

# **BRIGHTON & HOVE CITY COUNCIL**

## **EDUCATION OVERVIEW & SCRUTINY PANEL**

**5PM TUESDAY, 9 MARCH 2004**

**COMMITTEE ROOMS 2/3  
BRIGHTON TOWN HALL**

### **MINUTES**

Present: Councillor Hamilton (Chair), Councillors Mrs Norman (Deputy Chair), Battle, Bennett, Hazelgrove, Simson, Smith, Willows and Wrighton.

Statutory Co-optees with Voting Rights: Mrs R Lewis – Parent Governor Representative; Mr A Magrath – Parent Governor Representative

Non-Voting Non-Statutory Co-optees: Mrs A Antonio – National Union of Teachers; Mrs S Lleyellyn-Powell – Association of Teachers and Lecturers; Reverend S Terry – Brighton and Hove Governors Network; Ms S Messenger – National Association of Schoolmasters and Union of Women Teachers.

Also Present: Sue Darby – Looked After Children Development Officer; Nick Dry – Advisor for Special Education; David Hawker - Director, Children Families and Schools; Janette Karklins – Assistant Director, Quality, Standards and Leadership; Elizabeth Wylie – Assistant Director, strategic Planning and Services to Schools; Mary van Beinum – Scrutiny Support Officer.

### **PART ONE**

### **ACTION**

#### **37. PROCEDURAL BUSINESS**

##### **37.A Declarations of Substitutes**

37.1 There were none

##### **37.B Declarations of Interest**

37.2 The Chair of the Panel Councillor Hamilton declared a personal interest in item 42 as a governor of Downs Park Special School.

37.3 Councillor Norman declared personal interests in item 41 as a governor of Westdene School and in item 46 as a governor of ACE.

37.4 Councillor Simson declared a personal interest in item 42 as a member of the fostering panel and governor of two

schools.

37.5 Reverend Terry declared a personal interest in item 42 as he had recently been appointed to the board of governors of Downs Park Special School.

37.6 Mrs Antonio declared a personal interest in item 42 as a designated teacher at Cardinal Newman School

### **37.C Exclusion of Press and Public**

37.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

37.4 The meeting noted that confidential case studies relating to item 42 had been circulated to Panel members only. Names and some details had been changed, however the Panel agreed that if the case studies were to be discussed then the press and public would be excluded during consideration of this part of item 42.

37.5 **RESOLVED** - That with the exception of the confidential part of item 42, the press and public be not excluded from the meeting during consideration of all items on the agenda.

### **38A. MINUTES**

38.1 **RESOLVED** - That the minutes of the meeting held on 2 December 2003 be approved and signed by the Chair.

### **39. QUARTER 2 BEST VALUE PERFORMANCE REPORT 2003/04**

39.1 The Panel considered the report of the Director of Children, Families & Schools setting out the Quarter Two 2003/04 Best Value Performance Report for Education. (For copy see minute book)

39.2 The Panel noted the meaning of the top, median and bottom quartile percentages in columns 8,9 and 10 of the performance table

39.3 Members said performance against targets was very encouraging especially PI 43a and 43b, relating to the % of

statements of special educational needs prepared within 18 weeks.

**39.4 RESOLVED** – (1) To note the Performance Indicator results achieved during the second quarter 2003/04 as detailed in the abridged Q2 Best Value Performance Report 2003/04 .

(2) To note that the 2002/03 year end results have been audited by District Audit.

(3) To note the 2002/03 Quartile information. BVPI's that reflect cost and efficiency are compared with like authorities, in our case, other Unitary Authorities. Where the indicator represents quality of service we compare ourselves with all English Authorities.

**40. SERVICE AUDITS COMPLETED 1 DECEMBER TO 29 FEBRUARY 2004**

40.1 The Panel considered a report of the Director of Children, Families & Schools listing the service audits carried out in the period 1 December to 29 February 2004, together with the key areas covered by the recommendations in each case. (For copy see minute book)

40.2 Members said it would be helpful in future if a technical officer were present to discuss details of the report.

40.3 Answering a question on the area 'Playing for Success' where 'no assurance' was the audit opinion, the Director told the meeting that a new programme manager had recently been appointed. As regards the 'limited assurance' of the development of the governing bodies' role, the Director said that skills were now being better developed and attendance for training was quite good.

40.4 Areas of limited assurance in the Children's University area were also being addressed.

40.5 Asked about the audit process for areas where the opinion 'no assurance' may be repeated from one period to the next, the Director said it was a risk-led approach. Issues that auditors should look at were identified annually. The criteria used to determine service audits were reported in an item elsewhere on the agenda.

40.6 **RESOLVED** – To note the areas covered by internal audit work in the Children, Families and Schools Directorate by the Council's internal audit team between 1 December 2003 and 29 February 2004.

**41. SUMMARY OF OFSTED REPORT FOR THE SECOND HALF OF THE AUTUMN TERM 2003**

41.1 The Assistant Director, Quality, Standards and Leadership introduced the report of the Director of Children, Families and Schools on the outcome of the school Ofsted inspection which took place in the second half of the Autumn Term 2003. (For copy see minute book)

41.2 Janette Karklins said the report on Westdene Primary School was very good; 'very good' appeared many times in the inspection report.

41.3 Councillor Mrs Norman, who was a governor of the school said she was pleased the school received a very good Ofsted report; this was thanks to the work of the staff.

41.4 She referred to the temporary classrooms and difficulties for class teaching and management, and asked what action could be taken to remove the need for the hut accommodation.

41.5 The Assistant Director was aware of the matter and said the temporary classrooms dated back to the 1990s. At present priority was given to accommodation built before the 1980's. Officers were planning to visit the school to see the conditions of the huts.

41.6 Mrs Antonio said a number of schools use temporary classroom accommodation. Asked about the possible financing of any new accommodation the Assistant Director said this would be via the traditional procurement route and not via a pfi.

41.7 Reverend Terry mentioned the Ofsted report of Davigdor School which included incorrect comments, and heard that an addendum had been issued by Ofsted. The Assistant Director said that school's staff and governors had been informed about the addendum.

41.8 **RESOLVED** – That the contents of the report be noted.

**42. THE EDUCATION OF LOOKED AFTER CHILDREN**

42.1 The Advisor for Special Education and Looked After Children Development Officer introduced the report of the Director of Children, Families and Schools on progress and attainment of children looked after by Brighton & Hove City Council and updating Members on the work of the Looked After Children Project. (For copy see minute book). The financial implications of the report were tabled at the meeting. (For copy see minute book)

42.2 The officers told the meeting that Brighton and Hove had been involved in pioneering work with looked after children from 1997. This was a very vulnerable and doubly disadvantaged group with high levels of under-achievement in schools.

42.3 National guidance had now been developed and the focus was on setting targets such as for attendance and numbers achieving GCSE grades A – C. The percentage of looked after children achieving five or more GCSE grades A\* - C had risen from 0 in 2000 to 3.3% in 2002. For 2003 the proportion had reached 17%; this was higher than most other local authorities. The linking of education with health and social services was starting to make a difference.

42.4 Mrs Antonio said she had been involved with the looked after children pilot. Brighton and Hove had a particularly good record in comparison with other local authorities. She was proud to work for this authority. However there was a great volume of work including administration relating to all looked after children. Each child's personal education plan required six-monthly reviews and since around 50% of looked after children were from outside the City this involved working closely with as many as nine social services departments each with different approaches. One review could involve up to 14 teachers.

42.5 Answering a question on funding, .....Dry said the current grants were not necessarily sustainable in the longer term. Monitoring attendance for example would incur extra costs

42.6 The meeting discussed the difficult backgrounds of many looked after children. The Director said the multi-agency work was leading to better outcomes and more preventative work was being done. The new Children's Bill together with, it was hoped, additional funding, should bring further improvements.

42.7 **RESOLVED** – (1) That the report be noted.

(2) That the confidential case studies circulated to Panel Members only be noted and not discussed.

#### **43. EMPLOYMENT OF SUPPLY TEACHERS IN BRIGHTON AND HOVE**

43.1 The Assistant Director Janette Karklins introduced the report of the Director of Children, Families & Schools on the use of supply teachers across schools in Brighton and Hove and to demonstrate the benefits of using a preferred provider. (For copy see minute book)

43.2 The Assistant Director emphasised that schools could make their own arrangements for supply staff if they wished, or use a different agency. However schools were satisfied with the preferred supplier, which was prepared to make improvements such as incorporating the training needs specified by the schools.

43.3 Mrs Llewellyn-Powell said she had experience of both being on the Hays list of supply teachers and of working directly for schools; the system worked well ,she said.

43.4 **RESOLVED** –That the report be noted.

#### **44. CONSULTATION ON THE PATTERN OF THE SCHOOL YEAR**

44.1 The Assistant Director introduced the report to the Children, Families & Schools Sub-Committee, 26<sup>th</sup> January, on the outcome of the consultation on the pattern of the school year. (For copy see minute book).

44.2 The process of finalising dates with other local authorities was under way. 2007- 2008 would be the first year when the new Spring break does not coincide with Easter.

44.3 Members discussed the merits of the proposals, the approach being taken by neighbouring authorities and the affect on the timing of family holidays.

44.4 The Panel were concerned about the increase in family holidays taken during school term time

44.5 **RESOLVED** – That the report be noted.

#### **45. CRITERIA USED TO DETERMINE SERVICE AUDITS**

45.1 The Panel considered a report of the Director of Children, Families & Schools responding to a resolution of the Panel (minute 29.3) on 2 December 2003 and outlining the criteria used when determining a service audit carried out at

any given school. (For copy see minute book)

45.2 **RESOLVED** – That the Panel note the report and asked that a technical officer present future audit reports to the Panel.

**46. THE PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS IN BRIGHTON AND HOVE**

46.1 The Assistant Director, Strategic Planning introduced the report that set out the current pattern of need, provision and expenditure in Brighton and Hove for those children and young people with a recognised special educational need. The report also identified the opportunities for more effective use of available resource to achieve better outcomes for children and young people, as more integrated education, health and social care provision is developed with the Children's Trust and sought approval for a review of provision to provide a report on options for change at the June 2005 meeting of the Committee. (For copy see minute book)

46.2 The Assistant Director said the local authority incurred the highest expenditure in the country on special schools and special educational needs provision in the city had been identified by the District Auditor as poor value for money. The issues were complex – for example some looked after children also have special educational needs and some children have very intense health needs.

46.3 The review of special educational needs and provision, would investigate what the service provided at present and what the local authority wanted to provide in future. It would look at whether more needs could be met within the city and how to support mainstream schools to become more inclusive. Significant changes could be expected to make the best use of resources.

46.4 An open conference with working groups was to be held on 24<sup>th</sup> April at the Learning Disability Centre; staff and governors of all mainstream and special schools were being invited.

46.5 Revered Terry said the Governors' Network was to hold a special meeting on special schools.

46.6 The meeting considered the main areas of expenditure and recent rises in costs of residential, teaching and healthcare needs.

46.7 **RESOLVED** - To note the contents of the report.

**47. COMART AND EDUCATION PFI REQUEST FOR SCRUTINY**

47.1 The Panel considered a report of the Director of Children Families and Schools on the request for scrutiny of Education PFI and Comart. The report to EOSP on 23<sup>rd</sup> September 2003 which included the letter requesting scrutiny, initial officer comments and the criteria for determining scrutiny requests, and the extract from the minutes were handed round. (For copies see minute book.)

47.2 The Director highlighted the recommendation of the report, namely to meet the scrutiny request by providing a joint report from the District Auditor, the Council's Director of Finance and the Director of Children Families and Schools.

47.3 An in-depth scrutiny would be only duplication of work already to be undertaken with the District Audit, with no additional benefit, he said.

47.4 Councillor Wrighton who had placed the request for scrutiny, said she felt a full scrutiny review was needed in addition to an officer report, to reassure the public and stakeholders about the points raised in her letter about Comart and the wider education PFI process.

47.5 The Assistant Director told the meeting that the timescale for the Audit report would not be known until 1<sup>st</sup> April. The council could ask District Audit to conduct its review early in the year, though the timing was a matter for District Audit to decide.

47.6 Members discussed whether to await the outcome of the audit review and generally agreed that as concerns had first been raised in September 2003, if the audit report were not to be available for example until March 2005, a delay of a further year would be unacceptable.

47.7 The Panel noted that the scope and timing of the District Audit review was not yet known. If a scrutiny review were to be established the District Audit report would likely be available during the period of the scrutiny.

47.8 Members said that the report did not sufficiently address the matters raised in the letter of request.

47.9 Asked about the future use of PFIs in education the Director said there was a national 15 –year programme for improving schools. The earliest that Brighton and Hove would

be involved in future education PFIs would be 2007 – 2008 and experience from the current education PFIs would be taken into account.

47.10 Following further discussion the Panel agreed unanimously to set up a scrutiny review at the next Panel meeting, 22<sup>nd</sup> June. In addition to the scope, the number of people serving on the Scrutiny Panel, the Panel Chair, and timescale to report back to the EOSP, would be agreed.

47.11 Officers were asked to conduct a detailed scoping exercise for the scrutiny review to report this to the next meeting.

47.12 **RESOLVED** – (1) That a scrutiny panel be established at the next Panel meeting, 22<sup>nd</sup> June, to review education PFI project planning, including experience with the Comart PFI. The scrutiny review would make recommendations to inform the planning of future education PFIs.

(2) That the next Panel meeting on 22<sup>nd</sup> June receive an officer report with recommendations on scoping the scrutiny review, taking into account the timing and remit of the District Audit review.

**PART TWO**

**48. TO CONSIDER WHETHER OR NOT ANY OF THE ABOVE ITEMS SHOULD REMAIN EXEMPT FROM DISCLOSURE**

48.1 **RESOLVED** - That none of the items 37 – 48 should remain exempt from disclosure.

The meeting concluded at 7pm.

Signed

Chair

Dated this

day of

2004