



Children and Young People Scrutiny Panel

14 August 2014

Time 6.00 pm **Public Meeting?** YES **Type of meeting** Scrutiny
Venue Committee Room 1 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Julie Hodgkiss (Lab)
Vice-chair Cllr Mark Evans (Con)

Labour

Cllr Susan Constable
Cllr Dr Michael Hardacre
Cllr Paula Brookfield
Cllr Lorna McGregor
Cllr Peter O'Neill
Cllr Martin Waite
Cllr Daniel Warren
Cllr Jas Dehar

Conservative

Cllr Christopher Haynes

Liberal Democrat

Cllr Michael Heap

Quorum for this meeting is three Councillors.

Co-opted Members

Hadeel A Ahmad	Parent Governor Representative
Cyril Randles	Church of England – Diocese of Lichfield
Mrs R Watkins	Catholic Church Representative
Portia Tsvangirai	Parent Governor Representative
Wolverhampton City Youth Council	The Youth Council represents young people

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact Earl Piggott-Smith
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|---|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 1 - 6)
[To approve the minutes of the previous meeting as a correct record.] |
| 4 | Matters arising
[To consider any matters arising from the minutes.] |

PRE DECISION SCRUTINY ITEMS

- | | |
|---|--|
| 5 | Reduction of play service provision (Pages 7 - 12)
[To give pre-decision consideration of proposals to remodel play service provision] |
| 6 | Proposal regarding Children's Residential and Fostering Provision (Pages 13 - 26) (3)
[To give pre-decision consideration of proposals to remodel existing Looked After Children services] |

Exclusion of press and public

[To pass the following resolution:

That in accordance with Section 100A (4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below.]

PART 2 - EXEMPT ITEMS, CLOSED TO PRESS AND PUBLIC

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Children and Young People Scrutiny Panel

Minutes - 23 July 2014

Attendance

Members of the Children and Young People Scrutiny Panel

Cllr Julie Hodgkiss (Chair)
Cllr Mark Evans (Vice-Chair)
Cllr Dr Michael Hardacre
Cllr Paula Brookfield
Cllr Peter O'Neill
Cllr Christopher Haynes
Cllr Martin Waite
Cllr Daniel Warren

Cyril Randles	Church of England – Diocese of Lichfield
Kasmie Hawker	Wolverhampton Youth Council
Tanya Kasinganeti	Wolverhampton Youth Council

Employees

Earl Piggott-Smith	Scrutiny Officer
James McElligott	Assistant Director, Learning and Achievement

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies were received from the following Councillors

Cllr Michael Heap
Cllr Lorna McGregor
Cllr Mark Evans
Cllr Jas Dehar

- 2 **Declarations of interest**

Cllr Dr Michael Hardacre declared a non-discloseable pecuniary interest in agenda item 5 (Draft Wolverhampton School Improvement Strategy) in so far as they relate to Governor of the City of Wolverhampton College and Director of the Central Learning Partnership Board.

- 3 **Minutes of the previous meeting (26.3.14)**

Resolved:

That the minutes of the meeting held on 26.3.14 be approved as a correct record and signed by the Chair.

4 **Matters arising**

Cllr Hodgkiss briefed the panel on the process for adding items to the scrutiny work programme and encouraged the panel to suggest topics for consideration.

Cllr Brookfield queried how members of the panel will be kept updated on national policy developments which fall within its remit. Cllr Brookfield also commented on the child safeguarding issues linked to the issue of female genital mutilation and forced marriage, as areas which the panel should consider. The panel discussed how the information about national policy developments should be presented.

Cllr O'Neill commented on the need to consider the limited employee resources available to support the work of the panel and that it was important that a flexible approach is adopted when deciding which items to include in the work programme.

Cllr Wainwright suggested that the children's homes should be considered as a future item for the panel. Cllr Wainwright commented that this would likely to be longer term review.

The panel discussed adding the issue of looked after children to the programme. The panel agreed that there should be a discussion with other committees who are leading on this area to avoid duplication.

Resolved

1. Jim McElligott agreed to present regular briefing notes on changes to national regulations or new policy initiatives to the Panel as appropriate.
2. The following topics to be added to the draft panel work programme:
 - Children homes
 - Looked after Children

5 **Draft Wolverhampton School Improvement Strategy**

Jim McElligott gave an overview of the report. He discussed the main elements of the refreshed strategy, including the role of the Council in providing appropriate challenge to schools and explained the powers of the Council to take action where children were not receiving a good education. He also highlighted the responsibilities of the Council in supporting schools to deliver a good education and meet their responsibilities as detailed in the legislation.

Jim McElligott explained that the strategy is currently out for consultation and a final draft will be presented to Cabinet in the autumn. He commented that the level of support given to individual schools is based on the needs of the school and other intelligence, for example OFSTED reports.

Cllr O'Neill welcomed the report and commented that it was an excellent document.

Cllr O'Neill commented on the mechanisms for the Council to quality check services delivered to schools by non-local authority organisations. Jim McElligott explained that schools have the discretion to buy in services and advice from external providers. The role of the Council is to remind the schools of their responsibilities and to reassure themselves that they are meeting their statutory responsibilities when contracting with non-Council organisations to deliver services.

Cllr O'Neill referred to a previous panel discussion about how funding from pupil premium was being used by schools and also exemplars of good practice in other schools in how the money was being used to improve the education of children and young people. Jim McElligott commented that it would be possible to collate information about exemplars of effective practice and share this information with the panel.

Cllr O'Neil commented on the quality of training and support given to school governors and how the Council deals with schools that choose not to positively respond to offers of help.

Jim McElligott commented that Council visits every school at least once a year. During such the visits advisors will review school self-evaluation forms, in addition to other data and intelligence to help provide a picture about the effectiveness of the governing body in meeting their responsibilities.

Cyril Randles queried whether the panel could receive details of number of schools in each of assessment categories and also how the Council would know if the strategy was making a difference.

Jim McElligott commented that information on the number of schools in each of the assessment categories is in the public domain and could be shared with the panel during the year to provide an opportunity to see changes. He explained that the number of schools in each category will clearly be affected by the timings of OFSTED inspections.

Jim McElligott explained that there are 30 schools in Wolverhampton which have been assessed as being a risk and the work being done to help them improve. He explained that four schools previously rated as requiring improvement have made improvements as a result of intervention of the Council and are expected to show improved ratings when the information is published.

Cyril Randles queried where powers reside within the Council to take action where there are concerns about the performance of a school. Jim McElligott that power to take action is with the council through the Director of Children's Services under the 2006 Education and Inspections Act. The powers are delegated to employees within the Council.

Cyril Randles queried the relationship between the Council and academies. Jim McElligott explained that the Council has a very good working relationship with local

academies. The Council has been invited by a number of academies to support their school improvement approach including senior leaders.

Cllr Hardacre suggested while welcoming the strategy would like to see a stronger focus at the beginning of the document about safeguarding.

Jim McElligott supported the suggestion and agreed to make the change to the draft document.

Cllr Hardacre commented on whether there was sufficient capacity within the Council to deliver the strategy, in view of the changes in the education service. Cllr Hardacre also commented on the available employee resources available to take early appropriate action where concerns have been raised about a school.

Jim McElligott commented that the role of the local authority is in identifying schools where help is needed, determining what help is needed and deciding the best way of meeting the need and provide a quality assurance check. He commented on the budgetary pressures facing the Council and how the service has been reorganised to provide the most effective service. Jim McElligott commented key areas had been strengthened to support the improvements in schools and in some situations this has meant bringing in consultants with the necessary experience and knowledge. This approach has allowed the service to better understand the issues facing schools.

Cllr Waite queried that given the current assessment by OFSTED on the position of schools in the city, how long it would be before improvements would be seen. Jim McElligott commented that Wolverhampton had been rated as 151st out of 152 local education authorities nationally last year. Wolverhampton is still in the bottom third, but it making progress. Jim McElligott explained that the depending on when OFSTED inspect local schools then this could move the Council up the ratings. He commented on the work done at Key Stage 1 and 2 and the significant progress made with some schools.

The improvement in school performance in these schools could be directly linked to interventions by the Council .This progress is a practical example of the areas highlighted in the strategy document.

Cllr O'Neill commented on the role of the Council in checking the quality of the governor training and support provided by external organisations to local schools. Jim McElligott commented that schools are expected to carry out their legal responsibilities and the Council will be challenging them. The Council is working with schools to improve the situation.

Jim McElligott expressed concerns about the recruitment of school governors and effectiveness in challenging poor school performance. He commented on the work being done to identify schools at risk and devising specific strategies to support them, in particularly to offer more challenge to head teachers.

Jim McElligott commented on the timeline for publishing school exam results and suggested that January would the right time to look at them

Tanya Kasinganeti queried the involvement of young people in helping to improve school performance. Jim McElligott commented on the work done with school councils.

The OFSTED inspection process focuses much more than the Council in finding out what young people think and would also involve analysing parental complaints and considering the views of the wider community about the school.

Resolved:

1. The panel welcomed the report and the plans for improving school performance.
2. The panel recommended that the issue of safeguarding is detailed in the first page of the draft strategy.

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Learning and Achievement Structure Chart

Jim McElligott presented the structure chart of the service area for information.

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Children & Young People Scrutiny Panel

14 August 2014

Report title	Reduction of Play Service provision	
Cabinet member with lead responsibility	Councillor Val Gibson Children, Young People & Families	
Wards affected	St Peter's, Fallings Park and Bushbury South and Low Hill	
Accountable director	Sarah Norman, Communities	
Originating service	Early Help 0 – 5 years	
Accountable employee(s)	Andrew Wolverson Tel Email	Head of Service 01902 551272 Andrew.wolverson@wolverhampton.gov.uk
Report to be considered by	Strategic Executive Board Cabinet	14 August 2014 10 September 2014

Recommendation(s) for action or decision:

The Panel is recommended to:

1. Agree to maintain Old Fallings Adventure Playground through funding from Aiming Higher for Disabled Children grants and Public Health.
2. Agree to seek Cabinet endorsement for the closure of the Gatis Street and Scotlands Adventure Playgrounds, with sites being declared surplus and then promoted for a Community Asset Transfer.
3. Agree to support a proposal to begin a six week period of consultation with the public about the proposals for the future management of Gatis Street and Scotlands Adventure Playgrounds.

Recommendations for noting:

The Panel is asked to note:

1. This item is being considered as pre-decision scrutiny and will therefore not be available to call-in once a decision is made by the Executive.

1.0 Purpose

- 1.1 The purpose of this report is to set out proposals for a reduction in the current play service provision leading to the removal of funding for two out of the current three adventure playground sites.
- 1.2 The report will also outline proposals for the utilisation of funding from Public Health and Aiming Higher for Disabled Children grants in order to continue provision at Old Fallings Adventure Playground

2.0 Background

- 2.1 Wolverhampton Play Service has been in existence since 1972. Until 2012 it operated six open access adventure playground sites across the City; however this reduced to three following savings requirements. In 2010 the Play Service secured funding from the Department for Education (formerly Department of Children Schools and Families) to develop a purpose built, state of the art play facility which was located in Low Hill.
- 2.2 The service has always targeted the most deprived areas of Wolverhampton bringing access to high quality play experiences that build self-confidence, self-esteem and socialisation skills. In addition to the adventure playgrounds this service has also been delivered through running open access holiday provision within local parks across the City.
- 2.3 The play service supports the Council in meeting its statutory duty to to secure, as far as is practicable, sufficient services and activities to improve the wellbeing of young people (section 507B of the Education Act 2006).
- 2.4 The review of the Play Service is necessitated as part of the overall Social Inclusion savings target for 2015/16 of £1 million and will result in savings of £456,000.

3.0 Discussion

- 3.1 Cabinet requested to put proposals forward for the reduction of funding available for the play facilities currently offered at Gatis Street, Scotlands and Old Fallings Adventure Playgrounds.
- 3.2 In consultation with senior colleagues within Public Health, funding has been sourced to enable the continuation of provision from Old Fallings Adventure Playground in line with the desire to reduce obesity through increasing activity levels amongst families.
- 3.3 Old Fallings has been selected as the site to retain as it was purposely built through funding from the Department for Education (formerly DCSF) in 2010. In addition to this it has the widest range of facilities including specialist ones for children with disabilities.

- 3.4 The purpose of securing funding for a further one year period is to enable the completion of the re-commissioning of healthy lifestyles activities currently being undertaken by Public Health and to ascertain the viability of longer term investment in play opportunities as part of an on-going strategy.
- 3.5 It is intended as part of the proposal to undertake a six week public consultation which is likely to start in September 2014 (subject to the approval of the proposal by Cabinet to outline the proposals to the user and the local communities. This consultation will also be used to test whether any community groups would wish to operate the Gatis Street and Scotlands Adventure Playgrounds following a Community Asset Transfer.

4.0 Financial implications

- 4.1 The approved budget for these play areas is £456,000. This is funded entirely from mainline General Fund resources. It is proposed that the mainline resources are surrendered in full, in order to contribute towards the approved saving of £1.0 million from Early Help services in 2015/16.
- 4.2 It is proposed that the remaining play area would be funded entirely from specific grant funding: £120,000 from Public Health Grant and £29,000 from Aiming Higher for Disabled Children. In addition, it is hoped that a further £10,000 of external income will be generated through use of the premises by other groups.
- 4.3 The estimated cost of the revised service provision for a full year in 2015/16 is £112,000, comprising £107,000 staffing costs and £5,000 (non-centralised) premises costs. The available funding is therefore sufficient to fund the proposed revised service.
[DK/08082014/W]

5.0 Legal implications

- 5.1 The Council is not required under any statute to provide a play service, however, given that it supports the Council in meeting its statutory duty to to secure, as far as is practicable, sufficient services and activities to improve the wellbeing of young people (section 507B of the Education Act 2006) a six week period of consultation will be undertaken with the public to outline the proposals.
- 5.2 If any of the service were to be taken on by a new provider consideration would need to be given as to the legal aspects of such a transfer. This would need to include, but not be limited to, whether the Transfer of Undertakings, Protection of Employment (TUPE) regulations apply to those staff currently employed.
[KO/12082014/J]

6.0 Equalities implications

- 6.1 A full equalities analysis was completed for the previous reduction of adventure playgrounds. It is proposed that this analysis be refreshed and updated to reflect the new proposals. The outcome of the revised analysis will be taken into consideration when implementing the proposals.

7.0 Environmental implications

- 7.1 There is the potential for any vacant building to attract anti-social behaviour for the period the building is unoccupied which may lead to deterioration in the fabric of the property. Also due to the nature of the adventure playgrounds consideration would need to be given to ensuring the safe removal external equipment to remove risk of injury to anyone accessing the site should it close.

8.0 Human resources implications

- 8.1 The proposals in this report will lead to a reduction in staffing. The proposals will require the deletion of the following posts; 1 x Play Development Manager; 1 x Senior Play Development Officer; 6 x Playwork Assistants; 0.5 Stores Person; 1 x Administration Officer and 1 x Clerical Officer.
- 8.2 The proposed restructuring required to achieve the savings would follow the Councils procedures by completing a formal consultation process including ensuring that recognised trade unions are consulted and notified at every stage of the process.
- 8.3 In line with Council policy in order to mitigate against compulsory redundancy staff would be given an opportunity to leave the service through the voluntary redundancy scheme.
- 8.4 HR and legal advice would need to be sought as to whether staff would transfer to any new operators of the adventure playground under the TUPE regulations, including in circumstances where a Community Asset Transfer has taken place.

9.0 Corporate landlord implications

- 9.1 If approved the proposals would result in the Gatis Street and Scotlands Adventure Playgrounds being declared surplus to the operational requirements of the Play Service. The land and property related savings of this proposal would only be fully realised on the disposal of sites or the re-use of the sites through a Community Asset Transfer.
- 9.2 If declared surplus the sites would initially be promoted as an opportunity for a Community Asset Transfer. This will give the Play Service the opportunity to work with community groups to develop a sustainable business case to support a Community Asset Transfer. If this is not achievable the approval from Cabinet (Resources) Panel would be sought for the disposal of the sites.

10.0 Schedule of background papers

- 10.1 Five Year Budget and Medium Term Financial Strategy 2014/15 to 2018/19, Cabinet, 23 October 2013.

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