

SELECT COMMITTEE ON CHILDREN'S SERVICES

Wednesday, 27th September, 2006, at 6.00 p.m.
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Nottingham (Chairman)
Councillor Ms Boleyn (Vice Chairman)
Councillors Ahmed, Mrs Dunn, Ms Partridge, Simms, A Turner, C Wilson;
Mr Smith; Mr Hatton, Reverend Wickens; Mr Lynch, Ms Verdegam; Mr
Taylor; and Mrs Simms

OFFICERS

The Director of Finance (as Lead Officer to the Select Committee), the
Assistant Directors of Children's Services (Ms Porter, Ms Sharratt, Mr
Watson and Mr Wrigley), and Mr Sanders (Directorate of Law and
Property)

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APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received on behalf of
Councillors Mrs Coulter, Johnston and Mrs Pearce and Ms Bradley.

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DECLARATIONS OF INTEREST

Declarations of Personal Interest, in accordance with the Members' Code
of Conduct, were made by the following in respect of the matters
indicated:

Councillor Mrs Dunn in agenda item No. 6 (Halesowen CE Primary
School) in view of the location of the school in the electoral ward for
which she is a Council member and because she attends fundraising
events for the School.

Mr Hatton in agenda item number 6 in view of his close association with
Halesowen CE Primary School during his period of employment as a
Head Teacher of a neighbouring school between 1993 and 1999.

Councillor Ms Partridge in agenda item number 5 (Cradley High School)
in view of the location of Cradley High School in the electoral ward for
which she is a Council member.

Mr Lynch in items numbered 5 and 6 since he may later be in a position of representing some teachers currently employed at Halesowen CE School and Cradley High School in his capacity as a representative of the National Union of Teachers.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 22nd June, 2006 be approved as a correct record and signed.

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SUBSTITUTE MEMBERS

It was reported that Councillor Simms was serving in place of Councillor Mrs Pearce for this meeting of the Committee.

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CRADLEY HIGH SCHOOL

The Director of Children's Services reported orally on the proposed closure of Cradley High School, the consultation document in respect of which had been circulated with the agenda.

The Director circulated a paper summarising the effect of the proposal; the reasons why Cradley High School had been proposed for closure; what the Director considered would happen if no action was taken; the reasons why other secondary schools were not being considered for closure at this juncture; the transfer of pupils to alternative secondary schools; support for pupils with ethnic minority backgrounds and community use. The paper also indicated the legal processes involved until the final decision was made by the School Organisation Committee or the Schools Adjudicator.

In amplifying the information in the paper, the Director explained that it was not in the interests of any party or community to be served by a school not financially viable in the light of the implications arising from a reduction in budgetary provision in terms of reducing staff and resources, increases in class sizes, leadership and management roles, the fewer opportunities for extended provision or professional development and a less broad curriculum and confirmed that places for pupils displaced would be provided for at schools with a higher level of resources. The Director confirmed, however, that it was proposed that the premises of Cradley High School would remain available for use by the community with changing rooms and sports facilities remaining open and that arrangements for the management of the community facilities and for payment for their use were to be determined.

On the issue of closure the Director emphasised that, for the reasons in the consultation document and his summary note, it was his professional view and the view of the Cabinet Member for Children's Services that closure of Cradley High School was a necessary course of action. The final decision would be taken by the Dudley School Organisation Committee, however, and if a unanimous decision from that body was not forthcoming, by the Schools Adjudicator.

Following the oral presentation by the Director of Children's Services, members of the public present were invited to ask questions or comment, in which the following points were made:

- In response to question on letters received from 278 parents indicating that they would wish their children to attend Cradley High School in 2007/08 and a petition presented to Halesowen Area Committee at a special meeting held on 26th September, 2006, the Director re-asserted that, notwithstanding recent good examination results, every year in the last five years the number of pupils at the school had decreased and that to continue to keep the school open would not be viable. He stated further that if the Council was to allow another year before closure, the school would be even less able to sustain itself and its communities. It would therefore be imprudent for the school to remain open for a further year in the hope that greater numbers would wish to attend from the 2007/08 academic year.
- A member of the public stated that, at the public meeting held on 1st September, 2006, a number of people had been told categorically that the school was closing down and that potentially twenty additional pupils had been lost as a result. Additionally, an allegation was made that the Admissions Service had advised parents that the school was being closed and thus parents had not registered their child at the school. In response the Director emphasised that the Admissions Service was working from a prepared statement indicating to enquirers not that the school was to be closed but that the Council was consulting on its proposed closure; that parents should be aware of this and that they might wish to take account of the point as there were other schools with places available.

Questions and comments from members of the Committee were then submitted and these and responses given by the Director of Children's Service were as follows:

- In response to a question on how the closure proposals sat with the proposals in the Education Bill for collaboration between secondary schools in terms of courses to be provided, the Director agreed that collaboration of this nature would have to be achieved to enable a balanced curriculum for pupils in the age range of 14-19 years but pointed out that the Bill was not yet law and the Local Authority had to act in line with the situation that existed currently. He stated further, that, even if collaboration between schools was in place, the individual schools in the collaboration would have to be efficient and effective.

The point was also made that the other three schools in Halesowen and Halesowen College had received Pathfinder Trust status and would thus control their own admissions. The questioner had concerns that children in Cradley might find themselves isolated. In response, the Director of Children's Services stated that, although schools in Halesowen had put themselves forward for Pathfinder Trust status, they would remain part of the Local Authority and that the admissions policy of the Council would continue to include places for local children as a priority criterion. The Director did not expect children in Cradley to have to travel significant distances to alternative schools.

- A comment was made that the intake figures at Cradley High School were almost the same as they had been for 1997, notwithstanding the threat of closure to the school in the last year or so. A full and balanced curriculum had been available in 1997. The questioner also asked if the option of reducing numbers at neighbouring schools and increasing numbers at Cradley had been considered. In response the Director indicated that projections regarding pupil numbers had changed since 1997 and, for Cradley, numbers had peaked in 2002. Of current pupils, a very significant number had not made Cradley their first preference and, with fewer in the overall school population in Dudley, children could now go to the more popular, rather than the less popular, schools. Of the September, 2006 intake, only 34 of the total admission number of 80 had specified Cradley as their first preference, even after four years of increasingly better academic results at the school.

- In response to a question as to which schools children from the Cradley area would be allocated, should Cradley High School close, the Director stated again that the birth rate in the Borough had dropped by some 20% in ten years and secondary and primary school rolls were falling rapidly. Concerns remained that pupil numbers would decrease still further. The situation was being exacerbated by the provision of new academies in Sandwell. If Cradley High School ceased to exist, there would be sufficient places in the area to sustain the remaining schools in the Borough.
- Concerns were expressed at the potential additional travelling costs for pupils displaced from Cradley High School travelling elsewhere, given the significant number of disadvantaged persons living in the area. The Director acknowledged that transport provision in the short term would need to be looked at.
- In response to a question on possible sixth form provision at Cradley High School, the Director confirmed that it was not Council policy to provide schools with sixth forms and that a viable sixth form would require more than 200 pupils.
- In response to a request for clarification by a member that Council policy in relation to secondary school provision was that the review would be handled strategically, the Director confirmed that consultation was being undertaken in line with the Transforming Secondary Education documentation. In the case of Cradley High School only 33% of local children were attending the school. Cradley would not have been on the agenda for closure had the other 67% wished to attend there. The current position was that Cradley High School was in crisis and it was not responsible of the Local Authority to continue with an unviable school. There was a need to take action to ensure the education of children currently in education as well as having a strategic plan for education in the Borough as a whole.
- A question was asked in relation to the situation regarding Governorships should the Halesowen Schools receive Pathfinder Trust status, in response to which the Director of Children's Services indicated his understanding that Governorships for existing schools would stay essentially the same as they were currently.
- In response to a question on what had been agreed with the Head Teacher of Cradley High School in terms of closure, and on the issue of whether the school being in crisis had been discussed with the Head, the Director indicated that nothing had been agreed with the school although professional discussions with the Head Teacher would take place in due course and that the Head Teacher was well aware of the budget situation.

- In response to a question on why the closure proposal had not been included as a Key Decision in the Forward Plan, the Director indicated that a decision not to include the proposals had been made in order to mitigate any uncertainty for the public. In a supplementary question, the same member indicated that she had not been aware that the decision had been made and that inclusion in the Forward Plan would have given interested parties the opportunity to understand what proposals were in the pipeline. In response, the Director stated that once proposals of this type were in the public domain it was impossible to stop planning blight at a school.
- In response to a question on what were the key factors in determining that Cradley High School was the most appropriate school to consider for closure, in the context of total surplus places in secondary schools, the Director indicated that the authority would not be prepared to close the Borough's most successful schools but for reasons of sustainability had to consider small and inefficient schools.
- In response to a questions on what other options were considered, and how, the Director indicated that officers within Children's Services and he, in discussion with the Cabinet Member, considered options involving other schools and issues including the federation or collaboration of schools and had come to the view that the closure of Cradley High School was the most workable option in the circumstances of a declining birth rate.
- In reply to a question on its consideration of the size below which Cradley would become educationally and financially not viable, the Director indicated that this would arise below 3 or 4 forms of entry.
- In response to a question on to where Cradley pupils would be transferred and whether there were sufficient places in the schools to which transfer would be effected, the Director indicated that the Local Authority would attempt to ensure parental preferences were met and would ensure sufficient places in local schools were provided.
- In response to a question on what consideration had been given to the specific communities served by the school, the Director stated that the area was served by a number of schools. A number of pupils currently at Cradley High School lived in Sandwell and, together with Thorns and Hillcrest, there were schools in Sandwell where children in the community served by Cradley High School could be accommodated. The Director re-emphasised that it was not in the interests of any community to be served by a non-viable school.

- In response to a comment from a member who stated that the reasons that Cradley High School was being considered for closure was that not many pupils wanted to go there; that the Governing Body should have done more to promote themselves and that the Local Authority could have offered support; and that the community should have been better advised that the academic results at the schools were improving, the Director indicated that the Local Authority had provided substantial support for the school on the standards issue and that the Governor Support team had worked closely with the school. It had been clear to the Governing Body that they needed to take action to improve the popularity of the school and to reach local children but their efforts had not been successful.
- In response to a question from the same member as to where children from the Cradley wards would attend if Cradley High School closed, given the pressure on places at Earls and Windsor, the Director stated that, as far as other potential schools were concerned, there were three schools in Halesowen and when the school closed in 2008 there would be falling rolls and available places across the Borough.
- In response to a question on how many out of Borough places were allocated at Cradley High School, the Director indicated that approximately a third of the pupils at Cradley were from Sandwell.
- In response to a request from a member for an assurance that the Council's admissions policy would have an overriding provision in respect of proximity, the Director quoted the current admissions policy and indicated that any new policy would be submitted for consideration by the Select Committee prior to approval. He confirmed that a priority criterion would continue to be the distance from home to school of the pupil.
- In response to a question on where pupils currently situated in years 7, 8 and 9 at Cradley High School would go in consequence of the closure of Cradley High School, the Assistant Director of Children's Services (Resources) indicated that of the 68 pupils currently in year 7 only 56 had started at the school and that the remainder had received places through successful appeals. He indicated that there were places at alternative schools in the year groups in question and also schools in Sandwell that could accommodate displaced pupils.

Upon being advised by the Lead Officer as to the avenues now available to the Committee it was

RESOLVED

- (1) That the comments made and the views expressed, and the responses thereto, as indicated above, be recorded and fed into the consultation process.
 - (2) That the post consultation report be referred to the Select Committee.
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HALESOWEN CE PRIMARY SCHOOL

The consultation paper on the proposed closure of this school with effect from 31st August, 2007, had been circulated with the agenda for the meeting.

A supplementary paper was circulated by the Director of Children's Services setting out the detail of the proposals; indicating the reasons why the Council and the Church of England had proposed Halesowen CE School for closure; indicating the joint view of the Local Authority and the Church of England on what would happen should no action be taken; advising the Committee on why proposals which would have involved the closure of the Halesowen and Hasbury CE Schools and the creation of a new Voluntary Aided Church of England primary school on the Hasbury site had been discontinued; setting out the current position regarding alternative primary schools and nursery provision should Halesowen CE School be closed; and indicating the perceived implications for the community in that event. The supplementary paper also set out the five basic stages in the legal processes for school closures.

Questions or comments from the public were then invited. The Head Teacher of Halesowen CE School was in attendance at the meeting as a member of the public and expressed extreme concerns about the closure proposals, expressing the consideration that to do so would throw the baby out with the bathwater referring to the record of the school in providing a good education for children, many from ethnic minority and otherwise disadvantaged backgrounds, over many years.

He expressed concerns about the statistics used by the Local Authority and the Church of England in forecasting decreasing pupil numbers, stating that the numbers were at variance with those that he had obtained from the National Statistics Office. In this regard, he reported on the population figures over the period from 1994 to 2005, stating that there had been a decline from 1994 to 1998 but that from 1999 the population had started to climb again. He pointed out that, even if Dudley was not a nett loser, the area would need to sustain its schools rather than lose them particularly in view of the anticipated influx of new residents and their siblings in consequence of the European Union expansion and other immigration. He felt that these factors had not been sufficiently taken account of in the planning to close the school.

The Head Teacher was also anxious to ensure that the Committee was conscious that, notwithstanding that the school was small, it offered quality schooling. Additionally, Hasbury CE School currently did not have places available to accommodate all children at nursery who would wish to attend there even before prospective nursery children from Halesowen CE School were considered and that a substantial number would have to go to Tenterfields.

On the issue of resources, the Head Teacher made the point that Halesowen CE School was in an area of social deprivation and many children from that background were concentrated there. The school therefore attracted funding which might not follow to alternative schools if pupils were scattered. In concluding, the Head Teacher referred to the expertise the school had gained over the years and expressed the view that it should be left open to continue to serve the community.

In response to the Head Teacher's comments, the Director of Children's Services responded as follows:

- Regarding the statistics on birth rate, on the best estimates available to the Council, the long term forecast was that 0-4 year old figures had just about stabilised and primary school numbers were thus likely to stabilise. The Director indicated the source of his statistical information as being the Office of National Statistics.
- In relation to the effect on other schools and surplus places, the school organisation rules were specific in relation to the maintenance of places at Church schools. The Council was working in partnership with the Diocese of Worcester who supported the general principle of rationalisation in Halesowen. The Diocese would have far preferred a re-build at Hasbury CE School but this could not be afforded as no funding would be available from the Department for Education and Skills (DfES).
- The proposal to close Halesowen CE school would result in the number of Church places available in the Borough being maintained as other non-church schools had closed.
- On the issue of birth rate in smaller schools, the fact was that smaller schools had more difficulty in maintaining smaller numbers. It was expected that staff with special skills would be transferred to other schools. The proposal to close Halesowen CE School: had not arisen as a result of the school being a bad school but because the unit cost per pupil at the school was 14% above the primary school average in the Borough. This meant that the school budget was being paid for effectively by a reduction in the budgets of other schools. The value for money implications made the school unviable.

- In response to a point made by the Director that there was an expectation that staff with special skills would leave as numbers at the school and resources weakened, the Head Teacher pointed out that turnover at Halesowen CE School was remarkably low. This was not disputed by the Director of Children's Services but the Director did make the point that, with a smaller school, should there be changes in staff, these had greater effect proportionally in smaller schools than in larger ones, in terms of the pressure on the remaining staff resources.

A statement in which the retention of the school was strongly advocated was then made by a teacher at Halesowen CE School. In the statement, the teacher questioned the handling of the consultation process and the documentation on the website and criticised what she considered was a lack of inclusiveness in relation to the interpretation and translation services made available. She made the point that the school had asked for the consultation to be translated into Arabic, given the number of Arabic speaking parents and residents in the community, but this had not been done. She also considered that consultation arrangements had not taken account of the whole of the population, that times of meetings had not been suitable to all, that arrangements for the transport of interested parties to meetings had not been sufficient and that, as far as the special meeting of the Halesowen Area Committee was concerned, Colley Lane School was too far a distance for some interested parties to attend. Additionally, children had not been asked for their views. With regard to these issues, she referred to the consultation documentation which referred to the need for care to be taken in choice of venues selected for the purpose and criticised a refused request for the provision of crèche facilities at the school at which a meeting with staff had been held. In all she considered the consultation process had not been fairly effected.

On the issue of alternative provision, the teacher drew attention to the proposal under consideration twelve months previously when staff and interested parties had been told a new 420 place school would be provided. She did not disagree with the need for that proposal and wondered why the Local Authority had changed its stance. She expressed the consideration that, if the long term statistics had supported the building of a new school two years previously, and that the proposal now related only to the closure of the school, it was hardly surprising that the staff and parents were cynical about statistical information. The teacher indicated that she herself had asked from where the Council had obtained its statistical information, in order that a check could be made, but had received no reply.

The teacher indicated that at the staff consultation meeting she had asked where children of economic refugees would be placed at school in Dudley as many were resident at Highfields, Halesowen. She had not received an answer.

The teacher then referred to comments made by the Assistant Director of Children's Services (Resources) at consultation meetings that closure was being proposed because standards could not be sustained. The teacher considered that the available evidence pointed to the contrary as in spite of mixed aged classes, a high ethnic minority school population and a high number of children with special educational needs, good academic results had been achieved, with a 92% success in level 4 in Mathematics. Results were not being affected adversely.

In referring to a recent OFSTED inspection of the school in which the conclusion had been reached that the school was satisfactory, the teacher made the point that alternative schools had not yet received their OFSTED inspection under the new rules. It was difficult, therefore, to compare the school with others. In the light of the OFSTED inspection, the school was aware of where its weaknesses rested and had taken measures to move forward. On the issue of the unit cost of pupils being 14 % above the Borough average the Head Teacher asked to be advised of where other schools in the Borough sat in this regard.

In response to the points made, the Director of Children's Services responded as follows:

- Consultation meetings had been held at Halesowen CE School firstly with teachers and then with the Governors and parents, respectively. Interpretation facilities had been offered and would have been provided if required but the Director was not aware of any request made. While the full consultation document had not been translated a summary translation in Arabic had been provided.
- In relation to consultation with children, the Director referred to a substantial number of letters from children which had been received and which would be considered in the consultation process. He confirmed that he would be happy to facilitate a meeting with the School Council.
- On the issue of a crèche the Head Teacher stated that he, rather than the Local Authority, had provided for a crèche to be available. The Director indicated his appreciation of this and referred to the provision of the crèche as being the important factor rather than whom had arranged for it to be provided.

- In response to a question from a member on the relationship of the consultation strategy in respect of the proposed closure of the school with the Council's corporate strategy on consultation, the Director referred to the fact that, with school organisation proposals, the Council was bound by legislation and guidance under the Education Acts and that this was being followed in this case. He indicated further that the Council was following national good practice on the length of consultation, namely, that it should take approximately a school term. The proposal to close Halesowen CE School had not been brought before the Cabinet Member without due consideration of all factors. The final decision, however, would be made by the Dudley School Organisation Committee or, if that body could not reach a unanimous decision, the Schools Adjudicator. Should either of those two agencies disagree with the Local Authority the school would not close. From the viewpoint of the Directorate, taking into account the interests of all children in the Borough, however, the recommendation to the Cabinet Member had been that the school should close.
- On the issue of statistics, the Assistant Director of Children's Services (Resources) indicated that the concept of bringing together the two Church of England schools in Halesowen had been arrived at some 4-5 years previously in the light of falling rolls at both schools. The Local Authority and the Church of England had therefore submitted a number of bids for funding the provision of a new school on one site but all these had been unsuccessful. This had led to a substantial amount of frustration at both schools. Statutory notices for the closure of both schools and the establishment of a new school on one site had been published in 2005 but had not been proceeded with because the funding arrangements required by legislation and guidance had not been in place. The matter had been referred to the Dudley School Organisation Committee, which had deferred a decision pending a resolution to the funding arrangements.

Since that date, discussions between the Council and the Diocese of Worcester had been held but no agreement over funding could be reached. When the original proposal to build a 420 place school had been agreed pupil numbers at both schools had been sufficient to justify a facility of that size but this was not now the case. The proposal to build a new school on one site had therefore been discontinued.

- The Assistant Director then explained the range of statistics considered. In relation to pupil numbers, the DfES worked out how many children attended Dudley schools on information provided and worked out the funding for the Local Authority accordingly. Birth rate data was obtained from the Health Authority. To plan for a new intake at primary school it was necessary to view birth rate over the time span of the previous 4 years. A wide range of statistics were used, most of which were available on the website. The Assistant Director expressed the view that, to date, the Local Authority had not made any errors in this regard.
- On the issue of standards, the Assistant Director explained the implications of the cost per pupil at Halesowen CE School being 14% above the Dudley average for primary schools. In this regard, he referred to the Section 52 statement which was publicly available. Funding for the Authority would be less in real terms in 2007/08 and the situation was likely to be very similar in the following year. The effect would be that Halesowen CE School would have less money in its budget. There was a presumption that 25% of the school budget was spent on staffing and there would be difficulty in sustaining staff numbers and therefore quality standards should Halesowen CE School continue.
- In relation to the OFSTED inspection, the inspector had indicated that OFSTED had deemed Halesowen CE School as offering satisfactory value for money. In explaining the factors from which OFSTED arrived at this conclusion, the Assistant Director paid tribute to the work of the staff at the school but expressed the view that it was difficult to envisage how quality standards could be sustained in the longer term, notwithstanding the loyalty and dedication of the staff given the financial position of the school.

At this juncture the Head Teacher of Halesowen CE School expressed the view that, to continue Halesowen CE School would not affect other schools as each school was funded per child. He also expressed the view that potential recruits to Halesowen CE School were being put off and choosing other schools instead because of the uncertainty over the future of the school. He stated that numbers at Halesowen CE School began to plateau at the same time as the uncertainty over the future of the school started some 4 years previously.

The Head Teacher then questioned the number of schools offering better standards which had yet to be inspected under the new OFSTED framework and asked to be advised of OFSTED's conclusions. He resented that Halesowen CE School had been judged as only 'satisfactory' and felt that the Select Committee should look at challenging OFSTED how its standards were arrived at.

In response, the Director of Children's Services indicated that all OFSTED reports were in the public domain. Where schools had been deemed as only satisfactory, a re-inspection would be made. In the case of Halesowen CE School, the school had been rated as satisfactory, with an overall grade of 3.

On this issue, a member of the Committee indicated that from feedback he had received through his involvement with the National Union of Teachers it was clear that the school had a dedicated group of staff who were totally committed. Since the school catered for a high number of pupils with English as an additional language it received ethnic minority achievement budget monies but, if the pupils were dispersed to different schools, no one school would receive grant from this source. In response, the Director of Children's Services expressed the hope that the teachers at the school could be kept together or at least continue in the Borough. He acknowledged the commitment of the staff and the difference to pupils such staff could make but considered that it would be inappropriate for the Council to rely on that factor.

The teacher who had made the oral presentation earlier in the meeting made the point that, while Halesowen CE School had been inspected by OFSTED very recently other schools which had been found to give value for money had not been so inspected since 2000/2001 and that their position in that regard might have changed since then. It was therefore unfair to compare Halesowen CE School with those schools. She stated further that, because of the current refugee situation, and the high turnover of pupils that it involved, to rely on statistical information provided in January might not be the best way forward. She also asked if it was known where refugees were to be housed. She also asked for a response to be provided in relation to the percentages by which the unit cost of pupils at other primary schools were above the Council's average budget.

In response the Assistant Director of Children's Services (Resources) confirmed that it was not possible to compare one school OFSTED report to another. The Assistant Director indicated, however, that OFSTED reports were in the public domain and gave a computer reference point at which they could be visited. On the issue of refugee statistics, he stated that he would guarantee a response in writing should the questioner put her request in writing. He would also provide the cost unit per pupil should this information also be requested in writing.

In expressing the view that small schools were very much able to provide quality education, reference was made by one member to the changing nature of the population of Halesowen through the recent influx of immigrants of different races and the anticipated forthcoming surge in European Union migrants. The same member made the point that a considerable number of children from these families were educated at Halesowen CE School and, being relatively poor, had to travel by foot to attend school. He expressed concern that to move to other schools would mean a journey uphill, particularly treacherous in winter and considered this contrary to the spirit of 'Every Child Matters'. Notwithstanding the disadvantages to the school and the intake for Halesowen CE School being far different from neighbouring schools, the member considered that the staff had done well and was of the view that to compare schools simply on the basis of Halesowen CE School being 14 % per unit cost of pupil above the Borough average was unfair and too simplistic.

The member endorsed the point made that pupil numbers at the school had fallen since the school had been effectively blighted from the inception of the closure proposals and suggested that there were a lot of schools with roughly the same number of pupils as Halesowen CE School. The issue of new build at the Walton Campus was raised, but it was stated that Halesowen CE School had accommodated only one child from that development. The Director of Children's Services confirmed that large houses did not always generate many school children.

In relation to the information in the consultation document regarding the accommodation at the school, some members felt that some of the deficiencies referred to had been overstated and others had been caused by a lack of investment since the initial closure proposals had been agreed. On the suggestion in the consultation paper that there were two few toilets for the number of pupils in the school, the point was made that the number of toilets had been deemed sufficient when there had been 236 pupils in the school and there were now only approximately half of that number of pupils. Regarding the point that the school needed to improve on its fixed seating in the infants changing area, certain members felt that this was a difficulty that could be easily overcome.

In relation to the smallness of classes, the view was expressed that, with the number of immigrants the school had to deal with, small group teaching was extremely necessary. A further comment was received that, in the circumstances of the school, the SATS results of pupils had been very good and that, as far as the nursery was concerned, this had provided an excellent service to the community. The point was made further that the nursery at Hasbury CE School was not funded by the Local Authority and that this factor might cause difficulty to families in obtaining places there for their children. Other points raised in this part of the discussion referred to concerns about the possible impact to neighbouring schools, should Halesowen CE School close, that spare accommodation at Halesowen CE School offered the opportunity to provide better working space and that the school had reasonable parking facilities, unlike some other schools in the area.

On the issue of nursery provision, one member revisited the question of whether the nursery at Hasbury CE School would be sizeable enough to accommodate all the nursery aged children whom would otherwise have attended Halesowen CE School as she understood that the nursery at Hasbury was full already. In response, the Director of Children's Services indicated that he would give a written assurance to the member who raised the issue that all the nursery aged pupils who would otherwise be placed at Halesowen CE School would be accommodated at Hasbury. In response to a question from a further member, who suggested that the numbers attending at Hasbury CE School were also low, the Director confirmed that it was his view and that of the Diocese that, in anticipation that the majority of children whom would have otherwise been accommodated at Halesowen CE School would attend Hasbury CE School, the latter school would be sustainable insofar as pupil numbers were concerned.

In response to a comment from a member that funding arrangements for the new build school proposed originally should have been secured before statutory procedures had been put in place, the Director of Children's Services explained the history to the situation by indicating that both the Local Authority and the Diocese had both been committed to the scheme but that bids made to the DfES for grant over two years had been unsuccessful. In the meantime, a range of possibilities regarding the site had been considered. At the time of the initial proposals, a school of 420 pupils would have been sustainable but this was no longer the case and in 2005 the Council and the Diocese had made alternative plans, culminating with the current proposal being arrived at.

In response to a request by a member for an assurance that, should the Dudley School Organisation Committee or the Schools Adjudicator determine that Halesowen CE School should not close, no further action to close the school would be taken, the Director stated that the Local Authority was under a legal duty to keep the position on school provision under review and, additionally, the Cabinet Member for Children's Services had instructed him to report to her annually with a review of school places.

At the conclusion of the debate the Assistant Director of Children's Services (Resources) outlined the criteria by which the DfES considered bids for funding from its Capital Fund.

RESOLVED

That the points made in the consideration of the consultation paper, as set out above, be noted and fed into consultation process.

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ADJOURNMENT OF MEETING

In view of the time taken to consider the consultation papers on the proposed closure of Cradley High School and Halesowen CE Primary School, the Committee adjourned from 8.15pm to 8.20pm before consideration of the next item on the agenda.

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DIRECTORATE OF CHILDREN'S SERVICES – COMPLIMENTS AND COMPLAINTS ANNUAL REPORT 2005/06

In compliance with the Representations and Complaints procedures under the Children Act, 1989 a report of the Director of Children's Services was submitted under cover of which was set out the Compliments and Complaints annual report for the Directorate of Children's Services for 2005/06.

RESOLVED

- (1) That the Compliments and Complaints annual report for the Directorate of Children's Services for the period from the 1st April, 2005 to 31st March 2006 be accepted.
- (2) That the Annual Report be published as required by legislation and guidance.

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DIRECTORATE OF EDUCATION AND LIFELONG LEARNING – EQUALITY AND DIVERSITY ANNUAL REPORT FOR 2005/06

A report of the Director of Children's Services was submitted, under cover of which was set out the Equality and Diversity annual report for the former Directorate of Education and Lifelong Learning for 2005/06.

In the discussion on the report, reference was made to the percentage of appointments made from Asian groups in comparison to the white population. The Assistant Director of Children's Services (Partnership and Children's Trust) indicated this had been a priority for the Directorate to address but that progress had been inhibited by slowness of staff turnover and the limited number of minority ethnic staff who felt confident to apply for posts. She also referred to the possible implications that might arise as a result of compliance with the Age Discrimination Act and the Disabled Discrimination Act from 2006/07.

Reference was also made to the numbers of Asian persons appointed after being short listed, in comparison with the white population, which some members considered unduly disproportionate.

While confirming the policy of the Directorate to appoint the best applicant for a post, notwithstanding race or other discriminatory factors, the Assistant Director confirmed she would give short listing and interviewing procedures close scrutiny. The Director of Children's Services referred to the training members of appointment panels were required to undergo and emphasised that panels were well aware that discrimination on racial grounds was unlawful. He accepted, however, that the relationship between shortlisting and subsequent appointment of black and ethnic minority applicants should be looked at.

RESOLVED

That the report be received and the comments made, noted.

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DIRECTORATE OF CHILDREN'S SERVICES – ANNUAL EQUALITY AND DIVERSITY ACTION PLAN 2006/07

A report of the Director of Children's Services, under cover of which the Annual Equality and Diversity Action Plan for the Directorate of Children's Services for 2006/07 was set out, was submitted.

Members were invited by the Chairman to submit any questions or comments on the draft action plan to the Assistant Director of Children's Services (Partnership and Children's Trust) for consideration.

RESOLVED

That, subject to any comments or questions referred to the Assistant Director by members, the Directorate of Children's Services Annual Equality and Diversity Action Plan for 2006/07 be accepted as far as this Committee is concerned.

QUARTERLY CORPORATE PERFORMANCE REPORT

A report of the Lead Officer to the Committee was submitted setting out the performance of the Council in relation to the activities relating to the terms of reference of the Committee for the first quarter of 2005/06.

The Lead Officer referred to the need for the Committee to keep under close scrutiny the issues referred to in the Directorate which had the status of a triangle.

RESOLVED

- (1) That the report be received.
- (2) That the respective issues referred to in the report having the status of a triangle be referred to the appropriate Working Group of the Committee for closer scrutiny.

WORKING GROUPS OF THE SELECT COMMITTEE

A report of the Lead Officer to the Committee was submitted on the Working Groups of the Committee set up for the 2006/07 municipal year, their respective memberships and the arrangements made for meetings.

RESOLVED

- (1) That, subject to resolution (2) below the report be received and noted.
- (2) That it also be noted that the first meeting of the School Support Working Group will be held on Wednesday, 1st November, 2006 at 6.00 pm in Committee Room 3 at the Council House, Dudley, rather than on 11th October, 2006 as envisaged initially.

The meeting ended at 8.50 pm.

CHAIRMAN