

Merton Council Children and Young People Overview and Scrutiny Panel



Date: 13 November 2012
Time: 7.15 p.m.
Venue: Committee Rooms B and C,
Merton Civic Centre, London Road,
Morden SM4 5DX

AGENDA

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| 2. Apologies for absence | - |
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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.**

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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 Oonagh Moulton
Councillor Linda Scott
Councillor Peter Walker
Councillor Simon Withey

Substitute Members:

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

Note 1

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

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

Amanda Stuart Fisher (Parent Governor Representative – Primary School)
Colin Powell (Church of England Diocesan Representative)
Mrs Anna Juster (Roman Catholic Diocesan Representative)
Dr J Sullivan-Lyons (Parent Governor Representative – Secondary School)

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

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

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. Alternatively, visit www.merton.gov.uk/scrutiny .

**CHILDREN AND YOUNG PEOPLE OVERVIEW & SCRUTINY PANEL
4 SEPTEMBER 2012**

7.15 – 9:15pm

PRESENT: Councillor Jeff Hanna (in the chair), Councillors Agatha Akyigyina, Laxmi Attawar, Iain Dysart, Karin Forbes, James Holmes, Oonagh Moulton, Linda Scott, Peter Walker, Simon Withey (arrived later), Councillor Richard Chellew (substituting for Councillor Simon Withey in at the end of the meeting).
Co-opted members - Mrs Anna Juster and Dr Jo Sullivan - Lyons

ALSO PRESENT: Councillors Maxi Martin (Cabinet Member for Children's Services) and Martin Whelton (Cabinet Member for Education)
Yvette Stanley (Director of Children Schools and Families), Paul Ballatt (Head of Commissioning, Strategy and Performance), Jan Martin (Head of Education), Tom Procter (Service Manager – Contracts and School Organisation), Rebecca Redman (Scrutiny Officer)

1 DECLARATIONS OF PECUNIARY INTEREST (Agenda item 1)

None.

2 APOLOGIES FOR ABSENCE (Agenda item 2)

Apologies for absence were received from Amanda Stuart Fisher (parent governor representative) and Alison Jerrard (secondary head teacher representative).

3 MINUTES OF THE MEETING HELD ON 18 April 2012 (Agenda item 3)

RESOLVED: The Panel agreed the minutes as a true record of the meeting.

4 MATTERS ARISING (Agenda item 4)

Councillor Jeff Hanna updated the Panel on the meeting scheduled for 10th September with the Youth Parliament to determine how to engage young people in the delivery of the work programme of the Children and Young People Scrutiny Panel. Councillor Jeff Hanna also welcomed Dr Jo Sullivan-Lyons as the new Secondary School Parent Governor Representative on the Panel. Councillor Jeff Hanna noted that a primary head teacher representative position was vacant and asked the Scrutiny Officer to follow this up. Councillor Jeff Hanna informed the Panel that he and other members of the Panel had met with officers to discuss the Knife Crime Action Plan and had received a restricted document that was subject to police analysis. However, there was as yet no document setting out an overview of the practices and policies in place across the borough. Yvette Stanley added that the Police, who led on this aspect of the Partnership's work, had collated wider information but that this had not been able to be written up due to their involvement with the Olympics and Paralympics. Yvette Stanley committed to following this up with the police following the Olympics, and to a more comprehensive document

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being prepared.

5 MANAGEMENT OF THE MEETING

The Chair consulted the Panel on the order of the agenda and proposed that items be considered in the following order:

Standing items, followed by Items 5,7,10, 6,8,9.

RESOLVED:

(1) That the items on the agenda be considered in the following order: Item 5, 7, 10, 6, 8, 9.

6 PROVISION OF SCHOOL PLACES (agenda item 5)

Paul Ballatt introduced the report and commented on the pressure the council is facing to meet demand for school places in the borough. Members were informed that an additional 29 forms of entry for primary schools were required from the baseline position in 2008/09.

The council already provided 21 forms of entry and in most cases expansions would be permanent. As the council's expansion programme proceeds, an overview will be maintained of demand and the statistics held that inform the number of school places required. Half of the schools in the borough are expanding and the demographic information shows there is a need to expand further.

The Panel were informed that the department have commissioned an external organisation, Capita, to undertake an assessment of the school sites in the Wimbledon area and produce an options appraisal by the end of September 2012.

Members heard that part of the council's secondary school places strategy was to fill up surplus places that exist in schools already prior to substantial additional buildings that will later be required.

It was noted that in special schools, additional provision has been provided, for example, a separate secondary provision site was established in St Anne's School in 2010. The Cricket Green School expansion is also making use of the adjacent property and chapel orchard building. Members heard that this provided a short-term solution but that longer term planning also needed to be undertaken for provision after 2015.

Councillor Jeff Hanna thanked officers for the work undertaken to date to provide primary school places and acknowledged that it was a major achievement.

Councillor Oonagh Moulton noted that the report outlined work underway or complete and did not provide the Panel with an opportunity to comment or make recommendations on options for future school places provision. In addition, Councillor Oonagh Moulton noted that the report didn't include an outline of how Section 106 monies had been spent in these expansions and that there was no mention of value for money.

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Councillor James Holmes proposed deferring the report when the recommendations made by Capita could be considered and commented upon by the Panel. In addition, Councillor James Holmes also highlighted that a Task Group of this Panel had been set up to review the provision of secondary school places and that the work of the task group should get underway before the Panel comment on school places.

Councillor Karin Forbes agreed that this should be a role for the Task Group and asked about the proposed retention rates from primary to secondary school and potential changes.

Councillor Simon Withey agreed with the other Councillors that had spoken on the influence that scrutiny could have regarding this report, given that a decision had already been taken on using Capita.

Councillor Peter Walker asked what Capita were being asked to do. Councillor Agatha Akiygyina questioned what role the Task Group would play in looking at the provision of secondary school places if Capita were undertaking this task.

Dr Jo Sullivan-Lyons stated her concerns regarding the report not really presenting the Panel with an opportunity for scrutiny. Dr Jo Sullivan – Lyons also questioned the role of Capita, whether primary and secondary provision was being considered by Capita, what the definition of 'optimal sites' was, and how parents had been consulted on these 'optimal site's. In addition, Dr Jo Sullivan – Lyons noted that there should be some recognition of the human rights and equalities implications of the proposals and that a subsequent report should reflect these implications and how they are to be addressed.

Paul Ballatt highlighted that this report was intended to provide an update on progress only and not to provide an opportunity for pre decision scrutiny. Paul Ballatt confirmed that the provision of secondary school places task group would have a role to play in the expansions proposals and contributing to supporting the council to meet this demand.

Paul Ballatt informed the Panel that the work being undertaken by Capita was requested by Cabinet and will cover primary school expansions at this stage. Capita have expressed an interest in working alongside LBM on their secondary strategy but the council will not commit to this long-term piece of work until the outcomes of the work on primary provision have been approved.

Paul Ballatt confirmed that Capita were undertaking an exercise to look at existing and non-council sites to see if there were any sites that hadn't been considered previously and to also review those that may have been looked at in the past and may not have been considered feasible at that time for various reasons. Capita will report to the Council at the end of September 2012.

Tom Procter added that detail on the exact retention rates from primary to secondary school could be shared with the Panel and that rates stood at 90%, 4 to 5 years ago, with rates dropping over the past 2-3 years. For secondary provision, regional level planning was needed and this will be an area that the provision of secondary school

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places task group would be looking at. Councillor Peter Walker asked why Members had not been invited to contribute to identifying appropriate sites and if a recently formed all party Member working group on school expansions had met to discuss this issue.

Paul Ballatt responded by confirming that Capita will be looking at all options identified to date, including those identified by Members, and that the cross party Member working group had since met. The work being undertaken by Capita was going a step beyond simply identifying sites by looking at the feasibility and affordability of sites.

Councillor Iain Dysart asked when Capita had been commissioned, how much the work cost, and if there were any initial findings at this stage that could be shared with the Panel. Paul Ballatt outlined that Cabinet had taken the decision at their July 2012 meeting and that a brief had been developed by Tom Procter and a procurement process followed. 3 providers were interviewed and Capita were selected. Capita costs are £19,000; against a context to make decisions for needing to spend tens of millions pounds on school expansion, this was money well spent. Paul Ballatt confirmed that there has been no initial findings shared with the department by Capita as yet.

Councillor James Holmes reiterated the importance of Member involvement and timeliness of reports to scrutiny. Councillor James Holmes asked if the timing of the purchase of Jamia School was unfortunate given a scrutiny task group has been set up to look at the provision of secondary school places.

Cllr Richard Chellew wished to note that he felt scrutiny had been by passed in this decision making process relating to the purchase of Jamia School. Councillor Jeff Hanna asked if the Panel were content to wait for the outcomes of the task group review of the provision of secondary school places. Councillor Jeff Hanna advised the Panel to wait for a progress update from the Task Group and then request a report from the department at a later date.

Councillor James Holmes requested further information on Jamia School. Tom Procter outlined costs and the business case, The business case was made by comparing (1) the cost of the previous proposal to provide 1 additional form of entry at the school, plus the typical cost of a one-form entry school expansion i.e. to provide 2 forms of entry, against (2) Purchasing Jamia School building, and the associated minor extension and adaptation cost to enable 2 additional forms of entry to be provided. This showed that the cost of the Jamia School option was £1.4 million less, making a very clear value for money case in the context of the school expansion programme requirements.

Members queried why the Children and Young People Scrutiny Panel had not been consulted on the purchase of Jamia School and had not been given the opportunity to undertake pre decision scrutiny on this matter. Paul Ballatt stated that he had consulted with Councillor Peter Southgate, as Chair of the Overview and Scrutiny Commission, on the decision and that Councillor Peter Southgate had agreed to this item not being subject to pre decision scrutiny due to the urgent nature of the

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decision.

Note: Paul Ballatt sent clarification to the Panel via email following the meeting on 4th September 2012 to explain that Full Council had made the decision and therefore, Councillor Peter Southgate had not been consulted on this issue.

Councillor Oonagh Moulton requested further information on how Section 106 monies had been spent on Jamia school. Tom Procter outlined that Section 106 monies had been generated from developments throughout the borough and that since the council was using its monies for expansions throughout the borough a simpler way of administrating these funds was to pool them with other school expansion funding, rather than waste resources on splitting the funds against multiple projects. This was clear in the Cabinet report in June that initially agreed the release of the Section 106 funding.

Councillor Martin Whelton stated that an opportunity had presented itself and the council had needed to act within those timeframes to secure the property, which had not allowed time for scrutiny.

RESOLVED: The Panel noted the report.

6 TROUBLED FAMILIES INITIATIVE (agenda item 7)

Yvette Stanley informed Members that this report acted as a briefing on the relatively new initiative, renamed as the Transforming Families Programme in Merton, which seeks to address and respond to problems faced by families on the margins of society. Troubled Families is a DCLG led initiative and the council are working closely with DCLG partners to implement this initiative within a local context. Merton has been working closely with partners to identify its 370 troubled families that meet various criteria and triggers for intervention. The initiative has been renamed Transforming Families in Merton to reduce the stigma potentially associated with the Troubled Families label. Members heard that the process of identifying the 370 families is heavily prescribed but that there are a range of discretionary factors.

Yvette Stanley outlined that funding for the programme constitutes 40% LBM funds and 60% DCLG funds. £530,000 of partnership funding has also been awarded to identify troubled families. Funds will be allocated to geographical hotspots and include working with the VCS to build community capacity.

The Panel were informed that the council still had its family intervention programme running and this was being aligned into the wider TF programme. Staff were being recruited including secondments from partners organisations.

Dr Jo Sullivan-Lyons stated that her primary concern is the 'payment by results' method outlined in the report and questioned what outcomes were deemed successful to enable the council to access those funds. Dr Jo Sullivan – Lyons also questioned how realistic it was to achieve the expected results to receive payment given the nature of the work involves dealing with difficult cases. In addition, a question was asked of the role of academies and how much information could be sought from schools outside of local authority control to assist identification of the

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370 families for the programme.

Yvette Stanley confirmed that the department were still working with DCLG to ensure that the Merton criteria complied with national requirements. There are a number of triggers by which families are identified to be placed on the programme. Payments by results are based on broad progress in relation to these outcomes with interventions designed around each individual family's needs and their circumstances. The council will look holistically at moving families from A to B and it is anticipated that the PRG will be able to be claimed in relation to progress on that journey.

Councillor Jeff Hanna enquired about the funding framework. Yvette Stanley informed the Panel that this is not static and that the council have already received a payment from DCLG. If the council are deemed to be unsuccessful later in the process then the funding received will reflect this. Paul Ballatt added that there is an element of demonstrating that change can be sustained, not just achieved. Yvette Stanley confirmed that funding is also based on the status of the whole family, not just an individual within it.

Councillor Oonagh Moulton asked Yvette Stanley and Paul Ballatt to thank the Interim Head of Children's Social Care and Youth Inclusion for the report.

Councillor Peter Walker stated that he welcomed the initiative provided that the council could achieve results and in turn, payment. Councillor Peter Walker also questioned how effective a holistic approach was in concentrating on the whole family meeting the criteria, as opposed to an individual with issues that need to be addressed.

Councillor Laxmi Attawar questioned how the 370 families would be identified. Yvette Stanley outlined that the 370 families to be identified was a notional target that has been produced working with partners and includes a number of families the council and its partners already know/are working with. By the second year of the programme the council will still have a 370 target but this wont be static, as resources will be targeted more effectively with this rolling programme of 370. 120 families have already been identified.

RESOLVED: The Panel noted the report.

8 SPECIAL EDUCATIONAL NEEDS TRANSPORT (agenda item 10)

Paul Ballatt outlined the steps being taken by the CSF and E&R departments, working with partners, to achieve efficiencies in the SEN transport budget of £2.77 million. It was stated by the department that efficiencies generated from this budget would be more preferable than seek to generate savings from more vital service budgets, for example, in children's social care.

The Panel were informed that the department were aiming to save £100,000 in 2013-14 and a similar amount in 2014-15 and were currently exploring the feasibility of a number of options to enable them to deliver these savings.

Members were informed of a feasibility study undertaken by KidsFirst, which had produced a number of potential savings options. The study involved examining how

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other local authorities provided a SEN transport service, examination of a number of hypotheses – e.g. could volunteers provide some of the service – and wide-ranging consultation with parents/carers and professionals in the field.

Members heard that the CSF department had reviewed the councils SEN transport policy and eligibility. Draft changes are being proposed and that this updated policy would be taken to Cabinet for agreement shortly. The Main changes to the policy include a more flexible way of delivering the council's duties in relation to SEN transport and a more flexible 'menu' of options for parents/carers. Members heard that whilst this review has been initiated for financial reasons, the review fundamentally aims to improve transport options for young people and consultation with families has been central to this.

Paul Ballatt highlighted one of the major changes in the policy was the offer of transport to parents not selecting the nearest school identified in the statement being withdrawn. It was highlighted to the Panel that the employment of volunteers to deliver transport was considered but that it was not feasible to expect a volunteer to be available 5 days a week and still able to establish a relationship with the child/family. This option was explored with the VCS but not felt to be a runner. The study also shows that there are incremental ways of making some savings – e.g. better information sharing between schools, SEN and transport services, better use of technology, working relationships and revised processes. It also suggests more use of independent travel training to enable more young people to travel independently thus not requiring the provision of transport. These options are being discussed with the project board.

Councillor James Holmes asked officers to clarify the nature of the work of KidsFirst and their role in the feasibility study.

Councillor Agatha Akiygyina asked about withdrawing the offer of transport to parents that did not select their nearest school and if any alternative support would be offered.

Councillor Linda Scott questioned what possible alternatives to the in house transport provision had been explored.

Dr Jo Sullivan-Lyons made a plea that the policy be written in plain English and in an accessible way for families that may have learning difficulties or low levels of literacy. In addition, that the policy reflect the importance of improving the quality of life for young people and their families and also the importance of travel to after school activities, not just cost savings.

Paul Ballatt outlined that there had been a proper procurement process to identify KidsFirst as the organisation to undertake the feasibility study, which was initiated by the Merton 2015 Project Board. The Merton 2015 Project Board provided £35,000 of funding for the project. Members heard that KidsFirst had estimated at the outset of the project that their costs would stand at £22,000. Kids First are a parent/carers group that are allied to Merton Mencap. KidsFirst do not have registered charity status and their covenant has led this piece of work.

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Paul Ballatt confirmed that the withdrawal of the offer of transport if parents don't accept the nearest school was just a proposal at this stage and that Cabinet would make the final decision on this. The implications of the policy mean that parents would have to make their own arrangements for transport.

Members were informed that the consideration of alternatives to in house transport provision were not in the hands of the CSF department as they are a customer of the E&R department who manage the transport service. The CSF department have worked closely with E&R department to ensure that savings can be made but that it is not a decision that the CSF department can take.

In addition, Paul Ballatt welcomed the comments made regarding the accessibility of the policy and informed the Panel that the department could look at producing a more 'user friendly' version/summary. .

Yvette Stanley added that the policy will be accessible but this will need to be balanced against meeting legal requirements. Access to after school activities and the transport provision from the council would need to be balanced between the moral and statutory duties of the council.

Jan Martin informed the Panel that the overall budget for School Improvement and SEN services is £6 million, £3 million of which is allocated to transport. The purpose of this review was to generate the least worst options to make the necessary savings.

Councillor Oonagh Moulton congratulated the department on using KidsFirst to lead the review. Paul Ballatt confirmed that KidsFirst had contributed to the authorship of the revised policy in addition to undertaking the feasibility study.

RESOLVED: The Panel noted the report.

9 UPDATE ON DEVELOPMENTS AFFECTING CHILDREN, SCHOOLS AND FAMILIES DEPARTMENT (agenda item 6)

Paul Ballatt apologised for the slim nature of the report, which covered the summer period and outlined the developments contained within the report to the Panel. Cllr James Holmes asked if any update could be given to the Panel on the Serious Case Review being undertaken of the sad death of Tia Sharp. Yvette Stanley reflected that the Council and its partners as well as the whole community had been shocked and saddened by the tragic and untimely death of Tia Sharp and that everyone's thoughts were with her family and friends. As is usual when a young person is murdered, the Local Safeguarding Children's Board had commissioned a serious case review. That process began on 3rd September 2012 and an independent Chair and Overview writer had been appointed. Cllr James Holmes questioned what role the Council were playing in the review. Yvette Stanley confirmed that all relevant services would be contributing to the review process including council services and schools. In response to questions Yvette also advised that the Council is offering support to the schools and pupils who had known Tia. Jan Martin added that a letter had been sent to all secondary school pupils going into year 8 at Tia Sharp's secondary school. Also letters had been written to 23 primary schools to offer support to children and families

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who would have known Tia from primary school.

Cllr Karin Forbes requested information on GCSE results. Paul Ballatt confirmed that this information would be tabled at a future meeting. Cllr Hanna requested that this information be emailed to Members after the meeting. Cllr Iain Dysart stated that he would like to offer congratulations to the department on behalf of the Panel for their hard work. Councillor Richard Chellew added that the GCSE results were excellent, with 60% achieving grades A-C and that the Council should keep working to support the remaining 40% of students that have not achieved these grades to enable them to do better and to progress.

RESOLVED: Panel noted the report.

10 PERFORMANCE MONITORING (agenda item 8)

Dr Jo Sullivan –Lyons questioned how administrative errors being made by staff were being addressed given their impact on the performance results displayed. Dr Jo Sullivan –Lyons also asked what training was available to staff to minimise the potential for these errors occurring again. Paul Ballatt added that sometimes there is human error and that this is unavoidable, however, staff are provided with lots of administrative training.

RESOLVED: Panel noted the report.

11 BUDGET MONITORING UPDATE (agenda item 9)

RESOLVED: Panel noted the report.

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