EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Wednesday, 4 September 2019 commencing at 1.00 pm and finishing at 3.40 pm.

Present:

Voting Members:	Councillor Michael Waine – in the Chair
	Councillor John Howson (Deputy Chairman)
	Councillor Ted Fenton
	Councillor Mrs Anda Fitzgerald-O'Connor
	Councillor Jeannette Matelot
	Councillor Gill Sanders
	Councillor Emma Turnbull
Other Members in Attendance:	Councillor Lorraine Lindsay-Gale
By Invitation:	Mr Donald McEwan, Council of Oxfordshire Teachers' Association (COTO) and Mrs Carole Thomson, Oxfordshire Governors' Association.
Officers:	
Whole of meeting	Diane Cameron and Deborah Miller (Resources).
Part of meeting	Chris Hilliard, Deputy Director Education (Interim), Deborah Bell and Allyson Milward; George Eleftheriou, Director of Property, Investment & Communities Facilities Management.

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with the following additional documents: a revised work programme and agreed as set out below. Copies of the agenda, reports and additional documents are attached to the signed Minutes.

148/19 MINUTES
(Agenda No. 3)

The Minutes of the Meeting held on 17 June 2019 were approved and signed subject to the following amendments:

Minute 140/19 – substitute 'EFSA' with 'ESFA', page 9 – substitute 'Ethridge' with 'Dethridge'

Minute 146/19 – delete the recommendation.

<u>Matters Arising</u>

In relation to Minute 140/19, Members of the Committee requested the Agenda Planning Group to check whether the actions arising from discussions with the Regional School Commissioner had been undertaken.

Mr McEwan reported that the Merger of the 2 Catholic MACs in Oxfordshire would now not happen until January 2020, rather than the 1 September 2019 as reported.

149/19 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 4)

The Committee received the following Public Address:

Deborah Fry addressed the Committee in relation to the danger of WIFI, particularly in schools for Young People. Strong scientific evidence was now emerging, both from the science community and the telecommunications companies themselves regarding the harmful radioactive 'microwaves' emitted by mobile phones, particularly on children and young people. New evidence was emerging that multiple cancers could be caused by keeping mobile phones or tablets on the body and direct correlation between poor mental health and WIFI was also being recognised. There was a particular concern regarding the introduction of 5G in Oxfordshire.

She urged the Committee to review the matter of WIFI in school to access the dangers to the children of Oxfordshire.

150/19 REINTEGRATION TIMETABLING
(Agenda No. 5)

At a previous meeting, the Committee had identified the use of Reintegration timetables for pupils by schools in Oxfordshire as a practice worthy of focused attention, and, the disproportionate use of reintegration timetables for pupils with SEND.

Deborah Bell, Head of Learner Engagement reported that the Department for Education non-statutory guidance 'School attendance Guidance for maintained schools, academies, independent schools and local authorities July 2019 was clear that all pupils of compulsory school age were entitled to a full-time education. In very exceptional circumstances there may be a need for a temporary part-time timetable to meet a pupil's individual needs. For example, where a medical condition prevented a pupil from attending full-time education and a part-time timetable was considered as part of a re-integration package. A part-time timetable must not be treated as a long-term solution. Any pastoral support programme or other agreement must have a time limit by which point the pupil was expected to attend full-time or be provided with alternative provision. In agreeing to a part-time timetable, a school had agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorised absence.

All Reintegration timetables should be short term, designed to return the pupil to their full-time entitlement as soon as possible and fully and explicitly consented to by parents.

When a pupil was on a Reintegration timetable, the parent or carer was responsible for the child when they were not in school. This consequentially must be considered from a safeguarding perspective as well as from an achievement and attainment perspective. The use of Reintegration timetables by schools in Oxfordshire had been identified as a cause for concern by The Children's Trust, Oxfordshire Safeguarding Children's Board and consequently featured in the Oxfordshire Learner Engagement Strategy.

When a pupil was on a Reintegration timetable, that pupil was not in receipt of additional tutoring or other alterative provision. Equally, the pupil was not under the supervision of professional staff.

Oxfordshire County Council had issued new reintegration timetable guidance for schools and shared on Schools News. The guidance was also available on the Learner Engagement web pages. Oxfordshire County Attendance Team required all schools in Oxfordshire to report each pupil on a Re-integration timetable. The County Attendance Team (since January 2019 only) then logged each report and followed up with the school each half term that the pupil has been returned to a full-time timetable or, if not, what the future plan for the child's ongoing education is.

Best practice settings have a lead Governor for Inclusion who receives a termly report breaking down all pupils not receiving their full-time entitlement (as well as those removed from roll with reasons and destinations). This allowed for strategic challenge of operational practice. Headteachers report to Governors examples of best practice and share headlines on this cohort.

The September 2019 Ofsted inspection framework may render greater inspectorate scrutiny of this practice as 'off-rolling' is a new feature of the framework. The reality of this will emerge over the forthcoming months.

Members made the following points during discussion:

The Committee noted that 50% of reintegration timetables were used for children with SEN support and that 43% of the timetables were used by academies.

Carole Thomson requested that officers give careful consideration to how the message was conveyed to schools, focusing on if, how and why the school should use them in the future.

There was insufficient support for children with SEN transitioning into primary school. Deborah Bell confirmed that a large piece of work was being carried out around school readiness.

The Committee noted that it was the DfE's requirement that the timetables were used to meet the child's needs and not the schools' needs. There was a need to build up the provision for the child with alternative provision.

The Committee expressed concern over the lack of parental understanding around giving consent for reduced timetables, as it was thought that parents often did not understand that there was a choice or an alternative.

Members were invited to receive, accept and endorse this report. Members were also invited to consider the following recommendations for future action:

- To promote the new OCC guidance to schools on Reintegration Timetables.
- To challenge the use of Reintegration timetables by schools disproportionately for pupils with SEND, even as an alternative to exclusion, as part of the drive for inclusive practice in all schools for all children.
- To present this new Reintegration timetable data to Headteachers, SENCos and Chairs of Governors during Autumn term 2019.
- To consider the availability of appropriate alternative provision, as informed by development work that Members will be aware of.

RESOLVED: to thank officers for the work carried out in this area thus far and to request that officers report back annually on progress.

151/19 ALTERNATIVE PROVISION COMMISSIONING STRATEGY
(Agenda No. 6)

At a previous Meeting, the Committee had requested a briefing on progress to date with commissioning arrangements for Alternative Provision (AP) for Oxfordshire's children. The Committee had before them a report (ESC6) which outlined arrangements for a review and recommissioning of alternative provision in Oxfordshire.

Ms Bell reported that Oxfordshire County Council currently had the majority of its Alternative Provision (AP) delivered through Meadowbrook College. Meadowbrook College had become an academy in 2015 and was Oxfordshire's maintained Pupil Referral Unit prior to that. With the changing needs of Oxfordshire children, it was now necessary to formally recommission services.

Oxfordshire County Council was obliged, under the terms of the statutory Department for Education (DfE) guidance, 'to provide full time alternative educational provision for all children who had permanently excluded from school from day 6 of that permanent exclusion. It was also advisable to offer preventative alternative educational provision to prevent permanent exclusions from schools and to support effective reintegration for those children not in education. Interim educational provision should be available for Looked After Children in need of immediate education and children with Education, Health & Care plans between provision.

The review and recommissioning of alternative provision would help to deliver the vision in the new OCC Learner Engagement Strategy to:

o assess and manage the financial implications for the Local Authority in meeting the increased and varied demand for alternative provision
o ensure good quality, value for money alternative provision is in place so that OCC can meet its statutory responsibilities.
o robustly monitor providers to demonstrate improved outcomes for young people requiring alternative provision.

The work was managed through an Alternative Provision Project Board, chaired by the Head of Children's Commissioning and sponsored by the Deputy Director for Education. The Board met monthly to manage a programme of work.

Formal notice was served on Meadowbrook in July 2019. The notice period was two years, so it was expected that new contract(s) would be in place and fully operational from 31st August 2021. This could be earlier with the agreement of the existing provider.

The impact of any changes on existing staff groups would be considered alongside the TUPE guidance.

The available budget for Alternative Provision was £2.96m consisting of £1.06m top sliced from the High Needs DSG block funding by the ESFA to fund commissioned places within Oxfordshire and top-up funding and additional bespoke provision equating to £1.9m.

The Alternative Provision budget was funded by the High Needs DSG block which was facing considerable pressure. The outcome of the recommissioning exercise would need to be contained within the available budget by seeking value for money options.

During discussion the following points were made:

In response to questions Deborah Bell confirmed that the vision would be informed by parents, head teachers, governors and providers and that the communities and engagement team would be undertaking the consultation.

Deborah Bell emphasised the importance of alternative provision not being a long-term solution for any child. The emphasis needed to be on early intervention and prevention.

The Committee noted that permanent exclusions in 2018/19 were up by a single figure, but were well below national average and that fixed term exclusions in primary schools had reduced significantly.

The Committee further noted that 51% of permanent exclusion were SEND and that nearly 1 in 3 children who were permanently excluded had a TAF in place. The Committee noted the importance of meeting the children's needs at the point they needed to be met.

RESOLVED: to thank officers for the report and request an update in the spring.

152/19 SUFFICIENCY OF SCHOOL PLACES UPDATE
(Agenda No. 7)

Members of Scrutiny Committee had requested an update on population trends affecting the provision of education services for children and young people in the county. These trends expected to inform a strategy to meet demand to be presented later in the year.

Accordingly, the Committee received a presentation by Allyson Milward, Head of Access to Learning on sufficiency of school places for information and to inform future discussion.

Ms Milward reported that the primary phase 'bulge' in pupil numbers of recent years was transferring to secondary schools from 2019/20 academic year. The projected trends in pupil numbers in the primary phase for the next five years showed clear increases in areas of proposed housing growth but falling numbers in some areas where this is not the case. Strategies to manage the expected changes in demand for places with primary schools in the county are being reviewed and will be the subject of further reports to this committee in due course. When planning new schools, the whole local picture of provision will always be considered including relocations of existing schools to meet whole community needs. There has also been a decline in the birth rate for the last 4 years, again not evenly geographically spread, and so published admission numbers for some schools may need to be reviewed and other ways to allow groups of schools to maximise the value of resources investigated. An updated Oxfordshire Pupil Place Plan is being consulted on with Headteachers currently. Forecasts for pupil numbers had been sent off to the DfE to determine allocations, which would be fed into the pupil place plan. The Plan will go for Cabinet approval in January. There was also an Action Plan to support sufficient and sustainable school places with a series of actions to be agreed with schools and other stakeholders. The action plan would be presented to the Committee in due course.

The Chairman raised concern regarding the fair access protocol. He was aware of one school, that had blocked taking children into the school, stating that they had closed their Year Group. He queried whether officers were aware and whether appropriate action was being taken with the Governors? In response, Ms Milward confirmed that they were aware, and that appropriate action was being taken.

The Committee questioned what was being done around the long-term identification of growth or decline in pupil numbers and the Council's ability to assure capacity to meet that within schools. In relation to that, concern about children coming into schools outside the main admissions rounds and during the academic year was expressed and potential for children to be without a school place for a long period.
Ms Milward explained that if children were coming into the area over the summer holidays, there was very little they could do about the delay. Keeping track of changes in places available during the time when schools are not open is a particular challenge but an additional factor in delays is that the Council had no powers to accelerate the process to admit children into academies. Academies are admissions authorities. There is close liaison with council officers but ultimately each admissions authority needs to formally approve the offer of any place before the council can process this.

Mr Hilliard reported that they were having termly meetings with the Regional Schools Commissioner and increasingly strong dialogue with Headteachers and the MAT Chief Executives. There were also new governor services officers in place who could pick this issue up and add it to the questions that Governor's should be asking Schools.

RESOLVED: to note the presentation given and receive a further report on actions to meet the provision of Education services later in the year.

153/19 UPDATE ON OXFORDSHIRE SCHOOLS REPAIR & MAINTENANCE, REBUILDS AND NEW BUILDS
(Agenda No. 8)

The Committee had before them a report for information (ESC8) which provided a 6-month update on the 2019-20 programme of works which had been agreed and ratified by CIPB and Cabinet.

The agreed programme for 2019-20 consisted of seven projects carried forward from 2018-19 and fifteen new projects (twenty-two projects in total).

Significant progress had been made in the delivery of the projects. Six of the seven carried forward projects were currently on-site, the seventh was programmed to start in October. All of the carried forward projects would be completed in the current financial year.

Of the new projects, 9 were programmed to start and complete in September/October. 6 projects were due to be designed and delivered using the Pagabo framework and were planned to be delivered towards the end of the financial year.

All of the schools in the programme had been engaged with were being kept updated about the scope and progress of their projects.

Mainly external design resources were being utilised to undertake design and project management of some projects. It was anticipated to be moving towards a more self-delivery type of model in the near future once implementation of the permanent delivery model and overall long-term strategy in terms of resourcing had been completed.

The team continued to make considerable progress in the delivery of the projects since the ratification of the programme.

RESOLVED: the Committee welcomed the positive update and asked officers to pass on the following comment:

In relation to the SSMP Programme progress, the Committee requested that for future years works such as boiler replacement could be agreed and then scheduled in earlier so that major disruptive works could be carried out over the summer holidays rather than the beginning of term, running into the cold season.

154/19 FORWARD PLAN AND COMMITTEE BUSINESS
(Agenda No. 9)

Members considered the Forward Programme of items and agreed items for the November Meeting and gave consideration to the items to be scheduled in 2020 as shown below (changes are shown in bold italics):

Agenda Item	Reasons and objective for item	Lead Member / Officer
4 September 2019		
Update on Oxfordshire Schools Repair & Maintenance, Rebuilds and New Builds.	FOR INFORMATION ONLY. A 6-month update following that made in March 2019, to bring together all capital works issues and updates.	Assistant Director Community Facilities Management (George Eleftheriou)
Briefing on Implications of Changes in Funding and Demography on Primary Schools	To receive a briefing on implications for primary schools in Oxfordshire stemming from changes in funding and/or local population.	Head of Access to Learning (Allyson Milward)
Reintegration Timetabling	To receive a report about the number of reintegration timetables being used at schools across Oxfordshire and any evidence in them being used as an alternative to exclusions. (Recommendation from the Performance Scrutiny Committee).	Head of Learner Engagement (Deborah Bell)
Briefing on Children and Family Centres' Work with Schools	To understand what Children & Family Centres' work is particularly with schools; its triggers and processes.	Head of Early Help, MASH and Assessment (Maria Godfrey) / Head of Service Family Solutions (Delia Mann)
Alternative Provision Commissioning Strategy	To receive a brief on the development of the strategy and for Committee Members to have input prior to its implementation in November 2019.	Head of Learner Engagement (Deborah Bell)
20 November 2019		

Education Achievement and Attainment in Oxfordshire and its Localities' Schools 2019 – unvalidated data **Keystage 2 only**	Profile of educational outcomes across Oxfordshire – sharing learning across the county and forming pathways to raising the attainment of vulnerable pupils (best practice), current provision of support, an overview of the profile of vulnerable learners.	Head of School Improvement and Learning (Kim James)
Educational Attainment	Recommendations from the committee working group on improving educational performance in secondary schools, particularly for disadvantaged learners.	Cllr John Howson / Head of School Improvement and Learning (Kim James)
Alternative Provision	Update report on Oxfordshire County Council's Alternative Provision commissioned arrangements.	Head of Learner Engagement (Deborah Bell)
UTC and Studio Schools in Oxfordshire	Conversation with the Headteachers of 14-19 age range education settings, to understand the particular challenges of attendance, outcomes and recruitment including post-16 retention.	Head of Learner Engagement (Deborah Bell) / Headteachers
TO BE SCHEDULED (2020)		
In Year Fair Access Policy – 6 Month Update	A report on the implementation and outcomes of the revised In Year Fair Access Policy.	Head of Learner Engagement (Deborah Bell)
Home to School Transport Policy	Discussion around forming a working group to input into the formulation of the policy for mainstream schools.	Cllr John Howson
Update on the impact of work on reducing exclusions (1 report for both items)	*To present the impact / results of implementing the recommendations on exclusions from the committee working group.*	*Deputy Director Children's Services (Education) / Head of Learner Engagement (Deborah Bell)*
Learner Engagement Strategy	*To present to the committee the new OCC strategy for learner engagement.*	*Deputy Director Children's Services (Education) / Head of Learner Engagement*

		(Deborah Bell)
Schools Funding Formula	Presentation from Oxfordshire Schools Forum on implications for schools of changes to funding.	Schools Forum representatives
Education Funding Agency	Q&A session with EFA around implications for Oxfordshire schools of changes to funding.	EFA representatives
Safeguarding Audit - CAMS		
Governor Challenge		

.... in the Chair

Date of signing ....