



Notice of a Meeting

Education Scrutiny Committee Wednesday, 19 September 2018 at 1.00 pm County Hall

Membership

Chairman Councillor Michael Waine
Deputy Chairman - Councillor John Howson

Councillors: Dr Suzanne Bartington Jeannette Matelot Emma Turnbull
Mrs Anda Fitzgerald- Gill Sanders
O'Connor

Co-optees:

By Invitation: Ian Jones Carole Thomson

Notes: *Date of next meeting: 28 November 2018*

What does this Committee review or scrutinise?

- a focus on the following key areas:
 - work in relation to the education strategy, and including review of an annual report on progress;
 - constructive challenge on performance issues highlighting issues where the Committee can support the improvement dialogue;
 - reviewing the Council's education functions including early years, Special Education Needs and school place planning;
 - reviewing the progress of, and any issues emanating from, the School Organisation Stakeholder Group with regard to admissions patterns and arrangements;
 - reviewing issues raised by the Schools Forum.
- assists the Council in its role of championing good educational outcomes for Oxfordshire's children and young people;
- provides a challenge to schools and academies and to hold them to account for their academic performance;
- promotes jointed up working across organisations in the education sector within Oxfordshire.

How can I have my say?

We welcome the views of the community on any issues in relation to the responsibilities of this Committee. Members of the public may ask to speak on any item on the agenda or may suggest matters which they would like the Committee to look at. **Requests to speak must be submitted to the Committee Officer below no later than 9 am on the working day before the date of the meeting.**

For more information about this Committee please contact:

Chairman	-	<i>Councillor Michael Waine</i> <i>Email: michael.waine@oxfordshire.gov.uk</i>
Senior Policy Officer	-	<i>Sarah Jelley, Tel: (01865) 896450</i> <i>Email: sarah.jelley@oxfordshire.gov.uk</i>
<i>Policy & Partnership Officer</i>	-	<i>Nina Bhakri, Tel: 07584 481243</i> <i>Email: nina.bhakri@oxfordshire.gov.uk</i>
Committee Officer	-	<i>Deborah Miller, Tel: 07920 084239</i> <i>deborah.miller@oxfordshire.gov.uk</i>

Peter G. Clark
Chief Executive

September 2018

About the County Council

The Oxfordshire County Council is made up of 63 councillors who are democratically elected every four years. The Council provides a range of services to Oxfordshire's 678,000 residents. These include:

schools	social & health care	libraries and museums
the fire service	roads	trading standards
land use	transport planning	waste management

Each year the Council manages £0.9 billion of public money in providing these services. Most decisions are taken by a Cabinet of 9 Councillors, which makes decisions about service priorities and spending. Some decisions will now be delegated to individual members of the Cabinet.

About Scrutiny

Scrutiny is about:

- Providing a challenge to the Cabinet
- Examining how well the Cabinet and the Authority are performing
- Influencing the Cabinet on decisions that affect local people
- Helping the Cabinet to develop Council policies
- Representing the community in Council decision making
- Promoting joined up working across the authority's work and with partners

Scrutiny is NOT about:

- Making day to day service decisions
- Investigating individual complaints.

What does this Committee do?

The Committee meets up to 6 times a year or more. It develops a work programme, which lists the issues it plans to investigate. These investigations can include whole committee investigations undertaken during the meeting, or reviews by a panel of members doing research and talking to lots of people outside of the meeting. Once an investigation is completed the Committee provides its advice to the Cabinet, the full Council or other scrutiny committees. Meetings are open to the public and all reports are available to the public unless exempt or confidential, when the items would be considered in closed session.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, giving as much notice as possible before the meeting

A hearing loop is available at County Hall.

AGENDA

1. **Introduction and Welcome**
2. **Apologies for Absence and Temporary Appointments**
3. **Declarations of Interest - see guidance note of the back page**
4. **Minutes (Pages 1 - 16)**

To approve the minutes of the meetings held on 18 June 2018 and 27 June 2018 (ESC4) and to receive information arising from them.

5. **Petitions and Public Address**
6. **Carillion Recovery Plan - School Buildings (Pages 17 - 20)**

1.00 pm

Report by the Director, Capital, Investment & Delivery (ESC6)

At the meeting in June 2018, the Committee received an initial update on the Council's response following the liquidation of Carillion. The report provides an update on the next phase of the plan which focuses on an assessment of the Carillion legacy issues - including completing projects that were underway, defects on completed projects and the management of the longer-term project risks such as latent defects. The report further provides an update on the progress with the assessments and the plans to establish a business as usual situation regarding these former Carillion projects.

The Education Scrutiny Committee is RECOMMENDED to:

- (a) note the progress in relation to the Recovery Plan;***
- (b) note and comment on the proposed joint review on the maintenance of the schools estate.***

7. **Special Educational Needs and Disabilities (SEND) Strategy**

1.30 pm

The Committee will receive a presentation from the Deputy Director for Education about the draft Special Educational Needs and Disability Strategy. The strategy is intended to:

- i. Ensure the right type of special education provision in the right places to meet the needs of Oxfordshire's growing population.
- ii. Enhance support for Oxfordshire's mainstream schools to provide inclusive education.

- iii. Increase the effectiveness of the use of the High Needs budget to better meet the needs of children with Special Educational Needs & Disabilities.

8. Preliminary Summer Results

2.00 pm

The Committee will receive a verbal update that will cover outcome trends at each key stage and include:

- Early years foundations stage
- Phonics check (Year 1)
- Key Stage One (Year 2)
- Key stage Two (Year 6)
- Key stage Four (Year 11)
- Key Stage Five (Year 13)

A more detailed report will be brought to a future Committee meeting.

9. The Swan School Update

To receive a verbal update from the Deputy Director for Education, David Clarke in relation to the Planning Decision for the Swan School Marston.

10. Forward Plan and Committee Business (Pages 21 - 22)

An opportunity to discuss and prioritise future topics for the Committee, potential approaches to its work and to discuss the schedule for future meetings.

Close of meeting

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

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EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Monday, 18 June 2018 commencing at 12.00 pm and finishing at 2.00 pm.

Present:

Voting Members: Councillor Michael Waine – in the Chair

Councillor John Howson (Deputy Chairman)
Councillor Mrs Anda Fitzgerald-O'Connor (Deputy Chairman)
Councillor John Howson
Councillor Gill Sanders
Councillor Nick Carter (in place of Councillor Jeannette Matelot)
Councillor Ian Corkin (in place of Councillor Suzanne Bartington)

Other Members in Attendance: Councillor Hilary Hibbert-Biles

By Invitation: Carole Thomson
Ian Jones

Officers: Neil Darlington (Children's Services) Deborah Miller and Lauren Rushen (Resources).

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

93/18 INTRODUCTION AND WELCOME

(Agenda No. 1)

The Chairman welcomed everyone to the Meeting and in particular the members of the public who had come to address the Committee on the issue of Home to School Transport.

94/18 ELECTION OF CHAIRMAN FOR THE 2018/19 COUNCIL YEAR

(Agenda No. 2)

Councillor Mrs Anda Fitzgerald O'Connor proposed and Councillor Carter seconded that Councillor Waine be elected Chairman of the Education Scrutiny Committee for the 2018/19 Council Year.

There being no further nominations, the motion was put to the vote and was carried nem con.

RESOLVED: That Councillor Michael Waine be elected as Chairman of the Education Scrutiny Committee for the 2018/19 Municipal Year.

95/18 ELECTION OF DEPUTY CHAIRMAN FOR THE 2018/19 COUNCIL YEAR
(Agenda No. 3)

Councillor Waine moved and Councillor Carter seconded that Councillor John Howson be elected Deputy Chairman of the Committee for the 2018/19 Council Year. There being no further nominations, the motion was put to the vote and was carried nem con.

RESOLVED: (nem con) that Councillor John Howson be elected Chairman of the Committee for the 2018/19 Council Year.

96/18 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 4)

Apologies for absence were received from Councillor Jeannette Matelot (Councillor Nick Carter substituting) and from Councillor Susanne Bartington (Councillor Ian Corkin substituting).

97/18 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 6)

The Scrutiny Committee received the following Public Address:

Item	Speaker
7. The Proposed Home to School Travel and Transport Policy	Ms Kathy Liddell, Oxfordshire Family Support Network; Ms Jessica Patton; Mr John Riches, Chair of the Oxfordshire Association of Special School Headteachers (OASSH).

98/18 THE PROPOSED HOME TO SCHOOL TRAVEL AND TRANSPORT POLICY
(Agenda No. 7)

The Council had proposed and consulted upon a number of changes to its home to school transport policies applying to Post 16 students and to those of statutory school age. On 19 June 2108 Cabinet were due to consider a report seeking approval of the changes and revised Home to School Transport and Travel Policy. Accordingly, an Extraordinary Meeting of the Education Scrutiny Committee had been convened to

discuss the proposals put forward for a Home to School Transport Policy for Oxfordshire prior to Cabinet consideration on 19 June.

Kathy Liddell, representing the Oxfordshire Family Support Network (oxfsn) spoke on behalf of a number of parents against the proposal to cut transport to school/college for post 16 students. She spoke of oxfsn's disappointment that the Council had not written individually to those currently receiving transport to seek their views and were instead relying on word of mouth and upon schools and colleges. She referred to section 5 of the report and the Council's responsibilities to children with special needs, explaining that oxfsn believed that the discretionary offer of assistance was tantamount to a blanket withdrawal of support for over 16's with SEND. Oxfsn further believed that the need to meet all four criteria set out in the policy to receive assistance would narrow the number of potentially successful applicants down to a very small fraction of those who really needed and deserved support.

Oxfsn asked why it was essential for there to be a medical condition or other circumstance preventing parents from taking to school or lowest income and suggested unaffordable or practically impossible should be added. They further felt that the lack of local spaces locally had not been taken into account. Oxfsn asked for clarification on whether the policy would apply to existing post 16 students and reminded the Council that parents of children with often profound, complex and severe special needs were often at their wits ends and least able to engage in an appeal process.

Jessica Patton, as a parent of a child with severe learning disabilities and autism spoke against the recommended changes relating to SEN students. Ms Patton explained that although the proposals would not directly her child, if she had been a few years younger the impact would have been severe, both financially and on her ability to work. Given the limited number of places in Oxfordshire and the rural nature of the County, there were many areas without a bus service and families without a car would not be able to get their children to school. The time required to get their children to and from school would impact on families ability to work. She further referred to the impact on family life, with many parents already struggling to balance the needs of their disabled children with those of their other children. She firmly believed that the proposals did not comply with the DoE statutory guidance on post 16 home to school transport and that the policy in its current form with such restrictive criteria would discriminate against young adults with disabilities and by association, their families.

John Riches, Chair of the Oxfordshire Association of Special School Headteachers (OASSH) spoke against the proposals set out in the report, on the basis that it was not a strategic plan or proposal. A Strategic Plan for specialist provision, which included a travel plan would ensure money was well spent. He further believed that there needed to be a greater exploration of who the policies and proposals affected and the actual impact of the proposal should detail impact, consequences and potential unintended consequences for councillors to consider. He further considered that the proposal and policies appeared to overlook that students completed courses at Special School Sixth Forms until Year 14. He urged the Committee not to approve the proposals, requesting instead that special school place planning and transport for pupils with SEND is looked at within the overall SEND Review.

Councillor Emma Turnbull, Shadow Cabinet Member for Public Health & Education, spoke against the SEND proposals that she felt were ill conceived, harmful and unnecessary. Councillor Turnbull suggested that the proposals were a blatant disregard of the Equalities Act 2010 and queried whether they constituted unlawful discrimination. She noted that following other authorities was not necessarily the right course of action as they were not necessarily lawful. The proposals were unnecessary to produce the saving required when it was possible to overhaul a wasteful procurement model. She suggested that a more efficient model would be to bring it in-house and to run an integrated transport service. Alternative options such as in-house provision or alternative procurement models and not been considered in the SCIA's. Councillor Phillips queried why SEND transport was not included in the transformation programme and why it was not part of the SEND and high needs review.

Councillor Michael Waine, Chairman of Education Scrutiny Committee, explained the reasons behind the decision of the Committee to scrutinise the report carefully. He had heard the concerns of many parents and had recently visited Bardwell School to see post 16 children arrive at school first hand. The Committee needed to ensure that the policy was fair and equitable and that all options had been looked at.

During debate the Committee acknowledged that much of the report was a tidying up exercise except for the proposals relating to SEND transport. The Committee had looked at whether what was being proposed was fair and equitable and whether all options had been explored. They also considered why SEND transport costs were increasing. It was noted that a lot of children were travelling a long way and sometime out of County for schools and it was questioned whether there was enough local provision and if this was pushing up the cost. The Committee further agreed, that due to the small numbers involved, they felt that all parents should have been consulted directly

The Committee noted that It was not just about the cost factor but about the impact on those children's lives and the families of those children. The Committee queried why the changes were being proposed in isolation from the SEND and high needs reviews. The Committee did not found satisfactory answers to their questions and concerns and found the report unsatisfactory.

Mr Darlington confirmed that the policy was not discriminatory and was in line with national policy. Different models of provision had been looked at. Part of the transport was already provided by a direct labour organisation. However, this was not seen as the most economic way to deliver transport across the County. The Committee further agreed, that due to the small numbers involved, they felt that all parents should have been consulted directly

Following debate, the Committee **AGREED** to forward the following recommendations to the Cabinet for their consideration prior to taking any decisions on this matter.

The Committee **RESOLVED** to:

- (a) ask the Cabinet to reject recommendations (a) and (b) in relation to SEND pupils set out in paragraph 55 of the report, on the basis that it was premature to make those decisions at this point in time whilst there was both a SEND and High Block Needs Review underway of which they should be an integral part;
- (b) In relation to recommendation (b) set out in paragraph 56 of the report, the Committee asked that further work and analysis be undertaken in relation to the funding for this provision.

The Committee also wished to be assured that any future proposals coming forward be underpinned by strategic rationale and that any future consultation should include all services users, currently receiving or about to receive transport.

The Committee also asked that any future reports coming forward, particularly in relation to some of the most vulnerable children in society, should include all the analysis that underpinned the proposals or was referred to in the report.

..... in the Chair

Date of signing

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EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Wednesday, 27 June 2018 commencing at 1.00 pm and finishing at 3.15 pm.

Present:

Voting Members: Councillor Michael Waine – in the Chair
Councillor John Howson (Deputy Chairman)
Councillor Sobia Afridi
Councillor Mrs. Anda Fitzgerald-O'Connor
Councillor John Howson
Councillor Jeannette Matelot
Councillor Gill Sanders
Councillor Dr Suzanne Bartington
Councillor Emma Turnbull

Other Members in Attendance: Councillor Hilary Hibbert-Biles

By Invitation: Ms Carole Thomson
Mr Ian Jones

Officers:

Whole of meeting Deborah Miller and Lauren Rushen (Law & Governance).

Part of meeting David Clarke, Deputy Director for Education, Maria Godfrey, Delia Mann and Allyson Milward; Vaughan Burnard (Environment & Economy).

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

99/18 INTRODUCTION AND WELCOME

(Agenda No. 1)

The Chairman welcomed everyone to the Meeting and in particular the new Deputy Director Education, David Clarke.

100/18 MINUTES

(Agenda No. 4)

The Minutes of the Meeting held on 14 March 2018 were approved as an accurate record subject to the following corrections:

Minute 87/12 substitute 'Suzanna' with 'Suzanne', Minute 91/18 substitute 'Jeanette' with 'Jeannette'.

Matters Arising:

In relation to Minute 91/18 the Chairman reported that due to Councillor Afridi no longer being on the Committee it had been suggested that Councillor Emma Turnbull sit on the school absence and attendance working group and that Councillor John Howson would join the group to deputise for Councillor Waine. The Committee indicated that it would be happy with these suggestions.

101/18 SCHOOL EXCLUSIONS DEEP DIVE CABINET RESPONSE

(Agenda No. 6)

In April 2018 the Cabinet received a report from the Education Scrutiny Working Group into Education Exclusions in Oxfordshire. The Working party had been established in response to the Education Scrutiny Committee identifying the increasing numbers of fixed term and permanent exclusions in Oxfordshire schools and academies as a concern.

The Committee had before it a report (ESC6) from the Cabinet Member for Public Health & Education which provided a response to the former Overview and Scrutiny investigation into school exclusions in Oxfordshire, setting out details of the actions agreed in response to the recommendations in the report presented to Cabinet on 17 April 2018.

Councillor Hibbert-Biles whilst welcoming the findings of the deep dive and the report, explained that they had not yet got a full team in place so would be unable to do all that the Committee had asked straight away, but had started the process of getting the right team in place with the appointment of the Deputy Director and hoped to cover all the issues in the report in due course. She fully agreed that inclusion was a top priority and this had been a recent discussion at the Children's Trust.

Further training for Governors was a priority as was inclusion. There was a need to work in cohesion across services to reduce exclusions, increase inclusion and get the right curriculum in place for the right children.

In response to questions from members, the Deputy Director, David Clarke explained that training for Governors was currently being addressed. Recent changes in Governor Services was hoped to lead to better leadership and support.

During debate the Committee made the following points:

There was a need to ensure academies were on board – Councillor Hibbert-Biles felt satisfactory progress was being made via the Heads & Chairs Meeting. Councillor Hibbert-Biles was also visiting all schools across the County. There was also the learning engagement project, fair access panels and Oxford Headteacher's Association.

The Committee would wish to receive an update on exclusions every 6 months;

Director level reporting to Governors was needed – more information was needed on the Education Dash Board and a greater consistency was needed across the Council.

The involvement of the Regional School Commissioner was vital in ensuring academies were on board – Councillor Hibbert-Biles undertook to add this as a standard item to their meetings with the RSC.

The Committee felt that the time for being referred for EHCP remained too long, with children waiting 6-9 months for referrals – Councillor Hibbert-Biles agreed that the wait was too long but that the SEND Board was working on it. The new target was 24 weeks and so far, 50% had been done and the other 50% were on track to be done in 24 weeks.

RESOLVED: to:

- (a) note the response to the recommendations and support the delivery of the action plan and the ongoing reporting of progress to the Overview and Scrutiny Committee;
- (b) note that the Cabinet Member for Public Health would facilitate the involvement of the Regional Schools Commissioner to ensure all academies were on Board.

102/18 CHILDREN AND FAMILY CENTRES AND LOCALITY SUPPORT SERVICES (Agenda No. 7)

The Chairman of the Committee had requested a report from officers to better understand how current services worked together to ease children's transition to school and promote school inclusion since the closure of the family Centres in March 2017.

The Committee had before it a report which set out how Children and Family Centres were reconfigured in 2017 including the Family Solutions Service which provided early help casework through the Team around the family (TAF), Children in Need (CIN) and Child Protection (CP) plans.

The report further set out the role of health visitors and how they interacted with the Locality and Community Support Services (LCSS). Finally, the report set out how interactions at Children and Family Centres interact around exclusions, attendance and Education Health and Care Plans.

Accordingly, Maria Godfrey, Delia Mann, Social Care Manager and Nicola Taylor, Lead for Health Visiting attended the Committee to give an overview of the 3 services and how they came together to identify children requiring early help in order to ensure the right services were provided at the earliest opportunity to prevent escalation into statutory services and to ease transition into school and promote school inclusion, including the role of health visitors.

The Locality and Community Support Service (LCSS) was created to provide advice and guidance to professionals in the community, when there were emerging concerns about a child, to ensure the right services are provided at the earliest opportunity and prevent escalation into statutory services.

The Family Solutions Service combined Children's Social Care statutory social work and Early Help services. The Early Help offer was redesigned from the Council's former Early Intervention Hubs and Children Centres. The new service was run from eight Children and Family Centres plus two satellites across the county. The service provided early help casework through the Team around the Family (TAF), and statutory Children in Need (CIN) and Child Protection (CP) plans, as well delivering evidenced-based interventions such as parenting education, treatment for domestic abuse, children's 'play and learn' sessions.

Each centre also delivered casework jointly with Aquarius (young people's substance misuse intervention) to young people to increase their educational inclusion and employment opportunities.

Health visitors were qualified nurses and midwives with specialist public health training. They were trained in child development, women's health issues and safeguarding children. The aim was to achieve for all families: improved access and experience of children's health services, improved health outcomes for children, reduced health inequalities. Health Visitors were experts at 'adding value' through their public health practice and delivery of universal services. Health visitors worked in teams and were supported by community staff nurses and nursery nurses. They were a skilled workforce proficient in contributing towards early health assessments focusing on preschool children up to 5 years old.

During debate the Committee made the following points:

- There was concern over children's readiness for school and whether there were enough Health visitors, recruitment of Health Visitors was an issue and currently the service was 7 visitors down;
- Provision was based in the highest need areas, so there was currently no provision for east and south Oxfordshire;
- There was a notion issue around "children's readiness" – the Children's Trust were carrying out a piece of work around this with Public Health England;
- Concern was expressed around the rural population and whether universal access was working;
- Outreach need more work – the model of referral presented challenges as it was harder to find people;
- There was a rise in children before 5 years of age with hearing and eyesight problems – the possibility of working with childcare services to be explored more fully for early identification;
- There was a named nurse for LAC;
- There was need for more support over attendance.

Following debate, the Committee **AGREED** to note the report and to set up a small working Group to carry out a piece of in the Autumn to ensure consistency was

offered across the localities in terms of what services were offered and to carry out a joint piece of work with HOSC around readiness for school.

103/18 ELECTIVE HOME EDUCATION

(Agenda No. 8)

At the Education Scrutiny Committee on 13 December 2017, the Committee received a report about Elective Home Education (EHE) in Oxfordshire. In 2016-17 there were 558 recorded cases of EHE which represented an increase of 21%. 70 children returned to school, compared to 90 in the previous year.

The Committee agreed that Councillor Waine and Councillor Smith would undertake an investigation into the reasons for this rise; trends in EHE including concentrations of EHE in particular localities and schools; and to meet with parents who have decided to EHE. Members considered whether there were any particular trends in relation to year groups, locality or increase over time. The data suggest that there is no particular trend by locality, however there do appear to be higher instances of EHE for SEND pupils. During the course of the investigation, the Department for Education (DfE) published revised EHE guidance for local authorities and parents for consultation and so this has also been considered as part of the investigation.

To gather information, Councillors Waine and Emily Smith met with lead officers including an EHE Link Workers to understand the role of the EHE team, the national context, the powers and duties of the local authority and to commission further data to inform the investigation. A second meeting was held with the lead County Attendance Officer responsible for EHE to discuss the data and the DfE Call for Evidence.

Finally, the working group had met with two parents/carers who have elected to home educate to find out about their experiences. Both parents/carers had initially sent their children to primary school and had then pursued elective home education. The Committee now had before it a report (ESC8) which set out conclusion for the Committee's consideration.

In introducing the report Councillor Waine thanked Councillor Emily Smith for support in carrying out this piece of work. Councillor Waine further thanked the families for their time and sharing their experiences of Home Education.

During debate, the Committee made the following points:

The EHE website contained out of date information and was not very welcoming/user friendly for parents.

The challenges around Adoption needed to be added to the report.

There was a need to breakdown figures in age gender and ethnicity. Concern was expressed over the number of single sex schools provided for girls.

There was a need to get better at speaking to parents.

Following debate Councillor Matelot moved and Councillor Gill Sanders seconded that the recommendations set out in the report and on the face of the Agenda be moved. The motion was put to the vote and was carried nem con.

RESOLVED: (nem con) that:

- (1) A copy of this report and the response at Annex 1 are submitted as a response from the Education Scrutiny Committee to the Department for Education call for evidence.
 - (a) Further analysis is undertaken to understand the reasons for higher numbers of EHE at years 5 and 9 through modifications to the EHE parent/carer questionnaire.
 - (b) Further analysis is undertaken by officers on a school level and locality basis to understand the trends associated with EHE in locality areas to see if there are links with social deprivation or SEND provision.
 - (c) The concept of a 2-week cooling off period before taking pupils off the roll at a school is discussed as part of the attendance conference in July, or at another suitable occasion with head teachers, to gauge level of commitment from schools to understand whether it would be feasible to implement a system across Oxfordshire.
 - (d) That the authority advocates that school leaders include information about numbers of EHE children in their termly reports to governors/directors governors or other reporting mechanism that may exist.
 - (e) The Committee receives an update report in twelve months' time to review the impact of the restructure to the EHE team, how the RAG rating system is working, the outcome of the Committee's recommendations and the results of the DfE consultation.
 - (f) Schools and colleges in the County are contacted and asked if they would be prepared to provide access to private candidates to expand the range of exam centres in the County for EHE pupils.
 - (g) A named contact on the MASH is identified as a point of contact for EHE issues and concerns.
 - (h) A briefing is organised for representatives on the MASH about EHE and the role of the County Attendance Team in EHE.
 - (i) The EHE questionnaire is further modified to give the ability to include a more detailed explanation from parents/carers, if they wish to share more detailed reasons for opting for EHE.
 - (j) The Committee would like to receive a report containing further information about the Inclusion Strategy as it develops.

- (k) The New College, Swindon example of good practice is investigated and any information is shared with Further Education establishments in Oxfordshire.
- (2) to ask officers for a report back in six-months tracking progress against the recommendations, together with a breakdown on schools that have a high number of EHE, particularly Primary and whether this was due to choice

104/18 ACADEMIES ANNUAL REPORT

(Agenda No. 9)

The Committee had before them a report (ESC9) which identified and analysed trends in the Council's Academy Programme during 2017 and indicated changes from those noted in 2016.

Allyson Milward, academies Team attended the Committee to highlight the key points set out in the report and to answer any questions the Committee may wish to ask.

In introducing the report, Ms Milward reported that following a year of considerable change in the legislative framework and national education policy agenda in 2016 there was no further legislation passed in 2017. The national focus on education policy changed to a different approach led by the National Schools Commissioner which focussed on creating sustainable MATs and embedding a different culture driven by a school improvement focus. The Government remained committed to the academy agenda but expected the mixed economy of LA maintained schools and academies to continue for some time whilst capacity was created in the academy system to support more schools effectively.

The council's last formal policy statement on the academies programme was issued in October 2015. It recognised that the Council had a strong track record of supporting schools to become academies. To avoid the risks associated with fragmentation and isolation, particularly of small rural primary schools, it was proposed that the Council adopt a more assertive policy of actively encouraging the incorporation of the remaining maintained schools into sustainable formal collaborative groupings, primarily through the Multi Academy Trust model but also through the extension of the 'collaborative company' model and the pooling of more resources and responsibilities.

In response to questions from the Committee, Ms Milward confirmed that it was not the policy of the Council to 'encourage' schools to become academies.

Carole Thomson, speaking as a member of the Schools Forum, welcomed the fact that they were part of the DfE Working Group, but requested that outcomes keep being fed back via the Schools Forum.

Following debate, the Committee AGREED to note the report.

Exempt Item

RESOLVED: that the public be excluded for the duration of item ESC10 since it was likely that if they were present during that item there would be disclosure of exempt

information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to that item and since it was considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

105/18 SCHOOL BUILDING MAINTENANCE

(Agenda No. 10)

The information contained in the Annex to the report was exempt in that it fell within the following prescribed category:

3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and since it was considered that, in all circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, in that the information in the annex contained financial information in relation to matters which may distort the process of open competition and that which would prejudice the commercial confidence of the parties in involved.

Carillion was Oxfordshire County Council's strategic property maintenance, investment and facilities partner. On 15 January 2018, companies in the Carillion group structure began to go into liquidation. That triggered an immediate business continuity response by the Council, to guarantee continuity of delivery of key services and to ensure that schools and other council functions could continue to operate.

The Committee had before that a report (ESC10) and Exempt Annex 1 which provided a simple summary to be supplemented by verbal presentation at the meeting to explain the current situation viz a viz the resolution of construction projects that were under construction at the time of their liquidation.

Vaughan Burnand, Interim Head of Construction had been invited to give a verbal update and to answer any questions which the Committee had in relation to this Item.

The Committee then received a detailed breakdown of all school building projects underway and what action had been taken to resolve any issues. The Committee established that all projects had been surveyed, that all projects now had completion dates, that a new project management team had been employed and that better communication was a priority.

Following debate, the Committee **AGREED** to note the report and verbal update and to ask officers to ensure that all local members that had projects in their ward were sent school information including completion dates.

106/18 FORWARD PLAN AND COMMITTEE BUSINESS

(Agenda No. 11)

The Committee considered the forward plan and **AGREED** as below subject to the Chairman and Vice Chairman, together with officers managing the business on the current work programme for the efficient running of the Committee.

Agenda Item	Reasons and objective for item	Lead Member / Officer
19 September 2018		
Ofsted	A question and answer session with Ofsted representatives	Cllr Michael Waine
School Building Maintenance	To receive a report about how school building maintenance work is to be prioritised and scheduled in maintained schools and academies who contract OCC following the liquidation of Carillion	Director of Property and Investment
Sufficiency of school places (particularly SEN)	Including places for pupils with Special Educational Needs.	Head of School Organisation and Sufficiency
Children and Family Centres and Locality Community Support Services	To present the findings of the monitoring investigations undertaken by members of the Committee following on from the presentation in July 2018	Cllr Michael Waine/Area Social Care Manager
Preliminary summer results	To receive a presentation on the preliminary summer 2018 exam results across the County	School Services Manager (?)/Performance Information Manager
School attainment	To agree the scope of the deep dive into educational attainment, particularly the attainment of vulnerable learners at secondary schools and to co-opt a final member of the working group	Cllr John Howson
28 November 2018		
School absence and attendance	Recommendations from the committee working group on improving school attendance	Cllr Michael Waine
6 February 2019		
School attainment	To agree the scope of the deep dive into educational attainment, particularly the attainment of vulnerable learners at secondary schools and to co-opt a final member of the working group	Cllr John Howson
3 April 2019		
To be scheduled		
Closing the gap (vulnerable learners)	Pathways to raising the attainment of vulnerable pupils (best practice), current provision of support, an overview of the profile of vulnerable	

	learners	
LA's new relationship with schools	To help shape an evolving relationship with schools and colleges.	
Looked After Children educational attainment	A review of attainment for a particular vulnerable group	
Demographic trends	Planning for school places and supporting families with English as an additional language	
Disparity in educational outcomes across Localities	Profile of educational outcomes across Oxfordshire – sharing learning across the county.	
Schools funding formula	Potentially a task group reporting back to ESC	
Educational Attainment	Recommendations from the committee working group on improving educational performance	Cllr John Howson

..... in the Chair

Date of signing

Division(s): NA

EDUCATION SCRUTINY COMMITTEE – 19 SEPTEMBER 2018

UPDATE ON THE CARILLION RECOVERY PLAN – PROJECT ATHENS

Report by the Director, Capital, Investment & Delivery

Introduction

1. Following the collapse of Carillion, the Council put a recovery plan in place to manage the fall-out from the collapse. The initial phase of the plan was focused on the activities required to complete legal termination of the contract and mobilise an operational service from 1 February 2018, including the transfer of staff and functions to OCC. This was achieved with minimal disruption for customers and clients.
2. The next phase of the plan focused on an assessment of the Carillion legacy issues - including completing projects that were underway, defects on completed projects and the management of the longer-term project risks such as latent defects. This report provides an update on the progress with the assessments and the plans to establish a business as usual situation regarding these ex Carillion projects.

Detail

3. **Assessment of Carillion Legacy Issues** There were immediate and critical legacy issues, including:
 - a) getting replacement contractors in place to complete unfinished projects;
 - b) rectification of known defects with completed projects;
 - c) treatment of latent defects (defects not known at this point that could emerge over time).
4. **Incomplete Projects** Replacement contractors are now in place for all in flight projects and most of the projects are now completed. Three of the largest projects – Sutton Courtenay, Matthew Arnold and West Witney Primary School – are underway with completion expected between July to September 2019. Others are comfortably being processed through our normal procurement processes.
5. The OCC Property Service has maintained regular contact with stakeholders to ensure they are aware of the replacement arrangements, including the timescales for completing works.
6. **Rectification of Known Defects** To determine the nature and extent of the defects on completed projects, assessments were undertaken in June, including consideration of the optimal solutions for rectification. Detailed

costings and an implementation plan are being developed and will be considered by Cabinet and Council in the autumn budget setting process (It will be available for initial member consideration at Cabinet in October).

7. We have undertaken urgent defect rectification since Carillion's demise and have expended c.£650k in doing so in order that schools affected can continue to operate.
8. There are over 150 projects in this exercise but most are minimal in terms of scope. However, we have five key projects that require more substantial attention. They are:
 - (1) Bodicote, Longford Park
 - (2) North West Bicester, (Gaglebrook)
 - (3) Dicot, Great Western Park (Gems Academy)
 - (4) McIntyre Academy SEN & Residential School (Endeavour/Ormerod)
 - (5) Faringdon Junior School (Faringdon Academy)
9. It is important to note that while correcting the defects is essential and will be undertaken as soon as possible, none of them present health and safety risks so do not require immediate action.
10. **Treatment of Latent Defects** This phase of work is considering how to manage the risks/costs that might arise from building defects that are not known about at this point but could occur in the future. These latent defects are usually covered through standard contractual arrangements, but these are not applicable in the context of Carillion's liquidation.
11. Discussions with the council's insurance brokers indicate that it would be very difficult to get insurance cover for latent defects and even if available it would be very costly.
12. Other options being considered include
 - (a) establishing an internal process to review Latent Defect claims from schools and if qualifying correct them funded by an OCC provision.
 - (b) a legal response to other parties in the OCC/Carillion contract to recover costs of OCC's defect clearance and ongoing latent defect liabilities.
 - (c) proposals for managing the costs of latent defects will be included in the Autumn Budget setting process, with councillors able to scrutinise the figures at Cabinet in October.
13. **The Schools Estate** It has become increasingly clear through the Carillion legacy assessment and audit work and the regular, direct contact between schools and the Property Service that the position on repairs and maintenance of schools needs to be more fully assessed and quantified.
14. Maintenance is currently delegated to schools and only becomes an OCC issue in rare cases where certain structural repairs are required that can be

legitimately funded from our Schools Structural Maintenance Programme Budget.

15. There are questions about the effectiveness of this approach especially where schools funding is not being used to maintain new facilities provided by the council. This property may be on OCC remit or Academy remit but they are all de facto OCC liability in the event of Academy failure.
16. It is therefore proposed to commission a joint review to consider the condition of schools and our approach to maintaining them in the future. This is likely to result in an OCC managed annual property review for all Schools in Oxfordshire.

Financial and Staff Implications

17. Costs relating to the first three phases of the project fall into three areas:
 - additional staffing resources to ensure continuity of service, as well as the development and delivery of solutions to the Carillion legacy issues;
 - funding for the detailed assessment of the project and operational legacy issues
 - costs related to the resolution of staffing legacy issues
18. **Additional Staffing Resources** There are additional costs associated with the transition of the service, largely related to the employment of interim managers and the costs of TUPE. It is highly likely that the current service staffing costs, including the current cost of interim managers can be funded through: the base staffing budgets; the relevant funding transferred from what were Carillion contract payment budgets for Maintenance and Cleaning services; and trading income from schools for Catering services.
19. **Assessment of Carillion Legacy Issues** The costs relating to the assessment of the construction legacy issues are shown below. Please note these costs only relate to the cost of undertaking the assessment, not the rectification of identified legacy issues.

Table 1: Assessment of Carillion Legacy Issues

Activities	2018/19 £000s	Funding
Technical assessment of project defects	450	Agreed through the capital programme

20. **Staffing Legacy Issues** The costs of the additional HR resource are contained within the Property Service budget. The costs relating to pay parity for Catering staff will be funded through the income recovered from schools as paid of a traded service, the smaller amount for Cleaning staff will be funded through base budgets.

Equalities Implications

21. None directly related to the project.

RECOMMENDATION

22. **The Education Scrutiny Committee is RECOMMENDED to:**
- (a) note the progress in relation to the Recovery Plan;**
 - (b) note and comment on the proposed joint review on the maintenance of the schools estate.**

ALEXANDRA BAILEY,
Director for Capital, Investment & Delivery

Background papers: None

Contact Officer: Vaughan Burnand, Interim Consultant

September 2018

Education Scrutiny Committee Work programme (2018 -19)

Outlined below is the Education Scrutiny Committee's proposed work programme.

The programme aims to prioritise areas of scrutiny where the Committee can add most value, either by holding to account or contributing to policy development. It does this by focusing on areas of public interest, where the committee's impact can be measured, interrogating performance information and keeping abreast of current areas of change / review.

Agenda Item	Reasons and objective for item	Lead Member / Officer
19 September 2018		
Ofsted	A question and answer session with Ofsted representatives	Cllr Michael Waine
School Building Maintenance	To receive a report about how school building maintenance work is to be prioritised and scheduled in maintained schools and academies who contract OCC following the liquidation of Carillion	Director of Property and Investment
Special Educational Needs and Disabilities (SEND) Strategy	To receive a report about the Council's SEND strategy, particularly in relation to place planning.	Head of School Organisation and Sufficiency/Director of Education
Preliminary summer results	To receive a presentation on the preliminary summer 2018 exam results across the County	Head of Learning and School Improvement/Performance Information Manager
28 November 2018		
School absence and attendance	Recommendations from the committee working group on improving school attendance	Cllr Michael Waine
Children and Family Centres and Locality Community Support Services	To present the findings of the monitoring investigations undertaken by members of the Committee following on from the presentation in July 2018	Cllr Michael Waine/Area Social Care Manager
Pupil Place Planning 2018-2014	To receive a report about pupil place planning	Head of School Organisation and Sufficiency/Director of Education
School attainment	To agree the scope of the deep dive into educational attainment, particularly the attainment of vulnerable learners at secondary schools and to agree the	Cllr John Howson/Policy Officer

	membership of the working group	
6 February 2019		
Educational Attainment Report 2018	To receive a report on the validated education attainment results across all Key Stages to include positive issues to highlight and areas to be addressed moving forward	Head of Learning and School Improvement/Performance Information Manager
LA's new relationship with schools	To help shape an evolving relationship with schools and colleges. This presentation is intended to act as a planning session for the Committee for the forthcoming Council Year.	Director for Education
3 April 2019		
Regional Schools Commissioner	To undertake a question and answer session with the Regional Schools Commissioner	Cllr Michael Waine
To be scheduled		
Closing the gap (vulnerable learners)	Pathways to raising the attainment of vulnerable pupils (best practice), current provision of support, an overview of the profile of vulnerable learners	
Looked After Children educational attainment	A review of attainment for a particular vulnerable group	
Demographic trends	Planning for school places and supporting families with English as an additional language	
Disparity in educational outcomes across Localities	Profile of educational outcomes across Oxfordshire – sharing learning across the county.	
Schools funding formula	Potentially a task group reporting back to ESC	
Educational Attainment	Recommendations from the committee working group on improving educational performance	Cllr John Howson