

MEETING EXECUTIVE MEMBER FOR EDUCATION & CHILDREN'S SERVICES AND ADVISORY PANEL

DATE 21 MARCH 2006

PRESENT COUNCILLOR RUNCIMAN (Executive Member)
COUNCILLOR BRADLEY (Chair of the Advisory Panel), COUNCILLOR ASPDEN (Advisory Panel Vice-Chair), COUNCILLOR KIND (Opposition Spokesperson),
COUNCILLORS CUTHBERTSON, HOPTON (For items 1-4 and 8 only), LIVESLEY and SCOTT (Advisory Panel Members)

Statutory co-opted Members

DR G M CLAYTON (Parent representative)
MR A LAWTON (Parent representative)
DR D SELICK (Church of England representative)

Non-statutory co-opted Members

MS F BARCLAY (Teacher representative)
MS B REAGAN (Teacher Representative)

APOLOGIES: MISS C DUFFY (Catholic representative)
MRS A BURN (Teacher representative)
MRS J ELLIS (Governor representative)
MR M GALLOWAY (Further Education)
MR M THOMAS (Teacher representative)

PART A – MATTERS DEALT WITH UNDER DELEGATED POWERS

91. DECLARATIONS OF INTEREST

Members declared the following general personal interests in the business in the agenda:

Councillor Runciman – Governor of Joseph Rowntree School and Trustee of the Theatre Royal.

Councillor Aspden – Governor of Knavesmire Primary School. Member of the National Union of Teachers (NUT). Teacher at Norton College, Malton, North Yorkshire.

Councillor Bradley – Governor of Poppleton Ousebank School

Councillor Cuthbertson – Governor of Headlands Primary School

Councillor Hopton – Governor of Manor School, Rufforth Primary School.
Her husband is a governor at Hob Moor Oaks.

Councillor Kind – Governor of Burnholme Community College; Haxby
Road Primary School

Councillor Livesley – Governor of Bishopthorpe Infant School.

Dr GM Clayton – Governor of Applefields School

Dr D Sellick – Governor of Derwent Junior School

Ms F Barclay – ATL: Branch Secretary for City of York.

Ms B Reagan is a teacher at Joseph Rowntree School, SENCO and
Secretary of the York Association of the National Union of Teachers.

The following interests were also declared:

Ms B Reagan declared a personal non-prejudicial interest in agenda
item 10 'Federation of Our Lady's Catholic Primary School and English
Martyrs' Catholic Primary School' as her niece and nephew were pupils
at Our Lady's Catholic Primary School. She exercised her right to remain
in the room and took part in the discussion.

Councillor Scott declared a personal and prejudicial interest in agenda
item 12 'Local Authority School Governors' as he had been nominated
for one of the vacancies and listed in the report. He left the room for this
item and took no part in the discussion.

Councillor Scott declared a personal non-prejudicial interest in agenda
item 11 'Process for the selection and appointment, removal and
suspension of Local Authority Governors' as he had been nominated for
appointment as a school governor. He exercised his right to remain in
the room and took part in the discussion.

Councillor Kind declared a personal non-prejudicial interest in agenda
item 7 'Purchasing Early Years Services through Service Level
Agreements' as she was a member of the committee supporting Bell
Farm Adventure Playground. She exercised her right to remain in the
room and took part in the discussion.

Councillor Kind declared an interest in agenda item 5 'School Budgets
and the Dedicated Schools Grant 2006/07 & 2007/08 and agenda item 8
'Children's Residential Care in York' as she was a foster carer. She had
a personal and prejudicial interest in any matter discussed relating to the
finances of foster carers. However, no discussion on such finances took
place and she took part in the discussion and remained in the room for
this item.

Councillor Scott declared a personal non-prejudicial interest in agenda
item 6 'Nursery Education Funding for three and four year olds 2006/07
and 2007/08 as his child may have taken advantage of the additional

funding. He exercised his right to remain in the room and took part in the discussion.

Dr Clayton declared a personal non-prejudicial interest in agenda item 7 'Purchasing Early Years Services through Service Level Agreements 2006/07' as he made use of the service provided by SNAPPY. He exercised his right to remain in the room and took part in the discussion.

92. MINUTES

RESOLVED: That the minutes of the last meeting of the Executive Member and Advisory Panel, held on 14 February 2006 be approved and signed as a correct record.

93. CHAIR'S REMARKS

The Chair informed the meeting that the Authority had been awarded the title of Beacon Award Authority for Children at Risk. All Officers involved in this work were thanked including Murray Rose, Pete Dwyer and Mary Cousins.

94. PUBLIC PARTICIPATION

It was reported that there was one registration to speak under the Council's Public Participation scheme.

Heather McKenzie spoke as a representative of Unison, in relation to item 8 'Children's Residential Care in York'. She had spoken at the January meeting and voiced concerns about the proposed closure of Children's Homes and her view had not changed. Staff had raised serious concerns about the loss of care and management acknowledged the risk involved. Foster care was not suitable for every child and there may not be enough long term care in the future. There had not been enough consultation with stakeholders. Concerns were raised that if a home was closed, staff and skills would be lost, and this would be a difficult decision to reverse.

95. THE CHILDREN'S SERVICES PLAN 2006 - 2009

This report invited comments on the Children's Services Plan, now in final draft form, and sought approval subject to any modifications agreed at the meeting.

Under the provisions of the Children Act 2004, Children's Services Authorities were required to prepare and publish a Children and Young People's Plan (CYPP). The purpose of the plan was 'to support the move to more integrated and effective services to secure the outcomes for children set out in Every Child Matters and reflected in the Children Act 2004'.

Officers circulated two additional documents to accompany the plan, a poster about the Children's Services Plan and a document entitled 'One in a hundred'. Members discussed the following:

- The poster would be useful to display in staffrooms as it outlined all key points.
- The Assessment for Learning was a priority and much work had been done on the system. The professional expertise of teachers was to be developed.
- It was queried how the Authority would ensure provision for all children, including those who attended non LEA schools. It was reported that there was an increasing move towards working in partnership with non LEA schools. The Authority was also responsible for children who travelled into the city.
- A priority of the plan was to introduce a mechanism for the elected young person's champion to engage with young people. There was potential for young people to be represented on three locality boards within the city, and these representatives would work closely with the young people's champion.
- The plan was commended and Members were pleased that consultation with young people had taken place.

Advice of the Advisory Panel:

That the Executive Member be advised to:

- (i) Note the comments above.
- (ii) Approve the Plan subject to any modifications agreed at the meeting.
- (iii) To request that a summary of the plan be circulated to schools and LA stakeholders.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To meet the provisions of the Children Act 2004, under which Children's Services Authorities are required to prepare and publish a Children and Young People's Plan.

96. SCHOOL BUDGETS AND THE DEDICATED SCHOOLS GRANT 2006/07 & 2007/08

This report updated Members on the final budget proposals for 2006/07, and the provisional proposals for 2007/08, for schools and LEA services funded through the Dedicated Schools Grant (DSG).

Officers highlighted that the Schools Forum endorsed all savings proposals, except the deletion of the four part time Special Educational Needs area teacher posts. The forum were concerned about the loss of this service and agreed to fund the service during 2006/07 by taking £72k of the new funding provided for primary schools in 2006/07 for personalised learning. Officers also highlighted that the combined budgets held within the new Learning Culture and Children's Services Directorate would all support the 'Every Child Matters' Agenda, bringing together responsibility for the budgets used to provide support, care and education for the city's most vulnerable children in one place.

Members discussed the funding for the new combined secondary school for the West of York. The predicted funding required to help the transition of the schools was an initial estimate, any funding not required would be returned back to schools.

Advice of the Advisory Panel:

That the Executive Member be advised to note the report and the above comments.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To inform the Executive Member.

97. NURSERY EDUCATION FUNDING FOR THREE AND FOUR YEAR OLDS 2006/07 AND 2007/08

This report invited Members to approve the amount per place for nursery funding to registered settings of early education for 2006/07 and 2007/08.

Key changes in provision included that from 2006 the minimum entitlement would be extended to 12.5 hours a week for 38 weeks. From 2007 there would be an increase in the free entitlement of 15 hours a week for 38 weeks, on the way to a longer term aim of 20 hours a week for 38 weeks. Parents would have more flexibility to use the free entitlement across a minimum of three days.

The following was discussed:

- The amount per place recommended by Officers was similar to the majority of other authorities.
- The majority of providers would be able to offer extra weeks.
- The birthrate was used to estimate the number of places which would be required.

- Although not all nursery places were for 38 weeks, there were enough places for 38 weeks to offer parents their choice.
- It was not thought that the increase in the number of weeks of nursery education would pressure parents into leaving their children in nursery for longer, only that it may relieve financial pressures on some parents, and was an increase in choice.

Advice of the Advisory Panel:

That the Executive Member be advised to agree the following amounts per place based on 12.5 hours per week:

- 2006/07: £502 per term for 38 weeks (£436 for 33 weeks)
- 2007/08: £515 per term for 38 weeks (£447 for 33 weeks) – minimum level, subject to review prior to April 2007

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To fulfil the duty placed on local authorities by the School Standards and Framework Act 1998 and underpinning regulatory framework, to secure sufficient early education provision for three and four year olds.

98. PURCHASING EARLY YEARS SERVICES THROUGH SERVICE LEVEL AGREEMENTS: 2006/07

This report sought approval for the purchase of Early Years services through service level agreements. The Early Years and Extended Schools Service had a number of contracts and service level agreements with the voluntary, private and independent sectors. These were predominantly to provide programmes for play and childcare. The authority had a responsibility to secure best value in the procurement of services. It was necessary to review all services, including those delivered by partners, to ensure that future contracts met local and national outcomes and that the saving requirements for 2006/7 were met. The following was discussed:

- It was important to establish the principle of reviewing service level agreements to ensure service providers continued to meet requirements.
- Success of organisations under service level agreements was monitored through performance indicators and independent assessors.
- It was commendable that the same level of service had been provided after a significant budget reduction.

Advice of the Advisory Panel:

That the Executive Member be advised to:

- (i) Approve the proposed annual Service Level Agreement of £32k for Bell Farm Adventure Playground.
- (ii) Agree that the existing service level agreements for the financial year 2006 – 2007 be continued, with appropriate reductions in line with required budget savings, and that the services offered by the PVI in the following financial year be reviewed.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To ensure the continued provision of Early Years Services.

99. CHILDREN'S RESIDENTIAL CARE IN YORK

This report updated Members on the implementation of the decision made through the Council budget process to close one of the local authority's children's homes. The report sought approval for the proposed statement of purpose for the new single home, approval for which building should be retained as the site for the new home, and endorsement of the approach taken to communication with key stakeholders, most notably the young people concerned and staff affected. The following was discussed:

- Members queried how certain Officers were that the trend in the reduction of long term care places required would continue. Officers reported that there was clear evidence of under occupancy of long term places, and there had been an increase in foster care places required. There was now a greater role for short to medium term care. There was a risk in reducing long term places but problems were not anticipated.
- There had been widespread consultation including the Looked After Children Steering Group where there were representatives from key agencies and other groups.
- Members discussed foster carers and how their skills and experience would increase over time. There were enough foster carers to reduce long term care.
- Comments had been made by a young person that long term care was preferential to a foster care placement, partly due to breakdown in foster care placements. Members queried if Officers were confident they could overcome such difficulties. Officers commented that placement disruption did occur. However support was available and there was high number of professional placements.

- Officers supported the view that it was not appropriate to mix short term and long term care residents.
- There may be a small number of children that may need long term residential care and need to move outside the area, the nearest such home was in Selby.
- Members were supportive of more children living with a family and a reduction in long term care, but wanted to ensure that the underlying reason for the proposals was not the need to make financial savings.
- Concerns were raised that children requiring long term care would need to move outside the area.
- It was queried how the money saved would be reinvested. It was reported that money would be reinvested back into the service and three additional professional foster beds would be provided. Money would be put towards the Pathway budget and to provide additional support in preventative work.

Advice of the Advisory Panel:

That the Executive Member be advised to:

- (i) Approve the proposed statement of purpose for the new single home as outlined at Paragraph 7 of this report.
- (ii) Approve the retention of the Wenlock Terrace building as the site for the new single home, and request that responsibility for Bismarck Street be transferred to Property Services.
- (iii) Endorse the approach taken to communication with key stakeholders, most notably the young people concerned and staff affected.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To meet the needs of children and young people in residential care in York.

100. ESTABLISHMENT OF A TEMPORARY GOVERNING BODY FOR THE PROPOSED NEW SECONDARY SCHOOL TO REPLACE LOWFIELD AND OAKLANDS

This report sought approval for the establishment of a temporary governing body for the proposed new Secondary School to replace Lowfield and Oaklands, to oversee the transition period, to seek approval from Members on the proposed size of the temporary governing body, and to request a further report to Executive on 18 April 2006 on the appointment of temporary parent, community and Local Authority governors. The following was discussed:

- The two schools would be equally represented with three governors representing each school.
- Members suggested that that current governors of each school should be involved in the new body, but that there should also be new governors involved. It was agreed that this should be recommended to the Executive.

Advice of the Advisory Panel:

That the Executive Member be advised to:

- (i) Approve the establishment of a temporary governing body;
- (ii) Approve the proposed size of the temporary governing body;
- (iii) Request a further report to the Executive on 18 April 2006 on the appointment of temporary parent, community and Local Authority Governors.
- (iv) Recommend to the Executive that they take account of the benefits that may accrue from some appointments of governors who are not currently members of the governing body of either school.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To ensure a governing body is in place ahead of the end of the consultation period, to prepare for the outcome and start the headteacher appointment process.

101. FEDERATION OF OUR LADY'S CATHOLIC PRIMARY SCHOOL AND ENGLISH MARTYRS' CATHOLIC PRIMARY SCHOOL

This report described the background to a joint proposal from the governing bodies of Our Lady's Catholic Primary School and English Martyrs' Catholic Primary School to federate the two schools. The report explained the statutory framework involved and invited comments on the consultation document attached at Annex 1.

Advice of the Advisory Panel:

That the Executive Member be advised to:

- (i) Comment on the consultation document attached at Annex 1.
- (ii) Support the proposal by the governing bodies of Our Lady's Catholic and English Martyrs' Catholic Primary.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: To consult the Local Authority on the proposals to federate the two schools.

102. PROCESS FOR THE SELECTION AND APPOINTMENT, REMOVAL AND SUSPENSION OF LOCAL AUTHORITY GOVERNORS

The purpose of this report was to seek guidance from Members on an agreed process for the selection and appointment of Local Authority (LA) governors, and to agree a process for the removal of LA governors. The following was discussed:

- It was a good proposal to form a structure to this.
- The disciplinary route for LA governors was different from parent and community governors. LA governors were subject to the same criteria, but would be written to and warned if they did not attend with accepted apologies for 6 months, and a dismissal would be discussed with the Executive Member.
- The process for governors should be more formal as there were surrounding liability issues, not just responsibility.
- New LA governors would be CRB checked.

Advice of the Advisory Panel:

That the Executive Member be advised to approve the proposals for new appointments, removals and suspensions processes.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: According to the DfES guidance "Safeguarding Children: Safer Recruitment and Selection in Education Settings".

103. LOCAL AUTHORITY (LA) SCHOOL GOVERNORS

This report provided information about the current position with regard to vacancies for LA seats on governing bodies, listed current nominations for those vacancies, as detailed in Annex 1, and requested the appointment, or re-appointment, of the listed nominees.

Officers updated that there were two further nominations: Mr Steven Sorby for Huntington School and Mrs Sharon Squires for Fishergate School. Members agreed that these nominations could be added. Officers reported that there were still four vacancies remaining.

Advice of the Advisory Panel:

That the Executive Member be advised to appoint, or re-appoint, LA Governors to fill vacant seats as proposed in Annex One, with the above two additions.

Decision of the Executive Member:

RESOLVED: That the advice of the Advisory Panel be accepted and endorsed.

REASON: In accordance with the School Governance (Constitution) (England) Regulations 2003.

104. CHAIR'S REMARKS

The committee thanked Dr Graham Clayton for his work as a statutory co-opted member and Parent Representative on the Education & Children's Services EMAP and Scrutiny panel, as it was his last meeting.

COUNCILLOR C RUNCIMAN
Executive Member

COUNCILLOR G BRADLEY
Chair of the Advisory Panel

The meeting began at 6:05 pm and ended at 8:50 pm.