



**CHILDREN AND YOUNG PEOPLE
SCRUTINY COMMITTEE
26 JULY 2011
(EXTRAORDINARY MEETING)**

PRESENT: COUNCILLOR S F WILLIAMS (CHAIRMAN)

Councillors P A Carpenter, C J Davie, M Exton, M W Gilbert, J R Hicks, J D Hough (Vice-Chairman), B W Keimach, J R Marriott, R B Singleton-McGuire, M Smith, C J Underwood-Frost and N Worth.

Added Members: Mrs E French, Mrs J E Pilsworth, Dr B Roberts and Mr S Rudman.

Councillors Mrs P A Bradwell, D Brailsford, C J T H Brewis, E R Chapman, G K Dark, M J Hill OBE, N I Jackson, Mrs J Johnson, G A Marsh, Mrs P A Mathers, Major R Newell, Mrs M J Overton, R B Parker, C L Strange, Mrs C A Talbot, A H Turner MBE, Mrs P F Watson, A P Williams and Mrs S Woolley were also in attendance.

Officers in attendance: Debbie Barnes (Assistant Director, Children's Services), Andy Breckon (Assistant Director of Children's Services and Director of the School Improvement Service), Tracy Johnson (Scrutiny Officer) and Graham Watts (Democratic Services Officer).

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D R Dickinson, Mrs C H M Farquharson, G M Gooding, Miss A M Jenkyns, H R Johnson and T M Trollope-Bellew.

The Chief Executive reported that, having received notice under Regulation 13 of the Local Government (Committees and Political Groups Regulations 1990), he had appointed Councillor J R Marriott as a replacement Councillor on the Committee in place of Councillor R A Shore, for this meeting only.

15. DECLARATIONS OF MEMBERS' INTERESTS

Councillor C J Davie declared a personal interest in minute number 16 as his wife was employed as a primary school teacher at a school in his electoral division.

Councillor M Exton declared a personal interest in minute number 16 as he was a Governor at The Deepings School.

Mrs E French declared a personal interest in minute number 16 as she was a Governor at Lincoln Manor Leas Infant School.

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Councillor M Gilbert declared a personal interest in minute number 16 as he was a Governor at Boston Grammar Schools Federation.

Mr S Rudman declared a personal interest in minute number 16 as he was a Governor at St Peter and St Paul Lincoln's Catholic High School and Our Lady of Lincoln Catholic Primary School.

Councillor M Smith declared a personal interest in minute number 16 as he was a Governor at Skegness Grammar School.

Mrs J E Pilsworth declared a personal interest in minute number 16 as she was a Governor at Gainsborough Queen Elizabeth's High School.

Councillor Mrs P F Watson declared a personal interest in minute number 16 as she was a Trustee at Louth King Edward VI Grammar School.

3. THE COUNCIL'S LEADERSHIP ROLE WITHIN A CHANGING EDUCATION SYSTEM

NOTE – Mr A Breckon declared an interest in this item as a Director of CfBT, in view of the fact that CfBT was referred to in one of the options contained within the report. He remained in the meeting to answer any technical questions in his capacity as an Assistant Director of Children's Services and as a Director of the Centre for British Teachers, but left the meeting prior to the debate and subsequent vote.

NOTE – Councillor D Brailsford declared a personal interest in this item as he was a Governor at Stamford Malcolm Sergeant Primary School.

NOTE – Councillor N I Jackson declared a personal interest in this item as he was a Governor at Lincoln Sincil Sports College and Lincoln Bracebridge Infant and Nursery School.

NOTE – Councillor Major R T Newell declared a personal interest in this item as he was a Governor at Boston Staniland Primary and Nursery Schools.

NOTE – Councillor C J Underwood-Frost declared a personal interest in this item as he was a Governor at Gainsborough Trent Valley Academy and Gainsborough Queen Elizabeth's High School.

NOTE – Councillor N Worth declared a personal interest in this item as he was a Governor at Holbeach St. Marks and Gedney Drove End Federated Primary Schools.

The Council's Assistant Director of Children's Services commenced the consideration of this item with a presentation on Academies, which provided a brief overview of what Academies were, the key differences of Academies compared to schools maintained by local authorities, sponsorship arrangements for Academies and how Academies would be regulated.

In introducing a report on the Council's leadership role within a changing education system, the Assistant Director stated that the County Council's approach to education had always been about choice, autonomy and freedom for schools, with the Local Authority providing support and challenge to improve performance. The nature of that challenge and support had varied widely in recognition of the range of schools the authority had in the county, from large secondary schools with over 1,000 pupils to small primary schools with fewer than 100 pupils. The Local Authority was a high performing authority nationally, with Key Stage Four results continuing to improve year on year, and gave excellent support to vulnerable groups of children and young people. Many of the County Council's improvements in this respect were due to its integrated approach across Children's Services, which in the wider sense was a key enabler to attainment and achievement in schools.

The Assistant Director informed the Committee that the last fourteen months had seen some of the most radical and rapid changes to education policy in the last twenty years. The Council had always supported Central Government initiatives when they had benefitted children and young people in Lincolnshire. The 'old' Academies programme brought over £160 million of capital funding into the county. However, the current policy on Academies presented some real challenges for the County Council in relation to the sustainability of smaller schools. Whilst the decision regarding whether to become an Academy rested with Governing Bodies, if the Local Authority continued with its current policies and practices a large number of its schools could become unviable, with up to 184 primary schools potentially being at risk. Whilst the Coalition Government's Academies programme was about further removing the Local Authority influence over schools, the County Council also retained some key responsibilities.

Contained within the report were four options, setting out possible ways forward that would support the Local Authority's schools, whilst at the same time being inline with Coalition Government policy. The options were noted, as follows: -

- option one – do nothing and continue with the current position;
- option two – the Local Authority to encourage all schools to convert to Academy status through a variety of existing sponsors;
- option three – the Local Authority to encourage all schools to join a single Trust through CfBT;
- option four – to encourage schools to stay in the maintained sector with the Local Authority.

The Council's Executive was scheduled to make a decision on this issue at its meeting scheduled to be held on 6 September 2011. The Committee was therefore asked to consider which option the Executive should be recommended to support and implement.

The Chairman invited all Members in attendance to ask officers any questions of a technical nature in relation to Academies, the County Council's leadership role or the options contained within the report. A number of issues were clarified and the following points were noted: -

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- it was clarified that there was no barrier in place to prevent schools with budget deficiencies of over £100,000 becoming Academies, however, this was likely to be a key consideration prior to a decision being made as to whether a school would become an Academy. Any deficient budget would transfer with the school when it changed to Academy status;
- an announcement was made by the Secretary of State for Education on 19 July 2011, which consulted on how money could be deducted from local authorities to take into account those maintained schools that had transferred to Academies and proposed a comprehensive reform of the way in which revenue funding for schools was calculated. In terms of capital funding for schools, it was proposed that all school capital monies for improving the conditions for the schools would be delivered through Private Funded Initiatives;
- an increase in the number of Academies in Lincolnshire would have a significant impact on the County Council's budget for Children's Services in relation to support services. The Council's formula grant for this year had reduced by £2.4 million and would reduce by a further £1.9 million in 2012/2013;
- further to the announcement by the Secretary of State for Education, the consultation document was proposing that local authorities were top-sliced on a basis aligned to the actual number of Academies within their boundaries. For comparative purposes, if such a top-slice was implemented this year it was estimated that the Children's Services budget would be reduced by £6 million in 2011/2012 and £9 million by 2012/2013. Using the same methodology, if all maintained schools became Academies, the Children's Services schools budget could be reduced by £28 million per annum;
- in respect of schools support services, County Council funding resources were not allocated proportionally but were currently based on allocated need. The methodology for Academies was different and was based on a set amount per pupil, which presented the authority with challenges in terms of retaining its existing school support service provision and supporting its most vulnerable schools;
- CfBT was the current provider for the Council's School Improvement Service, the contract for which ran until 2017;
- a number of sponsors were already working within the Local Authority following the implementation of the 'old' Academies programme. Option three within the report recommended all schools joining a single Trust through CfBT. CfBT was the only sponsor that had approached the County Council and confirmed a commitment to provide an infrastructure of support services for all schools and the wider school community in Lincolnshire. It was emphasised, however, that the Council would not express any preference towards the CfBT should another provider come forward with a proposal that confirmed a similar commitment and had evidenced its ability to deliver;
- CfBT was not seeking to take over schools, but work with them and communities in an open and transparent way. It also wanted to embrace the Council's scrutiny structure and would be open to challenge by the Children and Young People Scrutiny Committee. If a Governing Body was managing a school to achieve good or outstanding levels of performance, it would be left to

continue to operate in that fashion without any interference from the Trust. If schools were not performing well, the Trust would look to provide advice and support in order to continue to improve the standard of schools throughout Lincolnshire;

- the schools the County Council was most concerned about were those small rural primary schools that did not have significant structure behind them or capacity to thrive;
- it was suggested that adequate consultation had not been undertaken with communities. Officers from the County Council had held briefings with Headteachers to discuss the benefits and challenges of converting to Academy status. Any ultimate decision about whether or not a school became an Academy would be the responsibility of the school's Governing Body and not Lincolnshire County Council;
- 50% of the county's young people in secondary institutions were already being educated by Academies;
- it was suggested that the options within the report should have contained estimated costings so that the financial implications of each could be considered alongside the respective benefits and challenges;
- in the event of an Academy failing, the Department for Education would allocate a new sponsor to take over the particular institution. This would not be a Local Authority decision or consideration;
- in terms of education welfare, prosecutions remained a statutory responsibility for Local Authorities. Wider preventative support would be the responsibility of Academies as they received funding on a per pupil basis to offer that service. The Local Authority was currently providing a traded model of education welfare support services that Academies could purchase;
- it was suggested that there was a lack of vision in the report in terms of what education would look like in the future in Lincolnshire. This was difficult to estimate at this moment in time as it was unclear how many individual schools would make the decision to transfer to Academy status.

The Committee was invited at this stage of proceedings to debate the options contained within the report. Taking into account the issues raised and noted during questions by Members, as outlined above, the following points were made: -

- option one within the report, which recommended the Council changing nothing and continuing with its current position, was not necessarily as negative as the report perceived it to be;
- public consultation on this issue should be undertaken so that wider Lincolnshire communities had an opportunity to express their views on how education should be provided in the county. Acknowledgement was given to the fact that briefings had been held with Headteachers, but a comment was made that this was not adequate and a more comprehensive consultation process was required. Other Councillors questioned the value of the Council undertaking a consultation exercise when the final decision of a school's status rested with individual Governing Bodies;
- CfBT was not the largest Trust in this process and worked as a charity, with educational standards being its key driver. Examples were given of other Trusts that operated as businesses;

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- CfBT, in its current role as the Council's School Improvement Service provider, had provided excellent support services for schools on a countywide basis;
- options three and four within the report were slightly linked as Governing Bodies still had the choice, should they decide not to become Academies, to enter into a single Trust or stay within the maintained sector.

Two proposals were put forward, the first of which recommended option three within the report to the Executive whilst the second proposal recommended option one. Upon being put to the vote the Committee agreed that the Council's Executive should be recommended to support option three, as set out in the report.

RESOLVED

That the Council's Executive be recommended to support option three, as set out in the report.

The meeting closed at 12.50 p.m.