



## **MINUTES OF THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE**

**Wednesday 20 March 2013 at 7.00 pm**

PRESENT: Councillor Mashari (Chair), Councillor Cheese (Vice-Chair) and Councillors Aden, Al-Ebadi, Matthews, Mitchell Murray and Pavey and Mr A Frederick, Dr Levison, Mrs L Gouldbourne and Thivya Jeyashanker

Also present: Councillor Arnold

Apologies for absence were received from: Ms E Points

### **1. Declarations of personal and prejudicial interests**

None declared.

### **2. Deputations (if any)**

None

### **3. Minutes of the last meeting held on 12 February 2013**

RESOLVED:

That the minutes of the previous meeting held on 12 February 2013 be approved as an accurate record.

### **4. Brent Youth Parliament update**

Thivya Jeyashanker (Chair of Brent Youth Parliament (BYP)) provided an update to the committee on the work of the BYP.

#### Brent Students Climate Change Conference

The Brent Student Climate Change conference had been held earlier in the day and had been very successful. The Chair and Vice Chair of BYP had addressed the conference on the subject of encouraging engagement and participation of young people and had received a good response. Amer Hajan (Strategic Youth Engagement Officer) explained that it was hoped that this would be an annual event in the future.

#### Next meeting of BYP

The next meeting of the BYP was scheduled for Saturday 23 March 2013 at 10.00 am. All members of Brent Council were invited and encouraged to attend. Amer Hajan explained that all Brent Councillors would be formally invited to attend these sessions in future and for those who couldn't attend, minutes of the sessions would be provided.

### Training

Training was provided to members of BYP and had thus far been very useful, including subjects such as media skills and equality issues. Feedback drawn from the evaluation forms completed by BYP members evidenced that these training sessions were received very positively.

### Main Issue

Tackling the issue of bullying would remain a key focus of BYP in the coming year, with particular attention being paid towards homophobic bullying. A number of strategies would be employed in the pursuit of this goal, including the development of a young people-friendly anti-bullying policy for distribution to Brent schools.

### Council Budget

The BYP had sought to be as involved as possible in the budget setting process. In particular, the BYP executive had aimed to make it accessible to the wider BYP membership, who in turn could feedback to their constituents.

Amer Hajan briefly outlined a number of developments regarding his work with the BYP. He had held one to one sessions with the BYP executive members to see how they can be better supported. The committee was further advised that the NHS Clinical Commissioning Group (CCG) had appointed two young people from BYP to sit on its equality, diversity and engagement board/committee. Councillors were invited to contact Amer Hajan directly to obtain further details about the work taking place with the BYP.

The Committee and Councillor Arnold congratulated all of the young people involved in the Student Climate Change Conference. It was reiterated by the Chair that should any issues arise that BYP considered appropriate for scrutiny by the Committee, these could be added to the committee's work programme.

RESOLVED:

That the update on the work of the BYP be noted.

## **5. Schools Finance Update - 2012/13**

Mustafa Salih (Assistant Director, Strategic Finance – Children and Families) introduced the report to the committee, noting that it provided an update on the current situation regarding financial management in Brent Schools. This followed a more detailed report which had been presented to the committee on 19 July 2012. The meeting was reminded that the financial management of schools was a function that was delegated to schools' governing bodies. However, the council's Section 151 officer retained responsibility for ensuring that sound financial systems and controls were in place. Furthermore, the council held an overall responsibility to ensure that the public funds provided to schools were spent appropriately. The council therefore maintained a strategic and supportive role in relation to the financial management of schools, conducting regular internal audit reviews and providing regular guidance updates, training sessions and seminars for schools.

Mustafa Salih explained that the report focussed on three key issues which had been identified previously as requiring improvement. These were; the outcomes of internal audit reviews, failure to comply with the School Teachers Pay and

Conditions Document (STPCD) and, schools having entered into unfavourable leasing arrangements. Action plans had been developed and implemented for the latter two issues and improvements could be evidenced across the board. The fifteen audit reports that had been issued as part of the 2012-13 schools audit plan had demonstrated a much improved position from that achieved in 2010/11 and 2011/12, with the proportion of schools receiving Substantial assurance having increased from 35 to 80 per cent. Turning to the issue of compliance with the STPCD, Mustafa Salih advised the majority of Brent schools were now compliant. A few schools had been asked to provide additional supporting documentation to evidence their decision making around pay levels for senior posts. With regard to schools entering into unfavourable leases, the council had identified this problem in 2010. As the schools in question did not have the legal power to enter into these leasing arrangements, the Council was of the view that they should be treated as void from the outset. In addition to implementing an action plan to more broadly address the issue through the provision of advice and guidance, the council continued to work to extricate the worst affected schools from their costly finance leases. The council was prepared to contest any finance lease in court and at present, one case was due to go to trial before the high court in early 2014; the council was confident of success in this instance. However, the council had also successfully engaged in negotiation with some of the finance companies in question and would continue to do so where appropriate.

In concluding, Mustafa Salih noted that a Schools Finance Conference had been held on 31 January 2013 and almost every school had attended. Workshops had been held around different aspects of schools finance and up to date guidance had been provided. The council would continue with its approach to supporting good financial management in schools and would continue to monitor the situation.

During members' discussion the committee sought further details regarding the fifteen schools audited as part of the 2012/13 schools audit plan, noting that these were necessary in order to identify whether the sample was representative. It was noted that the committee had previously been assured during its discussion on 19 July 2013 that a heightened level of financial training could be incorporated into the induction training for governors and an update was sought on this matter. It was further commented that a balance should be maintained between expert and lay members of boards of governors and it was therefore important to actively recruit governors with suitable professional skills. The committee suggested that the council's governor support service could assist in identifying skills and could act as a signposting service. The committee queried how many schools had sought advice direct from the council's HR Services Manager and queried what efforts had been made to improve the dialogue between the council and Brent's schools. It was further queried what the cost had been of bad financial practice in Brent's schools and how much had been saved as a result of the actions taken to address this. Mrs Gouldbourne (committee observer and Chair of the Brent Teacher's Panel) advised that changes to the STPCD from September 2013 meant that national pay scales would be removed and schools could set their own pay arrangements. The Teachers' Unions had proposed that a pay policy be developed between the Teachers' Unions and the council which could then be recommended to schools and it was queried what progress had been made with regard to this.

In response to the queries raised, Mustafa Salih advised that details of the fifteen schools could be provided to the committee. All maintained Secondary schools

were audited annually and primary schools were audited on a three year cycle. Sara Williams explained that she was confident that the improved outcomes of the audits for 2012/13 were indicative of a general trend, resulting from actions taken to address some of key issues identified and noted that the results of the audits were good but not outstanding. The council would continue to work to further improve outcomes. Mustafa Salih added that where schools had financially penalised themselves by entering into unfavourable leasing arrangements, subsequent action taken to cancel these had saved Brent's schools approximately £1million. The overall cost of the unfavourable leasing arrangements to Brent's schools would be calculated and provided to the members of the committee. With regard to the school governors' induction programme, this did include a finance element but it was agreed that this would be reviewed in accordance with the committee's suggestion. It was highlighted that the council had held a very successful Schools Finance Conference in January which had incorporated several different workshops.

Mustafa Salih further advised the committee that the exact number of schools that had approached the HR Services Manager directly was not known. Sara Williams explained that communication with schools took place via a range of media including a fortnightly bulletin which highlighted important developments. The schools' extranet was used as a repository for important documents. Meetings were also held with head teachers and Chairs' of governors. With regard to the changes to the STCPD, guidance was currently being developed that would be distributed to schools. The council was also looking at how other London authorities sought to address the issue to identify best practice. Turning to the role of the governors support service in helping to address skills gaps in schools boards of governors, Sara Williams advised that this was something that could be explored further. Councillor Arnold (Lead Member for Children and Families) noted that there was a national service for identifying governors and reiterated the importance of having both governors with professional skills and those who were committed individuals from the local community.

With reference to the query concerning the number of schools that had approached the HR Services Manager, the Chair commented that it would be helpful in future reports for any such statements to be evidenced with the relevant figures.

RESOLVED:

- (i) that the report be noted;
- (ii) that an update report regarding Schools Finance be brought to the committee on an annual basis.

## 6. Academies and Free Schools

Sara Williams (Assistant Director, Early Help and Education) presented a report updating the committee on the changes in types of schools in the borough. As with many other local authorities, Brent had a mixed economy of schools; most of its secondary schools were now academies, whilst the majority of its primary schools remained community or voluntary aided schools. It was anticipated that the transition of Brent's remaining maintained schools to academies would be incremental. However, if the council wished to establish new schools in the

borough, these would have to be delivered via the free schools route, with the council advertising via the Department for Education (DfE) for a free school provider. In view of this, the council had developed a set of partnership criteria but had not yet proposed any new school developments. There were, however, two sites for new schools that were likely to become available as a result of two developments. In addition, a free school which had been approved for a different borough had been relocated to Brent, with the DfE having purchased a site from the College of North West London. It was emphasised to the committee that the culmination of these changes on a national scale had resulted in the growth of an increasingly prominent autonomous school sector and it was judged that this pointed to the end of the local authority as a direct and large scale provider of support to schools.

Sara Williams explained that despite this changing role, local authorities retained a significant number of legal duties in respect to education and the wider needs of children as set out in the Statutory Guidance on the roles of the Director of Children's Services and the Lead Member for Children's Services, issued in 2012. In particular, educational attainment and school improvement remained important issues for the pursuit of borough prosperity and the equality of life chances for Brent's young people. Research commissioned by the LGA and the Association of Directors of Children's Services (ADCS) identified that the key to future school improvement was the development of a schools-led partnership working with the local authority. This partnership would enable schools to provide support to each other, as well as jointly commission external support. The Brent Schools Partnership (BSP) was currently in the early stages of development, having been launched in October 2012. The council would continue to work closely with all of Brent's schools to represent the interest of pupils and parents across the borough. The council also provided an extensive offer of traded services to schools and further developments in the range of services offered were planned for 2013/14.

Sara Williams advised that new education funding arrangements for local authorities and academies would come into force for 2013-14, in the form of the Education Services Grant (ESG). The ESG would be allocated on a per-pupil basis to local authorities and academies according to the number of pupils for whom they were responsible, with each pupil attracting £116. In addition, local authorities would receive an extra £15 for all Brent pupils for the statutory duties that did not transfer to academies. As the new figure of £116 per pupil was significantly less than academies had been receiving thus far and the DfE had agreed transitional protection for academies, to be funded from the DfE budget. ESG allocations for 2013/14 were still pending but it was expected that approximately £6.2 million would transfer out of Brent's overall funding with circa £3.9 million coming back to the council for its maintained schools. The remaining £2.3 million would be allocated to Brent's academies. The expected level of funding adjustments had been incorporated in to the appropriate budgets for 2013/14.

In the subsequent discussion, the committee raised several issues. With regard to the new free school which was being established in Brent, further information was sought about its admission arrangements and how the establishment of new free schools would impact the council's projections of demand for school places. It was also queried whether the council could reduce the pressure on school places by working with other local authorities. Noting the development of the partnership criteria, the committee queried whether the council was proactively approaching

groups to identify potential free school partners, particularly in light of the two sites that were likely to become available for new schools in the borough. The committee further queried what resources the council was contributing to the BSP. It was queried how the council intended to work with academies and free schools to ensure it continued to meet its equality objectives, particularly in relation to educational achievement and the needs of groups at risk of underachievement. The committee raised a concern regarding how the council would ensure that the appropriate health and safety requirements were met across all of Brent's schools, noting that the council had a duty to ensure the health and safety of all of its pupils. This concern was raised with particular reference to potential issues at the site for the new Michaela Community School.

Sara Williams explained that free schools would be required to abide by the Schools Admissions Code. The new free school, Michaela Community School, would be admitting pupils using a banding process, similar to that which was used by the Capital City Academy. If neighbouring boroughs established new free schools this could significantly impact the borough's projections regarding demand on school places. It was emphasised that these projections took into consideration several factors and planning both within and cross borough was difficult.

Turning to the issue of the council actively pursuing the creation of new schools in Brent, Sara Williams explained that the two potential sites were dependent on developments which had been delayed. The Community Infrastructure Levy from these developments only became available to the council at a particular point in the process and so the council could not pursue these options immediately. It was thought that these sites would become available in 2016/17. It was confirmed that the council was proactively, but informally communicating with potential free school applicants. A preliminary investigation of potential partners for free schools had been undertaken but had not been progressed further as the council was not in a position to develop a firm proposition at this time. It was noted that some free school applications had been approved by the DfE without their having a set location and this offered potential for further exploring partnership opportunities. During its preliminary investigations, none of the twelve prospective free school applicants had fully met the council's partnership criteria, particularly the requirement to evidence their ability to deliver school improvement. This was thought to be potentially difficult for certain groups which had formed for the particular purpose of establishing a free school and did not therefore, have a history of achievement to evidence their capabilities. The council was currently managing the demand for school places through phased school expansion, which was considered to be the most financially efficient solution at the present time. Councillor Arnold added that it was important that the additional school places were created when they were needed which for secondary schools was not thought to be until 2017.

The committee was informed by Sara Williams that the council was assisting the development of the BSP and had, in the current financial year, allocated a small amount of funding to allow staff to be seconded from schools. It was good practice to have an effective schools partnership in place and it was therefore in the council's interest to help it evolve. Councillor Arnold explained that the council was giving Brent's schools the time needed to take ownership of the BSP. A steering group was now in place and BSP would be recruiting a director, in partnership with the council in the near future. With regard to the council meeting its equality duties,

it was highlighted that as public sector bodies, non-maintained schools would be equally required to meet the public sector equalities duty, which would include having an equality scheme in place. It would not be the role of the council to ensure that the non-maintained schools complied with this but it would be able access data on attainment against background characteristics. Similarly, the council did not have any regulatory powers to ensure that non-maintained schools complied with health and safety requirements, but the council would seek to work with the schools and would share the recommended health and safety policies and guidance.

Mrs Gouldbourne advised that two consultation events had been scheduled by Michaela Community School; one on 26 March 2013 and the other on 4 April 2013. Both of these events would take place within the school holidays which it was considered was prohibitive for teachers and parents. Sara Williams confirmed that there would be an officer presence at these events.

Resolved:

- (i) that the report be noted;
- (ii) that the committee undertake to write a letter to the Secretary of State regarding the difficulty faced by the local authority in ensuring adequate health and safety standards for Brent Children in schools over which the council had no official influence, drawing on the experiences provided by members of the committee and appointed observers of the committee.

## **7. Special Educational Needs (SEN) Strategy**

RESOLVED:

That the Special Educational Needs Strategy be noted.

## **8. School Places Update**

Sara Williams advised that there were currently five primary school pupils without an offer of a school place, due to their being very recent applications. Three of these pupils required places in Year 1 which was a very full year group across Brent. There continued to be a steady flow of children requiring school places in to Brent. Additional classes had been established at Preston Park and Stonebridge; however, it was acknowledged that places offered to parents were not always at a convenient or perceived reasonable distance. The council would review the numbers for the reception year in-take to assess whether the projections made for September 2013 were correct and whether further additional classes might be required.

Councillor Cheese noted that it could be difficult for parents who might have to take children to two different schools for the same start times. Sara Williams advised that officers were very sensitive to that issue. The Fair Access Protocol could be used in exceptional circumstances to keep siblings together but overall the council was only able to offer places where there were vacancies. Where parents were not taking

reasonable efforts to get their children to school, the council would try to address this matter directly with them although could pursue legal action in extreme cases.

In response to a query, Sara Williams explained that there were adequate school places for all children moving into secondary school in September, with approximately 67% achieving their first choice. Years 10 and 11 were quite full at the present time.

RESOLVED:

That the update be noted.

#### **9. Children and Young People Overview and Scrutiny Work Programme**

The Chair drew the committee's attention to the work programme and welcomed any suggestions for additional items from members. Thivya Jeyashanker advised the BYP's surveys had found that careers advice was an issue of significance for Brent's young people. Councillor Cheese requested that the item on educational attainment by ethnicity be brought to the next meeting of the committee.

In response to a request from Councillor Pavey, Sara Williams advised that updates on the Youth Service Review and how the Payments by results in Early Years was progressing could be circulated to the committee.

It was highlighted that it had been agreed that all reports to the committee include a section on child poverty implications and this had not yet been implemented. Priya Mistry agreed that this would be followed up.

#### **10. Date of next meeting**

The Committee noted that the date of the next meeting would be confirmed at the annual council meeting scheduled for 15 May 2013.

#### **11. Any other urgent business**

None

The meeting closed at 9.00 pm

CLLR MASHARI  
Chair