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CHILDREN'S SERVICES SCRUTINY COMMITTEE

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE, on WEDNESDAY 20 SEPTEMBER 2006.

PRESENT: Mr P Coleman, Mr A Davis, Dr J English, Mrs M Groom, Mrs E Leonard, Ms R MacDonald, Ms J Miller, Mr S Oldrieve, Mr R Rogers, Mrs P Rugg, Mr W Snow, Mrs C Soden (Chairman), Dr M Thompson and Mr C Winchcombe

31. **Apologies** Apologies for absence were received from Mrs G Hill, Mr W Moss and Mr C Newbury.

32. **Chairman's Announcements** The Chairman requested members to note in their diaries that, at the recommendation of the Budget Process Scrutiny Task Group, a Joint Meeting of the three main Scrutiny Committees would take place at 10.30am on Tuesday 6th February 2007 for scrutiny members to consider the draft budget proposals for 2007/08. She highlighted that members' comments and recommendations arising from the 6th February Joint Meeting would be presented to Council for its consideration on the 13th February as part of the 2007/08 budget setting process.

33. **Minutes of Previous Meeting**

RESOLVED: to confirm and sign the minutes of the meeting held on 14th June 2006.

34. **Members' Interests** There were no declarations of interests.

35. **Public Participation** There were no members of the public present or previously submitted contributions from members of the public.

36. **Member Requests** There were no member requests.

37. **Trowbridge Secondary Schools – Travel Planning**

A joint report from the Director of the Environmental Services Department (ESD) and the Director of the Department for Children & Education (DCE) was presented by the Council's Local Transport Plan (LTP) Manager, which detailed the progress made in assessing the feasibility of the three secondary schools in Trowbridge working together to jointly implement elements of their individual travel plans.

The LTP Manager highlighted that this report was written in response to the Committee's recommendation made at its November 2005 meeting, that:

“...officers be requested to meet with the members for Trowbridge with a view to devising a suitable travel plan that would improve conditions for children’s travel to and from school across the whole of the town, but in particular from east to west Trowbridge.”

Members were informed that a meeting in July 2006 of the Trowbridge ward members, council officers from the DCE and ESD, and the head teachers from two out of the three secondary schools in the town had resulted in clarifying the current position, including:

- a) the ward members’ concerns in relation to this matter
- b) why a new or relocated secondary school for east Trowbridge could not be provided in the short or even medium term
- c) information on current congestion levels and highway safety issues caused by and/or affecting the school run
- d) travel planning measures which have/are being/could be implemented by the council and the schools
- e) the role of the passenger transport service and the potential implications for this service, arising from the new Education Act
- f) how the Council’s revised policy in relation to support for denominational transport could affect the school run
- g) the constraints on schools which impacted on their ability to progress individual or joint travel planning strategies as a matter of priority

On inviting members’ comments on the report, the LTP Manager suggested that support from members in pursuing a travel plan led solution to the school run in Trowbridge, could ultimately result in benefiting other towns and communities in the County.

During the ensuing discussion, Mr Oldrieve, as the only ward member for Trowbridge in attendance, commented positively on the report and the meeting held in July. He suggested that there were two key points arising from the progress so far made, namely that:

- for legitimate reasons, the schools had demonstrated varying levels of commitment to the development and implementation of their individual travel plans; and
- mindful of the current financial position, members should explore further whether the secondary schools in Trowbridge could, with the assistance of the school travel advisers, do more to develop / implement their travel plans, whether individually or jointly.

Other comments made and issues highlighted included:

- (a) reference to Trowbridge being classed as one of the top three contenders in the bid for the recent £20m Wiltshire Secondary School Pathfinder Project;
- (b) the role of schools as the primary influence in the success of school run travel planning strategies;
- (c) the need for the travelwise team to continue to raise the profile and sell the benefits of travel planning;

- (d) whilst, on the one hand, staggered / delayed start times of the secondary schools could result in some environmental and general health and wellbeing benefits, such a measure could similarly impair the success of some elements of the 14 – 19 yrs Curriculum Strategy;
- (e) whilst effective travel planning was important, further and possibly more punitive measures should be explored nationally, to address society's heightened level of dependence on and preference for travelling by the motor car.

RESOLVED: (1) being encouraged by the potential for the three secondary schools in Trowbridge, supported by the Council's Travel Plan Advisers, to work together in progressing travel planning initiatives on a joint basis, the Committee recommends that the Cabinet Member for Education & Youth Development and the Cabinet Member for the Environment, Transport and Economic Development oversee this joint working in order to ensure that the following is achieved where feasible, regularly liaising with the Trowbridge ward members:

- (a) the co-ordination of funding bids and needs for highway infrastructure improvements;
 - (b) the establishing of a dedicated car sharing scheme for all car users contributing to the school run, but especially for those most likely to use such a scheme, i.e. staff and 6th form students; and
 - (c) the facilitation of a co-ordinated strategic planning and review of travel plans at the highest level involving, i.e. head teachers, chairs of governing bodies, and senior council officers
- (2) to request that the cabinet members and officers provide an update on the implementation of (1) above to the March 2007 meeting of the Children's Services Scrutiny Committee; and
- (3) to request officers to submit a report to the next appropriate meeting of the Committee providing an update on new measures to be introduced by the Education & Inspections Bill which will impact on school passenger transport.

NB: Dr M Thomson requested that his abstention from voting on the above resolutions be formerly recorded.

38. Policy for Requesting Section 106 Contributions for Education Infrastructure

A report from the Director, DCE was presented by the Head of School Buildings and Places, which sought the Committee's support for a proposed policy on requesting Section 106 (S106) contributions for education infrastructure.

In discussing this policy proposal, the Committee asked for clarification regarding the process/criteria for the collection and subsequent distribution of S106 funds, and remarked upon instances where rules and regulations governing such contributions had resulted in local frustration at not being able to achieve the desired improvements to education infrastructure.

One member felt that there was potential for the Council to secure higher S106 contributions from developers, particularly bearing in mind the rising cost of land. This member also questioned whether or not, with the campaign to make youth provision a statutory requirement, S106 contributions might benefit youth facilities in the future.

RESOLVED: to note and support the proposed policy for requesting S106 contributions for education infrastructure.

39. Commissioning of Residential Services for Looked After Children & Young People in Wiltshire

The Director, DCE presented a report which served to inform members of the progress in implementing a recommendation of the Contracted Out Placements for Children & Young People Scrutiny Task Group and subsequent Cabinet decisions concerning the external commissioning of residential provision for looked after children and young people (LACYP) in Wiltshire.

In doing so, he highlighted that the plan and timetable for this commissioning exercise, as agreed by Cabinet was on track, and that the exercise was being progressed in close partnership with the Council's Central Procurement Unit.

During the ensuing discussion, the following key points were made and reassurances sought:

- (a) the Council must ensure that any external provider of residential services for LACYP in Wiltshire was legally bound to deliver services which adequately cared for, educated and enabled the best possible outcomes for resident children. This legal agreement and the children's home must then be rigorously and regularly monitored and inspected, mindful of the Council's corporate parenting responsibilities in this regard;
- (b) the DCE was checking to see if rules regarding visits to children's homes in accordance with Regulation 33 of the Children's Homes Regulations, Care Standards Act 2000, would still apply under the proposed new arrangements of external provision. In any case, the DCE accepted that it should ensure that the Council was still able to fulfil its duty of care to those LACYP placed in externally provided children's homes;
- (c) the external commissioning of residential services for LACYP in Wiltshire had been recommended and agreed in recognition of the Council's inability to operate and finance its own children's homes as effectively as it would wish, and was in acceptance of the view that the right external provider could better provide for and improve the outcomes of LACYP and ensure better use of the Council's placements budgets;

- (d) due to the unexpected high number of responses from external providers to the invitation of formal expressions of interest, the DCE was confident that it would find the most appropriate external provider and secure a legal agreement true to the council's corporate parenting responsibilities;
- (e) the intention was that, in the first instance, the Council's existing children's homes could be re-used to the benefit of the LACYP placement services in Wiltshire rather than disposed of or used for a different purpose, mindful that the vision expressed in the original Placement Commissioning Strategy remained the current view that developing smaller and more children's homes in the county would enable greater flexibility of provision;
- (f) particular attention was drawn to the potential to dispose of the staff house at Orchard House, should it not be required for related purposes;
- (g) whilst respecting that the ultimate responsibility for LACYP in Wiltshire rested with the Leader of the Council and that the Cabinet Member for Children & Families played an active corporate parenting role, it was important to involve all members in this, mindful of all members' individual corporate parenting responsibilities;
- (h) in developing the business case for externalisation of the residential service, and in implementing / monitoring the resultant service provision, it was important to achieve the right balance of priorities, i.e. the need to procure and deliver cost effective services and the need to ensure the best possible provision of care to LACYP;
- (i) the interests of staff and existing residents were being carefully taken into account in the progressing of the externalisation project and at least one of the residents would be invited to take part in the interview process; and
- (j) the current governance structure in place for this project included a board, and an implementation group, the former of which had yet to appoint a non-executive member in accordance with recently agreed corporate policy.

- RESOLVED:**
- (1) to recommend that Mr W Snow, as a non-executive co-opted member from the Children's Services Scrutiny Committee, be appointed to the Board that leads the Commissioning of Residential Services for LACYP in Wiltshire procurement project; and**
 - (2) to recommend that, in addition to receiving the update report on the implementation of recommendations made by the Contracted Out Placements for Children & Young People Scrutiny Task Group, the Committee also receive at the next appropriate meeting a progress report specifically in regard to the Commissioning of Residential Services for LACYP in Wiltshire project.**

40. **Anti-Bullying Policies & Practices**

On inviting the Director, DCE to present a report detailing the approach to anti-bullying, as taken and being developed by all children's services in Wiltshire, on behalf of the Committee, the Chairman thanked the Department and in particular the Assistant Director (Schools), for the comprehensive and informative nature of the report, which members had requested at their Development Day in June 2006.

In presenting the report, the Director highlighted that the Committee's concerns regarding the bullying of children was one shared by young people themselves, as evidenced by the results of a national survey carried out by Exeter University and involving nearly 4,000 school children from Wiltshire. In response to these and other local survey results, the Director explained that the Wiltshire Children's Trust Board was currently pursuing effective anti-bullying practices and strategies as one of its top priorities, through the work of the All Children & Young People Sub Group of the Trust Board.

The Committee was informed that the three main ways in which Wiltshire children's services were focusing their energies into tackling bullying was through the:

- "children and young people block" of the Local Area Agreement;
- "emotional health and wellbeing" component of the Healthy Schools programme; and
- work of the Council's Health Team (Personal, Social and Health Education) who were active in promoting anti-bullying events throughout the County.

During the ensuing discussion, key points were made relating to the need to strengthen the resilience of children from the earliest age to the effects of bullying (especially looked after children), the current anti-bullying strategies and teaching techniques already active in schools across Wiltshire, as well as the further work that needed to be done to improve these strategies and techniques and to address the apparent rise in the fear of bullying expressed by both children and parents.

In considering the draft Anti-Bullying Strategy being developed for adoption by all children's services in the County, the Committee requested that this include much greater clarity in terms of how services, both individually and collectively, intended to implement anti-bullying measures, taking into account the needs and rights of the bullied and the bullies.

Finally, the Committee noted that non-executive member representation in overseeing and assisting in the development of anti-bullying strategies and policies in Wiltshire, via the work of the Children's Trust Board, was currently being sought.

RESOLVED: (1) to request a report from the All Children & Young People Sub Group of the Wiltshire Children's Trust Board for submission to the next appropriate meeting of the Children's Services Scrutiny Committee on the progress of the Anti-Bullying Strategy and the findings of the Parliamentary Select Committee Inquiry into bullying in English schools; and

- (2) to recommend that the Corporate Parenting Group review how anti-bullying strategies are/will assist looked after children and young people, mindful of the findings from the Barnardo's report "Failed by the System".

41. **The Development of Children's Centres 2006-2008**

On inviting the Children's Centre Manager to present the report of the Director, DCE detailing the development so far of Children's Centres in Wiltshire, on behalf of the Committee, the Chairman thanked the Department and in particular the Children's Centre Manager, for the comprehensive and informative nature of the report, which members had also requested at their Development Day in June 2006.

In presenting the report, the Children's Centre Manager highlighted that the development project was progressing as planned and in close partnership with ESD. She referred to the recent relaxing of DFES regulations regarding the timing for the release and allocation of central government funding for the capital projects, i.e. that a third of the total amount set aside for Wiltshire Children's Centres be committed in 2006/07 and the remainder in 2007/08, rather than a 50/50 allocation, and emphasised that 16 out of the 20 proposed Centres would be built and functioning by May 2007.

Members' attention was also drawn to other aspects of the overall project, including the monitoring and control of revenue budgets, performance indicators, the multi-agency approach and the governance structure in place to steer the project.

During the ensuing discussion, the following key points were made and further reassurances sought:

- (a) the Children's Centres would cater for all children from 0 – 5yrs, including those with special educational needs;
- (b) much of the delivery of the core offer of a Children's Centre relied on close co-operation with health colleagues, and it was therefore important for key partners to work together to facilitate and promote common goals, to assist in the integration of children's health, education and welfare services;
- (c) it was regrettable that, due to the DFES funding restrictions, the opportunity to develop a Children's Centre in the County jointly with one of the newly proposed Primary Care Trust's centres could not be pursued; and
- (d) there were different arrangements being set up for the management of the individual centres, with some being managed by charities such as NCH, Barnardo's and the Rural Needs Initiative and others being managed by school governors.

RESOLVED: (1) to request that the "Extended Service in and around School/Children's Centres Strategic (ExCCeS) Board" invite a member from the Children's Services Scrutiny Committee to sit on the Board; and

- (2) to request 6 monthly progress reports on the development of Children's Centres in Wiltshire.

42. **Proposal to Extend the Membership of the Children's Services Scrutiny Committee**

The Chairman presented the report of the Head of Legal & Democratic Services, which invited the Committee to extend its membership to include up to 7 non-voting co-optees, to represent the children's charities' and schools' sectors (teachers and students).

Noting that the Scrutiny Support Officer would check the regulations regarding whether or not a vote could be accorded to such representatives, and that the proposal, if agreed, could impact on where the Committee held its meetings in the future, members agreed to recommend to Council that it extend the membership of the Committee as proposed.

RESOLVED: (1) to submit a recommendation to the 7th November 2006 County Council meeting asking that the membership of the Children's Services Scrutiny Committee be extended by up to 7 additional members to incorporate a number of non-voting co-optees, comprising the following representatives;

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|-----------------------|--|
| Schools Sector | <ul style="list-style-type: none">- Chairman of the Primary Heads Forum- Chairman of the Wiltshire Association of Secondary Heads- 1 teacher representative- 1 children young people's representative |
| Charity Sector | <ul style="list-style-type: none">- 1 representative from NCH (formerly known as National Children's Home)- 1 representative from the National Society for the Prevention of Cruelty to Children (NSPCC)- 1 representative from Barnardo's |

- (2) to authorise the Scrutiny Support Officer, the Director, DCE and the Chairman of the Committee to identify the names of the proposed representatives in (1) above for Council to formally appoint on the 7th November 2006, in order that the extended membership can be confirmed in time for the 29th November Scrutiny Committee meeting.

43. **Urgent Items**

There were no matters of urgent business.

INFORMATION ONLY ITEMS

44. **Admissions Appeals Annual Update Report**

RESOLVED: to note the information update report.

45. **Complaints Officer's Annual Update Report**

RESOLVED: to note the information update report.

46. **Executive Response to the School Catering Task Group's Final Report**

RESOLVED: to note the executive response.

47. **Holding the Executive to Public Account**

RESOLVED to note the items listed in the Cabinet's latest rolling Forward Plan for October 2006 to December 2006 relevant to this Committee.

48. **Work Programme**

RESOLVED to note the revised work programme.

(Duration of meeting: 10.30 am – 1.00 pm)

The officer who produced these minutes is Karen Linaker, Corporate Services, direct line: 01225 713056.