

HEALTH & WELLBEING OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 42

Brighton & Hove City Council

Subject:	Scrutiny Request: Scoping Report into Bullying in B&H Schools		
Date of Meeting:	18 December 2012		
Report of:	Head of law/Monitoring Officer		
Contact Officer:	Name:	Kath Vlcek	Tel: 29-0450
	Email:	Kath.vlcek@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Health & Wellbeing Overview & Scrutiny Committee (HWOSC) has been asked, by Cllr Wealls, to consider a member request to establish a scrutiny panel concerning bullying in Brighton & Hove schools.
- 1.2 The HWOSC considers member requests to establish scrutiny panels on issues which fall within its remit. The HWOSC may choose to establish a panel, or to decline to establish one, or to deal with the issue in a different manner (e.g. via a committee report), or to refer the issue on to another body.
- 1.3 Should the HWOSC agree to establish a panel, members may also wish to consider: the timing of a panel (with particular regard to scrutiny officer and member resources – it is only possible to support a limited number of panels running concurrently); and the scope/duration of the panel (e.g. a single meeting or a series of meetings). However, members may prefer to leave these issues to the determination of panel members.
- 1.4 The HWOSC will not usually make any decision on whether to establish a scrutiny panel without first considering a scoping report on the matter in question. Scoping reports will typically include additional information on the panel requests. **Appendix 1** to this report contains additional information provided by Children's Services.

2. RECOMMENDATIONS:

- 2.1 That the HWOSC decides how it wishes to progress Councillor Wealls' request to establish a scrutiny panel on bullying in Brighton and Hove schools.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Scrutiny panels are informal groups of members (and potentially co-optees) established to look, in-depth, at specific issues, and to make recommendations for improving services. Depending on the issue being examined, panels can vary in length from one meeting, or a one-day 'workshop' type event, to a number of meetings across several months.
- 3.2 The HWOSC may choose to accept as many member requests for panels as it wants, but panels tend to be resource intensive in terms of both officer and member time. Typically, the scrutiny team would expect to be able to support no more than two panels at any one time (although this may vary depending on the size of each panel, what stage it is at etc). Therefore, it may not be possible to set up a panel immediately.
- 3.3 When considering a request to establish a scrutiny panel, the HWOSC has several options:
- It may decide that a request does not warrant further action.
 - It may agree to set up a panel (immediately or at some future date, subject to capacity within scrutiny support).
 - It may decide to refer the matter to OSC (or to pursue it jointly with OSC).
 - The HWOSC may also decide that an issue would be better dealt with as a committee report, or a letter from the HWOSC Chair requesting information etc.
 - It may decide that an issue should be referred to the relevant policy committee for investigation (or to another body – e.g. a regulatory committee).
 - In instances where the subject of the request is one over which a council Policy Committee exercises control (e.g. adult social care or children's services), the HWOSC will need to consider whether a Policy Committee itself intends to address the matter in question, and if so, whether the matter might better be dealt with by that Policy Committee (or delay consideration until the results of Policy Committee 'scrutiny' are apparent).
- 3.4 Councillor Wealls' request is as follows:

RE: Request for Scrutiny of Bullying in Brighton & Hove City Schools

At a recent Young Carers' Project event, I was speaking to some parents and made a casual remark that I believed bullying in schools was now taken a great deal more seriously than it had been when I was younger. I was told emphatically that this was not the case, and that things were as bad as they had ever been

When asked whether a Scrutiny on bullying in schools would be welcome, Emma Lacey of the anti-bullying charity Safety-Net wrote, 'that would be fantastic, of course we would be supportive'.

Tamsin Knight, Bullying Prevention worker at Safety Net, said, 'I am very excited to hear that you are chasing the subject. I do believe that some schools have a way to go and I also believe that there will always be a place to teach children lifelong assertiveness skills and techniques'.

Ian Cunningham Principal of the Self-Managed Learning College supports the request, 'it (bullying) is endemic in all of Brighton's secondary schools. We have students from most of them. We have had experience of that'. He also pointed out the particular

challenges of some mixed race attendees at his school who have suffered particularly badly from racist bullying.

The Youth Council are pursuing this agenda and are keen to support this request for a HWOSC scrutiny into bullying in schools. This is currently one of their key campaigns.

To sum up the general sentiment of the Youth Council; 'young people felt that bullying does take place, and that most young people feel that everyone is affected by it at some point. Bullying does happen at school, and not just in the playground - it also happens in the classroom. They wanted to highlight that homophobic bullying is not always challenged by staff but they do feel like things are getting better.'

Sue A (introduced through Young Carers contacts), a mother of 5 children tells me that some of her children have been bullied whilst others were bullies, so she has seen both sides of the spectrum. She says her experience is that schools do not take the issue seriously, claim they will deal with the problem and she doesn't hear anything further. She and her children are happy to present as witnesses.

Julie (also introduced through Young Carers), a mother made accusations about teacher on pupil (her son) bullying.

Amanda Mortensen, Parent Governor Representative on HWOSC is very supportive, particularly with respect to young carers and children with Special Educational Needs and Disabilities.

Therefore, there is considerable support for this scrutiny from parents and organisations which are either directly or indirectly involved in children's welfare generally and bullying specifically.

I very much look forward to hearing from you in the near future.

Yours faithfully,

Andrew Wealls.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

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- 4.1 None at this stage other than the references made in Councillor Wealls' request. If members wish to establish a panel then there may be the opportunity to engage with local communities/stakeholders.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 None. All scrutiny panels will be supported using existing scrutiny team resources.

Legal Implications:

- 5.2 In accordance with the Council's constitution, and in addition to the point about resources set out above, HWOSC shall have regard to the following considerations in determining whether or not to establish a scrutiny panel:
- The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities, the implementation of its policies or other key issues affecting the well being of the City or its communities;

- Whether there is evidence that the decision-making rules in the constitution have been breached; that the agreed consultation processes have not been followed; or that a decision or action proposed or taken is not in accordance with a policy agreed by the Council;
- The potential benefits of a review especially in terms of possible improvements to future procedures and/or the quality of Council services;
- What other avenues may be available to deal with the issue and the extent to which the Councillor or body submitting the request has already tried to resolve the issue through these channels (e.g. a letter to the relevant Member, the complaints procedure, enquiry to the Chief Executive or Chief Officer, Council question etc.);
- The proposed overview and scrutiny approach (a brief synopsis) and resources required, resources available and the need to ensure that the Overview and Scrutiny process as a whole is not overloaded by requests;

Lawyer Consulted:

Oliver Dixon

Date: 13/07/12

Equalities Implications:

- 5.3 None directly. HWOSC members may wish to consider the potential impact of issues on equalities groups when determining whether to establish a scrutiny panel.

Sustainability Implications:

- 5.4 None directly. HWOSC members may wish to consider the potential impact of issues on sustainability when determining whether to establish a scrutiny panel.

Crime & Disorder Implications:

- 5.5 Bullying and anti-social behaviour is a crime, and any attempts to address this should be welcomed.

Risk and Opportunity Management Implications:

- 5.6 Information supplied by the Schools, Skills and Learning Team in the appendix includes an assessment of risks/opportunities associated with agreeing specific panel requests

Public Health Implications:

- 5.7 None directly. HWOSC members may wish to consider the potential impact of issues on population health when determining whether to establish a scrutiny panel.

Corporate / Citywide Implications:

- 5.8 Members should consider whether undertaking a particular panel would be likely to help achieve corporate/citywide priorities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 This report offers members the options to: a) agree to the panel requests; b) refuse the panel request; c) agree to request(s) and specify the scope/duration of any panels; e) decline requests but pursue the issue via other means (a report to committee, referral to another body etc). Members have therefore been given a choice of options, with no obvious alternatives having been discounted.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 This report is intended to facilitate HWOSC's choice of the scrutiny panels it wishes to establish.

SUPPORTING DOCUMENTATION

Appendices:

1. Additional information provided by the Schools, Skills and Learning Team.

Documents in Members' Rooms

None

Background Documents

None