

SELECT COMMITTEE ON CHILDREN'S SERVICES

Monday, 15th September, 2008 at 6.00pm
in Committee Room 2 at the Council House, Dudley

PRESENT:-

Councillor Nottingham (Chairman)
Councillor Ms Boleyn (Vice Chairman)
Councillors Crumpton, Mrs Dunn, Hanif, Hill, Islam, Mrs Rogers, Stanley and
Wright; Mrs Roe, Mr Smith, Mr Taylor and Mrs Verdegem

OFFICERS

The Director of Finance (Lead Officer to the Committee), the Director of
Children's Services, the Assistant Directors of Children's Services
(Performance and Partnership) and (Children's Specialist Services), the
Senior School Development Adviser (Early Years, Youth and Education
Services), and Mr Sanders (Directorate of Law and Property)

ALSO IN ATTENDANCE

Approximately 15 members of the public for agenda item number 11.

17 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of
Councillor Ms Partridge, Mrs Cunneen, Mrs Simms and Reverend Wickens.

18 **DECLARATIONS OF INTEREST**

A declaration of personal interest, in accordance with the Members' Code of
Conduct, was made by Councillor Nottingham in respect of agenda item
number 6 (Building Schools for the Future and Academies) in view of his
Governorship of one of the schools proposing to be awarded Academy
status.

19 **ORDER OF PROCEDURE**

RESOLVED

That, pursuant to Council Procedure Rule 13(c), item 11 on the
agenda be considered as the next item of business.

CONSULTATION ON THE FUTURE OF THE ETHNIC MINORITY ACHIEVEMENT SERVICE (EMAS)

A report of the Director of Children's Services was submitted advising the Committee of the consultation arrangements being undertaken on the future of EMAS and seeking the views of the Committee on the issue.

Consultation had commenced on 8th September, 2008 and would run until 8th December, 2008. A consultation paper, which comprised two key elements, the first relating to the financial support and the configuration of the service and the second comprising an equality impact assessment, were appended to the report now submitted.

In introducing the report, the Director of Children's Services explained that, while EMAS had been operating for many years, this was the first time that any review had taken place and the purpose of the review was to ensure that the service provided was fit for purpose, particularly in the light of the changing nature of ethnic minority communities and their educational needs. He also referred to the groups that had been targeted for the purpose of consultation and the specific events that would be held.

A question and answer session then followed in which the following issues were raised:

- In response to a question, the Director of Children's Services clarified the options available to the Council as including
 - (a) not changing the Council's decision of 3rd March, 2008 and keeping the Council's central budget for EMAS at £320,700
 - (b) changing the 3rd March, 2008 decision and increasing the Council's central budget for EMAS, for example to bring it up to the 2007/08 level or higher; or
 - (c) changing the 3rd March, 2008 decision and further reducing the Council's central budget for EMAS.
- The Director of Children's Services indicated further that, should the Cabinet Member come to a view that the EMAS budget should differ from that set, the Council could modify budgets within the Directorate of Children's Services or seek support of the Cabinet Member for Finance to vary the overall budget.

The member who raised the issue indicated his intention to consult widely with service users, persons delivering the service and other interested parties and the Director of Children's Services confirmed that he would be prepared to assist the Member with the names of consultees and other contact points, with the exception of personal data.

- A member asked to be advised of the current position regarding the legal challenge to the Council's budget in respect of EMAS, in response to which the Director of Children's Services clarified the position.
- In response to a point being made by a member that she would not wish to be party to a reduction in service that would affect the education of pupils, the Director of Children's Services confirmed the intention of the review as being to consider provision and refocus it, if necessary, and to provide the service as cost effectively as possible. The purpose of the review was to secure a service that was fit for purpose to meet current needs. The Director stated he would not wish to agree any action that would reduce the level of education to young people.
- Regarding the use of the Personalisation Grant, the Director of Children's Services confirmed that not only this but other funding streams could be used to fund services for ethnic minorities and that it was proposed that all alternatives necessary would be used. The consultation would be based around an internal review for the shape, functions and role of ethnic minority funding with a view to providing a relevant service as efficiently as possible. However, the Council would be able to spend only within the remit of the finance available to it. To this end, it would be necessary for the Cabinet Member to consider all available proposals for expenditure and to make a judgement on priorities.
- In welcoming the fact that the consultation document had not comprised a "tick box" format, a member emphasised the need to share best practice on both a national and local level in order that the Cabinet Member could be recommended to incorporate this into the Council's practices and procedures. In responding, the Director confirmed that the consultation document had been framed for the purpose of inviting comments and that all consultation responses would be collated and published in an appropriate manner so that all comments could be taken into account by the Cabinet Member.
- On the issue of the manner in which the vision for the future, as stated on page 9 of the consultation document, would be implemented, the Director confirmed that there were various alternatives that would be looked at but made the point that EMAS provision cut across various budget heads and should not be compartmentalised.

- In relation to the statement in the consultation document that decisions would need to be made on what changes, if any, should be made to the structure of EMAS, the Director of Children's Services referred to the changing needs of the service, particularly in the light of the different forms of migration to the United Kingdom that now needed to be accommodated in schools, particularly that in relation the pupils from within the extended European Union and other parts of the world from which countries inward migration had been much lower hitherto.
- In response to a question on the proposed Ethnic Minority Attainment Team, the Director of Children's Services confirmed that the structure would include a Senior Ethnic Minorities Officer.
- In response to a question on whether consideration would be given to Supplementary Schools, the Director of Children's Services indicated that should reference to these be included in the consultation response, the Cabinet Member would consider the issue.
- In response to a question, the Director of Children's Services agreed to circulate the Court Judgement on the challenge made regarding the Council's budget to members of the Committee but stated that it would not be appropriate for the Council's response to the Court to be circulated.
- In response to a request by a member for an interim report on the preliminary findings of consultations to be submitted to the Select Committee, the Director of Children's Services did not consider this to be an appropriate manner in which to proceed and indicated that, at the end of the consultation period, the decision would be made by the Cabinet Member and that any decisions made would be subject to call-in in the manner prescribed in the Council's Constitution.
- In response to a question, the Director of Children's Services agreed to arrange to include further statistical and quantitative information in the consultation document.

At the conclusion of consideration of the consultation document, the spokesperson for the Labour Group on the Committee indicated the intention of the Group to submit a composite group view in response to the document.

In response to a request, the Director of Children's Services agreed to provide a member with details of how many children had used the EMAS service in the 2007/08 school year.

RESOLVED

- (1) That the consultation document, together with the timescale for consultation, be noted,

- (2) That the responses to the questions asked, as recorded above, be noted.
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WORKING GROUPS FOR 2008/09

Further to the decision of the Committee, at its previous meeting, authorising the Lead Officer to the Committee, in consultation with the Chairman, to determine the composition and membership of the respective Working Groups appointed, in the light of preferences expressed by members as to which of those bodies they wished to serve on, a report of the Lead Officer to the Committee was submitted on the membership of the Working Groups. The report also contained proposals for the Chairmanship of the respective Working Groups.

RESOLVED

- (1) That the membership of the respective Working Groups of the Committee for 2008/09, as set out below, be noted:

Building Schools for the Future Working Group – Councillors Nottingham (Chairman), Ms Boleyn, Crumpton, Mrs Dunn, Hanif and Wright; Mrs Roe, Mr Smith, Mrs Verdegem, Reverend Wickens

Listening to Children and Young People Working Group – Councillors Ms Boleyn (Chairman), Crumpton, Hill and Mrs Rogers; Mrs Simms and Mr Taylor

School Support Working Group – Councillors Nottingham (Chairman), Crumpton, Mrs Dunn, Wright; Mrs Roe, Mr Smith, Mrs Verdegem and Reverend Wickens

Youth Provision Working Group – Councillors Hill (Chairman), Crumpton, Nottingham and Mrs Rogers; Mrs Simms

- (2) That the Chairmanships of the respective Working Groups, as set out in resolution (1) above, be approved.
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BUILDING SCHOOLS FOR THE FUTURE AND ACADEMIES

A report of the Director of Children's Services was submitted on progress with regard to the Council's bid for inclusion in the Government's Building Schools for the Future (BSF) and Academies programme. The report indicated Government policy with regard to inclusion in BSF programmes, which intimated that this was unlikely to be achieved unless robust action was taken to improve the performance of schools below the floor target of 30% of pupils achieving five plus A*-C GCSE grades, including English and Mathematics. The report confirmed that work was proceeding to this end to ensure that Dudley would be included in the Wave 7 programme, which would start in April, 2009.

The Council's proposals were that Castle High School would be replaced by a new Academy on its existing site and Pensnett College of Technology and the Crestwood School replaced with a new Academy on the Crestwood site. Approval to these proposals would be sought at the meeting of the Cabinet to be held on 29th October, 2008 and, subject to approval, consultation, in accordance with the statutory procedure, would commence in the Autumn term.

It was now proposed that detailed consideration of the proposals would be undertaken by the Building Schools for the Future Working Group. In this connection, in response to a question from a member, it was confirmed that school employees as well as children would be included in the design process. It was also confirmed that comments made by the Unions could be submitted to the Working Group for their consideration.

RESOLVED

- (1) That the report now submitted be noted and that the proposal and progress be monitored through the Building Schools for the Future Working Group.
- (2) That the Working Group report on progress to the Select Committee in due course.

THE FOSTERING SERVICE

A report of the Director of Children's Services was submitted advising the Committee of the findings of the recent OFSTED Inspection in respect of the Council's Fostering Service and of the actions agreed in order to meet the requirements of the Inspection.

The overall quality rating of the Service was that of inadequate and the ratings against individual outcomes were set out in the report. The specific issues of concern to the Inspectorate were itemised together with the Council's response. The Action Plan arising from the review was attached to the report now submitted. It was noted that a further Inspection would be made in the near future.

RESOLVED

That the report be noted and that a further report be submitted to the Committee following the Inspection.

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WHITE PAPER "RAISING EXPECTATIONS: ENABLING THE SYSTEM TO DELIVER"

A report of the Director of Children's Services was submitted on the proposals in this White Paper and their implications to the Council.

The White Paper contained details in respect of the Government's proposals for responsibility for commissioning for 16-18 education to transfer to Local Authorities. Reference was also made in the report to the major changes proposed to the secondary curriculum and the proposals in the Learning and Skills Bill to raise the minimum age at which young people would be able to leave education.

In the discussion, the return of 14-19 education to Local Government was broadly welcomed but reservations were expressed regarding the level of funding that might be made available. In relation to the provision in the White Paper for pupils to remain at school until the age of 17, a question was asked on whether schools had the capacity to facilitate the proposal, in response to which the Director of Children's Services referred to the availability of Colleges of Further Education, as well as schools, to meet demand. The Director also indicated that preliminary work was being undertaken to prepare a curriculum for pupils on the basis of their staying at school until 17.

RESOLVED

That the report be noted.

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SCHOOL IMPROVEMENT POLICY

A report of the Director of Children's Services was submitted drawing to the attention of the Committee the recently revised School Improvement Policy, this being the vehicle through which the Council implemented its statutory powers to monitor, challenge, support and intervene in schools. The revised Policy was attached to the report submitted.

The statutory duties of Local Authorities had been updated under the Education and Inspection Act, 2006 and had outlined further how the Local Authority should conduct its relationship with schools. One of the main provisions had been to make it compulsory for all schools to have a School Improvement Partner to act as a single point of contact between schools and the Local Authority by conducting a series of discussions about school improvement and its rate of progress and the revised Policy had been updated to reflect this and other changes arising from the Act.

RESOLVED

That the Policy be noted and submitted for further consideration by the School Support Working Group.

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THE SCHOOL IMPROVEMENT PARTNER PROGRAMME

A report of the Director of Children's Services was submitted, giving an update on progress with the School Improvement Partner programme and summarising its impact on school performance.

It was noted in the report that, currently, there were no schools in Dudley that had been judged by OFSTED to require special measures and only one school had been served a Notice to Improve.

RESOLVED

- (1) That the report be noted and remitted for detailed discussion to the School Support Working Group.
 - (2) That the Director of Children's Services convey the congratulations of the Committee to schools regarding the information contained in paragraph 12 of the report now submitted.
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ANNUAL REPORT 2007/08 ON CHILDREN'S STATUTORY SOCIAL CARE COMPLAINTS AND COMPLIMENTS

A report of the Director of Children's Services was submitted containing information regarding the performance of the Directorate of Children's Services in receiving, monitoring and responding to Children's Social Care complaints and compliments, as required under the Local Authorities Social Services Complaints (England) Regulations, 2006.

RESOLVED

- (1) That the report and the information contained therein be noted.
- (2) That the submission of the report to OFSTED, without amendment, be supported.

- (3) That the making of the Annual Report a public document, as required by legislation and guidance, and its placing on the Dudley Website, be supported.

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QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Lead Officer to the Committee was circulated, under cover of which the Quarterly Corporate Performance Management Report for the first quarter of 2008/09, in relation to the activities under the terms of reference of this Committee, was circulated.

In presenting the report, the Lead Officer drew particular attention to the issues of the number of teenage pregnancies in the Borough and the percentage of 16-18 year olds not in employment, education or training, achievement of the stretched targets for which would bring financial reward.

In the discussion on the report, regarding school attendance, reference was made to the incidence of prosecution of parents who took their children on holiday. It was accepted, however, that in some cases holidaying out of term time could have some educational benefits depending on the nature of the holiday.

RESOLVED

- (1) That the Quarterly Corporate Performance Management Report for the first quarter of 2008/09, in respect of the matters under the responsibility of this Committee be noted, together with the comments of the Lead Officer regarding the issues for which achievement against stretch targets would bring financial reward.
- (2) That it be noted that the Director of Children's Services will submit to a future meeting a report on the percentage of 16-18 year olds not in education, employment or training.
- (3) That the Director of Children's Services convey the congratulations of the Committee to the Head Teacher of St Mark's CE Primary School regarding its success in being removed from "special measures".

The meeting ended at 7.45 pm

CHAIRMAN

SCCS/24