



**CHILDREN'S SERVICES SCRUTINY COMMITTEE**

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE, on WEDNESDAY 29 NOVEMBER 2006.

**PRESENT:** Mr P Batchelor, Mr P Coleman (Vice Chairman), Mr A Davis, Mr T Deane, Dr J English, Mrs J Goodall, Mr J Hawkins, Ms J Miller, Mr W Moss, Mr S Oldrieve, Mrs P Rugg, Mr W Snow, Mrs C Soden (Chairman), Dr M Thompson, Mr R While and Mr C Winchcombe

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49. **Apologies** Apologies for absence were received from Mrs G Hill, Mrs M Groom (substituted by Mr R While), Mrs C Williamson and Ms R MacDonald.

50. **Chairman's Announcements** The Chairman made the following announcements:

(a) to welcome new members of the Committee, including Mr Batchelor (County Councillor), Mrs Goodall (Secondary School Headteacher Representative), and Mr Hawkins (School Teacher Representative);

(b) to highlight proposals for a new academy school in the east of the County, by the coming together of Castledown School in Tidworth and Avon Valley College in Durrington under one executive headteacher and one board of governors;

(c) to give notice of an additional meeting of the Children's Services Scrutiny Committee, than that already scheduled in the new year, as Wednesday 31<sup>st</sup> January 2007:

**NB: THIS ADDITIONAL JANUARY MEETING HAS SINCE BEEN CANCELLED DUE TO THE UNAVAILABILITY OF SENIOR OFFICERS**

(d) to extend the Committee's thanks and best wishes to the Director of the Department for Children & Education as he retires from the Council at the end of December 2006.

51. **Minutes of Previous Meeting**

RESOLVED: to confirm and sign the minutes of the meeting held on 20<sup>th</sup> September 2006.

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

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

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

55. **Annual Performance Assessment Letter on Children's Services**

The Director of the Department for Children & Education (DCE) presented the 2006 Annual Performance Assessment (APA) Letter of Services for Children & Young People in Wiltshire County Council. He explained how the Assessment was carried out annually by the Commission for Social Care Inspection (CSCI) and the Office for Standards in Education (Ofsted), and referred to a number of the key findings. In doing so he suggested that, overall, the CSCI and Ofsted had been fair in their assessment of the Department, and that, whilst improvement areas had been identified, particularly with regard to the outcome 'Staying Safe', the assessment had justifiably observed that performance was good in four out of the five outcomes.

During the ensuing discussion, members sought further clarification on a number of the assessment's findings, including those relating to improvements required in children's social care services, the Adoption Service, spending on family support services, the Child & Adolescent Mental Health Services Strategy, and the high number of 16 – 17 year olds in bed and breakfast and other unsuitable accommodation.

In responding to the Committee's questions, the Director of DCE referred to a number of the challenges currently facing the department in making the improvements required. These challenges included pressure on resources, both financial and workforce related, difficulties in finding adoptive families for children with complex needs, and potential delays in obtaining children's care home registrations from the CSCI.

In concluding their deliberations, members considered it to be inadequate to simply note the findings from the Assessment, as recommended. Instead, members felt it appropriate to highlight to Cabinet that the Committee shared a number of the concerns detailed in the letter, and that it would be interested to see how the department's action plan to achieve the improvements required would be progressed.

In addition, the Committee also requested:

- (a) a follow up report on the difficulties that had been highlighted in progressing the Child & Adolescent Mental Health Services Strategy;
- (b) further work to be carried out by the Corporate Parenting Group in reviewing the reasons for the assessment's grade 2 for children's social care services; and
- (c) that a future Adoption Agency report should include analysis on whether or not there was a disincentive to progress from being a foster family to an adoptive family, due to issues of pay and conditions.

**RESOLVED: (1) to congratulate the department for the 'key strengths' listed in the 2006 Assessment Letter;**

- (2) to inform Cabinet that the Committee shares a number of the concerns detailed in the Assessment Letter;**

- (3) to request that the Chairman, Vice Chairman, Cabinet Members for Children & Education and the new Director of the department discuss how best to ensure that the APA improvement action plan is monitored and communicated to members of the Committee;
- (4) to request a future report on the difficulties highlighted by the Assessment in progressing the Child & Adolescent Mental Health Services Strategy;
- (5) to request that the Corporate Parenting Group review the reasons for the Assessment's grade 2 for children's social care services; and
- (6) to request a future report which provides analysis on whether or not there is a disincentive to progress from being a foster family to an adoptive family, due to issues of pay and conditions.

**56. Performance in Public Tests and Exams in 2006**

The Director for DCE presented a report on the performance of Wiltshire school pupils in 2006 in public tests and exams.

In considering this report, the main aspects of performance that were discussed included the continuing improvement in results at Key Stages (KS) 2 and 3, when compared with the county's statistical neighbours, the significant improvements at KS2 in those 'new' primary schools located in the former three-tier areas, and the improvements needed in KS4 results, especially for children looked after. The Director also felt it appropriate to highlight that although performance was continuing to rise at KS2, primary schools in particular would still require significant investment over the next few years to ensure that this steady progress was maintained.

Other observations made by members included:

- a) the need to ensure that not only poor performance but also successes were analysed, and good practice disseminated throughout the county;
- b) the need to continue to monitor KS2 results;
- c) the need to continue to monitor the gap between girls and boys attainment;
- d) whether or not anything could be done to counter the factors which appeared to prevent children from forces families from performing as well as other children; and
- e) the need to carefully monitor the educational attainment of children looked after.

**RESOLVED: (1) to congratulate Wiltshire schools and the department for the continuing rise in performance in many areas of pupils' educational attainment;**

- (2) to request that, in the May 2007 report that is scheduled to come to the Committee on the Gender Gap, the department provides further details with regard to the significant differences in attainment for boys and girls at KS2 and 3; and
- (3) to request that the Corporate Parenting Group include in its future work programme, consideration of a report from the cross departmental team set up to monitor the progress in educational attainment of children looked after.

**57. The Closure of Burton Hill School, Malmesbury**

The Committee's attention was drawn to an information report written on the decision by the Shaftesbury Society to close Burton Hill School in Malmesbury at the end of the summer term in 2007.

Both the Chairman of the Committee, who had previously served as a governor of the school, and the Director for DCE expressed regret over this decision and over the Shaftesbury Society's subsequent handling of the news, which included apportioning blame to the council for the school's closure.

Members noted the main reasons for the closing of the school and requested a further report on this matter at a future meeting of the Committee.

**RESOLVED: to note the information report and to request a fuller report for discussion at a future meeting of the Committee.**

**58. Wiltshire Local Safeguarding Children's Board Annual Business Plan 2006 - 07**

The Director for DCE presented the report and Annual Business Plan 2006-07 of the Wiltshire Local Safeguarding Children's Board (LSCB), highlighting the multi-agency nature of the Board, its focus on child protection issues and promising progress over the past 12 months.

In considering the report and Plan, the Committee:

- (a) discussed how and who should continue to monitor and be informed of the progress of this Board;
- (b) questioned why the 2005/06 Plan's objective to examine post abuse services for children had not been achieved; and
- (c) questioned why there had been a high number of neglect cases not brought to conference at an earlier stage.

In response, the Director explained that there were many key public service and other partners involved with the Board's work, but that, by law, the local authority members were required to receive a copy of the Business Plan. He agreed that the objective to examine post abuse services for children and the need to ensure neglect cases were brought to conference as soon as

possible were both important aspects of the Board's Plan which needed to be achieved.

**RESOLVED: to incorporate annual consideration of the Wiltshire LSCB Plan and its achievements to date, into the Committee's work programme.**

**59. North Wiltshire Schools PPP / PFI Project Annual Report**

The Head of Procurement & Partnerships presented a report from the Director of the Environmental Services Department (ESD) on the Annual Services Report (2005) of the White Horse Education Partnership (WHEP) Ltd in respect of the council's contract with this private company for the provision of fully serviced secondary schools in Chippenham (Abbeyfield), Malmesbury and Wootton Bassett.

In doing so, the following key issues were highlighted and comments made:

- (a) this was a 32 year contract costing the council just over £4.5m per year, which, according to the Corporate Procurement Strategy, the appropriate Scrutiny Committee was required to review annually;
- (b) overall, the contract continued to meet the council's requirements, in terms of operational performance, but there had been a few concerns raised by schools which, following an increase in the council's monitoring arrangements were being addressed;
- (c) it was disappointing that the Annual Services Report (2005) contained very little detail that was different to that included in the 2004 Report;
- (d) problems continued with both the Help Desk reporting procedures and monitoring arrangements, which were causing frustration for the schools and delays in corrective action. WHEP were in the process of drafting procedures to address this;
- (e) Wootton Bassett School was bidding for Learning Skills Council funding for a new 6<sup>th</sup> Form building, and Abbeyfield School had already successfully bid for such funding, which should see its new 6<sup>th</sup> form building in operation by September 2007;
- (f) sports pitches at Abbeyfield School continued to experience long periods of waterlogging, due to mistakes made during the construction of the school, but WHEP had arranged for alternative sports pitch provision nearby;
- (g) utility costs within the contract were likely to rise by 105% next year, due to rising costs in utilities nationally, and because the three year period during which the contract's utility costs had been frozen was coming to an end;
- (h) a decision was expected in the near future on the proposed sale by Bilfinger Berger BOT Ltd of its stake in the holding company of WHEP to SMIF UK LP, and the council would therefore need to ensure that services to the three schools and contract standards continued to be met;

- (i) Abbeyfield School and Malmesbury School had both recently been given high Ofsted inspection ratings for their academic achievements, school facilities and good potential for significant curriculum development;
- (j) the council continued to encourage WHEP to allow the schools to be used outside of school hours by community groups;
- (k) general disappointment was expressed over the lack of new or any real detail in the Annual Services Report (2005), and over the non-attendance of representatives from WHEP, which meant that the Committee had little information on which to base its comments to Cabinet;
- (l) disappointment was also expressed that the schools, although requested to do so, had not communicated their views on the Annual Services Report to the Council;
- (m) continuing concern over the affordability gap which continued to be paid for out of the Dedicated School Grant and therefore ultimately impacted upon all schools in the county;
- (n) attempts were being made to prevent pupils from the three schools from being tempted away from healthier school dinners by nearby mobile / vending traders. This was also being assisted by government as part of its new standards and requirements for school food; and
- (o) members should be given the opportunity to go and visit the three PFI schools before being asked to consider any future Annual Services Reports from WHEP.

- RESOLVED:**
- (1) to note the WHEP Annual Services Report (2005), including the progress made against requests following consideration of the 2004 report, and the performance issues yet to be resolved;**
  - (2) to formally write to the Director of WHEP expressing the Committee's disappointment for his non-attendance at the meeting;**
  - (3) to request an interim information only update report on the contract's performance for the next appropriate meeting of the Committee; and**
  - (4) to make appropriate arrangements for consideration of the Annual Services Report (2006), including member site visits to the three schools, invitations to the three head teachers and chair's of governors to the Committee meeting, and the securing of an assurance from the WHEP Director that he would attend the meeting.**

#### **60. The Building Maintenance Backlog**

The Strategic Property Services Manager presented a report which had been jointly written by the Directors for DCE and ESD on the current maintenance backlog position, with particular reference to the schools' estate.

In doing so he highlighted that whilst still an overall backlog of £80.2m, the position had stabilised, but that the only action that was likely to make significant reductions to the backlog would be a rationalisation of the council's property portfolio.

With regard to the schools' estate, members noted that DfES funds from the New Deals for Schools (NDS) scheme was never likely to substantially reduce the backlog, and that the county would need to wait for its share of Building Schools for the Future funding before any significant impact on the backlog could be achieved.

During the ensuing discussion, members expressed real concern over the lack of NDS funds received, welcomed the increased interest that council officers were now showing schools in working with them to make better use of their maintenance budgets, commented on the rules of use of capital receipts from the sale of schools, and asked for 6 monthly as well as annual updates on the schools' estate maintenance backlog position.

**RESOLVED: (1) to thank officers for the full update on the estate maintenance backlog position;**

**(2) to request the Cabinet to consider making representations to the DfES stressing that Wiltshire does not receive sufficient funding from the New Deals for Schools scheme, bearing in mind:**

**(a) the considerable schools' estate maintenance backlog position the council is faced with having to manage; and**

**(b) the 'Affordability Gap' element in the Basic Annual Payment for the North Wiltshire Schools PFI project which is funded from county council resources**

**(3) to request officers to submit 6 monthly interim updates to the Committee on the schools' estate maintenance backlog position, in addition to the full annual update report.**

## **61. The Wiltshire Strategy for 14 – 19 Education & Training**

The Head of Lifelong Learning presented a report from the Director for DCE on the progress in delivering the Wiltshire Strategy for 14-19 Education & Training. In doing so, she highlighted the developments that had been ongoing over the past year both nationally and locally in respect of this Strategy, and referred to a number of the successes and challenges so far experienced.

During the ensuing discussion, the Committee commented on the problems associated with transport and funding for 14 – 19 year olds wishing to take advantage of new initiatives in the Strategy, asked how the county compared with others on its services for young people Not in Education, Employment or Training (NEET), and asked for more information on the success of the 14 – 19 area partnerships across the county.

**RESOLVED:** (1) to thank the department for the update on the Strategy; and

(2) to request that the next annual update on the strategy include more information about the area partnerships, particularly with regard to how they are improving education and training prospects for vulnerable young people in Wiltshire.

**62. Special Educational Needs – Strategy Monitoring Board**

The Head of Special Needs Services presented a report from the Director for DCE which summarised the findings of the Special Educational Needs (SEN) Strategy Monitoring Board when it last met to consider progress against the Strategy.

In considering this update report, the Committee noted the good progress that was being made against the aims and objectives listed in the Strategy, and in particular the commendation that the SEN Service had received from the Advisory Centre for Education in regard to its online communication of SEN services.

**RESOLVED:** to congratulate the department on the progress it is making with the SEN Strategy, particularly with regard to the receiving of national commendation for the website pages relating to SEN services, and the improvement in attendance rates of children with SEN across all schools in Wiltshire.

**63. Member Nomination to the Healthy Eating Alliance Sub Group of the Healthier Wiltshire Project Board**

Members noted that, as recommended by the School Catering Scrutiny Task Group, an invitation had been extended to the Committee from the Healthy Eating Alliance Sub Group of the Healthier Wiltshire Project Board for a member to join this sub group and to help in devising and implementing a Wiltshire School Meals Strategy.

As there were two members of the Committee both enthusiastic to sit on the sub group, it was agreed to nominate both these members, subject to the sub group extending its invitation from one to two members.

**RESOLVED:** to nominate Dr English and Ms MacDonald to sit as the Committee's representatives on the Healthy Eating Alliance Sub Group of the Healthier Wiltshire Project Board.

**64. Urgent Items**

There were no matters of urgent business.



## **INFORMATION ONLY ITEMS**

**65. Revenue Budget Monitoring 2006-2007**

RESOLVED to note the information update report and to delegate responsibility to the Chairman and Vice Chairman to carry out consideration of future such monitoring reports, subject to members being informed should there be concerning revenue budget issues.

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

RESOLVED to note the items listed in the Cabinet's latest rolling Forward Plan for December 2006 to March 2007 relevant to this Committee.

**67. Work Programme**

RESOLVED to note the revised work programme.

(Duration of meeting: 10.30 am – 1.30 pm)

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