

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Education and Children's Services Scrutiny Panel

**DATE:** 8<sup>th</sup> December 2016

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**PART I**  
**FOR COMMENT & CONSIDERATION**

**UPDATE ON POST-CAMBRIDGE EDUCATION RESPONSIBILITIES FOR SCHOOLS**

1. **Purpose of Report**

The report serves to provide information to members on the leadership and management of Education services returning to the Council from Cambridge Education from December 1<sup>st</sup> 2016.

2. **Recommendation(s)/Proposed Action**

The Committee is requested to note the report.

3a. **Slough Joint Wellbeing Strategy Priorities –**

1. Protecting vulnerable children
3. Improving mental health and wellbeing

3b. **Five Year Plan Outcomes**

**The delivery of the returning services will support the following outcomes:**

- Slough will be one of the safest places in the Thames Valley
- Children and young people in Slough will be healthy, resilient and have positive life chances

#### 4. Other Implications

##### (a) Financial

The return of services to the Council and the subsequent realignment structure will enable improved value for money and achieve some savings. The final outturn figures for contract Year 3 and overall contract will be available by the end of December 2016. The latest projections show that the expenditure on these services for both the final year and overall 3 year contract will be contained within the original approved budget.

The services transferred to the council will be delivered within the current budgets with a view to making savings in future years. Further details of any savings proposals will be presented as part of the current budget setting / MTFS process.

##### (b) Risk Management

<i>Area of Responsibility</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
<i>Keeping Children Safe</i>	<i>Schools and settings are not compliant with safeguarding, training, policy and procedure and fail to keep children safe.</i>	<i>The Council works closely with the SCST, the Safeguarding Board and education providers to monitor and support effective and compliant practice.</i>
<i>Educational Excellence</i>	<i>Settings, Schools and Academies fail to provide good and better education for Slough children and young people.</i>	<i>The Council operates according to a published policy and strategy to monitor education standards, challenge under-achievement and broker effective partnerships to sustain excellence.</i>
	<i>The Council's arrangements for School Improvement fails to meet the requirements of the published framework for Ofsted Inspection and requires intervention.</i>	<i>Service structure, strategies and governance are being reviewed. Inspection preparation group meets regularly and self evaluation documents and supporting information are in place.</i>

<i>Advocacy for children with SEND and other vulnerable groups</i>	<p><i>Vulnerable children in Slough fail to make adequate progress and gaps in attainment widen.</i></p> <p><i>The area ofsted inspection of services for children with SEND finds provision to be inadequate, not compliant with the published framework and requiring intervention.</i></p>	<p><i>Strengthen service leadership and provision for SEND in partnership with the Trust. Increase challenge to schools and academies and improve sharing of best practice for vulnerable groups.</i></p> <p><i>Service structure, partnerships, strategies and governance are being reviewed. Inspection preparation group meets regularly and self evaluation documents and supporting information are in place.</i></p>

(c) Human Rights Act and Other Legal Implications

There are no Human Rights implications as the report is for information only.

(d) Equalities Impact Assessment

None required

(e) Workforce

Staff from Cambridgeshire Education have been transferred back into the Council, over the period 1<sup>st</sup> October (13 staff), 1<sup>st</sup> November (116 staff) and 1<sup>st</sup> December (16 staff). These staff have transferred into Slough Borough Council on their existing Cambridgeshire Education terms and conditions as required under the current legislation (Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246) (referred to as “TUPE” and the “TUPE regulations”). The TUPE regime underwent significant reform in 2014 and this has been reflected in the transfer process.

Staff were supported through the transfer by both Cambridgeshire Education/Mott McDonald and Slough Borough Council working together to achieve a smooth transfer.

Most contractual rights, powers, duties and liabilities, including terms such as pay, benefits and holiday entitlement, transfer to the new employer and the employer must apply those terms and conditions after the transfer. In due course a

harmonisation exercise will follow where consideration of existing and new staff terms and conditions are reviewed.

There are some interim structures that have been agreed with staff to support the transfer back of the services to SBC. There are vacancies to some of the service areas which will need to be recruited to as soon as possible.

## 5. **Supporting Information**

### **The return of Education Services to the Council from December 1<sup>st</sup> 2016**

- 3.1 It was decided in August that the services currently contracted to Cambridge Education would return to the Council by December 2016. A range of services have been contracted to Cambridge Education for the last 3 years. The decision to return services was based on achieving better value for money and the desire to strengthen the confidence in local delivery for Slough residents and partners, especially schools, children and families.

- 3.2 In order to manage the transfer efficiently the services were divided into groups (Lots):

**Lot 1: Education Access and Inclusion Services**

**Lot 2: Early Years and Children's Centres and Education Business Support**

**Lot 3: School Improvement and Inclusive Learning Services**

- 3.3 Initially, lot 2 was set to be transferred to the Slough Children's Services Trust. The decision was reversed by order of the DFE in September to enable the Council to take back Early Years provision, including 10 Children's Centres.

- 3.4 Project management teams were set up to include key officers from the Council and Cambridge Education to manage the TUPE arrangements for staff, finance planning and budget transfer and the seamless continuity of services. Progress was monitored regularly by the DCS and reported to the Lead Member and the Acting Chief Executive.

- 3.5 Lot 1: Access to Learning and Inclusion Services  
The staff transferred back to Council employment on September 1st. There were no changes to location or line management.

- 3.6 Lot 2 : Early Years, Children's Centres and Education Business Support  
Although the original plan was to transfer to SCST, the sudden changes to arrangements were well managed and the transfer was achieved by November 1st, including the registration for Ofsted responsibility of the Children's Centres. Although the service is carrying some key vacancies the Head of Service has worked with staff to ensure coverage. The suite of Children's Centres is due to be inspected by Ofsted in the near future as the provision currently requires improvement. Ofsted preparation has continued and is being reported to the DCS on a regular basis. The business support team for Education Services also transferred on November 1st.

- 3.7 Lot 3: School Improvement and Inclusive Learning Services

The most complex transfer was completed on December 1<sup>st</sup> 2016. The suite of services under school improvement includes the Educational Psychology service and a team of part-time independent education consultants who work with schools and academies. Service leadership in these areas has to be redefined as 3 key senior officers left their posts in September. The returning services require some realignment in order to be fit for purpose to meet the Council's statutory functions. Funding streams are being realigned in order to ensure coverage and appointments are needed to some new posts within the funding envelope.

### **Interim Leadership arrangements**

- 3.8 The interim Director of Children, Learning and Skills (DCS) has created a workable management structure in order to ensure smooth transition and future planning and delivery of services. The team structure reflects the Council's statutory duties for Education Standards, Inclusion and the work with partners, including the DCST. (Appendix A). The new team meets regularly and, under the leadership of the interim DCS, service priorities, plans and strategies are being revised rapidly to embrace the Council's priorities and the evolving role of the Local Authority in Education. The new structure works in close partnership with the DCST, particularly in the areas of safeguarding and SEND as the services are shared between the two organisations and partners.

### **Council and DCST Statutory Education Functions**

- 3.9 The DFE Publication 2015 'Educational Excellence Everywhere' and subsequent statements by the DFE determine the role of Local Authorities in a changing educational landscape. The return of services to the Council enables a new approach to statutory functions to be developed. Partnerships with Schools and Academies and the DCST are crucial in supporting our commitment to the following duties and responsibilities:

- Safeguarding children and young people in all settings, including schools and Academies
- Being the Champion of Educational excellence in all settings and for all children and young people, regardless of the nature and designations of the provision.
- Being the advocate for vulnerable children and their families in all contexts and settings, challenging inequality and underachievement on their behalf and administering the duties of the code of practice.
- Providing sufficient Early Years and School places, managing access to learning, admissions and a range of other statutory duties including the provision of a local syllabus for Religious Education via SACRE and monitoring the administration of tests and assessments.

### **Extending the Role of Elected Members**

- 3.10 Members have an important role to place as the champions of excellence for all and as the advocates for vulnerable children. As leaders in their communities they represent the voice of children and families. Members should be well

informed about education standards and quality of provision and can be very effective as school and academy governors.

**Priorities for Development and Action:**

3.11 The service plan on a page is included as Appendix B.

6. **Comments of Other Committees**

7. **Conclusion**

The return of services provides a welcome opportunity to embrace duties and forge new partnerships to deliver the Council aims and vision for children and young people.

8. **Background Papers**

- '1' - DFE Directions to the Council and the Trust
- '2' - DFE Educational Excellence Everywhere 2015