

# Merton Council Children and Young People Overview and Scrutiny Panel



Date: Tuesday 15 November 2011  
Time: 7.15 p.m.  
Venue: Committee Rooms B, C and D,  
Merton Civic Centre, London Road,  
Morden SM4 5DX

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## AGENDA

	<u>Page Number</u>
1. Declarations of interest (See Note 1) Councillors and co-opted members must declare if they have a personal or prejudicial interest in any of the items on this agenda at the start of the meeting, or as soon as the interest becomes apparent to them.	-
2. Apologies for absence	-
3. Minutes of the meeting held on (a) 15 September 2011 (special meeting) and (b) 21 September 2011	3 11
4. Matters arising from the minutes	-
5. Update on Developments Affecting the Children, Schools and Families Department	21
6. Budget and Budget Options 2012-16 Members are asked to bring with them the report submitted to Cabinet on 7 November 2011 and the Officer's Options Pack, both documents can be found here <a href="http://www.merton.gov.uk/budget">http://www.merton.gov.uk/budget</a> Update report to follow	-
7. Performance Monitoring	25
8. Work Programme 2011/12	39

It is anticipated that updates on safeguarding children and inspection/review recommendations will also be considered at this meeting.

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**This is a public meeting – members of the public are very welcome to attend.  
The meeting room will be open to members of the public from 7.00 p.m.**

For more information about the work of this and other overview and scrutiny panels, please contact Hilary Gullen, Scrutiny Officer, on 020 8545 4035 or e-mail [hilary.gullen@merton.gov.uk](mailto:hilary.gullen@merton.gov.uk). Alternatively, visit [www.merton.gov.uk/scrutiny](http://www.merton.gov.uk/scrutiny)

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## **Children and Young People Overview and Scrutiny Panel Membership**

### Full Members:

Councillor Jeff Hanna (Chair)  
Councillor James Holmes (Vice-Chairman)  
Councillor Agatha Akyigyina  
Councillor Laxmi Attawar  
Councillor Iain Dysart  
Councillor Karin Forbes  
Councillor Richard Hilton  
Councillor Dennis Pearce  
Councillor Linda Scott  
Councillor Simon Withey

### Substitute Members:

Councillor Richard Chellew  
Councillor Gam Gurung  
Councillor Mary-Jane Jeanes  
Councillor Peter McCabe  
Councillor John Sargeant  
Councillor Debbie Shears

### **Statutory Co-opted Members (with voting rights on education matters):**

Andrew Boxall (Parent Governor Representative – Secondary School)  
Amanda Stuart Fisher (Parent Governor Representative – Primary School)  
Colin Powell (Church of England Diocesan Representative)  
Mrs Anna Juster (Roman Catholic Diocesan Representative)

### **Non Statutory Co-opted Representatives (with no voting rights):**

Alison Jerrard (Secondary Headteacher representative)  
Keran Currie (Primary Headteacher representative)  
(Members of the Youth Parliament)  
Vacancy (Youth Forum)

### Note1: Declarations of interest

Councillors and co-opted members who have a personal or prejudicial interest in relation to any item on this agenda are asked to complete a declaration form and hand it to the Democratic Services Officer. Forms, together with a summary of guidance on making declarations of interest, will be available around the meeting table. If further clarification is needed members are advised to refer to “The Code of Conduct – Guide for members May 2007” issued by Standards for England, which will be available at the meeting if needed.

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## **What is Overview and Scrutiny?**

Overview and Scrutiny describes the way Merton’s scrutiny councillors hold the Council’s Executive (the Cabinet) to account to make sure that they take the right decisions for the Borough. The scrutiny panels also carry out reviews of Council services or issues to identify ways the Council can improve or develop new policy to meet the needs of local people.

Scrutiny panels need the help of local people, partners and community groups to make sure that Merton delivers effective services. If you think there is something that scrutiny should look at or if you have views on the current reviews being carried out by scrutiny, let us know.

For more information, please contact the Scrutiny Team on 020 8545 3857 or by e-mail on [scrutiny@merton.gov.uk](mailto:scrutiny@merton.gov.uk). Alternatively, visit [www.merton.gov.uk/scrutiny](http://www.merton.gov.uk/scrutiny).

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL  
15<sup>TH</sup> SEPTEMBER 2011

7.15pm – 9.15pm

**PRESENT:** Cllr Jeff Hanna (Chair), Cllr James Holmes (Vice Chair), Cllr Agatha Akyigyina, Cllr Laxmi Attawar, Cllr Richard Chellew substitute for Richard Hilton), Cllr Iain Dysart, Cllr Karin Forbes, Cllr Dennis Pearce, Cllr Debbie Shears (substitute for Linda Scott), Cllr Simon Withey, Anna Juster.

**ALSO PRESENT:** Cllr John Dehaney, Cllr Nick Draper, Cllr Chris Edge, Cllr Suzanne Grocott, Cllr Rusell Makin and Cllr John Sargeant.  
Cllr Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration; Cllr Edith Macauley, Cabinet Member for Community Safety, Engagement and Equalities; Cllr Maxi Martin, Cabinet Member for Children's Services; Cllr Peter Walker, Cabinet Member for Education.

Lorraine Maries and Paul Gibson, Protect Dundonald Rec Campaign Group

Fiona Duffy, Headteacher, Dundonald Primary School

Duncan Russell, Chair of Governors, Dundonald Primary School

Yvette Stanley, Director of Children, Schools and Families; Paul Ballatt, Head of Commissioning, Strategy and Performance; Tom Procter, Service Manager - Contracts & School Organisation; Chris Lee, Director of Environment and Regeneration; Doug Napier, Leisure and Culture Greenspaces Manager; Tara Butler, Programme Manager - Strategic Policy and Research; Sarah Willis, Senior Lawyer; Julia Regan, Head of Democracy Services

**1 Declarations of interest**

Councillor Debbie Shears declared a personal interest as a governor of Hillcross Primary School. Councillors Chris Edge, Suzanne Grocott and Simon Withey each declared a personal interest as governors of Wimbledon Chase Primary School.

**2 Apologies for absence**

Apologies for absence were received from Councillor Richard Hilton, Councillor Linda Scott, Keran Currie, Colin Powell and Julia Waters.

**3 Proposed expansion of Dundonald Primary School and impact on Dundonald Recreation Ground (agenda item 3)**

**Introduction from the Chair**

Cllr Hanna welcomed all present to the meeting, explaining that members of the

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Sustainable Communities Overview and Scrutiny Panel had been invited to attend in relation to those issues which impact on that Panel's terms of reference. He drew attention to the additional written information that had been laid round:

- two plans showing the existing layout of Dundonald School and Dundonald Recreation Ground and the layout under Option C of the consultation
- letter to Councillor Jeff Hanna from Susan Rosser, local resident
- "Five Reasons – why Merton Council cannot build on Dundonald Recreation Ground" document from Protect Dundonald Rec.
- email to Councillor Peter Walker from Enid Humfrey, local resident
- email from Julia Waters, Secondary Headteacher representative, Children and Young people Overview and Scrutiny Panel
- email to Council's Democratic Services team from Sandy Cowling, local resident

These will be published on the Council's website alongside the documents for this meeting.

Cllr Hanna confirmed that all views expressed will be made available as part of the Panel's reference to Cabinet so that Cabinet may take these into account when reaching a decision on this issue at its meeting on 19 September.

### **Evidence taking**

Paul Ballatt, Head of Commissioning, Strategy and Performance, provided a brief introduction to the Cabinet report. He outlined the officer recommendations, described the background and set out the risks identified within the report. He stressed the enormous challenges posed by the increase in the child population in the borough and the consequent need to expand around half of the borough's schools to accommodate these growing numbers. He stated that expansion of Dundonald Primary School had been included in the Council's primary school expansion strategy, agreed by Cabinet on 6 December 2010. He added that Ofsted had found Dundonald to be an excellent school and that officers have every confidence in the school's leadership team's ability to accommodate extra pupils and maintain the current high standards. Lastly, he confirmed a technicality that the change of use may mean the council needs to seek a modification of the school covenant as well as that of the recreational ground.

Lorraine Maries and Paul Gibson were then invited to speak on behalf of the Protect Dundonald Rec Campaign Group. Lorraine Maries said that the Group is not opposed to school expansion in principle but that it would not be possible for Dundonald School to legally expand into the recreation ground due to a restrictive covenant. She urged the Council to find alternative school places elsewhere and quickly.

She stated that the consultation process had been flawed and that communications

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from the Council had not been open and transparent. In particular, the initial consultation in November 2010 on the principle of school expansion did not look at local issues but the second consultation document implied that there had been agreement to expand in to the recreation ground.

Lorraine believes that some of the neutral and positive responses have been misclassified and should have been classified as negative. She also drew the panel's attention to the petition against building on the recreation ground, signed by 2122 residents.

Lorraine pointed out that all of the recreation ground, including the pavilion, is classified as open space in the borough's plans and therefore should be protected. She contested the figure given in the Cabinet report of 100 square metres loss of open space, asserting that this would actually be closer to 2000 square metres.

Lorraine concluded by saying that the Restrictive Covenant is a key and substantial barrier to the plans to expand Dundonald School. The Campaign Group has received legal advice that the Upper Tribunal would be unlikely to agree to vary the Covenant to allow building on the recreation ground.

In response to questions from Panel members, Lorraine said that the legal advice she had received was that the Upper Tribunal rarely agrees applications when there hasn't been a significant change in land use or changes in the surrounding area. It is Lorraine's view that no such changes apply in this case and so agreement to vary the covenant is unlikely to be given. She added that their legal advice indicated that the covenant can't be amended – the only options are to uphold or breach the covenant.

In response to further questions Lorraine confirmed that:

- the role of the Campaign Group is to protect the recreation ground
- the Campaign Group is considering a number of options for opposing the expansion of the school into the recreation ground, including seeking a judicial review
- it is important for children to go to local schools, but catchment area projections show that the proposed expansion would result in children coming to Dundonald School even though they live closer to other schools. Access to Dundonald School is difficult from the other side of Wimbledon.
- the current pavilion is more than adequate for recreation ground users' needs
- the sibling rule results in children going to schools at some distance from their homes. This is particularly so for popular schools.
- activities affected by the proposed expansion (in addition to bowling) are day time use of tennis courts during the school term, use of the community hall by cricket and football teams, altered perimeter would also affect joggers.

Councillor Suzanne Grocott, councillor for Dundonald Ward, addressed the Panel on behalf of the local residents who have contacted her. Councillor Grocott regularly observes residents enjoying a wide variety of activities in the recreation ground. She

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is also aware of the high demand for places at Dundonald School, which was voiced clearly at the public meeting that she attended.

The majority of emails and letters that Councillor Grocott has received are against the proposed expansion of the school if they are to use any of the land that is currently part of the recreation ground. She stated that the recreation ground is legally protected by the covenant and that overturning it would set a precedent for building on green space.

Councillor Grocott asserted that the Council is looking to expand Dundonald because it is an "outstanding school" and that if it were a failing school, the demand for places, (even though it would still be the most local school) would not be as great and that the Council would not be looking to expand it. It is her personal view that the decision to expand is, therefore, not out of necessity, but purely because it falls within the stated criteria for consideration.

Councillor Grocott referred to an article recently published in My Merton magazine, entitled "Merton working to ensure quality housing for all" which details a number of new developments all designed to attract families into Merton. The article describes Rowan as "the old school site". Her view is that housing is being prioritised without consideration for the inevitable increase in school places and that in the past decisions have been made to reduce school place availability.

In response to questions from Panel members, Councillor Grocott confirmed that she has been contacted by parents who couldn't get a place at Dundonald School, particularly in Graham Road; but that she has not received any representations from existing parents at Dundonald School.

The Chair then invited Panel members to question officers about the Cabinet report.

In response to questions, Sarah Willis, Senior Lawyer, stated that the legal advice received in relation to the restrictive covenant was summarised in the Cabinet report. She added that the issue of the covenant had been flagged up at an early stage and that advice had been taken from external counsel. Their advice was that an application to the Upper Tribunal to vary the covenant was the best way forward and that there is a good case for this variation. Advice received was that the Upper Tribunal has powers to modify a covenant, including when it is obstructing reasonable use of land and it is in the public interest to proceed. The process in this case is expected to take 6 to 12 months.

In response to a question about how confident he was that the Council would be successful at the Upper Tribunal, Paul Ballatt said that the legal advice received provides grounds for cautious optimism.

In response to a question about the deliverability of the proposed expansion given the time taken by application to the Upper Tribunal and the possibility of a judicial review, Sarah Willis stated that the time taken for the application to the Upper Tribunal had been factored in to the proposals. Any application for judicial review would be a separate process and the first stage would be for the court to consider whether there was a case to be answered. This stage would be relatively quick. Paul

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Ballatt added that a number of potential delays had been factored in and, if necessary, temporary arrangements would need to be made to accommodate these. These would need to be negotiated and would not be in the council's or school's best interests.

In response to a further question, Sarah Willis said that the cost of legal processes would be a small proportion of the total cost of the proposed expansion.

The Chair commented that the Panel should consider not only whether the consultation process had met legal requirements, but whether it had enabled the full range of public views to be expressed.

Paul Ballatt was questioned about the Council's consultation process. He stated that the Council had been open and transparent with objectors but that, even though it was widely publicised, it is never possible to reach everyone during a consultation process. Sarah Willis confirmed that the consultation process had met legal requirements.

Paul Ballatt agreed that there were lessons to be learned from the consultation process. He added that the interpretation of submissions was undertaken in good faith.

When asked what "Plan B" would be if the expansion at Dundonald School can not proceed, Paul Ballatt stated that officers would seek agreement with another school for expansion or, were a suitable site available at a suitable price, a new school.

Tom Procter, Service Manager - Contracts & School Organisation, was asked to comment on the Proctect Dundonald Rec Campaign Group's assertion that 2000 square metres of recreation ground land would be required. Tom said it was unclear how that figure had been reached and that the Council's plans show a building of similar footprint on the recreation ground to the existing one, and a proposed transfer of space from the recreation ground to the school of no more than 300 square metres. The tennis court area would also be enlarged to the benefit of the school and the local community.

When asked why Dundonald School has been chosen for expansion, Tom Procter said that all the possible alternative schools in the immediate vicinity had already been expanded or were planned to expand and there is still a shortage of places in the area. Yvette Stanley, Director of Children, Schools and Families, added that this is part of a wider expansion programme whereby 25-27 of the borough's 43 primary schools will expand. This will enable more children to go to their local school and will change the pattern of travel in the longer term, to include more children walking to school.

Doug Napier, Leisure and Culture Greenspaces Manager, was asked what sport and other activities currently available on the site would no longer be available. Doug replied that bowling could potentially be unavailable, though the Council is looking at alternative provision. Access to the community hall will depend on which option is taken forward. In response to a question about the impact that the changed facilities would have on football and cricket team, Doug said that the cricket teams would be

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the most affected in that they could potentially be required to take their teas within the community hall within the main school building and not within the sports pavilion under Option C. He confirmed that the teams had not been consulted directly to date.

Tom Procter was asked who would pay for the maintenance of the shared space. He replied that he envisaged a clear arrangement would be set out in writing. In response to a further question about how to guard against the school taking sole control of shared facilities in the future, Tom said that he would expect a legal agreement to be drawn up. Yvette Stanley added that thought had been given to safeguarding issues and that these had been satisfactorily resolved by other schools.

The Chair introduced Fiona Duffy, Headteacher and Duncan Russell, Chair of Governors of Dundonald Primary School, who had attended in order to answer questions from Panel members.

In response to a question, Fiona Duffy agreed that expansion to two forms of entry would provide additional development opportunities to staff and would help to retain experienced staff. She stated that expansion would not affect the school's core purpose, that her priority would be to maintain standards and that she was confident that this would be achieved.

Duncan Russell was asked how, if the expansion went ahead, the school would go about building bridges with those who had opposed the expansion. Duncan replied that they would seek to learn from the experience of other schools in similar situations. He would anticipate support from the local authority, particularly through the construction phase, in terms of communication with local residents.

Fiona Duffy stressed that the school would want to continue to have a good relationship with the local community. The governors are mindful of the need to strike a balance to ensure that buildings would be available for community use out of school hours.

**Scrutiny comments and recommendations to Cabinet**

Panel members shared their views and reached agreement on the comments and recommendations to be put forward for consideration by Cabinet meeting at its meeting on 19 September:

The Panel has listened to all the views put forward and recognises that this is not an easy issue on which to reach a decision. The Panel recognises the huge pressure on primary school places and the need to expand the borough's schools but also recognises the need to protect activities at the recreation ground.

The Panel recommends that Cabinet seek more information on the reputational and financial risks involved so that these can be taken into account in reaching its decision. In particular, that Cabinet seek clarity on the risks and timescales involved in seeking an amendment to the covenant and also in the event of a judicial review.

The Panel acknowledges that building work is disruptive and urges all concerned to seek to minimise this through careful planning

The Panel recommends that the school and the governing body work closely with the



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local community to make best use of facilities and to ensure that these are as convenient to local residents as possible.

The Panel recommends that the Council work with the school and the local community to find as much common ground as possible and to keep all concerned fully informed throughout.

The Panel is aware that there is a lot of opposition to the expansion of Dundonald School and accepts, with caution, officer assurances that there won't be further expansion onto the recreation ground.

The Panel recommends that every effort is made to minimise the impact on activities currently provided at Dundonald Recreation Ground so that local residents can continue to enjoy these in future.

The Panel recommends that the arrangements for the provision of community facilities is reviewed so that catering for football and cricket is better provided.

The Panel further recommends that cabinet ensures that the strongest possible form of protection is provided for the remainder of the Dundonald Recreation Ground in order to keep it as a leisure facility for residents for the foreseeable future.

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21<sup>ST</sup> SEPTEMBER 2011

7.15pm – 9.30pm

PRESENT: Cllr Jeff Hanna, Cllr Simon Withey, Cllr Linda Scott, Cllr Debbie Shears, Cllr Karin Forbes, Cllr Agatha Akyigyina, Cllr Laxmi Attawar, Cllr Dennis Pearce, Cllr Iain Dysart, Cllr James Holmes, Andrew Boxall, Colin Powell, Anna Juster

ALSO PRESENT: Cllr Maxi Martin, Cllr Peter Walker, Yvette Stanley, Paul Ballatt, Jan Martin, Melissa Caslake, Michael Sutherland, Tim Wells, Keith Shipman, Hilary Gullen

Apologies for absence were received from:

Cllr Richard Hilton

Cllr Jeff Hanna welcomed Andrew Boxall back to the panel.

1 Declarations of interest

None received

2 Minutes from the CYP Panel meeting 15<sup>th</sup> June 2011

Cllr Withey had sent apologies and was substituted at this meeting by Cllr Chellew. The minutes were agreed with this amendment.

3 Minutes from the Special CYP Panel meeting 15<sup>th</sup> September 2011

Agreed

4 Matters arising from the minutes

None for either 15<sup>th</sup> June or 15<sup>th</sup> September meetings

5 Strategic Objective Update

Paul Ballatt summarised this report, which had been requested by the Chair. The report submitted was taken to September Council and summarises the Children, Schools and Families functions and the Children's Trust, noting their priorities that were confirmed earlier in the year when drafting the Children and Young People's Plan. It describes the key challenges and how successful the partnership approach is in Merton. One of the key challenges for councils and for CSF is the financial context we are all operating in. All public services are being urged to make a greater impact by making the best use of money available. The report notes one of the

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Merton Education Partnership initiatives with schools, who will also be coping with greater financial restraints, and how this will become increasingly important. The Munro Report will lead to significant reform in social work practice. The report notes that CSF is undertaking transformation work to continue to improve services in the current financial context.

The report does not note that CSF are actively anticipating and preparing for an announced inspection on safeguarding and the looked after children's service, this is in addition to many other regulatory inspections. The announced inspection is particularly significant in influencing the department's annual rating.

The budget is being prepared for the next financial year, and for the council's medium term financial strategy. Savings proposals are being made which will be presented to scrutiny panel for the first time in November.

The Panel expressed congratulations to the staff and students who had worked so well to gain excellent GCSE results this year.

In response to a panel member's question about processes within the department, Yvette Stanley said the budget process had been a fundamental challenge for every service, having to make sure 'every penny' counts. The money has to be used in the right place in terms of statutory functions, and where it will make the maximum difference.

CSF is looking at further partnership possibilities to help schools become self-sustaining, and how procurement can be made 'smarter'. The department is using LEAN tools to examine the efficiency of processes and procedures. The results are expected to be radical in some cases, but to have a smaller, 'slicing' effect in others.

Heads of Service go through a process of examining service provision for proposed savings, then DMT look at the impact of these. Each division in CSF department comes up with a range of proposals for year one, and future years, to establish a direction of travel. This might involve changes in prioritisation between and across services.

There is scope in establishing a wide variety of shared services. For example, there is currently a shared arrangement with Sutton around school admissions, where the LBM manager manages both admissions services. This might lead to a single admissions team in the future. Also being examined are the Access to Resources possibilities, procuring placements for children with SEN as well as Looked After Children. It is hoped this will achieve greater value for money, and Sutton are potentially interested in joining in with this initiative.

Merton is part of a consortium of South West London boroughs for pilot proposals for 'assessed year-in practice' for social workers – working a probationary year with conditions attached. This has the potential to be expanded across other boroughs, and to include other learning and development projects.

Michael Sutherland explained the SEN indicators, which measure the difference between pupils without SEN and those with any level of SEN, are part of the national 'narrowing the gap' indicators. The thresholds of KS2 and GCSE are quite high, and

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a gap is expected, although all concerned work to minimise this where possible.

A panel member asked about the exact number of statements issued, which Michael Sutherland offered to circulate after the meeting.

In response to a question from a panel member, Keith Shipman explained the new government proposals are for a three year pilot looking at schools becoming more responsible for the child that is excluded. This means an excluded child stays on the school role, and remains their funding responsibility for their education. The school becomes commissioners and procurers for services for that child.

Panel noted the report.

#### 6 Primary School Places

Paul Ballatt responded to the panel's request for information on admission data for this September. There will be an opportunity for a broader report to panel later in the year.

Merton is in the middle of one of the greatest challenges ever for providing primary places, and many other boroughs in the country are experiencing the same effect. For September 2011, 7 new forms of entry were expected, but this expanded to 9, and has now grown to 10, due in part to an unprecedented level of late applications.

The updated figures show 49 resident children unplaced for current year, of which 32 have received and rejected a local school place within 2 miles. Of the remaining 17 who have not received an offer, 9 applied by the closing date but about half of these have not responded to Merton, suggesting they will not want a place. This is against 25 current vacancies. Merton has either offered, or has a place, for everyone who has applied, but the location of some of the unplaced children means the available offer is further than 2 miles from their home. The outcome is that a decision has been made for another bulge class for this year. Consultations are underway with a specific school, and an announcement will be made on Friday, 23<sup>rd</sup> September.

In response to a question, Jan Martin responded that if a school is expecting 50 pupils, they will be appropriately staffed to reach the appropriate ratio of children, ie 6-8 children to each key worker, and these, appropriately trained and qualified, staff will be responsible to make sure the children settle in quickly.

Explanation about the procedure for placing of the bulge class was given as follows: A number of schools were considered following examination of the area of demand and a specific school with sufficient space was approached. A temporary classroom will be provided, and officers have already been to discuss this with the school. It was pointed out that a number of children on the unplaced list do not necessarily need a place until January, although there is an ethos of wanting to get them in and settled as quickly as possible. The aim is, with the governing body's agreement, to get the temporary classroom available for use following the Autumn half term. The team have experience in getting temporary accommodation in and are confident of achieving this to the timescale given.

Paul Ballatt agreed to provide figures on the number of late applications this year, compared to previous years, after the meeting. Paul also explained how multiple offers work in that parents have six options, and Merton try to make them an offer higher up their list. It is routine for a child to be offered a place in one school and is on a waiting list for another, preferred, school. This means there are multiple 'live' offers.

In response to a member's questions on birth rate monitoring and how the bulge year will be provided for at secondary level, Paul Ballatt responded that there was a position that Merton and a number of London boroughs faced at the time due to fundamental inadequacies in the model used to estimate the need for pupil places. Merton buys in to the GLA projection model, which is predominantly birth rate based. It is not a perfect way of estimating need. Merton has developed its own addition to that model, so use it as a starting off point and then look at 'survival' rates (ie stay in borough rates) to apply for a primary place. This is not an exact science. There are migration and development issues that have to be worked on and make a 'best estimate' position. If Merton had taken the GLA figures, only three forms of extra entry would have been planned for this September rather than the ten actually required. The GLA model costs £6000 pa, but it is the industry standard model. The population is expected to fluctuate, and there will eventually be a reduction in pupils. It is hoped to be able to predict these variances more efficiently in time. By Christmas the DMT will look at an initial set of proposals for providing additional places for the future bulge in admission to secondary schools.

Yvette Stanley added that Merton has an impressive retention rate due to the high quality of our primary schools.

Members were reassured that there will be more than enough pupils in the initial intake to make the bulge class a viable option, leaving some surplus for additional children later in the year.

Yvette Stanley also explained that there is pressure across the whole borough, but Merton is trying to make sure there are enough vacancies across four quadrants in the borough. There might be a need for more surplus capacity, although some people do move out during the year. Geographically there should be enough surplus for 'wriggle' room.

The school with the bulge class will not be penalised for lower pupil numbers in this class - a rate has been agreed with the school.

In response to a question about whether Merton will be disadvantaged by sharing services, Paul Ballatt said that there is a need to make savings for Merton and Sutton, and that there are pan London admission arrangements to be implemented at primary level. They have provided a clear steer that a broad approach is recommended. This would be more co-ordinated, and where previously parents might have made application for admission to several boroughs the effect would be mitigated. Merton will not be disadvantaged.

Panel noted the briefing report and expressed appreciation to officers for their work in finding places for pupils in challenging circumstances.

## 7 New Strategy for the Youth Services

Keith Shipman introduced this report, detailing the significant reduction in grant funding for the youth service. There will also be a shift in policy and new policy from the government regarding youth. There has been significant increase in participation, although this remains slightly below the national average. The Merton Youth Partnership is very successful and is always looking to improving practice. There is a strong commissioning model, recognised by Ofsted this year, as an example of good practice nationally. A transformation board has been set up, which is an expanded version of the Merton Youth Partnership executive. The board considers all aspects of youth work, what sort of services are required, where they are required, how they are provided and how they should be commissioned or procured. This is in the context of how to deliver them most effectively given a restrictive budget. The 'needs analysis' looks at the borough by ward and compares issues, the numbers of adolescents and comes up with a rating figure. This helps to target finances. Appendix 1 shows the design principles, the youth work to be delivered, how to make it happen and this has been agreed by the board. An area based model is used, looking at commissioning or providing youth work in new areas. This gives greater linkage between those organisations and the local community. The board need to look at how to provide money for services, ie whether it can come from the primary sector or from philanthropy, which is a big challenge in Merton. They also examine the balance of the work force – volunteers and paid staff. These are currently roughly equal numbers, which is a good balance as volunteers are crucial to running the service. Life expectancy figures given were explained as 4 being bad, 1 good and this being relative within Merton by ward, 1 demonstrating high life expectancy.

Opportunities for social enterprise were discussed, where a service was 'spun out', protected from competition and keeping the same staff. This was deemed to need highly motivated staff, and it would be a major challenge to get this type of project off the ground while the department was looking into contracting out services. However, all options were open to consideration and other boroughs were being contacted to find best practice.

Keith Shipman explained that within the transformation group, they had received briefings about social enterprise initiatives.

Yvette Stanley said that the team were working with key partners, ie residential social landlords, who are part funding our Family Intervention Project this year, and could commission youth work. There is a diverse voluntary sector in Merton with resources, and they are also looking into getting the best value for money for the 'combined pound' and combined commissioning expertise.

Further explanation of the KICKz project was requested, and Keith Shipman informed panel members that there were originally two projects running, but there was now

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only enough funding from the police to keep the Liberty project going under the KICKz banner. This project had been cited as the best in London by the Mayor of London. The project at Harris Academy was still running, but as funding now came from Fulham Football Club, it was not officially a KICKz project.

There will be a Youth Partnership meeting consultation event in a couple of week's time to discuss progress to date with partners.

Panel congratulated officers on setting the 'gold standard' for some of the youth work carried out and for their exciting and innovative approach.

Panel noted and endorsed the report, thanked staff for their work and look forward to hearing back about best practice in other boroughs.

#### 8 Brightwell and Short Breaks Strategy

This report is an update on the Brightwell reorganisation, and how this links directly into the short breaks service and the statutory duty of council to offer these breaks. There is a draft statement which panel may comment on.

The planned refurbishment work has not yet started. It will not be carried out in one go. Some work is needed in rooms that won't be accessible while work is done. The work schedule is close to being finalised, and will be made available when it is ready. Panel were reassured that no additional closures were expected to enable the refurbishment to be completed, as the centre is currently not open every day, and the days when it is not open can be used for the work to be carried out.

Report noted and thanks given to officers for their work.

#### 9 Scrutiny review on provision for vulnerable young people excluded or not participating in school.

Cllr Holmes introduced the review and thanked members and officers for support, particularly Stella Akintan.

This was an entirely non-party political group, and it is hoped that the report makes a real contribution. The recommendations include further training for teachers and co-ordination with partner agencies. Cllr Holmes felt that last few recommendations are the key ones, making schools more responsible for individuals. The task group found that it costs £15000 pa to keep a student in alternative education, compared to £4500 to keep them in mainstream school. The task group felt it was extremely important for the mainstream school to keep links to individuals when they enter alternative education. This could be done by inviting the pupil back for special days (sports days, celebration of achievement etc). This is an area for encouraging the pupil to remain integrated with the first school, and save money. There is more work to be done on the provision of alternative education – should this be commissioning by Merton - could schools commission this.



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Cllr Holmes spoke of every young person having something they are really good at, and how we need to make more use of apprenticeships/work placements to enhance this.

Cllr Walker invited Cllr Holmes to his Friday meeting with officers to discuss the recommendations, particularly in view of the cost difference between mainstream and alternative education.

Panel endorsed the report and agreed to forward it to cabinet for approval and provision of action plan after the Friday meeting.

10 Terms of Reference for Post 16 Career Pathways Task Group

Cllr Agatha Akyigyina informed panel of the aim of the task group; to encourage the best career outcomes for young people in the borough. The task group had had two meetings already to 'set the scene'. Cllr Holmes explained that the job market is going to get harder and that the next steps for the sixth forms, which had already proved successful, needed to be looked at. Of particular interest to the task group would be how the sixth forms link to career pathways to increase job prospects for young people.

Cllr Peter Walker informed panel of job fairs with local employers instigated by Siobhain McDonagh MP. Cllr Akyigyina will be attending one of these and will report back.

Panel agreed the terms of reference.

11 Briefing note on recruitment of foster carers

Tim Wells introduced this report. Tim has responsibility for the fostering service and was pleased to come to panel to inform them of this work.

The council have a statutory duty to provide foster care. Children come to care for a wide variety of reasons, and the responsibilities incumbent on foster carers are wide ranging and challenging, as is the recruitment process. Looking after someone else's child is a very serious business indeed. Merton is challenged, along with other boroughs, by the shortage of carers. Merton is part of the South West London consortium for carer sharing arrangements, to increase our capacity. The team have targeted recruitment strategies, including recruitment for minority groups, and are seeking to increase applications from these groups. Merton has relatively low numbers of looked after children compared to neighbouring boroughs. There are additional numbers of assessments for carers in progress, and are on a trajectory to increase capacity in the coming year.

Cllr Agatha Akyigyina, a member of the council's fostering panel, commented on the rigorous assessment for potential carers and how the borough have excellent procedures for making sure they have the right people.

It was commented on that this is one of the hardest service areas in the council. A panel member asked about the greatest challenges and areas of vulnerability.

Tim responded that there is a need to maintain the quality of placements and the

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resilience of carers. Caring for someone else's child is extremely challenging, due to complex behaviour problems and an unsettled history for the child. More long and short term support for carers, for example, with more respite care – along with other services. There is a strategy to find how to most effectively use collective services to support carers.

Melissa Caslake explained that many of children are teenagers with extremely challenging behaviour, which makes it hard for them to be looked after, and this can be unrewarding for foster carers. The team have to think whether some of these children can live in a family environment. However, family support is preferred to children's homes where possible. It can be difficult to make decisions about placement when you have children on cusp of these behaviours - whether they pose a risk to family members. Children need to be placed locally wherever possible as this helps maintain links with school and family.

Tim Wells emphasised how the best outcomes for children result when they are able to become attached to a significant adult. This most effectively happens in a family environment.

Melissa Caslake pointed out that 11 care leavers are starting university this year, and reminded panel about the rewarding aspects of foster caring.

Panel discussed the drop out rate for carers in the induction period, which is not unusual as personal circumstances can change through separation, bereavement etc. The process of stringent checks also put some people off.

The application timescale had shortened from 9 to 7 months. Panel also discussed the need to refresh the advertising campaign material.

It was noted that applicants to foster caring had commented on the friendliness of the officers answering telephone enquiries in Merton, particularly in comparison with other agencies. This had lead more potential carers to come into the Merton scheme.

Panel noted the report and thanked officers involved for their work.

## 12 Briefing note on teenage pregnancy

Keith Shipman introduced this report. Officers look at how Merton can co-ordinate work with partners to improve the teenage pregnancy rate, and work with young parents. Merton has the highest reduction in teenage pregnancy in outer London. This has not been accompanied by the usual increase in abortion rate, and so is a particularly good outcome.

Successful work had been carried out in schools with sex and relationship education, policy development, 'Check it Out' with the PCT, and with condom provision services.

It was highlighted that public health money covers these preventative functions for young people and early years.

Panel noted the report.

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13 Performance Monitoring

Michael Sutherland addressed this report, highlighting areas mentioned in the report that were below target, with explanations for panel. Commentary has been included in some definitions, where requested. Exclusions were expected to come in above target for the year, but this is a volatile target where one incident can lead to multiple exclusions. Low rates of road accidents in Merton were noted. A panel member noted items 2 & 3 being still below target. Melissa Caslake explained that there had been significant improvement recently, and that they are working hard to improve figures. The timing of the data collection does not match well with working patterns, and completing more work in a month than started shows a downward indication. The backlog is being dealt with and this will be demonstrated in future indicators. The Munro Report will recommend timescales and will possibly merge some performance indicators. There are new guidelines coming out in December, which will be monitored closely. Panel members were reminded that quality has to be taken into account, not just timeliness.

There had been no primary exclusions for several years.

The indicators are being reviewed for the quality of the indicator; whether the indicator reflects the range of responsibilities in the department in a balanced way; the relevance of comparisons of data against targets, against national averages and against equivalent 'statistical neighbour' authorities; and which bodies hold which data, and how we are held to account by them. The proposed new basket of indicators will come back to panel for approval in due course.

Panel noted the report and the need to continue to monitor indicators 2 & 3.

14 Draft Work Programme

Remains unchanged, therefore noted by panel

15 Youth Offending Service Post- Inspection Scrutiny Briefing

Keith Shipman explained this was a case-work inspection, and is very technical in nature, covering whether national standards are being met. The report contains specific recommendations relating to recording information. The team had identified in December that improvements were required and an audit was carried out and changes put in place. The report reflected the borough was improving due to these changes. Challenging improvements are required about making the assessment, and how this process is followed through within timescales.

Once the young person is given a sentence, the borough has to perform a number of assessments, signed off by the manager, all to different timescales. Any further re-offending resets all the timescales and requirements. Since the inspection, a draft action plan has been drawn up, and this will show how the inspectorate monitors the borough. Staff will have improved training, and there will also be comparison with best practice examples in different boroughs. There is a LEAN review to improve the processes.

Keith Shipman explained that there is what appears to be a 'London phenomenon'

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with these reports, where London boroughs come out 20% below national average. This could be a result of offending patterns, and hyper-mobility of offenders (meaning a broad range of partners become involved in one young person) in London not being fully recognised.

The process left little time to liaise with relevant partners. Feedback is considered by board, along with audit results, which result in improvement plan.

An update can be given to panel as a performance monitoring report in a future meeting.

Panel noted the report.

16 Date of next meeting

The Children, Schools and Families department will confirm the date of the next meeting on Friday, 23<sup>rd</sup> September.

*The next panel meeting date was later confirmed to be 15<sup>th</sup> November 2011*