

## **Education and Children's Services Scrutiny Panel – Meeting held on Thursday, 28th January, 2016.**

**Present:-** Councillors Abe (Vice-Chair, in the Chair), Brooker, Cheema, Dhillon, Matloob, Morris, Pantelic, Rana, Rockall and Stacey

### **Education Non-Voting Co-opted Members**

Jo Rockall (Secondary school teacher representative)

Maggie Stacey (Head teacher representative)

**Apologies for Absence:-** Councillor Bal

## **PART 1**

### **28. Election of Chair**

Cllr Brooker nominated Cllr Pantelic, and was seconded by Cllr Matloob. No other nominations were received.

**Resolved:** that Cllr Pantelic be appointed Chair of the Education and Children's Services Scrutiny Panel for the remainder of 2015 – 16.

### **29. Declaration of Interest**

(At this point, Cllr Pantelic took the Chair of the meeting).

Cllr Brooker declared his daughter's previous attendance at Burnham Park Academy and his position as Governor at Churchmead School. Cllr Cheema declared her daughter's attendance at East Berkshire College.

### **30. Minutes of the Meeting held on 3rd December 2015**

The following amendments were made to the minutes of the meeting held on 3<sup>rd</sup> December 2015:

- Page 5 – the reference in the final paragraph to 'SBC's Head of Director of Children's Services' to be amended to read 'SBC's Director of Children's Services'.
- Page 6 – the references in the second paragraph to 'equality and innovation' be amended to read 'improvement and innovation'. The sub group would receive additional funding from the Department for Education, rather than being entirely funded by DfE as implied by the minute.
- Page 7 – The Children's Services Trust would take over some aspects of Cambridge Education's work, rather than the work in its entirety.

**Resolved:** that, subject to the amendments above, the minutes of the meeting held on 3<sup>rd</sup> December 2015 be approved as an accurate record.

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### 31. Membership of Panel

The ECS Scrutiny Panel noted that Cllr Bal had tendered his resignation as Chair. They also agreed that his personal circumstances were an extraordinary factor which needed due consideration.

**Resolved:** that, by unanimous agreement, Cllr Bal's position as a member of the Panel be continued.

### 32. Member Questions

The Members' questions were circulated. In response to the answers given, it was noted that Burnham Park had been reported as having a 35% rate of GCSE candidates with 5 A\* - C grades (including mathematics and English). The ECS Scrutiny Panel requested further details as to how many Slough students sent to Burnham Park Academy and Churchmead School had put these institutions down as first choices, and how many had appealed the decision to send them there.

**Resolved:** that information regarding student preferences and schools admission appeals be provided for Members in relation to Burnham Park Academy and Churchmead School.

### 33. Private Finance Initiative Contract for Schools

The PFI contract was an arrangement where the contractor took the risk of designing, building, financing and operating the three schools' buildings. Value for money was recognised as a primary concern, given the length of the contract (30 years from its commencement in 2006) and this was addressed through effective contract management processes. Affordability could in theory be improved by reducing costs but PFI contracts were notoriously inflexible. The buildings were in effect paid for in a similar fashion to a mortgage, and funded by PFI Credits from the DfE, whilst the payments for the facilities management and other operational costs were index linked to inflation. All payments were consolidated in a Unitary Charge.

As a result, the ongoing cost consideration was the contracting of services. An intensive and tight specification was enforced by SBC, which could also use a deductions mechanism to reduce payments to service providers where services had not been provided in accordance with the contract. The Contract Manager held responsibility for this process. However, the length of the contract and the changes in local government funding which had occurred in that period could raise their own difficulties, especially given the relative absence of flexibility in the contract. One method of counteracting this was using the Council's procurement purchasing power to obtain economies of scale in, for example, the purchase of utilities supplies which would reduce the unitary charge. Thus far, SBC had pursued the relatively easier savings and was now moving to the more challenging methods of reducing costs which would require difficult negotiations with the contractor; the contractor

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had protections in the contract that could limit these opportunities. The contractual process had caused SBC to pursue, initially at least, a less formal route as the best method of creating the environment for negotiating savings. Initial discussions had been held with equity holders as part of this process, and SBC would take an iterative approach to secure better terms.

In terms of refinancing, the overall cost of designing and building the 3 schools was approximately £45 million. Around 90% of this (£40 million) had been funded by the contractor as a bank loan at a fixed rate of interest. Given that the contract had been taken out prior to the credit crunch, traditional refinancing was not an option as the terms of lending were now more expensive. The debt could in theory be replaced with a Public Works Loan Board arrangement, but this had been investigated and the potential for savings was not deemed worth pursuing. Lower annual payments could be secured by extending the contract of the loan, but this would ultimately make the deal more expensive.

The Panel raised the following points in discussion:

- Top slicing from schools had been discussed, and would be a matter for SBC's Finance Team. However, such a move would require permission from the Schools Forum, who had yet to be asked to consent to this. The Schools Forum had agreed to a request for £200,000 to cover 2015 – 16's short fall in funding, but had concerns that this should not become a standard procedure.
- Should any of the 3 schools in question (Beechwood, Penn Wood and Arbour Vale) become academies, the schools would continue to make payments towards the Unitary Charge and terms would need to be agreed and reflected in a new legal document, a Schools Agreement, which would replace the current Governing Body Agreement. In particular, the school's contribution to contract management services would require clarification.
- The PFI arrangement involved a number of companies, and members expressed concerns that each of these would seek to make a profit and thus add costs to the process. The problems with the PFI model were acknowledged, hence its discontinuation in recent years for public building works.
- Changes to the contract (e.g. an increase in student numbers at one of the schools leading to a need for additional accommodation) would cause the contract to be varied in accordance with an agreed contractual mechanism. The cost would be negotiated at the time of the variation, so the Council would not be tied to the costs of the initial PFI deal, allowing the Council to deal with the potential issue of multiple layers of profit.
- SBC could propose a change of services in the contract, but the provider could veto such suggestions in certain circumstances. As a result, interests had to be balanced and relationships with partners had to be maintained.

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- The PFI arrangements had passed over risks to the contractor and SBC would only need to put in place risk management strategies were it to take any of these risks back.
- Contractual obligations would remain with contractors (who would have to ensure the buildings met the same quality standards for the entirety of the contract) until 2036. A comprehensive specification existed in the contract, which was linked to the payment mechanism for non-delivery or unsatisfactory delivery of services.
- Schools bore the costs of energy consumption rather than SBC, and thus should be encouraged to ensure energy efficiency. SBC worked with schools to bring down such costs.
- Every 5 years a benchmarking process took place which could also market test services in certain circumstances. This would occur in the first half of 2017, and would return to the Panel at such a time as the Panel could have an impact on the process.

### **Resolved: that**

1. The ECS Scrutiny Panel would receive a financial statement on schools and any possible top slicing of funding to cover short falls in PFI funding.
2. The ECS Scrutiny Panel receive a report on the benchmarking of services in 2016 – 17.
3. The ECS Scrutiny Panel's support for increased value for money in PFI contractual arrangements be noted.

## **34. Assessment and Examination Results for 2014 / 15**

The report presented the statistics for attainment in 2014 – 15, although some results had yet to be validated. More analysis was being provided on issues such as results broken down by ethnic grouping, students in receipt of free school meals and other similar issues. The progress of local schools in terms of Ofsted inspections was also reported, with Ofsted now focusing more on classroom activity than in previous years; in particular, the movement of schools out of special measures was welcomed. In addition, all areas of achievement were at or above national averages in local primary schools.

The Panel raised the following points in discussion:

- The gap for students with special educational needs in attainment was taken as their level of attainment as opposed to the overall average (e.g. 20% SEN students gaining 5 A\* – C grade GCSEs, where the average was 70%, would be reported as a 50% gap). However, there could be issues with recording this accurately given the absence of standard categorisation of SEN across local authority areas.
- The gap at KS4 for SEN pupils had been reported as falling by 2%; however, the previous and current level of gap had not been reported. This could be provided for the Panel.
- Overall, future reports would be finessed to increase the level of analysis provided. Attainment in some key areas (e.g. 35% of early years pupils not achieving a 'Good Level of Development') needed

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attention, and improving the ability to interrogate information would assist in this.

- Members also requested more information on Ofsted inspections. Issues such as recurrent themes or trends noted in inspections should be available through improved data analysis.
- Issues such as local students who had arrived in the area with English as a second or other language was not used by Ofsted in compiling national data. However, it could be taken into account when undertaking an inspection.
- The Panel also requested for a termly update on Ofsted inspections. In addition to these, a School Action Group report for any inspections by Her Majesty's Chief Inspector (HMCI) under Section 8 of the Education Act 2005 should be included.
- 2 schools which were now 'out of special measures' were in this position as they had become sponsored schools. As a result, these were exempt from the Ofsted system for 18 months.
- Beechwood School's percentage of GCSE candidates with 5 A\* - C grades (including mathematics and English) was just over 40%. Their mathematics department had experienced major staffing issues; this had been resolved in September 2015, but Christmas had seen further staff departures. Other schools were offering support to the institution to assist.
- Information Technology had experienced a major shortage of teaching staff. In particular, the recent move to incorporate more coding skills in the curriculum had made recruitment difficult.
- Research into the recruitment and retention of secondary teachers was ongoing and was investigating barriers to working in Slough as part of its remit. The preliminary findings had been completed and published, with the full findings available in approximately 3 – 4 months once interviews had been concluded. In particular, increasing Slough's presence on social media to improve its profile was being investigated; meanwhile, SBC had discussed using key worker housing to improve the situation.

### **Resolved:** that

1. The first termly report on Ofsted inspections should be commissioned and added to the Panel's agenda.
2. The Chair would pursue SBC's progress on using key worker housing to improve teacher recruitment and retention and report the findings to co-opted members.

## **35. Five Year Plan Outcome 5**

The report covered the last 6 months and the alteration of services which had arisen from the creation of the Slough Children's Services Trust (SCST). The work to create a Multi-Agency Safeguarding Hub (MASH) was ongoing, with its completion due in Summer 2016. The Children and Young People's Partnership Board now had a new partnership plan and new sub groups.

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Work on quality assurance and auditing of children's social care cases had been the subject of significant efforts. Specific training had been given to social workers on creating SMART plans for cases and also on legal planning. On child sexual exploitation, work was ongoing and included efforts to improve the communications between partner organisations; a report on this would be taken by the Panel at its next meeting. The pressure on school places was an ongoing difficulty, and was being resolved through measures such as bulge classes.

In 2016, the focus of work would be on the areas where it would have the greatest immediate impact. SBC was offering support to SCST to ensure the best results, with the joint meeting of the Panel and Overview and Scrutiny Committee on 12<sup>th</sup> January 2016 part of this. The meeting had taken a report detailing the findings of SCST's initial audit of services, and those present had pledged their efforts to work alongside SCST. It was now acknowledged that corporate parenting had to improve, with a review of the area having started.

A sub group on female genital mutilation would be led by SBC, holding its first meeting on 9<sup>th</sup> February 2016. This meeting would agree the strategy and raise awareness of the issue.

As the Cambridge Education contract ended, SCST would take on several aspects of its work. However, school improvement, admissions and other areas would require continued consideration on delivery.

The Panel raised the following points in discussion:

- Children and adolescent mental health services were experiencing long waits for referrals to receive treatment. Work was being undertaken by the Public Health Team to reduce these waiting times, but the fact that the service covered all of Berkshire limited the role of SBC in this. However, the progress on this could be shared with the Panel at a future meeting.
- Whilst changes in SBC's approach to issues of safeguarding had been noted, more efforts were requested. For example, whilst licensing had taken on training taxi drivers on CSE, the extension of this in light of recent lapses in licensed hotels caused concern. In addition, some Members reported the need for more work to ensure that Councillors were covered by up-to-date DBS checks. A report on CSE would be presented to the Slough Local Children's Safeguarding Board (SLSCB) on 11<sup>th</sup> February 2016, but SBC acknowledged that the lack of information on the matter limited its knowledge on the local situation.
- Members requested 'golden threads' to run through SBC strategy'; for example, concerns were raised over the leisure strategy being aimed at over 14s. However, Members also expressed support for the presence of such consistent themes in the report.
- 17<sup>th</sup> February 2016 would see the Ofsted report on Children's Services and SLSCB published. SCST, SBC and SLSCB would all attend the next meeting on 16<sup>th</sup> March 2016 to discuss this with the Panel.
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**Resolved:** that

1. The Panel discuss a report on child sexual exploitation on 16<sup>th</sup> March 2016.
2. The Panel receive a report on looked after children on 16<sup>th</sup> March 2016.
3. The Panel receive a report on CAMHS level 2 at a future meeting.
4. The Panel receive a report on 2016 milestones at a future meeting.
5. Members should contact Group Offices regarding the completion of DBS checks.

### **36. Forward Work Programme**

**Resolved:** that, in addition to the resolutions in previous agenda items, the following changes be made:

- The report on SEND services be moved to 13<sup>th</sup> April 2016.
- The report on Cambridge Education be moved to 13<sup>th</sup> April 2016.
- The report on teacher recruitment and retention be moved to the first meeting of 2016 – 17.
- The report on the external auditor's report on Slough schools be delayed until clear guidance is given on expected input from the Panel.
- The items scheduled for 13<sup>th</sup> April 2016 on the published work programme be deferred until 2016 – 17.

### **37. Attendance Record**

**Resolved:** that the attendance record be noted.

### **38. Date of Next Meeting - 9th March 2016**

Members were reminded that, since the publication of the agenda, this meeting had been moved to 16<sup>th</sup> March 2016.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.25 pm)