

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Children and Families Scrutiny Committee**
held on Tuesday, 19th October, 2010 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor R Westwood (Chairman)
Councillor D Neilson (Vice-Chairman)

Councillors A Barratt, D Flude, J Goddard, M Parsons, A Ranfield, M Simon
and J Wray

J Kelly and J McCann

Apologies

Councillors D Beckford, T Jackson, A Kolker and G Merry

7 APOLOGIES FOR ABSENCE

8 OFFICERS PRESENT

Mark Grimshaw Scrutiny Officer
Fintan Bradley Improvement & Achievement Services Manager
Cath Knowles Head of Safeguarding and Specialist Services
Sheila Sadler Children Services Group Manager

9 MINUTES OF PREVIOUS MEETING

RESOLVED –

- a) That subject to Jill Kelly being added to those who had provided their apologies, the minutes of the meeting of the Committee held on 7 September 2010 be approved as a correct record.

10 DECLARATION OF INTEREST/PARTY WHIP

Councillor D Flude declared a Personal interest on the grounds that she was a Director of EIPC Ltd and a Governor on two school boards.

11 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present who wished to address the Committee.

12 SPECIAL EDUCATIONAL NEEDS REVIEW

Fintan Bradley attended to inform the Committee of the service's review of Special Educational Needs (SEN) and to provide an update on the progress made to date.

It was explained that Cheshire East had a number of legacy policies, guidance and provision for children and young people with SEN. Since Local Government Reorganisation the range of provision, both specialist and resourced had been significantly reduced and the policy and practices of the former County Council needed revising and updating. In light of this, a review had been commissioned by the Director of Children and Families to explore how Cheshire East could best respond to these challenges whilst taking into consideration the Coalition Government's Green Paper on SEN which was running adjacent to the internal review.

It was reported that work on the review had begun in September 2010, and that an initial scoping activity had resulted in the review being split into five work streams, each of which Fintan Bradley expanded upon in turn:

- Resource provision and services for SEN
 - This work stream was to examine the location, roles, practice and impact of the 11 primary and 6 secondary resourced provisions attached to mainstream schools across the Borough, especially in terms of pupil attainment and achievement.
- SEN funding
 - It was explained that the funding of individual pupils with SEN, without a statement, relied on an expensive bureaucratic assessment process which had been criticised as being untimely and inefficient. This work stream was set up to explore ways of getting resources into schools to empower professionals to make timely decisions over the implementation of SEN support.
- Pathways and Access to SEN services
 - It was reported that a consistent complaint had been levelled at SEN provision regarding accessing appropriate support and advice in a timely fashion. As a result, a working group was established to review current pathways and access arrangements to services with a view to developing clearer and more transparent pathways.
- Specialist Provision
 - It was explained that The Local Government Review had resulted in East Cheshire having only 4 out of the 14 SEN Schools that existed in the former County Council. Consequently, the Borough was increasingly reliant on other Local Authority schools to cater for children whose needs cannot be met internally. This work stream was set up to look at a pattern of provision to explore if Cheshire east can expand to cover needs of the children currently forced to go out of the Borough.
- Policy, guidance and protocols
 - It was reported that Cheshire East has inherited a range of strategies, policies and guidance from the former County Council. Whilst most of these remained relevant, there was a need to pull

them together into one coherent document to reflect the aims and ambitions of the authority.

After hearing the report, a number of Councillors had questions and queries regarding the issues raised. Firstly, attention was drawn to the low ratio of educational psychologists to children with SEN in Cheshire East and the frustration that Head teachers often face with the bureaucracy in securing their services. It was questioned whether this was an issue being considered in the review. Reassurances were made that the general issue of over bureaucracy was a key part of the review and it was agreed that the issue of educational psychologists could be discussed during the next update. Secondly, it was queried whether children with eating disorders were included in the review. It was confirmed that this would be included in the review and that the service was working alongside CAMHS in this regard. Thirdly, it was commented that the SEN process can cause great concern to parents and as a result it was asked whether any effort had been made to consult parents / carers in the review. It was confirmed that consultations would be made and this was an integral part of the review. Lastly, it was questioned whether Cheshire East were considering whether specialist schools could be a shared service with Cheshire West and Chester. Fintan answered that he would talk to his counterpart about the potential option of shared schools.

A comment was also made on the recent Ofsted report that made the national news regarding the idea that schools were getting children unnecessarily classified with SEN as to generate more revenue. Assurances were made that Cheshire East had its thresholds at the correct level and as a result it was not considered a major issue. Despite this, it was said that the consistency of the thresholds and the application of such will be improved as a result of the review. It was hoped that this would reduce the number of appeals. A request was made for the figures behind the number of appeals and for the number of outstanding figures for statements, in terms of its direction of travel.

RESOLVED –

- a) That the Committee note the report
- b) That the Committee receive further updates on the progress of the review, especially as recommendations develop.
- c) That information regarding educational psychologists be supplied as part of the next update.
- d) That conversations take place regarding the possibility of specialist schools being shared with partner authorities.
- e) That the statistical review of SEN numbers, placements, appeals and outstanding figures for statements be distributed to Members of the Committee.

Fintan Bradley attended to provide an update on the Academies Act 2010, which received Royal assent in July 2010, and its financial implications for both Academies and Cheshire East.

It was reported that there are currently two confirmed Academies in Cheshire East; Fallibroome High School, Macclesfield and Brine Leas School, Nantwich. Sandbach High School was anticipated to become an Academy on 1 November 2010. Attention was drawn to the fact that the schools that moved to academy status had all been rated 'outstanding' from Ofsted, as this was part of the Government's criteria. It was explained that this criteria was expected to be opened up to schools that had been rated 'good with outstanding features'. As Cheshire East had a number of schools in this category, it was expected that more schools would move to academy status in the future.

Fintan Bradley continued to elaborate on a number of policy implications that the Act would bring to Cheshire East. These included issues around:

- Land Transfer
- Transfer of Employees
- Property and Asset Transfer
- Finance
- Governance

Of particular attention, was the issue around the financial implications for Cheshire East if a large number of schools decided to change to academy status. It was explained that as money would go directly to schools rather than through the local authority, it was possible that certain services would not be purchased thus having an impact on the viability of maintaining certain services for Cheshire East.

A concern was raised from Councillor Flude regarding opening up certain services such as HR and legal support to market forces. It was suggested that companies would offer services as loss leaders and then increase the price at the end of the contract having a detrimental effect on education provision.

A point was also made regarding the idea that primary schools would not make the move to academy status as readily as secondary schools due to issues around economies of scale. It was suggested that this could create a 'mismatch' and have a number of unintended consequences for the authority.

Fintan Bradley noted both points but suggested that at the current time, much was based upon conjecture and that things would become clearer as the Act established itself.

It was queried whether there was any obligation on academies to support other schools. It was reported that a number of academies did help other schools and that the academies in Cheshire East currently helped schools outside of the Borough. It was commented that opportunities should be sought for Academies, either inside or outside of the Borough, to assist some of Cheshire East's challenging schools if required.

It was questioned whether there would be any implications for the admissions policy for Cheshire East. It was confirmed that Academies, as

comprehensive schools, would have to adhere to national admissions policy criteria.

RESOLVED –

- a) That the Committee note the report
- b) That updates be brought to the Committee on a quarterly basis
- c) That opportunities are sought for Academies, both internal and external to the Borough, to provide assistance for Cheshire East schools if required.

14 ANNUAL UNANNOUNCED INSPECTION OF CONTACT, REFERRAL AND ASSESSMENT ARRANGEMENTS WITHIN LOCAL AUTHORITY CHILDREN'S SERVICES

Cath Knowles attended to report on the progress of the action plan as a result of the Annual Unannounced Inspection, as requested in the meeting of the 7 September 2010.

It was explained that the action plan had been approved by Cabinet on 18 October 2010 and that it mainly detailed the issues to be addressed as areas for development which had been identified from the inspection. It was noted that many of these areas had not been a surprise to the Service as many of them had been previously flagged for action. Attention was drawn to the fact that a priority action had not been identified. Regarding this fact, the Committee wished to endorse its congratulations to the Service. Whilst never satisfied, Members were impressed that the report was so positive considering the context of upheaval and uncertainty.

An issue around the electronic system for children's social care was queried. It was stated that this had been previously ineffectual and needed improvement. Cath Knowles agreed with the statement but moved to affirm that the PARIS system should not be completely disregarded. Assurances were made that improvements were being made, especially regarding staff training and development.

A concern was also expressed over the number of 'inconsistencies' that had been identified in the report. It was reported that work was being carried out to counter these.

RESOLVED –

- a) That updates regarding progress on the action plan be brought to the Committee on a quarterly basis.

15 BIENNIAL REPORT FOR REGULATION 33 VISITS - CHESHIRE EAST CHILDREN'S HOMES

Sheila Sadler attended to present the bi-annual report for Regulation 33 visits.

It was reported that the visits had proved invaluable to the service as an external, objective viewpoint, was very useful for highlighting areas for improvement. It was also explained that as Ofsted measured the service on the number of Regulation 33 visits, it was very important to gain Member involvement.

The Chairman commented that he was pleased to receive the report as it had been one of the recommendations of the recently completed Residential Provision Task and Finish group.

Councillor Parsons drew attention to the fact that he had yet to receive his CIB check despite him waiting for a few months for it. He asked whether this could be done in the near future as he was keen to participate.

Following from this point, the Chairman asked the Committee if any other Members wished to have their names put on the list. Councillor Tony Ranfield confirmed that he would want his name on the list.

Resolved –

- a) That the Committee note the report
- b) That further updates are brought to the Committee on a bi-annual basis
- c) That Councillor Michael Parsons and Councillor Tony Ranfield be added to the Regulation 33 list after the relevant CIB checks.

16 FREQUENCY OF MEETINGS

Members considered the form and frequency of the Children and Families Scrutiny Committee meetings going forward.

RESOLVED – That every other scheduled meeting, including 16 November, be confirmed as an informal mid-point meeting.

17 WORK PROGRAMME UPDATE

The Committee reviewed the items in the 2009/2010 Work Programme and considered the new layout of the programme along with any new items listed.

Consideration was also given to the possibility of establishing a new Task and Finish group, following the recent completion of the Residential Provision review. It was agreed that a Task and Finish group into Foster Services would be appropriate but that this should be discussed in more detail at the next meeting.

RESOLVED –

- a) That the new layout of the work programme be approved
- b) That the establishment of a new Task and Finish group be deferred to the next meeting

18 FORWARD PLAN - EXTRACTS

The Committee gave consideration to the extracts of the forward plan which fell within the remit of the Committee.

The Chairman commented that the forward plan was not as comprehensive as it possibly could be and suggested that the Committee express a view that the forward plan be more detailed in future.

RESOLVED –

- a) That the forward plan be noted
- b) That a comment regarding the detail in the forward plan be noted.

19 CONSULTATIONS FROM CABINET

There were no consultations from Cabinet.

The meeting commenced at 10.35 am and concluded at 12.40 pm

Councillor R Westwood (Chairman)