

**Notice of a Meeting**

Education Scrutiny Committee
Thursday, 19 September 2013 at 10.00 am
County Hall

Membership

Chairman - Councillor Lynda Atkins

Deputy Chairman - Councillor Michael Waine

| | | | |
|---------------------|-------------------|-------------------|-----------------|
| <i>Councillors:</i> | David Bartholomew | Richard Langridge | Val Smith |
| | Yvonne Constance | Caroline Newton | John Howson |
| | Simon Hoare | Neil Owen | Gillian Sanders |

| | | |
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| <i>Co-optees:</i> | Mr Chris Bevan | Mrs Sue Matthew |
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| <i>By Invitation:</i> | Carole Thomson | Ian Jones |
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Notes: **Date of next meeting: 14 November 2013****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 | - | Councillor Lynda Atkins E.Mail: lynda.atkins@oxfordshire.gov.uk |
| Policy & Performance Officer | - | James Kanimba, Tel: (01865) 323458 Email: james.kanimba@oxfordshire.gov.uk |
| Committee Officer | - | Sue Whitehead, Tel: (01865) 810262 sue.whitehead@oxfordshire.gov.uk |

Peter G. Clark
County Solicitor

September 2013

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 630,000 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 10 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. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note at end of agenda sheet**
3. **Minutes** (Pages 1 - 6)

To approve the minutes of the informal meeting held on 4th July 2013 (**ESC3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Provisional Report on GCSE & A-Level Results**

10.05am

Frances Craven, Deputy Director for Education and Early Intervention, and Sue Bainbridge, Schools & Learning Manager, to present a report (to follow) to the Committee on Oxfordshire provisional 2013 GCSE and A-Level results.

6. **School Revenue Reserve Balances** (Pages 7 - 8)

11.05am

- a) Councillor John Howson to present a report on school revenues reserves (ESC6);
- b) Frances Craven, Deputy Director – Education and Early Intervention, and Sue Bainbridge, Schools & Learning Manager, to provide further details relating to the report by Councillor Howson.

7. **Report on Soft Market Testing**

11.45am

Graham Shaw, Deputy Director – Oxfordshire Customer Services, and Frances Craven, Deputy Director – Education and Early Intervention, to present a report (to follow) to the Committee on the results of the soft-market testing as it relates to education.

8. Forward plan and Committee Business

12.15pm

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

CLOSE OF MEETING

1.00pm

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 Rachel Dunn on (01865) 815279 or rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.

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Agenda Item 3

EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 4 July 2013 commencing at 10.00 am and finishing at 1.21 pm

Present:

Voting Members: Councillor Lynda Atkins – in the Chair

Councillor Michael Waine (Deputy Chairman)
Councillor David Bartholomew
Councillor Yvonne Constance
Councillor Simon Hoare
Councillor John Howson
Councillor Caroline Newton
Councillor Neil Owen
Councillor Gill Sanders
Councillor Val Smith
Councillor Lawrie Stratford (In place of Councillor Richard Langridge)
Mrs Sue Matthew

Other Members in Attendance: Councillor Johnston (for Agenda Item 7);
Councillor Purse (for Agenda Item 7);
Councillor Gray (for Agenda Item 7)

Officers:

Whole of meeting Frances Craven, Deputy Director Education & Early Intervention); Roy Leach, School Organisation & Planning Manager; James Kanimba (Policy & Performance Officer, Chief Executive's Office) Sue Whitehead (Chief Executive's Office)

Part of meeting

| Agenda Item | Officer Attending |
|--------------------|--|
| 5 | Sue Bainbridge, Schools & Learning Manager |
| 6 | Neil Darlington, Admissions & Transport Services Manager |

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.

1/13 INTRODUCTION AND WELCOME

(Agenda No. 1)

Councillor Atkins welcomed members, officers and the public to this first meeting of the Education Scrutiny Committee.

2/13 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 2)

Apologies were received from Councillor Langridge (Councillor Stratford substituting) and Chris Bevan.

3/13 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

The following requests to speak had been agreed:

Item 7: Councillor Johnston;
Councillor Purse;
Councillor Gray;
Ian Domville;
Jacqueline Cook.

Councillor Johnston, commented that as a newly returned Councillor he had not been consulted and the implications of the consultation document had not been made clear. He drew attention to issues in his Division and felt that the proposals were flawed and needed a complete rethink particularly around the lack of links with transport to catchment areas.

Councillor Purse agreed that the consultation had not been clear and that some people did not realise it affected them and others were worried unnecessarily. She was concerned that rural communities would be hardest hit. She expressed particular concern over Wheatley Park School where she was a governor. She was aware of the very good work it did with feeder schools and worried that this would be affected by the changes. She queried the information about Collaborative Learning Partnerships. Finally she referred to the safe walking routes and commented that there should be some allowance for certain circumstances. Responding to a query from Councillor Waine she added that the Road Safety GB Guidelines were proposed as the criteria for a safe walking route but that there were sometimes other local factors and common sense had to be applied.

Councillor Gray queried why an issue that was so important to people had been brought forward so early in the new Council term. He made 3 main points: who was putting forward the proposals as he had been unable to find out who they had come from; assessing routes against guidelines would not make unsafe routes safe and what was the impact on the Council's reputation of putting these proposals forward.

Ian Domville as a local parent of a child at Wallingford School but not directly affected by the proposals commented that the main concern was safety. He referred to attempts to change rules to reduce the ability to appeal on safety grounds and

highlighted cases at Benson and Cholsey that parents had won on appeal. He commented that it was ludicrous to suggest adults will accompany children. He further felt that the Road Safety GB Guidelines should be publically available and locally highlighted the Thames Path that would be flooded for 2-3 months each year and asked how that was considered under the Guidelines. He referred to the impact of the changes on schools. Finally he recognised that there were financial constraints on the Council but felt that there were alternatives to the proposal and that head teachers and governing bodies be involved in discussions about alternative means of provision.

Jacqueline Cook, a parent with a child at John Mason School and another due to start in 2014 stated that she had been involved in the Drayton Transport appeals which had been lost by the authority. She spoke against the proposal to reassess all "unsafe walking routes" from September 2014 using the guidance issued by Road Safety GB and referred to the wider advice issued by the Department for Education guidance. She highlighted paragraphs 76 and 77 of the proposals which would make appeals ineffectual.

At this point it was agreed to vary the order of the agenda to take the Home to School Policy as the next item.

4/13 PROPOSED HOME TO SCHOOL TRANSPORT POLICY 2014 (Agenda No. 7)

The Committee had before them a report on the Proposed Home to School Transport Policy together with a summary of the consultation responses received so far.

Roy Leach, School Organisation and Planning Manager explained that the Collaborative Learning Partnerships had been an initiative of the previous Government and no longer existed. The Council was promoting collaborative companies. He set the proposals in the context of the wider financial position of the Council and the need to make savings. Proposal 5 would lead to savings of £300,000. Referring to slides he explained the impact of the catchment areas on transport in the Burford/Carterton area and for the area around Matthew Arnold School.

Responding to questions he explained the relevance of the statutory walking distances and indicated that most authorities adhered to them. He explained that family links were considered as part of the allocation policy which gave priority to siblings but that this was not relevant to free home to school transport. He clarified the statutory responsibility to provide free home to school transport making it clear that this was to the nearest school with an available place. He responded to individual queries about how home to school transport process worked clarifying that it worked across county boundaries and that there was no entitlement for free transport post 16. Referring to historic anomalies Roy Leach acknowledged that there were routes that had not been checked for many years. Some had already been changed and it was good practice to check routes frequently as they were now doing.

During a question and answer session with officers the following were amongst the areas considered:

- 1) A great deal of concern was expressed over the impact on rural communities with individual councillors referring to particular difficulties in their division. It was however noted that there some schools affected were in the urban areas.
- 2) In particular it was felt that paragraph 45 which excluded street lighting in terms of safety was urban centric and did not take into account rural settings where often there was no street lighting.
- 3) Collaborative working between secondary and primary schools could be badly affected by the proposals.
- 4) Doubt was cast over the level of saving that would be achieved with the changes likely to result in some new routes.
- 5) Members discussed the use of the Road Safety GB Guidelines and sought an understanding of what was included. There was a general view that they should be applied with some consideration of local circumstances and factors. For instance the existence of a footpath was not proof of a safe route if at times in the year it was impassable due to flooding. Roy Leach explained that lack of street lighting on its own was not a proof of an unsafe route. The determination of a route as safe could be challenged both now and in the future through the appeals process. Roy Leach clarified how the appeals process worked.
- 6) Members recognised the uncertainty due to the changing nature of schools provision and noted that Academies would set their own catchment areas which could impact on the Council under the current policy. Roy Leach confirmed that catchment areas would still be used for allocation to schools and would be under the control of the relevant admissions authorities which for academies would be the governing Bodies. He also confirmed that under the new proposals the nearest schools would include all publicly funded schools.
- 7) Responding to comments Roy Leach confirmed that they were open to other options and would look sympathetically on suggestions that still allowed the necessary savings to be achieved.
- 8) There was discussion of the consultation undertaken and officers explained the steps taken to consult which included publication on the consultation portal of the Council's website, with links sent to every school, the arch diocese, parish councillors, Councillors and a letter to parents through the schools. The consultation had been extended following representations and so far 1,600 responses had been received. As a result of concerns over the consultation a frequently asked questions section had been added to the webpages. This would be extended further following today's meeting.

Following further extensive discussion the further points were made:

- 9) Whilst recognising that savings needed to be made there was a view that the proposals caused a great deal of disturbance for the amount to be saved.
- 10) Legal advice should be sought before any decision was taken to ensure that the consultation process did not leave the Council open to challenge, particularly in terms of the revised closing date being the day before the cabinet meeting thus not giving sufficient time for views to be properly considered.
- 11) A member raised the issue of the general competence given to Council's and queried whether there had been sufficient consideration of this.

12) It was felt that the consultation had not been sufficiently clear about who was affected and how. In particular there had insufficient information about the proportional impact on rural schools. In addition there were remaining concerns about whether the consultation had targeted the right people and groups and been long enough.

13) There was a view from several members that the proposals had been rushed and that the timing was poor given the uncertainty around future provision and the implications to catchments, term times and school hours.

14) It was suggested that consultations of this type needed to go directly to governors to ensure they were included in consultation. However despite the fact that consultation could be improved one member felt strongly that the decision could not be put off simply because it was difficult and suggested that there was a case for temporary deferral by Cabinet to allow proper consideration of the consultation responses received up to 15 July. He could not support a longer deferral as noted that the initial savings were already in the Council's budget.

Following a proposal by Councillor Hoare and initial discussion the Chairman proposed: that legal assurance be sought that the consultation process has not left the Council open to challenge; and that there should be a detailed review of proposals with a lengthier targeted consultation process and that the policy decision be delayed by a year to allow for that review.

Following further discussion it was:

AGREED: (by 8 votes for to 3 against) to recommend to Cabinet:

- (a) to seek legal advice to ensure that the manner of the consultation has not left the council open to challenge;
- (b) that there should be a detailed review of proposals and a lengthier, targeted consultation process with this policy decision to be deferred for a year in order for that review to take place in a thorough and measured way.

**5/13 PRESENTATION FROM CHILDREN, EDUCATION AND FAMILIES
DIRECTORATE ON EDUCATION STRATEGY AND PERFORMANCE**
(Agenda No. 5)

The Committee had before them the Children's Strategy and received a presentation on the work of the Children, Education & Families Directorate.

Members generally found the Strategy encouraging and Frances Craven undertook to take up the point that it be reviewed for plain English. She stressed that it was a working document.

A member who was a governor of a school referred to plans in her school to try and involve parents in helping other parents who needed that support. This was a great initiative and she questioned what the Council was doing about adult learning courses. Frances Craven commented that this was a discussion the Committee might wish to have with head teachers and schools as it was not within her remit as they had no budget. The Chairman suggested that consideration of the wider remit of this

committee and whether it should include life long learning was part of a future discussion for Member.

A note of caution was sounded by a member who drew attention to the role of the Local Authority set out in the Vision on page 5 of the Strategy. He queried what was achievable for the Local Authority when working with autonomous schools and stressed that the main aspect was to provide challenge. However he was worried that the knowledge base would shift from the local authority. It was noted that this was a further possible area for consideration by the Committee.

The time now being 1.21 pm the Chairman proposed and it was agreed to close the meeting without consideration of the following items.

Discussion of Terms of Reference
Forward Plan and Committee Business

It was AGREED that an informal planning session be arranged for members of the Committee before the next meeting.

..... in the Chair

Date of signing 2013

| Name of School | Revenue Reserves as % of budget each year | | | Difference over 3 years | fsm | fsm PP % | Exams 5A*-Cs inc E&M | 5%+ reserve | reserve 5%+ increase over 3 years | Low Achievers Expected Progress | | | | |
|---|---|--------|--------|-------------------------|--------|----------|----------------------|-------------|-----------------------------------|-------------------------------------|---------------------------------------|--------------|------------|------------------------|
| | 09-10 | 10-11 | 11-12 | | | | | | | Eng low attainers expected progress | Maths low attainers expected progress | Rank English | Rank Maths | Rank diff Eng on Maths |
| The Marlborough C of E School | 1.80% | 0.30% | 2.30% | 0.50% | 5.70% | 10.50% | 68.00% | | | 76.00% | 28.00% | 1 | 18 | 17 |
| Burford School & Community College | 3.00% | 4.20% | 3.60% | 0.60% | 4.90% | 9.90% | 56.00% | | | 75.00% | 44.00% | 2 | 4 | 2 |
| The Cherwell School | 4.10% | 6.00% | 6.30% | 2.20% | 10.50% | 20.70% | 70.00% | | | 66.00% | 36.00% | 3 | 10 | 7 |
| Wheatley Park School | 2.70% | 0.60% | 1.10% | -1.60% | 11.20% | 19.50% | 64.00% | | | 60.00% | 25.00% | 4 | 22 | 18 |
| Faringdon Community College | 1.40% | 2.50% | 2.90% | 1.50% | 5.70% | 14.40% | 63.00% | | | 57.00% | 38.00% | 5 | 6 | 1 |
| John Mason School | -0.40% | 3.20% | 2.30% | 2.70% | 9.20% | 16.30% | 48.00% | | | 57.00% | 38.00% | 6 | 7 | 1 |
| Carterton Community College | -1.40% | 3.70% | 4.80% | 6.20% | 7.30% | 13.90% | 55.00% | | | 57.00% | 35.00% | 7 | 12 | 5 |
| Wallingford School | -0.20% | 2.60% | -3.20% | -3.00% | 6.20% | 13.60% | 76.00% | | | 57.00% | 30.00% | 8 | 15 | 7 |
| Gillotts School | 7.20% | 4.80% | 4.40% | -2.80% | 4.40% | 11.90% | 72.00% | | | 55.00% | 27.00% | 9 | 20 | 11 |
| Gosford Hill School | 3.40% | 2.80% | 5.90% | 2.50% | 9.60% | 16.50% | 70.00% | | | 54.00% | 38.00% | 10 | 8 | -2 |
| King Alfred's Community & Sports College | -2.10% | 3.00% | 0.00% | 2.10% | 7.30% | 16.20% | 75.00% | | | 49.00% | 34.00% | 11 | 13 | 2 |
| The Cooper School | 1.70% | 0.10% | -5.40% | -7.10% | 5.60% | 16.50% | 67.00% | | | 47.00% | 26.00% | 12 | 21 | 9 |
| Fitzharrys School | -6.60% | -5.70% | -0.80% | 5.80% | 7.70% | 19.10% | 42.00% | | | 44.00% | 17.00% | 13 | 25 | 12 |
| Matthew Arnold School | 7.10% | 7.00% | 11.70% | 4.60% | 6.60% | 13.50% | 60.00% | | | 43.00% | 22.00% | 14 | 23 | 9 |
| The Warriner School | -4.70% | 0.30% | 1.80% | 6.50% | 6.10% | 13.30% | 66.00% | | | 41.00% | 29.00% | 15 | 16 | 1 |
| Cheney School | 8.20% | 9.20% | 7.70% | -0.50% | 18.10% | 34.80% | 48.00% | | | 40.00% | 39.00% | 16 | 5 | -11 |
| England average | 3.20% | 3.90% | 5.60% | 2.40% | 9.10% | 18.30% | 59.00% | | | 38.90% | 27.10% | 17 | 19 | 2 |
| Bartholomew School | 10.30% | 12.80% | 12.90% | 2.60% | 5.40% | 10.00% | 64.00% | | | 38.00% | 38.00% | 18 | 9 | -9 |
| Chiltern Edge Community School | 1.10% | 1.40% | 0.50% | -0.60% | 8.50% | 16.60% | 65.00% | | | 36.00% | 18.00% | 19 | 24 | 5 |
| Lord Williams's School | 3.40% | 5.10% | 4.60% | 1.20% | 3.20% | 8.30% | 65.00% | | | 33.00% | 17.00% | 20 | 26 | 6 |
| Larkmead School | -1.80% | 3.20% | 8.90% | 10.70% | 11.50% | 20.70% | 48.00% | | | 33.00% | 9.00% | 21 | 30 | 9 |
| Langtree School | 2.10% | 3.70% | 4.40% | 2.30% | 4.90% | 11.50% | 51.00% | | | 32.00% | 36.00% | 22 | 11 | -11 |
| The Henry Box School | 1.70% | 1.70% | 5.60% | 3.90% | 5.90% | 14.40% | 44.00% | | | 32.00% | 4.00% | 23 | 32 | 9 |
| Blessed George Napier Catholic School and Sports | 10.50% | 12.60% | 13.10% | 2.60% | 6.90% | 12.10% | 64.00% | | | 27.00% | 50.00% | 24 | 1 | -23 |
| Banbury School | 0.70% | 1.00% | 3.30% | 2.60% | 13.10% | 22.80% | 49.00% | | | 27.00% | 16.00% | 25 | 28 | 3 |
| Didcot Girls' School | -2.40% | 2.70% | 2.20% | 4.60% | 8.70% | 17.30% | 56.00% | | | 27.00% | 14.00% | 26 | 29 | 3 |
| Bicester Community College | 1.80% | 3.00% | 6.10% | 4.30% | 9.50% | 21.20% | 48.00% | | | 27.00% | 8.00% | 27 | 31 | 4 |
| St Birinus School | 7.00% | 5.90% | 8.20% | 1.20% | 6.90% | 15.20% | 59.00% | | | 24.00% | 45.00% | 28 | 3 | -25 |
| Wood Green School | 0.60% | 3.80% | 4.20% | 3.60% | 6.50% | 18.30% | 53.00% | | | 24.00% | 32.00% | 29 | 14 | -15 |
| St Gregory the Great VA Catholic Secondary School | -5.60% | 2.70% | 3.40% | 9.00% | 15.00% | 29.20% | 46.00% | | | 23.00% | 29.00% | 30 | 17 | -13 |
| Chipping Norton School | 6.40% | 8.20% | 8.40% | 2.00% | 7.20% | 14.30% | 46.00% | | | 21.00% | 17.00% | 31 | 27 | -4 |
| Icknield Community College | 6.20% | 10.40% | 12.20% | 6.00% | 6.10% | 13.00% | 54.00% | | | 19.00% | 50.00% | 32 | 2 | -30 |

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