

**SPECIAL MEETING OF THE SELECT COMMITTEE
ON CHILDREN'S SERVICES**

Thursday, 21st January, 2010 at 6.00 p.m.
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Vickers (Chairman)
Councillors Mrs. Coulter, Crumpton, Mrs. Dunn, Foster, Mrs. Greenaway,
Mrs. Jordan, Nottingham, Mrs. Rogers and Wright; Mr. Jones, Mrs. Lees,
Mrs. Roe, Mrs. Simms, Mr. Taylor, Mrs. Verdegem and Reverend Wickens.

OFFICERS

Interim Director of Finance (Lead Officer to the Committee) and the
Democratic Services Manager (Directorate of Law, Property and Human
Resources).

ALSO IN ATTENDANCE (BY INVITATION)

Councillor Mrs. Walker (Cabinet Member for Integrated Children's Services)
The Director of Children's Services and the Assistant Director of Children's
Services.

38 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of
Councillors Ms. Boleyn, Hanif and Ms. Partridge.

39 **DECLARATIONS OF INTEREST**

No member declared a personal or prejudicial interest, in accordance with the
Members' Code of Conduct, in respect of any matter to be considered at this
meeting.

40 **SUBSTITUTE MEMBERS**

It was reported that Councillors Mrs. Jordan and Foster were serving in place
of Councillors Hanif and Ms. Partridge, respectively, for this meeting of the
Committee only.

CALL- IN OF DELEGATED DECISION SHEET DCS/1/2010 – THE FUTURE OF PENSNETT HIGH SCHOOL

A report of the Lead Officer was submitted on the decision of the Cabinet Member for Integrated Children's Services, as set out in Delegated Decision Sheet DCS/1/2010, relating to the future of Pensnett High School. The decision had subsequently been called-in at the request of five elected Members, in accordance with Select Committee Procedure Rules set out in the Council's Constitution.

Accordingly, this special meeting of the Committee had been arranged to scrutinise the decision of the Cabinet Member to approve the publication of a statutory notice to close Pensnett High School.

A copy of the Decision Sheet, together with the report submitted to the Cabinet Member, was attached to the Lead Officer's report. The questions asked by the Members who had called-in the decision, together with responses, had been circulated. The Committee also received a letter from Ian Pearson MP, which was circulated prior to the meeting.

In opening the meeting, the Chairman outlined the procedure to be followed. The Lead Officer then presented his report on the issues to be addressed by the Committee. The Cabinet Member for Integrated Children's Services and the Director of Children's Services made brief introductory statements to the Committee.

At this juncture, there was an adjournment from 6.05 pm to 6.22 pm in order to enable the responses to be read by Members of the Committee.

The main and other related supplementary questions from Members of the Committee were then asked and answered by the Cabinet Member and the Director of Children's Services pursuant to Select Committee Procedure Rule 13. The Director of Children's Services undertook to respond in writing to the questions in the letter from Ian Pearson MP.

At the conclusion of the detailed consideration and discussion on the questions and answers, the Cabinet Member, the Director of Children's Services and the Assistant Director were thanked for their attendance and asked to leave the meeting. The Committee was then invited to deliberate and consider its decision.

At the conclusion of the Committee's deliberations, and taking account of the facts, opinions, responses and comments submitted at the meeting, the matter was put to the vote and it was

RESOLVED

- (1) That the decision of the Cabinet Member for Integrated Children's Services be confirmed and that the decision be not referred back for further consideration.
- (2) That in addition to the statutory consultation requirements, the Cabinet Member for Integrated Children's Services and the Director of Children's Services be recommended to make provision for a special meeting of the relevant Area Committee in any future consultation arrangements which involve potential school closures.

The Members who did not vote in favour of resolution (1) above reserved their right to make a minority report pursuant to the Scrutiny Protocol for Select Committees in the Council's Constitution. The minority report is set out in the Appendix to these minutes.

The meeting ended at 8.40 p.m.

CHAIRMAN

NB: This report represents the minority views arising from the special meeting of the Select Committee on Children's Services held on 21st January, 2010. It does not form part of the resolution of the Committee.

Pensnett School Closure - Minority Report

From The Labour Group of the Children's Services Select Committee sitting at the Special Select Committee held on Thursday 21st January 2010.

Cllr Tim Crumpton – Shadow Lead Member Children's Services, Dudley

Cllr Lynda Coulter – Member, Children's Services Select Committee

Cllr Judy Foster – Pensnett Ward Councillor substituting for a Labour member

Cllr Karen Jordan – Pensnett Ward Councillor substituting for a Labour member

The four Labour Councillors on the Select Committee abstained from voting on the outcome of the call in of the decision to close Pensnett School but stated that they would submit a minority report as follows.

- 1 Over a number of years, pupil numbers have fallen at Pensnett High School. Additionally the GCSE results have fallen below the required national standard. Despite a rise in GCSE performance this year, the standard still falls below that expected by the government. We heard from the Director of Children's Services that results were unlikely to improve by 2011 and pupil numbers had become too small for the school to remain financially viable.
- 2 Over the past two years the School has been subject to two separate closure consultations. These have undoubtedly affected the School, have had a severe effect upon pupil and staff morale and have further accelerated the decline in pupil numbers.
- 3 The school was to have formed an Academy with Crestwood School and plans for this were well underway when the Cabinet decided not to pursue a bid for funding. Again the impact upon the school has been dramatic.
- 4 Responses given by the Lead Member to questions raised at the Special Select Committee about how and why school performance has been 'allowed' to decline centred on the role and responsibility of the School and Governors and the change in governance arrangements in 2003. While there was an explanation that once the school was placed in the 'Challenge' category help was given by the LEA, the question of the role of the LEA prior to the Challenge remains.
- 5 The minority Labour Group believes that far more help should have been given at a far earlier stage, specifically when performance started to show signs of decline. We note that the current BSF bid and Vision 2025 see a greater co-operational role between schools and the LEA and we hope and suggest that this will enable speedier and more comprehensive intervention.
- 6 The Labour group was informed by the Director that the small school model proposed by the professionals at the school was not viable, which the Labour group is very disappointed to hear.

- 7 The Director gave a comprehensive outline of the scoping process which will cover many of the issues we raised but were unable to get detailed responses to. These issues include provision of uniform, timescales for the closure and transfer of pupils, options and measures to assimilate children into their new learning environment.
- 8 We also heard from the Director that for those children in year 10 wishing to see out their education at the school, the Council will be proposing an arrangement which he is confident will be well received.
- 9 We heard from the Director that parents and children would be interviewed over the next six weeks and once the Statutory period had come to an end, pupils would be advised which school would best meet their needs.
- 10 We also note that the Director has the authority to request that schools increase their numbers without increasing PANs. We hope that this will enable parents to have some choice.
- 11 We also note that discussions will now take place with governing bodies to enable this process.
- 12 Concern still remains about the time now available, particularly for the children who have special needs. While systems are in place to deal with individual cases, Pensnett School has a large number of children in this position. The minority group will be seeking further specific information about this issue.
- 13 The Council indicated that it is committed to the future use of the site, including the sports fields, as an educational facility, which will continue to accommodate sports events, and community activities as now, which we hope will provide some reassurance to a community that was concerned about how the loss of the school and buildings would impact on the area.
- 14 We remain concerned that pupils face an extremely uncertain future and we will be seeking regular updates about the outcomes for them.
- 15 We did not focus on the future of the staff involved at this meeting. We did however ask that we be kept informed about negotiations.
- 16 In reflecting on the events leading to this meeting, the Labour Group has recommended that in future, all proposed school closures should be discussed at a specially convened meeting of an Area Committee as part of the consultation process. The Council has agreed to consider this recommendation.

Finally a call-in is rarely used but we believe that the meeting showed that this was a useful and necessary route to have taken and we would like to thank the Committee, Councillor Walker and Mark Wyatt and Dave Perrett for their contributions.

Tim Crumpton, Shadow Lead Member for Children's Services
On behalf of Dudley Labour Group