

**PRESENT: COUNCILLOR S F WILLIAMS (CHAIRMAN)**

Councillors C J Davie, M J Exton, A G Hagues, J R Hicks, J D Hough, C R Oxby, R A Shore and N Worth.

Added Members: Mr S C Rudman and Mrs G Wright.

Councillor Mrs P A Bradwell (Executive Councillor for Children's Services and Adult Learning) was also in attendance.

Councillor A H Turner MBE JP attended the meeting as an observer.

Officers in attendance: Debbie Barnes (Director for Children's Services), Richard Belfield (Assistant Director of Development), Julia Beard (Senior Early Intervention Officer), Andy Breckon (Assistant Director of Children's Services and Director of the School Improvement Service), Stuart Carlton (Assistant Director for Children's Services), Katrina Cope (Team Leader Democratic and Civic Services), Justin Hackney (Head of Service Adults and Children's Commissioning), Tracy Johnson (Scrutiny Officer), David O'Connor (Executive Director Performance and Governance) and Meredith Teasdale (Assistant Director of Children's Services).

The Chairman on behalf on the Committee extended his thanks to Peter Duxbury for all his hard work improving Children's Services, and his support to the Children and Young People Scrutiny Committee. The Committee wished him well in his new role.

The Chairman also advised that the election for three new Parent Governors had taken place and the three new representatives were:

- Mr Craig Miller – All Saints C of E Primary School, North Hykeham
- Mrs Emma Olivier-Townrow – St Faith's C of E Infants School, Lincoln
- Mr Guy Porter – Kirkby La Thorpe Primary School, Sleaford

It was highlighted that the new Parent Governors would be joining the Committee at its next meeting on 20 April 2012.

68. **APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS**

Apologies for absence were received from Councillors P A Carpenter, M W Gilbert, B W Keimach, R B Singleton-McGuire, M Smith and C J Underwood-Frost.

An apology was received from Councillor A P Williams (Executive Support Councillor for Children's Services and Adult Learning).

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An apology for absence was also received from Dr B Roberts (Added Member).

69. DECLARATIONS OF MEMBERS' INTEREST

Councillor M J Exton declared a personal interest in Minute numbers 71 and 73 as a Governor at an Academy.

Mr S C Rudman declared a personal interest in Minute number 73 as a Governor of two Schools.

Councillor S F Williams declared a personal interest in Minute number 73 as a Governor of a Primary School.

70. MINUTES OF THE MEETING OF THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE HELD ON 3 FEBRUARY 2012

RESOLVED

That the minutes of the previous meeting of the Children and Young People Scrutiny Committee held on 3 February 2012 be confirmed and signed by the Chairman as a correct record.

71. EDUCATION SUPPORT SERVICES - EXTENSION TO CfBT CONTRACT

The Committee considered a report by the Executive Director Performance and Governance, which recommended amending the existing CfBT contract to cover the management of most of the authority's Education Support Services.

Members noted that the recommendation was considered to be the best option for ensuring the continued availability of high quality support for Lincolnshire Schools in a national context of increasing numbers of Academy schools being able to purchase services in an open market.

It was reported that Children's Services had undertaken an option appraisal of future models for the delivery of school support services. Lincolnshire would seek to transform its school support services into a model which:-

- Developed resilience within school support services;
- Mitigated the risk to LCC in relation to the financial gap arising from academy funding changes;
- Ensures opportunities for Lincolnshire's economy in a growing market and maximises employment opportunities; and
- Reduces LCC's redundancy liabilities.

The options considered were:-

- 1 Continue with current approach;
- 2 Outsource through competitive tender the delivery of all schools support services, including statutory services;

- 3 Commission or retain delivery of statutory services and devolve budgets for non-statutory services to schools;
- 4 Explore renegotiation of the current CfBT contract the delivery of all school support services, including statutory services.

Options two and three were not selected for detailed analysis, full details were included within the main report. Options one and four were selected for further detailed analysis. Table A – Risks and Benefits Analysis set out the risks and benefits of the proposal against each of the project objectives.

A benefit to Option four was that the existing governance arrangements for the CfBT contract would be strengthened, although it was highlighted that this could be implemented for Option one as well. It was proposed to adopt the existing School Improvement Service Governance arrangements whereby the CfBT Director holds an Assistant Director post on the Children's Services DMT, with the responsibility for the operational delivery of all school improvement and schools support services/functions. It was also recommended that the contract management function should be moved from Resources into Children's Services, to ensure greater clarity and transparency of performance and variation under the new agreement which would provide invaluable information and expertise to inform decisions on re-procurement.

An Annual Service Plan would be developed by CfBT and agreed with the Director of Children's Services and Children's Services DMT, and the Executive Councillor for Children's Services and Adult Learning, prior to being approved and adopted by the Partnership Board. The Annual Plan would be used as a means of controlling strategic direction and monitoring CfBT performance, and would include new outcome and performance measures and targets.

Full details of the Commercial Principles were detailed at Appendix A to the report.

A number of points were raised during discussion, some of which are detailed below:-

- Risks to jobs as detailed in Option one on page six of the report, as a result of a reduction in workload. It was noted that with the increase in the number of academies, there would be a reduction in the workload and therefore less staff would be required. Reassurance was given that the Trade Union had been engaged, and were supportive of the process. The main driver for the change was to maintain resilience of services for the children of Lincolnshire. Existing Schools Support staff within the in-scope services would be retained on their current LCC terms and conditions. The proposals did not involve or require any LCC staff to be TUPE transferred to CfBT. CfBT would be contractually obliged to deliver a 5% year on year efficiency savings on staffing budgets for the next 5 years, by only replacing 5% of the annual 10% staff turnover, which would mean that CfBT would be delivering services with less staff. The first year efficiency savings would include the cost of the Management Fee;

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- Some concern was raised as to why a decision needed to be taken so promptly or, whether it might be better to wait for the 2013 funding arrangements. The Committee were advised that after due consideration it had been agreed in the best interests of the authority and the schools not to wait, as the market was developing, it was felt that being proactive to develop the existing service over the next 12 months would be the best option. The overall strategic management and control of the School Support Services would remain with the Council;
- The potential for reputational issues for the authority, as a result of handing over its support services to CfBT. Ensuring that Maintained Schools continued to receive an excellent service;
- Support was expressed for the excellent service currently provided by CfBT and for Option Four as the proposed way forward;
- Contract costs. As the process was a commercial transaction figures were not available for discussion. It was noted that the contract would expire in 2017, and at that time there would be a decision whether to re-procure, or in source the services;
- Information relating to the 'Buying of Services' by academies It was agreed that a report concerning the financial side of Buying of Services by academies would be considered at the next Children and Young People Scrutiny Committee meeting.

**RESOLVED**

- 1) That support be given to approve the amendment of the existing school support services contract with CfBT in accordance with the commercial principles as described in the report.
- 2) That an exempt report relating to educational support services provided to Academies be presented to the 20 April meeting.

**72. PERFORMANCE- QUARTER 3 2011/12**

Consideration was given to a report by the Director of Children's Services, which provided the Committee with a summary of quarter three performance for 2011/2012, in respect of children and young people for each Performance Indicator that was underperforming or overperforming. The following documents were appended to the report: -

- summaries of performance by the relevant Assistant Directors;
- Children's Services performance report for quarter three 2011/2012 covering all indicators currently in operation in Children's Services; and
- customer satisfaction report from the Customer Service Centre.

Performance Information requested at the December meeting relating to Looked After Children was circulated to members at the meeting.

Discussion ensued, from which the following points were noted:-

- The Committee were concerned about the number of Looked After Children Performance Indicators that were underperforming. It was reported that there were factors for this, which included that the targets had been stretched; and that the make up of the cohort of young people being assessed, as some of the young people had special needs and some had become disengaged with the process. Particular reference was made for the need to look at providing extra support where needed. The Committee agreed that the Corporate Parenting Panel should receive a detailed report concerning Looked After Children performance indicators with regard to the progression and attainment of young people within the cohort. It was agreed that a plan containing actions on how to improve the figures should be compiled;
- Whether the gap was narrowing with regard to young people in deprived areas, it was reported that changes to the educational system from September 2012 would not help the situation as GCSE's would no longer be modular courses, and more emphasis was being placed at key stage two on writing and spelling which would have an effect on marginal children;
- N1070 Hospital admissions caused by unintentional and deliberate injuries to young people, reassurance was given that officers were working with health and safeguarding colleagues to improve this figure;
- The Committee were complimentary of the new reporting system but advised that for the future the pages in Appendix B should be numbered for ease of reference;
- Concern was expressed by some members regarding the potential costs to the authority of exclusions. The Committee were advised that this issue was being reviewed; and
- Concern was also expressed with regard to bullying (information contained with Appendix C to the report). The Committee were advised that the Lincolnshire Safeguarding Children Board were doing a lot of work regarding cyber bullying, as this was a big issue for young people. It was agreed that a report on Cyber Bullying should be taken to the Lincolnshire Safeguarding Boards Scrutiny Sub-Group for consideration.

#### RESOLVED

- 1) That the report and issues raised, as detailed above, be noted.
- 2) That the Corporate Parenting Panel be requested to received a detailed report concerning Looked After Children performance indicators to identify progression measures and create an action plan to improve performance figures.
- 3) That the Lincolnshire Safeguarding Boards Scrutiny Sub-Group be requested to consider a report on Cyber Bullying.

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**73. IMPACT OF ACADEMIES ON LINCOLNSHIRE COUNTY COUNCIL**

A report by the Director of Children's Services was considered which provided the Committee with the current position on Academies in Lincolnshire and provided an outline on how Local Authorities (LA) might contribute to the funding of academies.

The Committee was advised as a result of the Academies Bill passed in July 2010, the Government's vision is to create a world-beating school system in which every parent has access to a good school and all pupils achieve high standards. The purpose of the Bill was to enable more schools to become academies and give them freedoms and flexibilities to continue to drive up standards. Since then a significant number of secondary and primary schools have decided to convert to academy status.

Appendix A to the report provided the Committee with the current position (as at the time of drafting) with regard to academy conversion in Lincolnshire schools.

Lincolnshire County Council had debated its policy position on academies and in September 2011 the Authority had confirmed its position and this was confirmed in the Executive Decision Notice detailed at Appendix B to the report "That the Local Authority should encourage all schools to join a single Trust through CfBT".

On 9 December 2011, the Secretary of State for Education published a 'Consultation on the Proposed Decision on the Calculation and Recovery Arrangements for Academies Funding Transfer for 2011-12 and 2012-13'. Details relating to the key points from the consultation were detailed at page three of the report.

It was reported that the Authority remained committed to ensuring that a sustainable infrastructure of school support services was accessible to all schools and had introduced buy back services to enable schools and academies to purchase support services should they wish. It was reported further that LCC managed services currently only offered education welfare services and parent support services. To date there had been over 88 sales of LCC services to 68 schools/academies which had generated £150k of income so far.

During discussion, a number of issues were raised, some of which are listed below:-

- What happens to Academies if they under perform. The Committee was advised that this was currently being investigated and a letter had been written to the minister with regard to this concern;
- The importance of ensuring Maintained Schools receive and provide excellent services;
- The importance of keeping the Committee up to date with developments. It was reported that Queen Elizabeth High School in Gainsborough was no longer progressing its academy application; and
- The finances of academies compared to when they were maintained schools. It was reported that Academies were not financially worse off.

RESOLVED

That the report concerning the Impact of Academies on Lincolnshire County Council be noted.

74. CHILD POVERTY STRATEGY - CONSULTATION

Consideration was given to a report from the Senior Early Intervention Officer, which provided the Committee with a summary of responses received in relation to the Child Poverty Strategy.

The Child Poverty Strategy had been out to consultation for the period from 1 December 2011 to 31 January 2012. Several responses had been received from key stakeholders, including the Committee's informal working group, who had been asked to consider a recommendation to transfer outstanding actions from the Narrowing the Gap agenda to the Child Poverty Action Plan.

It was reported that the responses were currently being collated and analysed and that the next steps were to review the strategy document and develop an action plan building on the responses and the needs of the analysis.

The following documents were appended to the report:-

- Membership of the Children and Young People Scrutiny Committee Informal Working Group;
- Responses from the Children and Young People Scrutiny Committee Informal Working Group; and
- Summary of collated responses received to the consultation.

During discussion particular reference was made for the need of bullet point seven of Appendix B being amended to reflect sporting activities.

RESOLVED

- 1) That the responses of the Children and Young People Scrutiny Committee's informal working group be endorsed for inclusion along with those from other key stakeholders and parents for the Child Poverty Strategy.
- 2) That acceptance be given for the recommendation to close down the Narrowing the Gap action plan and to transfer outstanding actions to the Child Poverty Action Plan.

75. NARROWING THE GAP IN DEPRIVED AREAS OF LINCOLNSHIRE  
SCRUTINY REVIEW – SECOND MONITORING UPDATE

The Committee considered a report from the Head of Service Adults and Children's Commissioning, which invited the Committee to consider the second monitoring update on the implementation of the recommendations from the Narrowing the Gap in

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Deprived Areas of Lincolnshire Scrutiny Review, and to consider whether future actions from the plan could be incorporated and taken forward as part of the Child Poverty Plan.

The following documents were appended to the report:-

- Narrowing the Gap in Deprived Areas of Lincolnshire Scrutiny Review – Action Plan; and
- C4EO scoping project: Early Years – Narrowing the Gap in the outcomes for young children through effective practices in the early years.

The Executive Response Action Plan, attached at Appendix A had been developed in response to recommendations from a Scrutiny Review into Narrowing the Gap in Deprived Areas of Lincolnshire, which had been presented to the Children and Young People Scrutiny Committee in December 2010. The report presented provided a monitoring update on the progress made against the Action Plan.

A sub-group of members from the Children and Young People Scrutiny Committee had been convened to develop a formal response to the Child Poverty Strategy consultation. One of the recommendations from this formal response was that the Narrowing the Gap agenda and the associated action plan should be incorporated into the Child Poverty Strategy.

**RESOLVED**

- 1) That the progress made against the Action Plan be noted.
- 2) That future actions from the plan be subsumed and taken forward as part of the Child Poverty Plan.

**76. LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY SUB-GROUP - UPDATE**

Consideration was given to a report on behalf of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group, which provided the Committee with an overview of the activities of the Sub-Group, in particular the Sub-Group's consideration of Children's safeguarding matters. Draft Minutes from the first meeting of the Scrutiny Sub-Group on 10 January 2012 were detailed at Appendix A for the Committee's consideration.

**RESOLVED**

That the draft minutes from the meeting of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group, held on 10 January 2012, be noted.



77. CORPORATE PARENTING PANEL - UPDATE

A report on behalf of the Corporate Parenting Panel was considered, which provided the Committee with an update on the work of the Panel. Draft minutes from the last meeting of the Panel held on 2 February 2012 were attached for the Committee's consideration.

The Committee wished to record their appreciation to Peter Duxbury for all his hard work with safeguarding and the Corporate Parenting Panel.

RESOLVED

That the work and draft minutes from the meeting of the Corporate Parenting Panel on 2 February 2012, be noted.

78. CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME 2012

Consideration was given to a report from the Scrutiny Officer, which enable members of the Committee to discuss their work programme for the forthcoming year.

It was reported that the Joint Strategic Needs Assessment – Overview Report Update 2012 (Draft) had been included in the work programme for the 20 July meeting.

The Committee requested that a report on the Expansion of Spalding Primary School be received for consideration at the 20 April 2012 meeting, and that a report relating to Academies and Traded Services should be put forward for consideration to a future meeting of the Committee.

The meeting closed at 11:55am