manager. The Executive Director: Education and Care Services confirmed that a high number of schools were expected to convert to academy status and that the proposed project manager post would build sufficient capacity into the programme to support these schools to convert. Another Member suggested that this post might be funded through the Delegated Schools Fund.

With regard to the aim to ensure pupils with special educational needs have good outcomes, it was noted that the Pathfinder project to provide an integrated pathway for children and young people and their families ensuring a smooth transition to the SEND framework had been extended for a further year.

In considering monitoring the progress of the Portfolio Plan, a Member asked that updates and findings be built into the Portfolio Plan to highlight which aims had been progressed or achieved.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Agree that business planning with Education and Care Services with regard to education and learning should focus on seven key activities:**

- **Promote educational opportunity in the Borough ensuring all families have a choice of good and outstanding schools;**
 - **Work with governing bodies, the Department for Education and others to expand popular and successful schools;**
 - **Use the academy and free school programme to promote and develop further that choice;**
 - **Support all maintained schools to enter into the academy programme to allow them to benefit from the opportunities it presents;**
 - **Encourage parents, faith groups and others to work with the Borough to increase the range and diversity of the outstanding schools on offer;**
 - **Ensure those pupils with special educational needs receive the appropriate educational provision; and,**
 - **Ensure high quality provision continues for those leaving school and others over the school leaving age whether through preparation for employment, apprenticeships or higher education.**
- 2) Agree that three additional key activities be developed around delivery of adult education, the potential to establish a University Technical College in the Borough and early years provision.**
- 3) Agree that Officers be given the authority to enter into negotiations with the Secretary of State and his officials to ensure the best possible outcomes for the Borough as this programme is developed.**

B) OUTCOMES FROM STATUTORY CONSULTATION PROCESS REGARDING EXPANSION OF RIVERSIDE SPECIAL SCHOOL AND CHURCHFIELDS PRIMARY SCHOOL

Report ED13008

The Portfolio Holder introduced a report outlining the actions taken to establish an extra 52 places at Riverside School and to expand Churchfields Primary School by increasing the Published Admissions Number from 30 to 60.

Following consideration of the proposals at the meeting of Education PDS Committee on 11th September 2012, Officers had been authorised to undertake the formal statutory processes required for the proposed expansions, publishing the required statutory notices and proposals on 7th November 2012. Details of the proposals were also submitted to the Department for Education on the same date. No comments or objections were received during the statutory notice period with regard to either of the proposed expansions.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Agree that the proposal to expand Riverside School by 52 places be implemented; and,**
- 2) Agree that the proposal to increase the Published Admissions Number at Churchfields Primary School from 30 to 60 be implemented.**

**C) THE BROMLEY SEED CHALLENGE SCHEME – 2012-13
ALLOCATION OF FUND**

Report ED13018

The Portfolio Holder introduced a report setting out the proposed allocation of £300,000 that was available with the Council's Capital Programme through the Bromley Seed Challenge Scheme to deal with priority premises at Local Authority maintained schools in the Borough. In addition, an allocation of £14,500 from the 2012/13 Security Budget had been made available to provide match funding support for schemes addressing security issues at schools.

A Co-opted Member noted that not all funds had been allocated and proposed that the remaining funds be made available to match fund a further bid. The Vice-Chairman highlighted the need to ensure all schools were aware of the Seed Challenge Scheme. It was also important to clarify how a successful Seed Challenge Fund bid would be affected by a school moving to academy status.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Approve the list of schools set out in Appendix 1 to Report ED13018;**
- 2) Approve the proposal that £14,500 be made available from the Council's School Security programme to provide match funding support for school submissions dealing with security issues;**
- 3) Agree a policy with regards to the allocation of Seed Challenge Funding to schools that subsequently consider and/or convert to academy status;**
- 4) Note the historical bidding patterns and allocations of Seed Challenge Grant as set out in Appendix 2 to Report ED13018; and,**
- 5) Authorise the Executive Director of Education and Care Services to submit planning applications at the appropriate time in respect of the schemes set out in Report ED13018 where required.**

D) EFFECTIVE GOVERNANCE (ROLE OF THE LOCAL AUTHORITY)

Report ED13020

The Portfolio Holder introduced a report outlining the roles and responsibilities of Governors and the Local Authority in ensuring successful outcomes for pupils. The report also offered recommendations to strengthen the role of Local Authority Governors to support the Local Authority in ensuring the continued provision of high quality education across the Borough.

In considering the report, the Chairman proposed that a School Governance Working Group be established for one meeting to consider a range of issues around the governance arrangements of the Local Authority in the future. This was supported by the Committee and Member nominations were received from Councillors Nicholas Bennett JP, Kathy Bance MBE, Judi Ellis, David McBride and Co-opted Members, Darren Jenkins, Joan McConnell and Andrew Spears.

A Member noted the need to ensure that strong communication processes were in place between the Local Authority and Local Authority Governors. It was also important to ensure Local Authority Governor Forums provided both learning and networking opportunities to Local Authority Governors.

RESOLVED that:

- 1) The Portfolio Holder be recommended to agree that further discussions be held with Local Authority Governors for strengthening their role in effective governance; and,**
- 2) A Working Group be established to consider issues around school governance and for membership to comprise Councillors Nicholas Bennett JP, Kathy Bance MBE, Judi Ellis, David McBride and Co-opted Members, Darren Jenkins, Joan McConnell and Andrew Spears.**

E) CATEGORISATION, INTERVENTION AND SUPPORT FOR HIGH PRIORITY SCHOOLS IN BROMLEY

Report ED13019

The Portfolio Holder introduced a report outlining the proposed review of the Local Authority's procedures for categorising its schools and the subsequent intervention and support proposed in order to ensure that all Bromley schools continue to provide a good or better education for children and young people.

The Chairman thanked Officers for providing an excellent report and asked that it be circulated to the governing bodies of maintained schools across the Borough for their information.

In considering the report, the Vice-Chairman noted that there was some disparity in progress made by pupils from Key Stage 1 and Key Stage 2. Another Member highlighted that some schools had not been inspected by Ofsted for several years and that challenge was needed to support ongoing improvement in schools.

A Co-opted Member underlined the importance of linking attainment in early years with schools and academies and noted that Bromley's early years provision had recently been ranked as the fifth highest performing in the country.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Endorse a more open and transparent process for sharing information with and between schools; and,**
- 2) Endorse the proposals to categorise schools and inform key stakeholders of any concerns that the Local Authority may have about an individual school.**

F) COMMISSIONING OF SPEECH AND LANGUAGE AND OCCUPATIONAL THERAPY FOR PUPILS IN BROMLEY SCHOOLS

Report ED13014

The Portfolio Holder introduced a report outlining the commissioned provision of speech and language therapy and occupational therapy to Bromley school settings.

The Local Authority provided speech and language therapy and occupational therapy provision for pupils in special schools and schools with unit provision in partnership with Bromley Primary Care Trust. The main contract for this therapy was held by Bromley Primary Care Trust with the Local Authority holding a separate, smaller value contract. The current Local Authority contract was due to end in July 2013. The report sought approval for an exemption to competitive tendering to award a new one year contract to Bromley Healthcare, the current commissioned provider for both contracts, commencing August 2013 with an end date of July 2014. This would allow the respective London Borough of Bromley and Primary Care Trust contracts to be aligned to enable joint commissioning arrangements to be explored following a review of the legislative frameworks and clarification of funding responsibilities.

In considering the report, the Chairman requested that it be provided to the next meeting of the Executive Member/Officer Working Group for Special Educational Needs as an information item. The Chairman also noted that a project to consider the tribunals awarded against Bromley during the academic year 2011/12 would soon be completed, and the Chairman requested that the outcomes of this project be reported to a meeting of the

Executive Member/Officer Working Group for Special Educational Needs in April 2013.

A Co-opted Member queried whether the number of pupils receiving speech and language therapy and occupational therapy provision in special schools and schools with unit provision had increased. Another Co-opted Member highlighted the importance of early intervention for children with speech, language and communications needs. Support for children of pre-school age was generally delivered through a clinic setting, and the Co-opted Member noted the potential to make support available to groups of children in early years settings.

RESOLVED that:

- 1) The Portfolio Holder be recommended to agree a waiver of Financial Regulations to enable a new contract for speech and language therapy and occupational therapy to be put in place for a period of one year from 1st August 2013 to 31st July 2014; and,**
- 2) That the outcomes of the project to consider the Tribunals awarded against Bromley during the academic year 2011/12 be reported to a meeting of the Executive Member/Officer Working Group for Special Educational Needs in April 2013.**

G) MEMBERSHIP OF SCHOOL GOVERNING BODIES

Report RES13031

The Portfolio Holder introduced a report outlining LA Governor appointments to two schools in the Borough.

In considering the proposed LA Governor appointments, the Portfolio Holder noted he was minded to defer the decision on the LA Governor vacancy at St Olave's and St Saviour's Grammar School.

RESOLVED that the Portfolio Holder be recommended to approve the following LA Governor appointment, subject to CRB checks:

Princes Plain Primary School

**Mr Dave Hines
(London, SE20)**

60 EDUCATION PORTFOLIO HOLDER INFORMATION ITEMS

The Portfolio Holder Briefing comprised eight reports:

- Minutes of the meeting of Bromley Behaviour Services Working Group held on 14th November 2012
- Minutes from the meeting of Education Budget Sub-Committee on 8th January 2013
- Update from the SEN Executive Working Party

- Youth Services Update
- Update on Bromley Youth Council Manifesto Campaign Programme
- Annual Report: Adult Education College
- Academy Programme in Bromley: Update
- Education Policy & Legislative Changes: Update

RESOLVED that the Portfolio Holder Briefing be noted.

61 DRAFT 2013/14 BUDGET

Report ED13012

The Committee considered a report setting out the draft Education Portfolio Budget 2013/14, which incorporated future cost pressures and initial draft saving options reported to Executive on 9th January 2013. The draft Education Portfolio Budget 2013/14 had also been considered at the meeting of Education Budget Sub-Committee on 8th January 2013, the minutes of which had been provided to Members of the Committee for their information. Members were requested to consider the proposed savings and identify any further action to be taken to reduce the cost pressures facing the Council over the next four years.

In considering the draft Education Portfolio Budget 2013/14, Members were generally concerned at changes to the Local Authority Central Spend Equivalent Grant (LACSEG) in respect of funding academies and Local Authorities. The change in funding aimed to use a national average rate of £132 per pupil which would be removed from the Local Authority in respect of every pupil. This amounted to a top slice from funding of £6.581m. The Local Authority, through the Education Support Grant (ESG), would be provided with £15 per pupil for all pupils regardless of where they attended school to fund statutory duties. In addition the Local Authority would receive £116 per pupil for each pupil attending a maintained school. As the Council was a low cost Local Authority with a high academy conversion rate, it would be detrimentally affected. Currently a top slice of Revenue Support Grant of £1.46m was taken from Bromley annually and early indications were that Bromley was likely to lose a further £3.3m in addition to the current top slice for 2013/14. It was also likely that the per pupil reduction would be applied on a quarterly basis rather than annually, which would further impact the level of funding received by the Local Authority and make forward planning of budgets more difficult. The Portfolio Holder advised Members that discussions were ongoing with Ministers and Officers at the Department for Education to mitigate the impact of this loss, such as the introduction of a cap in the amount of funding that could be removed from a Local Authority, and to look at alternate ways to manage funding.

A Member noted that there continued to be an upward pressure on services for children with special educational needs and disabilities. This was a direct consequence of increasing volumes of children, the complexity of their needs and their associated costs, and the Member was concerned that there would

be an increase in the number of special educational needs and disability tribunals where parents and carers challenged their child's statement. The Assistant Director: Education noted that under the recent education reforms fewer statements would be issued to children with high incident and low level special educational needs. Further issues might also arise where schools felt unable to meet the needs of a child with a statement, or where existing school placements had broken down.

A Co-opted Member highlighted the proposed deletion of one post in the Education Psychology Service. The Assistant Director: Education confirmed that this was not an educational psychologist post and that the service would continue to provide a statutory service to maintained schools as well as offer a limited amount of additional support to schools as part of a sold service.

Another Co-opted Member was concerned that changes to the Dedicated Schools Grant, which divided funding into three blocks comprising early years, schools and high needs, might lead to reduced funding for early years provision as the funding for each block was not ring-fenced. This was of particular concern as the Local Authority had a statutory obligation to provide nursery places for 20% of two year olds from September 2013 and any reduction in early years funding might impact the number of places available.

RESOLVED that:

- 1) The financial forecast for 2013/14 to 2015/16 be noted;**
- 2) Members' comments on the initial draft saving options proposed by the Executive for 2013/14 be noted; and,**
- 3) Members' comments on the initial draft 2013/14 Education Portfolio Budget be provided to the meeting of the Executive on 6th February 2013.**

62 EDUCATION PROGRAMME 2012-13

Report ED13015

The Committee considered the forward rolling work programme for the year ahead, based on items scheduled for decision by the Education Portfolio Holder and items for consideration by the Education PDS Committee.

In considering the work programme for 2012-13, the Chairman requested that a number of additional reports be considered at the next of the Education PDS Committee to be held on 19th March 2013:

- Future role of the Local Education Authority
- Education Compact
- Governance
- Transfer of Adult Education to Education Portfolio

- Potential transfer of Further and Higher Education to Education Portfolio
- Audit Report (Part 2)

The Chairman advised Members that the item on the Council's Social Media Policy would now be considered by Executive and Resources PDS Committee as a Council-wide policy was being developed.

The Chairman also noted the Schedule of Visits for the Spring Term 2013, and encouraged Members and Co-opted Members to attend visits to schools where possible.

RESOLVED that the Education Programme 2012/13 be noted.

63 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the press and public be excluded during consideration of the items of business listed below as it was likely in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present, there would be disclosure to them of exempt information.

64 REQUEST FOR APPROVAL OF ONE YEAR EXTENSION TO INTENSIVE SUPERVISION AND SURVEILLANCE CONTRACT WITH NACRO

Report ED13010

The Committee considered the report and supported the recommendations.

65 CONTRACT AWARD: SUPPLY TEACHING AGENCIES

Report ED13022

The Committee considered the report and supported the recommendations.

The Meeting ended at 9.07 pm

Chairman