

At a meeting of the CHILDREN, YOUNG PEOPLE AND LEARNING SCRUTINY COMMITTEE held in COMMITTEE ROOM NO. 1, CIVIC CENTRE, SUNDERLAND on THURSDAY, 8th DECEMBER, 2011 at 5.30 pm.

Present:-

Councillor Stewart in the Chair

Councillors Bell, Bonallie, MacKnight, T. Martin, Morrissey, Oliver, Scanlan, D. Smith and Williams together with Ms. R. Elliott

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Mrs. S. Duncan and Mr. Morris

Chairman's Announcement

The Chairman advised Members of the Committee that Mr. Malcolm Frank was retiring as the Roman Catholic Co-opted representative due to his work commitments and asked that a letter be sent thanking him on behalf of the Committee for the dedication and contribution he had shown to the during his years of service. He advised that the new representative would be Ms. Ann Blakey following her appointment at the next Council meeting.

Minutes of the Last Meeting of the Children, Young People and Learning Scrutiny Committee held on 20th October, 2011

1. RESOLVED that the minutes of the meeting of the Children, Young People and Learning Scrutiny Committee held on 20th October, 2011 be confirmed and signed as a correct record.

Declarations of Interest

Item 8 - Schools Admissions for September, 2011

Councillor Williams declared a personal interest in the above item as a member of the Admissions Forum.

Policy Development and Review 2011/12 : Progress Report

The Chief Executive submitted a report (copy circulated) which provided Members with an update on the progress in relation to the policy review and related working groups, around Early Intervention, Teenage Pregnancy and the Corporate Parent.

(for copy report – see original minutes).

Mr. Nigel Cummings, Scrutiny Officer, presented the report advising of the recent work that had been undertaken by the Committee with regards to their policy review into Early Intervention and the two working groups around teenage pregnancy and the Corporate Parent. He advised that whilst the working groups were separate pieces of work it was acknowledged that there were strands to their research that would feed into the main policy review and provide some useful evidence.

Mr. Cummings referred to the meeting with representatives from the Department of Education (DfE) which had been postponed from the 21st November, 2011 due to travel delays in London and advised that this had now been rearranged to take place on Wednesday, 21st December, 2011, which all Members would receive an invitation to.

Councillor Williams referred to a CAF Panel hearing that she had attended in Washington and advised that she had been cynical of some of the cases, whereby it appeared that the parent was only interested in the 15 hours of free childcare but were not then willing to engage in any of the other services offered, which in turn meant the family was not being treated together as a unit and any issues were not being resolved. She informed the Committee she intended to revisit further CAF Panels in the future.

Councillor MacKnight referred to the meeting that had been undertaken at the Bunny Hill Centre on 2 November, 2011, which approximately 20 people had attended, and informed Members that she had asked one of the Officers where they were based and had been told that only 2 or 3 of those at the meeting were based at the Centre and the rest of the Officers at the meeting had been pulled in specifically for that day. She commented that it had felt rather condescending to the Councillors and following the meeting she was not 100% confident in the CAF process.

Mr. Keith Moore, Executive Director Children's Services, commented that he was interested to hear Members comments and he was happy to meet with them to discuss their views and understand their issues with the CAF system more. He also advised that over the past week the service had been undertaking a peer review which had been looking at the CAF process. He advised that a full report of the findings of the review would be submitted to a future meeting of this Committee for consideration.

Councillor Stewart commented that the Locality Based Teams had only just been created and some of the members of the team had advised that they had only been in post a few days. There was a certain amount of confusion and this had fed through in their comments at the meeting and it needed to be recognised that these were early days for the teams.

Councillor Stewart advised that Councillor Tye had been invited to attend a future meeting of the Committee to share his experiences and views as part of the evidence for the policy review as one of the few Councillors who had completed a CAF form, and it was:-

2. RESOLVED that:-

- (i) The Committee note the progress made in relation to the policy review into early intervention; and
- (ii) The Committee note the future evidence gathering activities arranged as part of the review process.

Policy Development and Review 2011/12 : Expert Jury Day

The Chief Executive submitted a report (copy circulated) to support evidence gathering for this year's policy review and prepare for the Jury event to be held on 14th December, 2011.

(for copy report – see original minutes).

Mr. Cummings explained that the Expert Jury was designed to allow Members to question internal staff, service providers and key stakeholders in addition to the opportunities presented at Committees and through further evidence gathering processes.

He advised that each of the invited witnesses had been provided with the same three questions as set out in the report to provide their responses at the meeting and a pen portrait for each of the witnesses would be provided on the day for Members.

3. RESOLVED that:-

- (i) Members agree to receive evidence at the Expert Jury Day and make comments for inclusion in the final report; and
- (ii) Members comments on the main questions to be used in conjunction with the jury event be received and noted.

Annual Children's Services Assessment 2011

The Executive Director Children's Services submitted a report (copy circulated) which provided a summary of the outcomes from the Annual Children's Services Assessment which was published by Ofsted in November, 2011, including strengths and areas for improvement.

(for copy report – see original minutes).

Ms. Beverley Scanlon, Head of Commissioning and Change Management and Ms. Kelly Davison-Pullan, Lead Officer for Corporate Performance, presented the report highlighting the outcomes from the annual assessment as confirmed by Ofsted on 8

November, 2011, which the majority were positive, and set out the key areas for development as noted below:-

- half of childminding provision remains satisfactory;
- over a third of primary schools are satisfactory; and
- too much secondary provision remains satisfactory.

Councillor Williams commended the report and the positive messages that were coming through from it. She commented that there would always be some difficulties, especially around issues such as childminding where there was a high turnover, but felt that the positive outcomes should be celebrated by the Council.

In response to a question from Councillor Stewart around the future level of support from the Local Authority to the primary and secondary schools, Mr. Mike Foster, Deputy Executive Director Children's Services, commented that the future relationships between schools and the Local Authority would change and at present they were looking at how schools could support each other through organising cluster groups of schools. He advised that until schools had embedded their relationships the authority would continue to play a leadership role to facilitate for them.

Councillor Stewart requested that a briefing note on the plans for the roll out of this process be forward to Committee Members for information.

Councillor Martin commented that Southmoor School was an example of a school that had shown they were co-operating with other schools by having met for the last few years with local primary school children to ease the transition into secondary school.

The Chairman having thanked the Officers for their report, it was:-

4. RESOLVED that:-

- (i) the outcomes for the Ofsted Children's Services Annual Assessment be received and noted; and
- (ii) the Committee agree to receive a further update on improvement actions at a future meeting.

Performance Report Quarters 1 & 2 (April – September, 2011)

The Chief Executive submitted a report (copy circulated) providing the Committee with a performance update for the period April to September, 2011.

(for copy report – see original minutes)

Ms. Beverley Scanlon, Head of Commissioning and Change Management, Ms. Kelly Davison-Pullan, Lead Officer for Corporate Performance, and Mr. Mike Foster, Deputy Executive Director Children's Services, presented the report advising that in October 2010 the Government announced that from April 2011 there would no

longer be a requirement for Council's to produce an LAA. They explained that for 2011/12 the Council's aim was that in future performance reporting would be focused on the key priorities for the people, place and economy of Sunderland and would continue to be a robust appraisal of the situation resulting in actions.

Councillor Martin commented that it was important to note the improvement made in regard to the percentage of 4-11 year olds who are library members as it was introducing young people to the library system and a new way of learning.

Councillor Oliver asked what challenges the library service faced with the increasing use of technology, such as e-readers, etc and how they intended to try and harness this. The Chairman advised that there was a dedicated report on this issue planned to be submitted to the Committee in February, 2012 and suggested the Councillor may want to wait until this report was before the Committee for consideration to see if it addressed his queries.

Councillor Bell referred to the figures for 16-18 year olds not in education, employment or training (NEET) and asked if due to the current economic climate they were seeing these percentages increasing. Ms. Scanlon advised that there had been a slight increase of 0.1%, using the new methodology, but on the whole they were sustaining the figures as they were. She advised that participation rates were high in Sunderland and that the authority were well matched with others in the region. The service would continue to look at the information coming from Central Government on apprenticeships and keep the Committee informed as appropriate.

Councillor Stewart asked if further trend data could be provided to Members on the following performance indicators:-

- percentage of initial assessments for children's social care carried out within 7 working days of referral;
- percentage of children looked after at 31 March with three or more placements during the year; and
- pupils eligible for free school meals progressing 2 levels in Maths KS1 and KS2;

and the Officer agreed to provide this information for Members.

As a point of information, Mr. Moore advised that the Munro Review of Child Protection had recently been approved which had the potential to revise timescales in relation to assessments, etc. The service were awaiting information and would be working together to implement changes which were imminent.

The Chairman having thanked the Officers for their report, it was:-

5. RESOLVED that the findings within the report be received and noted.

School Admissions for September, 2011

The Executive Director Children's Services submitted a report (copy circulated) which had been requested at a previous meeting of the Committee and set out the admissions arrangements operated within the City.

(for copy report – see original minutes).

Ms. Beverley Scanlon, Head of Commissioning and Change Management, and Ms. Val Thompson, School Place Planning Manager, presented the report advising that the reception numbers for September 2011 admission had increased across the city with a similar increase expected for September, 2012. There had been significant pressure on places in the Washington area which resulted in two schools increasing their admission number for the September 2011 intake.

Ms. Scanlon explained that a programme of meetings were in place with Headteachers and governors in each area to explore solutions to accommodate the projected increase for September, 2012 and they were aiming to get a clear indication of which schools had a large number of expressions of preference for them as soon as possible to try and address the issues.

In response to a question from Ms. Elliott regarding the number of places that would be allocated to Grindon Hall School, if it became a free school, Ms. Thompson advised that there would two classes of 18 in the primary school and two classes of 20 pupils in the secondary school, although these were not the class sizes they had at present in the school. Initial discussions had been had with the school and these would continue. Any impact would be most likely to be on neighbouring schools such as South Hylton Primary, Academy 360, Barnes Infant and Junior and Richard Avenue Primary Schools.

Councillor Williams referred to the 69 primary appeals that had been upheld and asked if these included those that were held in relation to the two schools in Washington who had agreed to admit more children and was advised that they were included. Primary appeals would not ordinarily be as high as 69 due to the Infant Class Size legislation.

Councillor Martin asked how applications for faith schools that were oversubscribed were dealt with and was informed that the initial application would still come through the authority's School Admissions Team as part of the coordinated admissions process, before being forwarded to the relevant governing body for consideration. If the school was oversubscribed the parent would have the legal right to appeal and aided schools had diocesan panels to consider them.

Ms. Thompson informed Members that one helpful suggestion had been to get information from the Diocese as to the number of baptisms in wards of the city to help give an indication to the admissions service as to which aided schools the child may be expected to apply to in the future and to help plan school places.

Councillor Oliver commented that it may be beneficial for the Committee to see which schools in the city are getting the most preferences and the reasons parents give for their applications. Ms. Thompson informed the Committee this information was available and could be provided, and it was:-

6. RESOLVED that Members views on the Admissions arrangements and their application be fed back to the service.

Amended Local Code of Conduct for Issuing Fixed Penalty Notices in respect of Unauthorised Absence

The Executive Director Children's Services submitted a report (copy circulated) which informed Members of the key points arising from the introduction of Fixed Penalty Notices as an additional enforcement provision available for use in cases of unauthorised absence from school.

(for copy report – see original minutes).

Mr. Mike Foster, Deputy Executive Director Children's Services and Ms. Elaine Matterson, Attendance Manager presented the report advising that fixed penalty notices (FPN) were introduced as an alternative to prosecution and were a possible intervention in circumstances where a parent is judged capable of securing their child's regular attendance but is not willing to take responsibility for doing so. The authority intended to use FPN's as a way to improve attendance and if Cabinet agreed with the recommendation to introduce notices they would be reviewed on an annual basis.

In response to a question from Councillor Oliver regarding the pro's and con's of using FPN's, Mr. Foster advised that the pro's would be seeing a notable improvement in attendance figures for schools. He explained that Ms. Matterson would manage when FPN's were issued and each case would be assessed in its own right to determine if issuing a notice was relevant and to ensure families with existing issues and challenges were not penalised in any way.

Ms. Matterson explained that one of the con's would be collecting the payment from the notices as they would not know the exact level of take up of them. She informed Members that she had looked at current information from January to July, 2011 there would have been in the range of 480 possible warnings or notices issued, which would have needed investigation and action.

Councillor Oliver referred to the tailored approach to each case and asked what would happen if one family was issued with a notice and another was not, would the level of consistency not be questioned by parents? Ms. Matterson explained that this was one of the reasons for each case to be considered by the team to ensure decisions were fair and equitable and ensure that parents were not penalised. Mr. Foster also advised that the team would also ensure that the schools had carried out all of the relevant actions they were required to with regards to a young person's attendance.

Councillor Williams commented that there would have to be agreement from the schools for the local authority to act on their behalf and was advised by Mr. Foster that the local authority had a statutory duty to undertake but advised that Ms. Matterson had been working with schools and so far had their agreement.

Councillor Williams commented that governing bodies had not agreed to the changes and Mr. Foster informed her that they intended to present the changes to Governors once Cabinet had made their decision.

Concerns were raised by Members over consistency in taking families to court for non payment of fines and overall fairness in issuing of notices to parents. Mr. Foster advised that it was a complex issue and it was important to reiterate that the intention was to improve attendance levels and not to have to issue notices and fine families.

Ms. Matterson advised that there was a statutory duty placed on the local authority, and although it was a school's responsibility to deliver actions to address attendance up to a point, when it came to enforcement or further action the responsibility fell upon the local authority. This was the case for all maintained and aided schools and academies.

Members were advised that when the notice was served parents had 28 days to pay, regardless of whether they were in receipt of benefits or not. Families had no right to appeal to the issue of a notice and the penalty had to be paid in full and not in instalments. Mr. Foster commented that this was why it was necessary to consider each case on its own evidence to see if a penalty notice would be the most relevant form of action or if it would be another burden on a family that already had issues.

Mr. Moore informed the Committee that there were only two local authorities not using this system at present and that it was about increasing engagement of the attendance team through the use of the CAF mechanism to work with families to understand why there were attendance issues and work on getting the young person back into education.

Councillor Stewart asked what effect the FPN's had had in other authorities and was informed that the DfE had commissioned York University to undertake research which had found attendance had risen in schools and they were now issuing less FPN.

In response to a query from Councillor Stewart regarding the main criteria for issuing a FPN, Ms. Matterson advised that they would initially review the work the school had undertaken with the young person to ensure they had carried out all relevant procedures. They would then look at alternative methods that may be used and if these had been exhausted, examine the possible issue of FPN if appropriate.

Councillor Stewart thanked the Officers for their report and asked that the Committee be provided with findings of the annual review when appropriate, and it was:-

7. RESOLVED that the content of the report be received and noted with any comments to be incorporated into the final report to be presented to Cabinet in January, 2012.

Work Programme 2011-12

The Chief Executive submitted a report (copy circulated) appending the current work programme for the Committee's information.

(for copy report – see original minutes).

8. RESOLVED that the information contained within the work programme be received and noted and reports be added, with the agreement of the Chairman, as discussed during the meeting.

Forward Plan – Key Decisions for the Period 1st December, 2011 to 31st March, 2012

The Chief Executive submitted a report (copy circulated) to provide Members with an opportunity to consider the Executive's Forward Plan for the period 1st December, 2011 to 31st March, 2012.

(for copy report – see original minutes).

Mr. Cummings, Scrutiny Officer, having presented the report, it was:-

9. RESOLVED that the Executive's Forward Plan for the period 1st December, 2011 to 31st March, 2012 be received and noted.

The Chairman then closed the meeting having thanked Members and Officers for their attendance.

(Signed) P. STEWART,
Chairman.