



MINUTES OF THE COMMUNITY AND WELLBEING SCRUTINY COMMITTEE

Thursday 9 May 2019 at 6.00 pm

PRESENT: Councillor Ketan Sheth (Chair), Councillor Colwill (Vice-Chair) and Councillors Ethapemi, Afzal, Hector, Knight, Shahzad, Thakkar, and co-opted members Mrs Lesley Gouldbourne, Ms J Roberts, and Ms Dinah Walker

Also Present: Councillors M Patel, Chan, Chappell, Choudhary, Hylton, McLennan and Tatler

1. Chair's Opening Remarks

The Chair opened the meeting, welcomed those present and outlined the protocol to be followed for the meeting.

1. Apologies for absence and clarification of alternate members

Apologies were received from Councillor Stephens and co-opted members Mr Simon Goulden, Reverend Helen Askwith and Mr Aloysius Frederick.

1. Declarations of interests

The following interests were declared for transparency:

- Councillor Ketan Sheth – Director of Daniel's Den Ltd
- Councillor Colwill – Governor of St Gregory's RC Science College
- Councillors Hector and Chan –Councillors for Kensal Green Ward

1. Deputations (if any)

Deputations were considered under the item 'Call-In of Executive Decision - Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre'

1. Call-In of Executive Decision - Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre

Having received the report from the Director of Performance, Policy & Partnerships detailing the background to the call-in referred to the Scrutiny Committee for consideration, the Chair began by inviting Councillor Chan to outline the reasons for the call-in and alternative action being sought as a result.

Councillor Chan advised that the call-in detailed a number of concerns regarding the Cabinet decision to establish an alternative provision free school with integrated youth offer from the Roundwood Youth Centre. Councillor Chan asserted that the decision lacked policy imagination and failed to fully address alternative options to

establishing a free school. The Cabinet had not provided sufficient evidence that local authority schools in the area had been approached to discuss delivering the alternative provision under their management.

Addressing aspects of the Cabinet decision in further detail, Councillor Chan advised that the call-in also highlighted concerns regarding a potential lack of accountability and strategic oversight in the intended arrangements. With reference to paragraph 6.2 of the Cabinet report (attached as Appendix B to the papers before the committee), Councillor Chan noted the financial implications of commissioning places at the proposed new alternative provision free school and highlighted that no detail had been provided of how this financial relationship would be overseen. Members' attention was further drawn to resolution iii) of the Cabinet decision which delegated authority to the Strategic Director of Children and Young People, in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care, to identify the Council's preferred provider of the Alternative Provision Free School with integrated youth provision. Councillor Chan asserted that this decision should sit with the appropriate Lead Member(s) to ensure accountability. It was further noted that there was an expectation that the governance arrangements include a senior council officer acting as a trustee of the new alternative provision. Councillor Chan emphasised that with this amounting to just less than 20 per cent of the trustees, there lacked assurance that there would be sufficient strategic oversight of the new arrangements. In concluding his introduction to the call-in, Councillor Chan expressed agreement with the intention to provide more youth services at Roundwood Youth Centre but stated that he was wary about how the council had characterised the lack of provision at the venue.

The Committee then moved on to consider representations from members of the public and other stakeholders who had requested to speak in relation to the call-in. Comments made were as follows:

Gherie Weldeyesus (Brent National Education Union) expressed his concern that, under the new arrangements the youth club at Roundwood Youth Centre would be discontinued, despite reassurances to the contrary. He stated that the council should fully fund the youth centre to ensure that children and young people had somewhere to go after school and in the holidays.

Mary Adossides (Chair, Brent Trades Councils and former Head Teacher of Manor School) emphasised that there was a crisis in Special Educational Needs and Disabilities (SEND) provision due to cuts in government funding. Therefore, the decision to open alternative provision for vulnerable pupils was welcome. However, the difficulties placed on the local authority in establishing this new provision were not understood and it was felt that the council should both retain the local asset of Roundwood Youth Centre and develop this new provision in conjunction with existing Brent schools. Support was expressed for an alternative proposal to establish the new alternative provision on the Roe Green Strathcona site as part of the Brent family of schools.

Sandra White (Sector Development Director, Young Brent Foundation) stated that she supported the Cabinet decision. She advised that the Young Brent Foundation (YBF) supported 122 youth groups in Brent and that the YBF would be working very closely with the daytime provider at Roundwood Youth Centre. The expectation was

that these groups would use the facilities at the Centre to provide quality youth services for the afternoons and evenings.

Chris Murray (CEO, Young Brent Foundation) advised that under the proposed arrangements, the YBF would aim to dovetail provision in the evening to achieve better synergy with the needs of the pupils of the free school. The YBF would be a key stakeholder in ensuring that the facility was used to provide quality youth services in the evening and expressed that the proposals represented a real opportunity to provide young people with a place to go and enjoy.

Jennifer Ogole (CEO, Bang Edutainment and founding Chair of Young Brent Foundation) advised that the Cabinet decision envisaged a partnership between the alternative provision free school and the voluntary sector to deliver the youth offer at the Roundwood Youth Centre. Bang Edutainment would be included in this partnership and had an established record of delivering youth services. Bang Edutainment had actively pushed for this decision and had worked with officers in the council to secure an option that would ensure sustainable funding for a youth offer.

Martin Francis (speaking on behalf of Simone Aspis, Director of Advocacy, Changing Perspectives) stated that greater investment was needed in mainstream provision to enable vulnerable pupils to be supported to remain in an inclusive setting. Pupils educated in alternative provision settings often had undiagnosed needs and experienced poorer outcomes than their mainstream peers.

The Chair thanked all members of the public and stakeholders for their contributions and then invited Councillor Patel, as Lead Member for Children's Safeguarding, Early Help and Social Care, to respond to the reasons provided for the call-in and public representations made at the meeting.

Councillor Patel began by outlining the benefits of the proposed decision which included: increasing the provision of youth services in Brent, including the services on offer to key target groups; securing the long term future of the Roundwood Youth Centre; and, enabling excluded pupils to access alternative education provision in-borough. Members heard that the Roundwood Youth Centre was currently chronically underused and the council did not have the resources to extend the offer at the venue without partner organisations. With regard to establishing the alternative provision as a Free School, it was confirmed that all secondary schools in Brent had been asked if they would consider delivering the provision under their management, but none had expressed an interest. Under the 2011 Education Act, any new school must be established as a Free School. Councillor Patel advised that she opposed this legislation but the council had to operate within the law. The proposed governance arrangements envisaged that the trustees include a senior officer and an existing Brent Secondary Head Teacher to support strong collaborative working. Members were urged to consider all that could be achieved with the Cabinet decision to establish an alternative provision free school with the integrated youth offer at Roundwood Youth Centre.

The Chair thanked Councillor Patel for her response and then invited questions/comments from the Committee, with the following issues raised:

- a) Councillor Chan was asked to clarify what additional information was required to adequately determine whether the possibility of the provision being managed by an existing Brent school had been fully explored and to further explain what alternative action the call-in suggested. Councillor Chan suggested that a list of all the schools approached and details of the outcomes of the discussions should be provided. Any subsequent report should fully detail why alternative options had not been pursued and should address the issues of accountability and oversight previously referred to.

Gail Tolley (Strategic Director, Children and Young People) advised that there were 15 Secondary Schools in Brent – two were voluntary aided and the remainder were all academies. In February 2017, the Brent Secondary Head Teachers discussed the idea of developing alternative provision at the Roundwood Youth Centre site. As there were no community secondary schools in Brent, it was acknowledged that a free school would need to be established with a DfE approved academy sponsor. The Department for Education maintained a list of approved academy sponsors and a number of schools in Brent were on that list. Discussions were held with Brent's secondary school providers as to whether any wished to take the lead as the approved sponsor but none wished to. Newman Catholic College had again been approached as recently as 25 April 2019 to see if they wished to consult with the Roman Catholic Diocese with regard to the potential of running the alternative provision and they confirmed that they did not. Brent's secondary schools had supported the approach being taken by the council.

- b) The committee noted that Brent did not have any Secondary Schools under Local Authority control and questioned whether the call-in members considered that the alternative provision could be delivered under a primary school infrastructure. Councillor Chan asserted that the possibility should be explored. This proposal was supported by Mrs Jean Roberts (appointed observer) who further expressed concern that the local authority would have little control over the selection of a free school provider. Gail Tolley clarified that the Cabinet decision referred to the free school presumption process, one of two possible routes to establishing a new free school. In contrast to the free school application process, the presumption process allowed the local authority to develop a specification against which DfE approved academy sponsors could apply. It was noted that there were a number of primary schools on the DfE list who could apply if they wished. The council's selected provider would be required to be approved by the Regional Schools Commissioner on behalf of the Secretary of State.
- c) Responding to the committee's queries regarding the alternative options considered, Councillor Patel advised that Roundwood Youth Centre was chronically underused and it had been necessary to consider how the centre could remain open to deliver youth services. The decision taken by the Cabinet would ensure that there would be an expansion of youth services at the centre, whilst also providing the much needed additional alternative provision places required in the borough.
- d) Members queried whether the existing users of the Roundwood Youth Centre had been consulted about the proposals. Councillor Patel emphasised that there was no threat to the existing provision at Roundwood

Youth Centre. There were currently no tenants of the centre and the evening youth services were run by the council. The centre was hired out by various groups for other activities. Discussions would be held with the free school provider to advise that the current offer must be supported going forward.

- e) Further details were sought regarding the youth provision that would be available for children and young people using the centre under the proposed arrangements. Councillor Patel explained that the new provider would be required to deliver the MyPlace grant agreement outcomes which included: more young people, parents and communities feeling that young people have attractive and safe places to go in their leisure time; more young people, particularly the most disadvantaged, participating in positive leisure time activities that support their personal and social development; and, more young people having access to information, advice and support services from within places they feel comfortable.
- f) Members questioned what powers the council would have to ensure that the existing youth offer was continued at the centre after the Free School was established. Nigel Chapman (Operational Director, Integration and Improved Outcomes) explained that the MyPlace outcomes would be part of the lease for the site, requiring the provider to ensure the outcomes were achieved. The council could terminate the lease if these outcomes were not being met. Councillor Patel reiterated that the proposed governance arrangements envisaged that the trustees for the new Free School include a senior council officer and an existing Brent Secondary Head Teacher, allowing the local authority and Brent's secondary schools to influence the delivery of the offer at the centre.
- g) In response to further queries regarding consultation undertaken on the proposals, Nigel Chapman explained that the staff employed at the Roundwood Youth Centre had been informed of the intentions of the council, but a formal consultation would not be conducted until a confirmed Cabinet decision was in place.

As no further issues were raised, the Chair thanked everyone for their contributions and then invited the committee to consider the recommendations set out in the report in relation to the outcome of the call-in.

As a result of the discussion that followed the Committee **RESOLVED** by a majority decision:

- that the Committee did not wish to refer the matter back to the decision maker or to Council, and therefore the decision was deemed to be confirmed and would take effect immediately following the meeting.

The meeting closed at 7.25 pm

COUNCILLOR KETAN SHETH
Chair

