

## EDUCATION SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Monday, 26 September 2016 commencing at 10.00 am and finishing at 12.35 pm

**Present:**

**Voting Members:** Councillor Gill Sanders (Deputy Chairman) – in the Chair

Councillor Kevin Bulmer  
Councillor John Christie  
Councillor John Howson  
Councillor Sandy Lovatt  
Councillor Michael Waine  
Mrs Sue Matthew

**By Invitation:** Carole Thomson

**Officers:**

Whole of meeting Andreea Anastasiu, Deborah Miller (Corporate Services)

Part of meeting

**Agenda Item**

6

**Officer Attending**

Roy Leach, School Organisation Planning Manager,  
Chris Malone, Foundation Years Manager and Janet  
Johnson, Children with SEN Manager

7 & 9

Chris Malone, Foundation Years Manager

8 & 10

Roy Leach, School Organisation Planning 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.*

### **30/16 INTRODUCTION AND WELCOME**

(Agenda No. 1)

The Chairman welcomed everyone to the meeting and in particular Richard Brown who was to be appointed as the Parent Governor Representative for primary Schools on Education Scrutiny Committee. The appointment would take place at full Council on 1 November 2016.

### **31/16 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 2)

Apologies were received from Councillor Mark Gray and Councillor Richard Langridge.

### **32/16 MINUTES** (Agenda No. 4)

The Minutes of the meeting held on 4 July 2016 were approved and signed as a correct record subject to the following corrections:

Minute 21/16 – the word ‘Deputy’ to be inserted prior to the word ‘Chairman’.

Minute 25/16 – Monitoring Schools, page 4 , 3<sup>rd</sup> bullet point the word ‘costing’ to read ‘coasting’ and Parents Complaints, page 5 ‘Regional schools commissions’ to be changed to ‘local authorities’.

During discussion the following was agreed:

Minute 24/16 – Minute 12/16 - Roy Leach confirmed that the report on recruitment and retention of teachers was due to be published in November and would come to the December Meeting of the Committee.

Minute 14/16 – Gill Sanders reported that the Director for Transformation had been keen on the possibility of selling land below market value to assist with the current and ongoing issue over the recruitment and retention of teachers and had asked Environment & Economy to look at it.

Minute 28/16 – Janet Johnson reported that she had met with the New Head of the Hospital School during the summer break and that a Working Service Level agreement had been drafted.

### **33/16 STRATEGIC AND OPERATIONAL RESPONSIBILITIES OF THE COUNTY COUNCIL & THE RESOURCES REQUIRED TO CARRY OUT THESE DUTIES, PARTICULARLY IN RELATION TO SCHOOL IMPROVEMENT AND SUPPORT SERVICES** (Agenda No. 6)

Roy Leach, School Organisation Planning Manager, Chris Malone, Foundation Years Manager and Janet Johnson, Children with SEN Manager attended for this item to present a report which outlined the ongoing strategic and operational responsibilities of the Council, particularly in relation to School Improvement and support services.

A series of briefings on the continued role of the council with schools had been delivered in the Summer Term. In Oxfordshire over 50% of pupils attended academies. Most secondary schools were now academies. The Council still held responsibilities for maintained schools. It had a role in supporting the academisation process and held some responsibilities for learners in academies.

The implementation of the Government’s national funding formula for schools and reformed Dedicated Schools Grant Blocks had been delayed by one year. Plans were

now to implement the changes in 2018/19. A consultation about the introduction of an Early Years national funding formula was underway. From September 2017 there would be an extension of the free Early Years entitlement for three and four year olds from 15 to 30 hours per week.

Chris Malone, in introducing the report, explained that he teams supporting vulnerable learners were funded from the high needs block within the dedicated schools grant. The high needs block funding had not kept pace with increasing demand and consequently in 2015/16 spend exceeded the budget for the first time. This was predicted to increase in future years and become a risk for the County Council if the current link with the other DSG blocks ceased, as proposed in the national funding reforms consultation, and if Oxfordshire did not receive sufficient funding when the national funding reforms were implemented in 2018/19.

Oxfordshire's total High Needs expenditure was £246 per head in 2014/15, compared with £301 England, £292 South East region and £265 statistical neighbours. Oxfordshire's estimated total high needs expenditure for 2015/16 was reducing to £221 per head, whereas it was rising in England (£317), SE region (£298) and statistical neighbours (£282), therefore the funding gap was increasing in Oxfordshire. Total high needs expenditure included top up funding to schools, (for children with statements or Education, Health and Care plans), SEN Support services, support for inclusion and alternative provision.

In line with all council services, this area continued to explore how to manage increasing demands with less resource. The three main priorities in 2016/17 were:

Increasing the range and quantity of provision in Oxfordshire:

- Strategic development of specialist provision, including free schools opportunities
- The Placement Strategy (keeping our most vulnerable closest to home) and cost efficiencies.
- Maintaining relationships with local independent providers.

Early Years and SEN Support Services review:

- Exploring further savings and
- Service transformation to ensure that SEN services are fit for purpose for the next 5 years, taking into account interdependencies with other services, such as nursing and CAMHS, and other market developments.

Performance of vulnerable learners

- Stronger strategic and operational links between partners brokered by the Council to provide school improvement functions and central employed staff working within services for vulnerable learners.

Mr Leach stressed the importance of the outcome of the National Funding Review. In the meantime, there was a need to ensure that there was sufficient provision locally, reviewing central services ensuring a strategic link around vulnerable children.

The following points were made during discussion:

The Authority maintained responsibility for permanently excluded children.

Early Year's block funding was reducing from 12% to 5%. There was a need for big conversations with providers about how to manage funding in the future.

The Government had reduced resources dramatically but local authorities still maintained the responsibility for commissioning and brokering and the funding was not sufficient to do a decent job.

All academies by 2020 – this was not going to happen. Oxfordshire had a lot of community related small primary schools and the functions and costs associated with those.

Members remained concerned that there was not enough funding for brokering the School to school model.

Members noted the need to ensure schools felt part of the Strategic Partnership.

There was a need to improve engagement with multi academy trusts.

There was a need to be very supportive and appreciative of 'professional generosity' taking care not to over-burden individuals or schools.

There was a recognition that large organised MATs were needed to replicated the work of the local authority.

There were many primary schools in Oxon that did not want to join a MAT. There was a need to support those schools with school to school support.

The Committee noted the lack of a strategic post at level 2.

Members expressed concern over the possible further delay in the National Formula funding and the fact that the Authority would maintain responsibility for permanently excluded children. Over the next two years there would be a need to take a very strategic look at funding within the authority and out at schools/academies.

Members further that the government continued to reduce resources dramatically, whilst expecting authorities to maintain responsibility for carrying out their statutory duties and that the diminishing funding would have an effect on the provision of our duties. The Committee also noted that the direction provided by government was inadequate.

The Committee agreed to refer the issue to Cabinet with a request that the Cabinet write to the Secretary of State to express the views of the Committee.

The Committee had before it a report which provided an early overview of the provisional educational outcomes of children and young people in Oxfordshire primary schools for the academic year 2015/16.

In introducing the report, Chris Malone explained that 2016 had seen significant changes to tests and assessments at both key stages 1 and 2, and that it was the first year to assess and report on the new, more challenging national curriculum which was introduced in 2014. New tests and interim frameworks for teacher assessment had been introduced to reflect this revised curriculum. These changes to assessments at the end of key stage 2 and key stage 1 meant that comparison with previous years was not possible.

Provisional results published by the DfE in September indicated that at key stage 2 Oxfordshire performed in line with national average, although performance in writing tests was in the lowest 25% nationally.

There had been no changes to how the Early Years Foundation Stage and Phonics Screening Checks were assessed and so trend data were available for both of those measures. In both instances, performance had increased from 2015, national comparative data would be available later in the year.

There continued to be a variation in performance between localities and types of school. The performance across Local Authority (LA) maintained schools and converter academies was broadly similar, with noticeably lower performance across sponsored academies.

Ms Malone believed that the figures above were due to the system changing from 'best fit' to a new assessment method and inconsistent moderation across the country. She further believed that the writing test had been very heavily moderated and that moderators had not taken a view of a wide enough sample.

Members questioned what action could be taken against inconsistent moderation and whether training would be sufficient to rectify the situation. In response, Ms Malone confirmed that the issue was around training moderators and about how individual primary schools and how they assessed.

Ms Malone further reported that the Select Committee had commissioned a review of the assessment and that Ofsted had indicated that they were going to take a different approach to assessment.

In relation to the chart on page 26 of the report, Members noted that there was a significant amount of underperformance of schools in Oxford City and Banbury and questioned whether they were sponsored academies. In response, Ms Malone confirmed that sponsored academies were performing consistently low and phonics data showed that Oxford City was performing on the line. However, phonic projects had been provided throughout the summer and they were now seeing progress.

Members noted the content of the report and looked forward to receiving a further update after December once figures had been broken down by school partnership.

## 35/16 EXCLUSIONS

(Agenda No. 8)

At its meeting on 04 July 2016, the Committee had received a presentation on exclusions in Oxfordshire schools, with a particular focus on exclusions in Year 10, where there appeared to be a usually high number of permanent exclusions. Following on from this discussion, the Committee requested that further information be provided in relation to the data sharing agreement between the County Council and schools and academies. The Committee also requested to receive an analysis of exclusions of Looked After Children.

The following documents were provided below for the Committee's consideration:

1. Data Sharing between Oxfordshire County Council and Schools and Academies
2. Looked After Children Exclusions Protocol
3. Looked After Children Exclusions 2016 (Summary by School)
4. Children in Care at Risk of Exclusion Diagram
5. Children in Care with Challenging Behaviour Diagram

Mr Leach, in introducing the report, explained that the conclusion of the further work had been that there was not an unwillingness throughout the schools or academies to share data, but rather that the lack of data coming through had been down to technical difficulties in that not all systems were mutually compatible. There remained very few outstanding issues (3 establishments) and the Council's ICT team had been working hard with the schools and academies and their MIS providers to resolve the few outstanding data transfer issues.

In relation to the report on Exclusion and the looked after child, members remained concerned over the significant number of exclusions of looked after children at Didcot School and in general over the significant numbers of looked after children being excluded (56 out of 200 representing a quarter) and the associated resource implications.

In response, Mr Leach reported that the placement strategy and provision on new homes in Oxfordshire would go a long way to supporting these children holistically.

Members stressed the importance of making schools and academies aware of the ramifications of excluding a child who is in care as often it could lead to the child losing their home. In response, Ms Thomson confirmed that exclusions had been identified as a problem in Oxfordshire and would be on the Agenda for the next Heads and Chairs of Governors meeting.

Members felt that more detail such as trend data was needed to get a clearer picture of what was happening particularly in relation to Didcot School and whether there was any data to suggest that fixed term exclusion lead to permanent exclusions. It was further suggested that those schools with a zero return be included in the data.

**RESOLVED:** to request officer to provide an in-depth analysis of the reasons for the high number of exclusions in some schools (Didcot Girls School) to include trend data.

## **36/16 OXFORDSHIRE SCHOOLS STRATEGIC PARTNERSHIP ANNUAL REPORT**

(Agenda No. 9)

The Committee had before it the Oxfordshire Strategic Schools Partnership Board Annual Report. The Partnership Board brought partners together to promote the development of sustainable school to school support across the county.

The Board held a small budget. Commissions were based on priorities identified by the Board in the context of Oxfordshire's Education Strategy 2015-18 and 'Equity and Excellence', supporting the aspiration that all Oxfordshire schools should be good or outstanding.

In introducing the report, Chris Malone explained that in order to meet the aspiration above, a number of priorities had been identified and agreed by the Board:

- Closing the performance gap between vulnerable learners and their peers;
- Improve achievement of those with SEND;
- Improve attendance;
- Support effective recruitment and retention;
- Encourage higher quality alternative provision;
- Reduce fixed term and permanent exclusions;
- Support development of leaders and managers in schools and settings.

In response to questions regarding the future funding of the Board, Ms Malone explained that the Board had been set up as a commissioning board with a purpose of moving from commissioning to brokering and had a fixed budget and that it would not be replaced once spent, but that the board were considering a subscription based model as a sustainable long term solution. Carole Thomson added that there would be no further money coming from the DSG in the future.

Members of the Committee stressed the importance of the Board's third priority (Improve attendance) and indicated that the Committee's future focus should be working in partnership with our partners on this priority.

**RESOLVED:** to note the report.

## **37/16 EARLY YEARS BOARD ANNUAL REPORT**

(Agenda No. 10)

The Committee had before it the Early Years Board Annual Report which brought together international, national and local early year's experts. The current focus of the partnership included:

strategic leadership for early education in Oxfordshire (using data and intelligence to prioritise and influence) across schools, settings (day nurseries and pre-schools) and childminders;

systems leadership: supporting outstanding practitioners to lead quality improvement in early education in Oxfordshire, and developing sustainable local networks, or 'communities of practice';

..... narrowing the gap in Oxfordshire between outcomes for economically disadvantaged pupils and their peers at age five.

Members queried what progress had been made on preparations for delivery of the 30 hours childcare offer in Oxfordshire. In response, Chris Malone explained that there remained tension between the 30 hour offer and narrowing the gap. The Early Years Board would continue to support the 2 Years settings and the 30 hour offer should come secondary. In response to further questions around the extent of the 30 hour offer, Roy Leach confirmed that two thirds of two and three year olds would be entitled to the provision. He further confirmed that in some areas he believed there would be a significant shortfall in funding.

Members of the Committee urged the board to look at Maintained Nursery Schools as part of the solution.

**RESOLVED:** to note the report.

## **38/16 FORWARD PLAN AND COMMITTEE BUSINESS**

(Agenda No. 11)

The Committee had before it a copy of the Committee's Forward Plan (ESC11) for discussion.

**RESOLVED:** to agree the forward plan for December and March with the following additions:

### **December meeting**

- Add an item on the Recruitment and Retention of Newly Qualified Teachers Report.

### **March meeting**

- Exclusions of Looked after Children: An in-depth analysis of the reasons for the high number of exclusions in some schools (Didcot Girls School) (or information to be circulated by Janet by email).
- Discussion with the Ofsted Regional Director

### **Other items for consideration**

- Financial viability of providers of childcare provision for early years (the timing of this item will depend on the government's announcement following the public consultation held in Aug/Sep 2016).

..... in the Chair

Date of signing

2016