

Divisions Affected – All

CABINET

19 December 2023

Oxfordshire Education Commission Report of People Overview & Scrutiny Committee

RECOMMENDATION

1. The Cabinet is **RECOMMENDED** to —
 - a) Agree to respond to the recommendations contained in the body of this report, and
 - b) Agree that relevant officers will continue to update Scrutiny for 12 months on progress made against actions committed to in response to the recommendations, or until they are completed (if earlier).

REQUIREMENT TO RESPOND

2. In accordance with section 9FE of the Local Government Act 2000, the Performance and Corporate Services Overview & Scrutiny Committee requires that, within two months of the consideration of this report, the Cabinet publish a response to this report and its recommendations.

INTRODUCTION AND OVERVIEW

3. At its meeting on 02 October 2023, the People Overview & Scrutiny Committee ('the Committee') considered the report of the Oxfordshire Education Commission, *Time for Change: Improving Educational Opportunity for All Oxfordshire's Children and Young People*. This had been on the agenda at its meeting on 14 September 2023 but the Committee had resolved to defer it to a later meeting as members did not consider that they had had sufficient time to engage with it between publication and the meeting.
4. The Committee was grateful to the independent Chair of the Commission ('the Chair of the Commission'), Gail Tolley, for attending to present the report. It would like to take this opportunity to reiterate its apologies for the inconvenience to her and her colleagues of deferring the item on 14 September.

5. Alongside the Chair of the Commission, the Committee was grateful, too, for all those who attended the Committee: three members of the Commission; the Leader of the Council, Cllr Liz Leffman ('the Leader'); the newly-appointed Cabinet Member for Children, Education, and Young People's Services, Cllr John Howson ('the Cabinet Member'); the Interim Executive Director: People, Transformation, and Performance, Stephen Chandler ('the Interim Executive Director'); the Interim Corporate Director: Children's Services, Anne Coyle ('the Interim Corporate Director').

SUMMARY

6. In the autumn of 2022, the Council established an independently-chaired Oxfordshire Education Commission to consider how the Council, collectively with all state-funded schools, other education settings, and partners including children and families, could plan to improve outcomes for all Oxfordshire children. The Commission met several times during 2023 and finalised its report in August, submitting it to Cabinet in September 2023.
7. The Chair of the Commission introduced the Commission's report which explored data for the 2021/22 school year as well as the experiences of stakeholders. The report made 17 recommendations to the Council and its partners. These were primarily intended to deliver on the recommendations from the voices of children and young people which the Commission had summarised as:
 - Help children who find things difficult; not everyone learns in the same way;
 - Let children be good at something in their own way;
 - Be ambitious for every child; do not put children in boxes;
 - Foster a sense of belonging for every child.
8. The Chair of the Commission drew the Committee's attention to the fact that Oxfordshire's performance data, on first appearances, looked positive when considered nationally. However, it compared unfavourably with its statistical neighbours. Those who find it harder to succeed faced particular challenges and did not achieve the outcomes the Council would desire for them. It was highlighted that there are elements of intersectionality with black-heritage pupils on free school meals with Special Educational Needs and Disabilities (SEND) facing particular challenges to success.
9. There had been a breadth of responses but the Commission had identified a need for clear and collaborative leadership with a shared, clear vision for education and called for partners to play 'the same game not the blame game' (4.6.1). 4.6.3 set out that there were agreed strategies for Early Help and SEND as well as the Practice Framework but there was a need for stakeholders to identify synergies between the implementation plan of the SEND strategy and the action plan based on the Commission's recommendations. The report had been written before the Local Area SEND Inspection but the action plan would, of course, need to connect with that too.

10. The Chair of the Commission emphasised that the intention had very much not been for a report to be written to be placed on a shelf but that it ended with a call to action. There were 17 proposals with suggested accountabilities which were in response to the ambition and collective commitments of stakeholders for a reset and a genuine collaboration.
11. The Committee commended the work of the Commission and recognised the value of its recommendations. The Committee was advised that an action plan would be drawn up to embed the recommendations of the Commission in the workings of the Council and that it would be a joint action plan aligning with the work necessary as a result of the Local Area SEND Inspection.
12. The Committee was of the view that the Commission's report was clear, well-written, and comprehensive and it brought together strands of work which had been undertaken over a number of years. The Committee agreed that there was a need for collaborative work across the Council and across the education sector to put things right.
13. In commending the Commission's proposals, the Committee made seven recommendations of its own. The sixth of these is addressed to the Leader in particular on behalf of the Council and the other six are addressed to the Council more widely. These are mainly focused on ensuring the apparatus is in place so that the improvements all agree are necessary can be implemented. These will aid communication, monitoring, and engagement.

OBSERVATION

14. The Committee was united in regretting that there had been less opportunity for scrutiny of distinctly educational matters since the abolition of the Education Scrutiny Committee. The Committee considered that the remit of the People Overview and Scrutiny Committee was overly large.
15. The Committee was of the view that, had an Education Scrutiny Committee been in place, its scrutiny would have provided a safeguard which could have prevented the patterns identified by the former Education Scrutiny Committee continuing. The Committee noted that the report was robust and well-written but that it did not present anything new.
16. The Committee noted that Council had, on 13 December 2022, passed a motion to examine, as part of the governance review, whether there should be a separate Education Scrutiny Committee. The Audit & Governance Committee agreed to consider that on 18 January 2023. Recommendations were made to the Audit & Governance Committee in November 2023. These recommendations have subsequently been presented to Council which voted to establish an Education and Young People's Overview & Scrutiny Committee on 12 December 2023.

17. The Committee had moved a recommendation that the establishment of an Education Scrutiny Committee be expedited, recognising that this would have a significant impact on the workload of officers within the Scrutiny function and more widely. This has been superseded by events and members of the Committee rejoice at Council's decision on 12 December to establish an Education and Young People Overview and Scrutiny Committee.

RECOMMENDATIONS

18. It will be for the Education and Young People Scrutiny Committee to produce its own work programme but the Committee would strongly encourage it to explore in detail early years provision in the county. As the Leader noted in her remarks to the Committee the importance of early years to education more widely is key and she also emphasised how important it was for any SEND needs to be recognised as early as possible. The Committee agrees.
19. In order for the area to be scrutinised appropriately, the Committee believes that, in accordance with the protocol on member/officer relations in the Constitution, it would be appropriate for the Council to ensure appropriate resource and officer time and expertise is made available to the Overview & Scrutiny function and to members of the Committee of any working group it may seek to establish. This will ensure that a thorough assessment of available provision can be undertaken and will enable members to make appropriate recommendations to Cabinet and to educational partners.

Recommendation 1: That the Council should prepare itself to provide officer resource and expertise in the expectation of a deep dive into early years provision.

20. The Committee was encouraged by the Chair of the Commission to carefully monitor "educational outcomes for all children and young people, especially the most disadvantaged and vulnerable." The Committee does not demur from this task and has sought to do so and will continue to do so. Carefully monitoring in the abstract is one thing but having the tools to monitor carefully is another. The Committee recognises the difference between strategic and operational oversight and would not seek to inveigle itself into the latter. However, one simple but effective method to enable its careful monitoring will be if it is to receive regular updates of data. These data updates should include, but not be limited to:
 - (a) Attainment outcomes;
 - (b) Gaps in Education Provision;
 - (c) Absenteeism;
 - (d) Intersectionality of Needs Gaps;
 - (e) SEND;
 - (f) Education Other Than At School (EOTAS);
 - (g) Tribunals

21. However, whilst the Committee has a duty to scrutinise and to make recommendations, such updates should also be provided to Cabinet. This will further enable collective responsibility and transparency.

Recommendation 2: That the Council should ensure regular updates are issued to each meeting of Cabinet on educational outcomes and that these are provided to the Committee for noting.

22. One of the threads that the Commission's report drew out was the need for better communication between and with key stakeholders. The report recognises the importance of "playing the same game" and highlights that children and young people and their parents and carers are "key players". The Committee very much agrees and supports the call for "genuine co-production, and a listening culture, involving all partners including parents/carers and children and young people."
23. The Committee has repeatedly heard that co-production and cooperation are at the heart of the journey the Council is intent on. The Committee is entirely in agreement and recommends that the Council engages widely on both an informal and formal basis. In order to facilitate such engagement, the Committee recommends that the Council considers whether panels would be a useful way of hearing from particular groups and engaging with them. Inclusion in the action plan arising from the Commission's report and from the Local Area SEND Inspection would be a useful way of demonstrating such a commitment.

Recommendation 3: That the Council should explore how to establish and manage panels, such as a children's panel, a parents/carers' panel, and an educational providers' panel, to ensure the insights of key stakeholders are heard to build collaborative and clear partnership working.

24. The Committee explored whether it would be appropriate to convene a board for educational improvements. This would not be member-led but, rather, chaired by a professional and provide oversight and continuity. The Committee recognises that the SEND Improvement Board has been established which focuses on a particular aspect of education but wonders if a more wide-ranging board would be of use.

Recommendation 4: That the Council considers whether a professional-led board for educational improvement should be established.

25. One topic of discussion was the desirability for a long-term plan for educational improvement in the county under the heading 'Oxfordshire Charter for Future Generations.' The Committee is intentionally non-partisan and seeks to work in a unified way across membership of all political parties represented on the Council and none. Members of all political groups and none are committed to sustained improvement.

26. The Committee recognises that the democratic nature of the Council means that long-term proposals by members are problematic. However, the Committee considers that appropriate thought should be given to how the Council as a whole could unite behind an overarching and united commitment to educational improvement. The action plan drawn up by the Council arising from the Commission's report and from the Local Area SEND Inspection will go some way towards that but it is most likely to be addressing items in the short- and medium-term. The Committee considers that embedded change will take time to develop and that it should be able to thrive, flourish, and develop free from concern that the approach underpinning it will be swept aside.

Recommendation 5: That the Council should consider the adoption of a long-term plan for educational improvement in the county under an heading such as *Oxfordshire Charter for Future Generations*

27. The Committee recognises the complexity of the interrelationships across the education sector but, as it was reminded, the Council, as an upper-tier authority, is a lead partner and its commitment to collaboration is fundamental. Whilst the Council does not maintain all schools in the county, given that all but one secondary school and around half of all primary schools are academies, it is important for the Council to use its influence for good.
28. In the Commission's call to action, the fifth proposal calls for "The Council with its strategic partners should establish a Pan-Oxfordshire initiative to make Oxfordshire an attractive and supportive place to work in order to recruit and retain teachers and other hard to recruit and retain professionals, e.g., educational psychologists, social workers." The Committee recognises the challenges of succeeding in this task, not least because of the high cost of housing in the county. The Committee made its most recent recommendation regarding partnership working around key worker housing in April 2023. It recognises the inherent difficulties but continues to recommend that the Council prioritises this.
29. In discussion, the Committee suggested that it would be more fruitful for the action plan arising from the Commission's proposals to state that the leaders of the councils should be engaged in this process. Having individuals rather than organisations listed would make it more likely that engagement will be achieved.

Recommendation 6: That the Leader should continue to work with the leaders of other councils to address the problems associated with key worker recruitment and retention.

30. The Committee is aware that the Performance and Corporate Services Overview & Scrutiny Committee has been scrutinising the budget for the next financial year and that conversations are ongoing. In endorsing the report's recommendations and in hoping that the action plan ensures that the Commission's recommendations are implemented, the Committee strongly

recommends that the Council should ensure that there is sufficient funding to do this. There are many and varied budgetary priorities but the future of education in this county is entirely fundamental and the Council must make it a significant priority.

Recommendation 7: That the Council should ensure there is sufficient budgetary capacity for the Commission's report's proposals to be implemented.

FURTHER CONSIDERATION

31. Given the establishment of the Education and Young People Overview and Scrutiny Committee, the Committee does not expect to consider this specific item again.

LEGAL IMPLICATIONS

32. Under Part 6.2 (13) (a) of the Constitution Scrutiny has the following power: 'Once a Scrutiny Committee has completed its deliberations on any matter a formal report may be prepared on behalf of the Committee and when agreed by them the Proper Officer will normally refer it to the Cabinet for consideration.
33. Under Part 4.2 of the Constitution, the Cabinet Procedure Rules, s 2 (3) iv) the Cabinet will consider any reports from Scrutiny Committees.

Anita Bradley
Director of Law and Governance

Annex: Pro-forma Response Template

Background papers: None

Other Documents: None

Contact Officer: Richard Doney
Scrutiny Officer
richard.doney@oxfordshire.gov.uk
07745 210056

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