

# **BRIGHTON & HOVE CITY COUNCIL**

## **EDUCATION, OVERVIEW & SCRUTINY PANEL**

**5.00PM – 7 DECEMBER 2004**

**BRIGHTON TOWN HALL**

### **MINUTES**

Present: Councillor Hamilton (Chair), Councillors Mrs Norman (Deputy Chair), Barnett, Battle, Lepper, Meegan, Simson, Smith and Wrighton

Statutory Co-optees with Voting Rights: Mr J Taylor – Diocese of Chichester

Non Statutory Non-Voting Co-optees: Mrs A Antonio - NUT and Reverend S Terry – Brighton and Hove Governors Network.

Also Present: Elizabeth Wylie – Assistant Director Strategic Planning and Services to Schools; Janette Karklins – Assistant Director, Quality, Standards and Leadership; Mark Romain – Audit Manager; Penny Jennings – Scrutiny Support Officer.

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### **PART ONE**

#### **23. PROCEDURAL BUSINESS**

##### **23A. Declarations of Substitutes**

23.1	<u>Substitute Councillor</u>	<u>For Councillor</u>
	Barnett	Willows

##### **23B. Declarations of Interest**

23.2 Councillor Meegan declared a personal interest in Item 26 relating to the OFSTED reports received during the summer/early autumn in respect of Cardinal Newman School by virtue of the fact that his two children attended the school. Mrs Antonio declared a personal interest in the same item by virtue of the fact that she taught at Cardinal Newman School. The Chair, Councillor Hamilton declared a personal interest in Item 26 by virtue of his position as a Governor at Portslade Infant School, in Item 29 relating to the 14-19 area inspection by virtue of his involvement with the learning and Skills Council and by virtue of the fact that he taught on a part-time basis at BHASVIC.

**23C. Exclusion of Press and Public**

23.3 The Panel considered whether the press and public should be excluded from the meeting during 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.

23.4 **RESOLVED** – That the press and public be excluded from the meeting during consideration of Item 32 on the agenda.

**24. MINUTES**

24.1 The Chair, Councillor Hamilton referred to Item 13 of the minutes relating to the School Bus Service. Following consideration of the letter submitted by Councillor Mrs Norman, the Deputy Chair, he had as agreed written to the Environment Committee expressing the Panel's concerns regarding removal of the number 96 bus without adequate notice being given to parents. Following consideration of the matter by that Committee it had been agreed that this service would be re-instated for the remainder of the current academic year at which time this would be revisited. Councillor Mrs Norman thanked the Panel for their support stating that the current reprieve of the service had been gratefully received by those parents who had been affected by its removal.

24.2 **RESOLVED** – That the minutes of the meeting held on 5 October 2004 be approved and signed by the Chair.

**Monitoring of Service Performance****Standing Items****25. SERVICE AUDITS COMPLETED 1 SEPTEMBER-31 OCTOBER 2004**

25.1 The Panel considered a report of the Director of Children, Families and Schools detailed the service audits carried out during the period 1 September to 31 October 2004, together with the key areas covered by the recommendations (for copy see minute book).

25.2 It was noted that as on this occasion the information contained in the annexes to the report was exempt that the report for consideration in public session set out the areas covered by internal audit work within the Children, Families and Schools Directorate during the period covered by the report, whilst the annexes had been circulated separately. In future a decision regarding the information contained in these reports and whether or not it was exempt would be taken on a meeting by meeting basis.

25.3 **RESOLVED** – That the contents of the report be noted and received.

## **26. SUMMARY OF OFSTED REPORTS FOR THE SUMMER/EARLY AUTUMN TERM 2004**

26.1 The Panel considered a report of the Director of Children, Families and Schools concerning the outcome of the school Ofsted inspections which took place in the Summer Term 2004 and in the first half of the Autumn Term 2004 (for copy see minute book).

26.2 The Assistant Director, Quality, Standards and Leadership, tabled a further summary summarising the findings of the Inspectors. Councillor Smith referred to the poor attendance levels highlighted in the Inspector's report and it was noted that this related to a small number of pupils but that this skewed the overall figures. This issue had been taken very seriously by the school, rigorous measures had been put in place to address this and by and large these appeared to be working.

26.3 The Panel were particularly pleased to note the excellent results that had been achieved by Cardinal Newman School, particularly impressive for a large school.

26.4 Councillor Wrighton referred to the behaviour of pupils in some lessons. The Assistant Director explained that the behaviour of some students was challenging and measures were to be put in place in order to ensure that the way in which this behaviour was managed in those lessons where this had been highlighted as a problem. Councillor Mrs Norman referred to problems with the accommodation at Queen's Park Primary School and enquired to be advised of the nature of the problem. The Assistant Director explained that the building was old and suffered from damp at certain locations, this affected the paintwork in some classrooms and formed part of ongoing building works.

26.5 Councillor Simson stated that the number of children who continued to take holidays in term time still needed to be addressed. A small minority of parents still routinely took their children out of school during term time rather than doing this only under exceptional circumstances. The Assistant Director confirmed that this issue was taken very seriously and initiatives were in place to re-educate the minority of parents to whom this applied.

26.6 **RESOLVED** – That the contents of the report be received and noted.

### **One off Reports**

## **27. INTERIM SACRE REPORT**

27.1 The Panel considered a report of the Chair of SACRE providing an update on the work undertaken by the Standing Advisory Council for Religious Education (SACRE) in 2003/04. A copy of the Annual Report was also provided (for copy see minute book).

27.2 The Chair welcomed Mr Derek Bastide, the Chair of SACRE, to present the SACRE interim report providing an update on the work undertaken by the Standing Advisory Council for Religious Education (SACRE) in 2003/04. Mr Bastide responded that he welcomed the opportunity to provide an interim report for the first time for the Panel. He stated that the SACRE were concerned that the progress of self-evaluation which would replace Ofsted inspections in future could present significant problems in monitoring the implementation of the Agreed Syllabus. At the present time the small number of Ofsted inspections carried out in the authority provided SACRE with little evidence upon which to monitor the implementation of the agreed syllabus. Over a period of time Ofsted reports did now give information relating to the delivery of religious education and although sometimes patchy it did provide a benchmark. There were fears that the level of information currently provided could be lost unless when the self-evaluation process came into being schools were required to give specific information about the delivery of Religious Education and about opportunities for spiritual, moral, social and cultural development were made objectively and in relation to a common local standard.

27.3 Members of the Panel noted Mr Bastide's concerns and were in agreement that measures to ensure that the existing mechanisms for collection of information remained in place. The valuable work carried out by SACRE was acknowledged as were its initiatives to foster reflection, imagination and empathy which served as valuable tools to creative thought and expression.

27.4 **RESOLVED** - That the contents of the report be received and noted.

## 28. SEN REVIEW

28.1 The Panel considered a report of the Director of Children, Families and Schools detailing the purpose of the review of provision for special educational needs and the process and anticipated timetable (for copy see minute book).

28.2 The Assistant Director, Strategic Planning and Services to Schools, explained that following the Ofsted inspection report in 2000, there were recommendations to review the number of places in special schools and review the formula for funding special needs in mainstream schools. The District Auditor had reviewed the resourcing of special needs provision during 2003 and had reported with 23 recommendations in 2004.

28.3 With the advent of the Children's Trust, a review of support for children with disabilities and a review of Speech and Language Therapy provision was being undertaken. The development of Children's Centres was the first step towards integrated service provision within localities. These services would form an integral part of the provision for children and young people with special educational needs and therefore the review had been brought together under a single programme board. It was recognised that the process would be slow particularly in the case of the most vulnerable children where a great deal of care needed to be taken to ensure that the most appropriate care was given.

28.4 Councillor Lepper stated that a number of Members have expressed concern that the process was being economically driven rather than being focussed on the very particular needs of some very vulnerable children. The Assistant Director explained that the existing special schools were aware that their role would need to change and wanted to carry out good outreach work and to work co-operatively towards shared placements in the longer term. Ultimately, it was envisaged there would be some additional places in mainstream schools and some further special schools. Councillor Lepper had expressed particular concern regarding children with IBD and MLD whose difficulties were not always immediately apparent. Where children had speech and language difficulties and these were not addressed at an early stage poor communication skills could result in challenging behaviour. Staff dealing with such children within a mainstream environment needed to have received sufficient training to be able to put in place appropriate techniques for behaviour management. It was likely that support could be provided through ACE and where children had mainstream abilities they could receive additional support or in other instances children could spend some time within a mainstream school environment. It was important that effective monitoring took place to ensure that the level of support was tailored to individual needs.

28.5 The Reverend Terry stated that the lengthy time frame was welcomed in that it would enable any practical difficulties to be properly addressed and resolved, although he still had concerns regarding the rationale behind the exercise, he considered that the devil (?) would be in the detail and that it was important for the exercise not to develop into a cost cutting exercise. Overall, Members welcomed the comprehensive report and looked forward to receiving further updates.

28.6 **RESOLVED** - That the contents of the report be received and noted.

## **29. OFSTED 14-19 AREA INSPECTION : POST INSPECTION ACTION PLAN**

29.1 The Panel considered a report of the Director of Children, Families and Schools presenting the final version of the action plan in response to the recommendations from the Office for Standards in Education (Ofsted) Area 14-19 Inspection Report (for copy see minute book).

29.2 The Assistant Director, Quality Standards and Leadership, explained that the 14-19 Area Inspection had taken place during February/March 2004 and the report had been published in June. The report had provided comment on the partners in planning 14-19 education and training: Sussex Learning and Skills Council, Brighton and Hove, East Sussex County Council and Connexions and the post inspection plan had therefore been prepared as a joint document. A joint action plan had been prepared and presented and discussions had been taking place with all partners to agree how best to progress the plan. It was noted that the demographic pattern across Brighton and Hove was different to that for East and West Sussex and therefore some of the merging of services and transferring of staff that was taking place there was unlikely to take place in the City.

29.3 It was also noted that the level of alternative provision, e.g. NVQ's rather than academic studies had not risen to the level desired and at the present time future provision of such courses was being assessed. The Local authority was as part of its partnership working looking at how a continuity of provision for the 14-19 age group could best be provided which provided good employment/further training opportunities and was receptive to the needs and aspirations of a wide range of young people.

29.4 **RESOLVED** - That the content of the report be received and noted

### Policy Advice and Information

## **30. INTEGRATED INSPECTION OF CHILDREN'S SERVICES**

This item was withdrawn for consideration at a future meeting.

### Scrutiny Requests

## **31. COMART PFI SCRUTINY PANEL**

31.1 The Scrutiny Support Officer gave an oral progress report on the COMART PFI Scrutiny Panel. It was explained that to date several information gathering meetings had been held and the Panel had begun to interview witnesses and to assess those areas on which they required further information. Reference was made to a submission received by a member of the public who considered that all Panel meetings should be open to the public and that if they were not this militated against the democratic process and was not transparent. The Head of Law stated that although this Scrutiny Sub-Panel did not fall within those areas covered by the Council's Constitution and could therefore decide whether or not it wished to hold its meetings in public session, there was a presumption that such bodies would mirror the committee framework and would where appropriate hold their meetings in open session. Notwithstanding this much of the background information received by the Panel to date by virtue of the fact that it contained detailed contractual information/related to legal matters entered into between the Council and a third party that information was by its very nature exempt and under those circumstances it would have been inappropriate for this to be disclosed to the public or to be discussed in the public domain.

31.2 Councillor Wrighton, the Chair of the Panel, explained that the Panel had itself given very careful thought to whether or not their meetings should be open to the public but had been clearly of the view that to date the information discussed (all of which had originally been circulated under exempt paragraphs of the Local Government Act 1972), had contained information which was not within the public domain; further in the interests of gaining a complete and accurate picture on which to base any findings that might appear in their final report, it was important for those invited to give evidence to be assured of complete confidentiality and to be able to speak freely, clearly this might not be the case if the public were present, any external invitees had asked whether or not they wished their submissions to take place in private. The Panel intended however to hold all discussions in public

where it was appropriate to do so and had and would continue to decide on a meeting by meeting basis whether or not the nature of their discussions at that point were such that they could be open to the public. It should be noted that the report detailing the findings of the Panel would when published be a public document.

31.3 The Chair of EOSP, Councillor Hamilton, welcomed the clarification that had been provided by the Head of Law and by the Chair of the Panel on its behalf. Clearly the information considered to date had quite properly been considered in "closed" session. He was pleased to note however that this was to be reviewed on a meeting by meeting basis and that meetings would be accessible to the public if/when appropriate. It was noted that the Panel now anticipated that their final report would be available for consideration at the EOSP meeting scheduled to take place on 8 March 2005.

31.4 **RESOLVED** - That the position be noted.

**SUMMARY OF NON- PUBLIC INFORMATION**

**32. SERVICE AUDITS COMPLETED 1 SEPTEMBER-31 OCTOBER 2004 - EXEMPT PARAGRAPH 11**

32.1 The Panel considered a report of the Director of Finance and Property and Appendices attached thereto which detailed financial and contractual information relating to audits carried out during the period covered by the report. This information was noted.

The meeting concluded at 6.55 pm.

Signed

Chair

Dated this

day of

2005