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CHILDREN'S SERVICES SCRUTINY COMMITTEE

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE, on
WEDNESDAY 25 JULY 2007.

PRESENT: Mr P Coleman (Vice Chairman), Mr A Davis, Mr T Deane, Mrs M Groom, Mrs E Hannaford-Dobson, Mr J Hawkins, Ms R MacDonald, Ms J Miller, Mr W Moss, Mrs P Rugg, Mr W Snow, Mrs C Soden (Chairman), Mrs M White and Mr C Winchcombe

36. Apologies for Absence

Apologies for absence were received from Dr English, Ms Goodall, Mrs Hill, Mr Johnstone, Mr Oldrieve, Dr Thompson and Mrs Williamson.

- 37. Chairman's Announcements** The chairman reminded the committee that its next Development Day would be taking place on the 10th September at Lackham College.

- 38. Minutes of Previous Meeting** RESOLVED to confirm and sign the minutes of the meeting held on 10th May 2007.

- 39. Members' Interests** There were no declarations of interest.

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

- 41. Member Requests** Members noted that an initial briefing note on a Member Request from Mr Oldrieve concerning funding to children and families in Wiltshire would be considered at the next item.

42. Response to Member Question Regarding the Funding of Services to Children & Families

The Assistant Director (Children & Families) presented a report from the Director of the Department for Children & Education (DCE) to provide members with an initial response to Mr Oldrieve's previously submitted Member Request which had raised the following question:

"Are we under funding services which should be supporting children and families within our schools, focusing on those children with challenging behaviours?"

This report outlined the funding currently allocated to the Children & Families services budget and referred to the financial constraints these services had faced between 2003 and 2006. The Assistant Director highlighted how, as a consequence of a series of service re-configurations, improved financial management, more effective placement commissioning / procurement practices, and improved relations with the Wiltshire Primary Care Trust, a number of services within the Children & Families Branch had recorded an under spend at the end of 2006/07.

Members noted that, consequently, having secured cabinet approval for the rollover of the department's total 2006/07 under spend, services for children and families in Wiltshire would benefit from additional funding and the application of new initiatives, including support for children with challenging behaviour, in 2007/08.

It was suggested to the committee that it would be premature to prioritise on its current work programme further consideration of Mr Oldrieve's Member Request, until such time as the benefits of these new investments and initiatives were realised, the results of the 2007 Annual Performance Assessment had been published, and the implications of the Care Matters White Paper were clearer. In the meantime, the committee was advised to seek a report in November 2007 on the drafting of the department's budget proposals for 2008/09, in order that members could be given the opportunity to consider whether or not proposed investment in these services appeared sufficient.

In discussing this initial response and further advice, members also gave consideration to the following relevant matters:

- (a) the committee's Development Day would include an opportunity to explore Mr Oldrieve's Member Request in the context of other related service issues which members might choose to identify as future work programme priorities
- (b) that, should this matter warrant further and fuller committee investigation in the future, reference be made to the findings of the Annual Audit Commission survey of schools' opinion regarding the sufficiency and quality of the services in question
- (c) that, should these findings as referred to in (b) above not fully inform members' future deliberations on this matter, the committee would explore the merits of carrying out a survey of its own to evaluate the views of school representatives, using the five outcomes as a structure

- (d) the difference which preventative initiatives such as Social & Emotional Aspects of Learning (SEAL) could make to schools' ability to tackle children's challenging behaviour

- RESOLVED:**
- (1) to note and thank the Department for the report; and**
 - (2) that, mindful of this initial response and further advice provided, not to rank this matter as a work programme priority in 2007/08 for thorough examination, but to revisit it as a potential matter for the committee's work programme in 2008/09; and**
 - (3) to request a report from the DCE for the November 2007 meeting to include:**
 - (a) details of the department's budget proposals for 2008/09, in order that members could consider whether or not proposed future funding of services relevant to this Member Request appeared sufficient;**
 - (b) findings from recently conducted Audit Commission surveys into schools' opinions regarding local authority services and support for pupils with challenging behaviour; and**
 - (c) information on the impact initiatives such as SEAL had on teaching children with challenging behaviour.**

43. North Wiltshire Schools PFI / PPP Project: White Horse Education Partnership – Annual Report

The Head of Procurement & Contract Management presented a report from the Directors of the Departments for Environmental Services (ESD) and the DCE, which commented on the service and contract developments within the North Wiltshire Schools PFI / PPP Project and made reference to issues highlighted in the corresponding 2006 Annual Report from the White Horse Education Partnership (WHEP).

In doing so, reference was made to the background to the overall project, the responsibilities of WHEP, the county council and the three schools in the project, performance of WHEP in 2006, and the issues raised by members and school representatives during a tour of the three schools in June 2007.

In addition to the points recorded in the report, members were informed that:

- (a) the 4p's National Audit Office and the Treasury Task Force were developing a benchmarking mechanism intended to assist future performance monitoring of all school PFI/PPP projects
- (b) the "4p's" and Partnership UK was reviewing the management fee increases which a number of school PPP providers had put in place
- (c) following representations from the three North Wiltshire Schools, an evaluation of the WHEP management fee had been carried out locally, and had concluded that the increase from 10% to 15.5% was comparable with other similar PFI projects nationally
- (d) progress had been made in bringing to resolution the signing off of the completion certificates, with this now anticipated to take place in August 2007
- (e) alternative remedies to the health and safety issues associated with an area of grassy mound at Malmesbury School were being explored

During the ensuing discussion, the committee took the opportunity to raise questions with the Head of Procurement & Contract Management, and with Mr Bolden (WHEP General Manager) and Mr Trobe (Headteacher, Malmesbury School) who had also been invited to attend the meeting and comment on the PFI project from the schools perspective.

The key concerns raised during this discussion included the:

- (a) increase in the management fee particularly with the need to ensure that the school buildings and services supported the aims and objectives of the extended schools initiative – Mr Bolden agreed to raise the recent rise with Land Securities Trillion and SMIF to see whether these can be revisited and reduced
- (b) implications of the recent changes in ownership of WHEP for the three school communities and future opportunities for community use – Mr Bolden was asked to request written reassurance from Land Securities Trillion on this
- (c) WHEP's intention with regard to community use of the schools
- (d) challenges which hindered community use of the buildings, such as the inability to zone off specific parts of the school for heating or security and the high charges levied to community groups
- (e) scale of the chewing gum problem on carpets at all three of the schools but especially at Abbeyfield School

- (f) long running/ongoing maintenance issues such as the playing fields at Abbeyfield School, roof leaks, splash back tiling in design and technology rooms, and an out of order lightning conductor at Wootton Bassett

Comments from Mr Bolden in response to many of these concerns included an explanation of the change in ownership of WHEP, reassurance that the original contract specification was still being worked to despite these changes, clarification that the full management fee was only applied as an exception to projects over £3,000, and confirmation that the charges for community use were commensurate with the council's guidelines for school lettings.

Key additional comments put by Mr Trobe included the view that partnership working between the schools, WHEP and the council could be improved (e.g. on the promotion and marketing of community use opportunities), and a query as to whether or not the increased management fee was best practice and value for money. Mr Trobe also suggested that one of the promised benefits of this PFI project, that teachers would have more time to teach rather than manage school buildings and services, had yet to be realised.

In conclusion, the committee agreed that, despite its many concerns, it was reassured that progress to resolve the majority of the issues raised was being made, and that the attendance of Mr Bolden in particular had proved beneficial in helping members to understand further the issues affecting the progress of this project. The committee was also grateful to the time Mr Trobe had given in attending the meeting, and agreed that its tour of the schools in June had been a worthwhile exercise in helping it to carry out more informed scrutiny of the PFI project.

- RESOLVED:**
- (1) to thank the WHEP General Manager and Headteacher of Malmesbury School for attending the meeting;**
 - (2) to thank ESD and DCE for its report;**
 - (3) to note the contents of the WHEP Annual Review 2006;**
 - (4) to request that the Cabinet Member for Procurement, ICT and Partnerships take into account the record of the committee's deliberations on this report and project, as above, when receiving the same report in due course; and**
 - (5) to request an interim report on the PFI project for the 13 March 2008 committee meeting.**

44. **Academy Task Group Interim Report**

The committee chairman recorded her thanks to the Academy Task Group for its work so far and invited the chairman to present its interim report.

In doing so, he also recorded his thanks to the task group members and support officer for their enthusiasm and commitment so far shown in carrying out this scrutiny exercise.

He also highlighted how:

- a. if developed as currently intended, the demand for places at the academy would be high not just from families in Wiltshire but in Hampshire as well, and stressed the need therefore for stronger collaboration between the two county councils, especially with regard to the 6th form provision
- b. unaware, yet prepared to be advised, Wellington College was about matters such as admissions policies in the state sector, and how much better equipped council officers were to lead in this regard
- c. having observed some of the limitations of the buildings in the North Wiltshire PFI Schools project, the academy was an opportunity to construct a school in the county of improved architectural merit, and the executive should therefore think creatively about how this could be achieved, rather than simply adhering to central government guidelines.

The Assistant Director (Schools) then took the opportunity to respond to a number of points in the report and to update the committee on recent progress in the academy project.

During the ensuing discussion, the committee endorsed the task group's comments and concerns as recorded in its interim report, especially with regard to the need for an appropriately designed school, and for admissions' policies which ensured places for children from the local community.

The Cabinet Member for Education & Youth Development expressed her intention to give due consideration to the urgent issues listed in the interim report, and recorded her appreciation of the work being carried out by the task group.

RESOLVED: to endorse the Academy Task Group's recommendation that issues listed at paragraph 10(a) – (g) of its interim report be given urgent consideration by the Cabinet Member for Education & Youth Development to ensure that these issues informed the early stages of the project's feasibility phase.

45. **Corporate Parenting Policy**

A report from the Director of DCE was presented by the Assistant Director (Children & Families) which outlined the work of the Corporate Parenting Group in developing a Corporate Parenting Policy.

In doing so, the Assistant Director highlighted that the committee was being consulted on the content of the policy as part of a series of consultation meetings, which had included a presentation by the Cabinet Member for Children & Families at County Council on the 10th July 2007 and would culminate in a report to Cabinet in September and a recommendation that the policy be adopted by Council in November 2007.

He also highlighted how measures contained within the Care Matters White Paper would also have a bearing on the final content of the policy.

During the ensuing discussion, members expressed recognition of the importance of such a policy and in particular how the educational attainment of children in care was often the key to their success in all of the Every Child Matters five outcomes, both whilst in care and in to adulthood. Clarification was given on the support and services provided by the council to young people leaving care, and in particular those pursuing further or higher education and training, and reference was made to cabinet's intention to prioritise funding for the appointment of a virtual headteacher for children in care in Wiltshire schools.

Members were also asked to note that a recently published briefing document on the impending Comprehensive Spending Review had indicated increased government recognition and preparedness to fund what it regarded as the three key measures which build children's resilience and helped them to achieve the five outcomes (good educational opportunities, good emotional and social skills, good parenting).

In conclusion, the committee expressed its support for the draft policy and agreed to recommend to council in November that group leaders be requested to review the membership of the Corporate Parenting Group so as to ensure improved records of attendance than was currently the case.

RESOLVED: (1) to endorse the draft Corporate Parenting Policy, mindful that further amendments to its content would be made prior to its submission to Cabinet in September 2007; and

- (2) **to recommend to Council that, on being requested to adopt the policy in November 2007, it also request that group leaders review the membership of the Corporate Parenting Group to ensure improved attendance records at its future meetings.**

46. Annual Performance Assessment – Review of Young People’s Plan

The Director of DCE presented a report detailing the findings of a review of the Children & Young People’s Plan following its first year of implementation (2006/07), which had been conducted as part of the self assessment process in preparing for the 2007 Annual Performance Assessment. The Director also noted that the judgement thresholds, i.e. the criteria used to determine grades for each outcome area, were challenging.

In considering the review’s findings, the main issues raised by the committee included progress made in raising the profile of healthy school meals, the broader spectrum of issues assessed under the outcome “Stay Safe”, i.e. road safety, and the progress of Children’s Centre projects across the county.

The committee noted that the Children’s Trust Board would give full consideration to the review’s findings and use it to inform the Plan for future years. It also noted that the review report would be used as a source document for the preparation of work to be carried out at the committee’s Development Day in September.

RESOLVED to note the report and to review the outcome of the Annual Performance Assessment at a future meeting.

47. Special Educational Needs – Strategy Monitoring Board

A report from the Director of DCE was presented by the SEN Strategy Manager which highlighted the progress made in implementing the SEN Strategy over the last 6 months and the main considerations of the Board.

In considering this update report, members clarified that Mrs Bryant, Mrs Rugg and Mrs Hill were members of the Strategy Monitoring Board, and expressed some concern at the 25% increase in appeals and disability tribunals.

On discussing this increase further, clarification was given that much progress had been made to reverse this trend, with the 47 cases

having been recorded in 2005/06 as a concern, to only 20 cases recorded in 2006/07.

The important role of the appeal and tribunal processes was nonetheless recognised and members were offered the opportunity to receive further information on this aspect of the Strategy.

RESOLVED: (1) to note the update report; and
(2) to express support for improvements made to SEN services, including the additional resources now made available and the training now being provided.

48. The Closure of Burton Hill School, Malmesbury

A report from the Director of DCE was presented by the Central SEN Manager to update members on the progress in securing alternative placements for those children previously attending Burton Hill School.

In considering this report, members were reassured to see that placements had been secured for all pupils needing a place in September 2007, and that the average placement cost per pupil had decreased as a consequence.

Some concern was nonetheless expressed for the increase in transport costs, due to the pupils being placed in four different schools outside of the county, and that this would prevent the Department from reaching its target relating to educating pupils no more than 20 miles from home.

The Central SEN Manager confirmed that an officer dedicated to reviewing and improving SEN transport costs had recently been appointed.

RESOLVED: to note and thank the Department for the report.

49. Holding the Executive to Public Account

RESOLVED to note the item listed in the cabinet's latest rolling Forward Plan for June 2007 to September 2007 relevant to this committee.

50. Urgent Items There were no urgent items for consideration

(Duration of meeting: 10.30 am – 1.20 pm)

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