

CABINET MEMBER FOR CHILDREN AND EDUCATION SERVICES
16th February, 2015

Present:- Councillor (in the Chair); Councillors Beaumont, Lelliott and Roche.

Apologies for absence were received from Councillor Reynolds (UKIP Observer to the Children and Education Services portfolio).

F45. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

Councillor C. Beaumont, Cabinet Member for Children and Education Services, welcomed the members of the public and press in attendance at the meeting. She especially welcomed the young people who were students at Abbey School, and their siblings, to the meeting; it was good to see them in the Town Hall.

Members of the public and the press were invited to ask questions.

A member of the public, a parent whose son attended Abbey School, asked whether there were any plans to replace the current Headteacher given how she had lost the confidence of the staff and parents at the School?

Ian Thomas, Strategic Director of Children and Young People's Services Directorate, referred to the external report that had been commissioned and received. The School was currently controlled by the Interim Executive Board (IEB), which was acting with delegated authority. Everyone involved wanted to move forward with the needs of children at the heart. It was also important to ensure that matters were conducted with dignity. The Strategic Director was determined that matters would move forward in a positive way.

A member of the public, who had worked at Abbey School for almost nineteen years, spoke warmly about the amazing young people who attended the School now and in the past. She totally agreed that it was the children and young people attending the School who needed to be the most important. The Support Staff at the School were the lowest paid employees working there. They had been accused in writing of not co-operating, interviewed in relation to fabricated events, bullied, lied to and kept in the dark. They were working under a high stress level, and this had caused many staff to go off ill. Staff wellbeing was really important at Abbey School, staff were working in extremely difficult circumstances. They had been working with no support apart from the Unions.

The Strategic Director referred to the duty of care that the Local Authority had to all staff. Something that could not be forgotten was that no party came out well in the External Consultant's report on Abbey School; the education and progress made by vulnerable children started to decline from 2012.

The Local Authority was committed to supporting staff and everyone's energies would be best served putting the needs of children at the heart of matters. Energy would not be best served on continuing to lay blame.

The proposal being considered today, if approved, would mean that there would be smaller numbers attending Abbey School, which should reduce stress on members of staff. Under the proposal pupils would have a defined level of need. The Local Authority's Human Resources Service provided access to a confidential counselling service.

The Strategic Director encouraged all parties to work together to ensure that the School progressed and was not forced to go through Consultation processes again in relation to proposals to close. If there was insufficient progress this would need to be considered again. The Secretary of State also had the ability to close schools that were not performing adequately.

Moving forward was in the best interests for all involved.

The member of the public asked a supplementary question relating to the level of stress that staff felt. Could HR be more proactive and have a higher presence in the School?

The Strategic Director stated that he would absolutely ensure that this was the case.

A member of the public involved with the National Union of Teachers spoke about the Abbey Campaign Group and described them as a wonderful group of people. It was in all teachers' DNA to want children to improve, if they did not want this they were in the wrong job. The member of the public disagreed with some aspects of the External Consultant's report. Abbey School would not have stayed open without the support of the members of the public attending today. Abbey School had been charged £155k by the Winterhill management team who had then managed Abbey School to disaster. Are there any plans to refund the money?

The Strategic Director confirmed that there had not been a Memorandum of Understanding between the Local Authority, Abbey School and Winterhill School, and this was a learning point to take on board for the future. The Strategic Director had requested an audit investigation to understand better what the charges had been spent on and did not want to pre-judge the outcome of this process by saying what would happen in the long-term.

Mr. P. Bell, the External Consultant, found the decision to appoint Winterhill a sound one. Unfortunately the solution did not work. The Strategic Director did not believe that Winterhill went into a partnership with Abbey School wanting to do a bad job. Furthermore, the decline in Abbey School's outcomes started well before the involvement of Winterhill.

Mr. P. Bell was a current Executive Headteacher of two Outstanding Special Schools, a sponsor of a large mainstream primary school, a National Leader of Education and a current Additional Inspector for Ofsted. The Strategic Director took as read everything in his report and accepted it in full.

The most important thing was to ensure that the children and young people at Abbey School got the best deal moving forward. If standards had not improved within in one year's time the Local Authority would be undertaking Pre-Statutory Consultation on closure once more.

The member of the public confirmed that the aspiration of all partners was to move the school forward. He hoped that the Abbey Campaign Group would stay together as a group and fundraise for out-of-school activities that would benefit the children and young people attending. This was something that had been sadly lacking in the past.

The member of the public wished to thank the NUT and GMB for funding the Abbey Campaign group and enabling the campaign. He also wished to thank the Rotherham Labour Group and the Councillors he had been involved with and hoped that this was the start of the Labour Party rediscovering their role in looking after ordinary people. "Thank you for keeping Abbey School open."

A member of the public representing the GMB Union confirmed his members' commitment to moving forward and making progress. However, in the past he felt that at every opportunity barriers had been put in place by the Management Team. Unless this changed the School could not move forward. The GMB Representative welcomed more involvement from HR, and also confirmed his intention to commission a stress audit at the school. It had been these factors that had prevented Abbey from moving forward, it was not down to staff not wanting to move forward. The representative described his emotions over this as severely angry; he explained how staff suggestions for improvements had been laughed at in the past. This had to stop or else all partners would be in the same situation in twelve months' time.

The Strategic Director felt that it would be unfair to be judge and jury or to single-out individuals. The External Consultant's report was clear that there had been collective failures, no one party came out looking good.

The Strategic Director confirmed his commitment to bringing HR support into the School and welcomed the stress test. All processes would be conducted with dignity through the IEB.

Ofsted's monitoring report had confirmed that there were green shoots of improvement at Abbey School.

A member of the public, who had a son attending Abbey School, confirmed how all parties at the School wanted to move forward eighteen months' ago. Her son had been subject to eighteen months' stress. What would moving forward look like?

The Strategic Director described how moving forward would mean that the School was no longer considered as inadequate by Ofsted. The School was being supported and challenged by the School Effectiveness Service. If children and young people were not making progress the School and the Local Authority could well be in the same place and consulting on closure once again. The Local Authority had to consider closure when schools were failing. The Secretary of State also had powers to close schools that were failing.

Councillor M. Vines referred to the past eighteen-months of difficulties at the School. When would the Winterhill Partnership and management be replaced in order that the School could start moving forward?

The Strategic Director referred to the priority to ensure that children and young people received the best possible provision. The proposal being considered today was to dissolve the partnership with Winterhill. This would be done by the IEB who would ensure that the School was not disrupted in the process. A collaboration with a strong special school would be entered into for the future.

Ofsted had been a little positive and had noted that the School was starting to improve at their last monitoring visit.

The timeline for the phasing out of the old system, and embedding a new one would be over the next few weeks. Processes would be implemented in a timely manner and with the best interests of pupils in mind.

A young man who was a student at Abbey School wished to say to those responsible for keeping Abbey open: "Thank you for saving my School".

Councillor Roche agreed that it was the best thing for all parties that the Local Authority had considered consulting on closing the School. It was also the right thing to do legally. He wished to thank the Abbey Campaign group for the good job they had done.

It was now important to move forward and ensure that the School and Local Authority was not at the same place in twelve months' time having to consult on closure once again.

Councillor Beaumont thanked those in attendance for their questions and Ian Thomas for answering them. Councillor Beaumont really did believe in listening to people. As a former teacher and union officer she always kept young people in mind and close to heart, but also believed that staff had to feel supported. It was now important to learn from the past and not allow it to drag us down. She referred to the metaphor of the phoenix

rising from the ashes – Abbey had been a fantastic place for young people in the past and she wanted all people to work together to make it that way once again.

F46. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

F47. RECEIPT OF PETITION

Minute No. F30 (Receipt of Petition) of the meeting of the Cabinet Member for Children and Education Services held on 8th December, 2014, recorded when a petition containing 955 signatures was submitted against the closure of Abbey School. At the time of the meeting it was noted that the petition was still live on the Change.Org website.

The complete petition was now presented to the Cabinet Member by two adult representatives of the Abbey Campaign group, and three young people who were students at Abbey School.

The final presentation contained 5,012 signatures, including the 955 signatures received on 8th December, 2014.

Resolved: - That the petition be received and its content noted.

F48. MINUTES OF THE PREVIOUS MEETING OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION SERVICES HELD ON 12TH JANUARY, 2015

The minutes of the previous meeting of the Cabinet Member for Children and Education Services held on 12th January, 2015, were considered.

Based on the content of the minutes some matters arising updates provided by the Interim Executive Board (IEB) provided on 15th January, 2015, were noted: -

School Opening fully:

The Interim Executive Board (IEB) at Abbey School expects the School to be fully open to all pupils from Monday 19th January, with every child on roll having a good learning experience in a safe and happy environment. Actions taken over the past three school weeks have moved us significantly closer to this position.

LA Officers advising parents to transfer pupils:

The interim Executive Board (IEB) at Abbey School met with Local Authority Officers to seek assurances that parents and carers will not be put under duress in relation to moving their child to another school. However it is clear in a small number of cases that some pupil's needs

may be met more fully in an alternative provision. The IEB are working closely with School Leadership, the Local Authority and Parents and Carers to address these issues.

Resolved: - (1) That the minutes of the previous meeting of the Cabinet Member for Children and Education Services be agreed as an accurate record.

(2) That the matters arising updates provided on 15th January, 2015, be noted.

F49. REVIEW OF ABBEY SCHOOL

Consideration was given to the report presented by the Strategic Director of the Children and Young People's Services Directorate that outlined the proposals for Abbey School made in light of Mr. P. Bell's independent review into Abbey School.

Reports into Abbey School had been considered at the meeting of the Cabinet Member for Children and Education Services held on 8th December, 2014 (Minute No. F31). Questions had been asked to the Cabinet Member on 8th December, 2014, 12th January, and 16th February, 2015 (Minute Nos. F29, F36 and F45). The petition containing 955 and eventually 5,012 signatures against the closure of Abbey School had been considered on 8th December, 2014, and 16th February, 2015 (Minute Nos. F30 and F47). Members of the public and Elected Members had asked questions at the Cabinet on 14th January, 2015 (Minute Nos. C116 and C117). Public questions had been asked at the full Council meetings on 10th December, 2014 and 28th January, 2015 (Minute Nos. 76 and 94).

The report outlined how, following Abbey School being placed in Special Measures in the Autumn Term, 2014, a consultation process had been entered into on the proposed closure of the School.

As a result, an Interim Executive Board (IEB) had been established and a significant number of pupils had been moved to other schools at their parents' request, or to ensure that their special educational needs were appropriately and safely met.

Due to the smaller number of students on roll and the IEB working with the School and the Local Authority a safe and more learning-focussed environment had been developed. In conjunction with Mr. P. Bell's report, a wider range of options were brought to the Cabinet Member on Abbey School's future: -

Option One – Closure:-

- Potential redundancies;
- Support and assistance for staff at risk, and potential redeployment opportunities for staff where possible to avoid redundancies;

- Consultation with staff and Trades Unions;
- Alternative purposes for the School site would need to be considered in line with Department for Education requirements.

Option Two – Reduction in the number of planned places at the School:-

- Reductions in the numbers on roll had had positive benefits at the School, so reducing the number of planned places from 105 to 60 could allow recent progress to be sustained and built upon;
- The School would continue to require significant support to address Ofsted's concerns;
- Some staff would potentially be at risk of redundancy as a result of the planned reduction in size, so the considerations around redundancy and redeployment under the 'closure' section would still apply;
- To formally reduce the number of places at Abbey School would require a 'Prescribed Alteration' to be carried out;
- Progress would need to continue to be robustly monitored on a termly basis until all agencies were satisfied that there had been sufficient progress and the School could move towards a Good or Outstanding Ofsted profile;
- It was proposed that there would be a defined level of SEN need in the medium range;
- There was sufficient provision across the Borough.

Option Three – Amalgamation:-

- A permanent amalgamation between Abbey School and a neighbouring School in a reasonable distance that was at least Good or Outstanding could be formalised;
- This would involve a 'Prescribed Alteration' to pupil numbers, designation, age-range and other factors;
- This would involve the closure of Abbey School as an education establishment in its own right.

Option Four – Academisation:-

- A sponsoring academy to take over control of the School could be sought by the Local Authority;
- This option could be instructed by the Department of Education;
- This would involve a time period to ensure all due diligence and approvals were gained;
- It could prove difficult to attract a suitable sponsor.

Option Five – Retain the School as is:-

- It would be difficult to adequately address all of the concerns outlined by Ofsted in an appropriate timescale;
- There would be continuing concerns about safety and quality of provision.

The independent report of Mr. P. Bell, External Consultant, was appended to the main report. This report noted that Mr. Bell was an Executive Headteacher of two Outstanding Special Schools, a sponsor of a large mainstream Primary School, a National Leader of Education and a current Additional Inspector for Ofsted. The contents of the report included: -

- Context;
- Brief;
- Methodology;
- Detailed report of findings;
- Summary of findings;
- Recommendations.

The Strategic Director felt that it would be inappropriate at this time to close Abbey School in light of the outcomes reported by the External Consultant. It had been a sound decision to appoint Winterhill and all parties had set out with the best of faith intending to make the partnership a success. Unfortunately this had not happened. Children and young people had lost out due to the failures at Abbey School over a number of years and, moving forward, it would be important to ensure that the School, and children and young people there, made rapid progress. An Ofsted inspection grade of Good or Outstanding would be expected.

Councillor Roche confirmed his support for Option number 2 and the recommendations within the report. He stated that he hoped that progress against recommendations C, D and E relating to development of an action plan, the orderly dissolution of the Winterhill Partnership and plans to federate/work closely with another highly performing special school would be initiated without delay.

The Strategic Director confirmed that these actions would be started with a sense of urgency and he expected to be able to report back within two-months at the most.

A member of the public with links to the NUT spoke about the importance he placed on Abbey School retaining their identity.

Councillor Beaumont thanked all parties for their attendance and contribution to the meeting.

Resolved: - (1) That the report be received and the information within it noted.

(2) That the following be approved and actioned in relation to Option Two presented within the submitted report:-

(a) Cessation of the current Pre-Statutory Consultation process and for the school to remain open;

(b) To commence a period of Statutory Consultation by the posting of a public notice in relation to revised proposals for Abbey School remaining open to cater for a reduced number of 60 pupils with a specified range of low to moderate-level special needs;

(c) The development of an action plan to deliver a medium-term balanced budget;

(d) The orderly dissolution of the Winterhill partnership;

(e) The establishing of plans to federate/work closely in partnership with a highly performing special school.

F50. PROPOSAL TO INCREASE THE PUBLISHED ADMISSION NUMBER AT BRINSWORTH WHITEHILL PRIMARY SCHOOL

The Service Lead for School Planning, Admissions and Appeals (Schools and Learning, Children and Young People's Services Directorate) introduced a report outlining a proposal to increase the Published Admission Number (PAN) at Brinsworth Whitehill Primary School from 42 to 45 with effect from September, 2015.

As the admissions consultation round for the 2015/2016 school year had passed, approval was needed to implement the increase in 2015/2016. It was proposed that the increase would be permanent in the 2016/2017 school year.

The Local Authority had projected higher cohort numbers in future years and had previously asked the School to consider a permanent increase.

As the increase fell below the threshold for a Prescribed Alteration, Cabinet Member authorisation was necessary.

Resolved: - (1) That the proposal for Brinsworth Whitehill Primary School to increase its Published Admission Number from 42 to 45 to provide additional school places from 2016/2017 onwards on a permanent basis be approved.

(2) That the School commence this transition for the 2015/2016 school year in the interim period.

F51. ROTHERHAM PARENT FORUM FUNDING

Consideration was given to the report presented by the Operational Commissioner (Strategic Commissioning) that outlined work that had been undertaken in partnership with the Rotherham Parent Forum.

The report outlined the previous work that the Rotherham Parent Forum had undertaken on behalf of the Local Authority. This had been funded by a grant from the Department for Education of £10,000 and a contribution from the Council of £5,000.

On this basis, the Rotherham Parent Forum reached over 400 families in Rotherham so they could actively take part at a strategic level, consulting and feeding back to all parties.

A proposal was now made to sustain and develop the Rotherham Parent Forum due to national uncertainty around funding post 2015. For the period 1st January, 2015 – 31st March 2016, the following activities would be performed by the Partnership: -

- Provide information and be a point of contact for parents and support the attendance of Forum officers at various SEND partnership meetings, including the training of more Forum members to widen the pool of those able to contribute;
- Increase the number of Forum drop-in sessions from 1 to 3, extending their location to the town centre and the Forum Premises, in addition to the existing sessions at Kimberworth;
- Increase the number of briefing workshops for parents of newly diagnosed children by one per term;
- Ascertain the views of parents (of children and young people with special educational needs and disability), including with parents who were not members of the PCF, and provide this information to RMBC and when it holds statutory consultations, including those regarding: -
 - The SEND local offer;
 - School planning and re-organisations.

An allocation of £45,000 was available within the SEN Reform Grant and the SEND Implementation Grant (New Burdens).

Due to the unique nature of the partnership with the Rotherham Parent Forum, which was the only local parent-led service that could meet the Local Authority's needs an exemption from Standing Order 49 (Tender invitation and receipt of tenders) was requested so that the contract could be made with the Rotherham Parent Forum. The Rotherham Parent

Forum had already established links and built up the trust of parents and carers.

Discussion followed and the following issues were raised and clarified: -

- Rotherham's long-term relationship with the Rotherham Parent Forum was commended. The Local Authority did listen and care about children and families with special educational needs and disabilities;
- The contribution from £15,000 per annum to £45,000 was a large increase, why was this the case, and could the Local Authority afford it? – The Operational Commissioner confirmed that the period related to the remainder of the 2014/2015 and all of the 2015/2016 financial years. There was a significant increase in activity. As the funding was from the SEND Reform Grant it was guaranteed to the end of the period, 31st March, 2016.

The Strategic Director confirmed that he had recently met with the Rotherham Parent Forum and the Forum was needed in Rotherham to ensure that children and young people with special educational needs and disabilities and their families were placed at the heart of decision making. Rotherham had some ways to go in order to catch-up in this area.

Resolved: - (1) That the report be received and the information noted.

(2) That Standing Order 49 (Tender invitation and receipt of tenders) be exempted for Rotherham Parent Forum funding from Rotherham Borough Council due to the unique nature of the partnership and the lack of other suitable providers in the local area.

F52. MISPER SERVICE

Consideration was given to the report presented by the Operational Commissioner (Strategic Commissioning) that outlined the existing contract that was in place with Safe@Last to provide one-to-one support to young people up to the age of 16 who had run away from home or care or who were at risk of doing so. The report also outlined a variation and extension that was necessary for the contract.

The existing contract was in place until 31st March, 2015. A sub-regional commissioning process had taken place across South Yorkshire for the contract between 1st May, 2015 – 31st March, 2018. No tenders were received. It was proposed that the existing contract with Safe@Last be extended for two months whilst the future commissioning arrangements were determined.

It was also proposed that a variation to the existing contract be made so that the same level of service could be provided to 17 year olds. This would be at a cost of £3,266.61.

The report noted: -

- The majority of referrals to the service were from the Police;
- All young people who had been referred to the service were contacted and offered a return interview;
- Ongoing support relating to a wide-range of issues including family breakdown, anger issues, bereavement, self-harm, eating disorders, substance misuse, sexual exploitation, mental health issues and depression was available;
- Currently the service was commissioned by the Local Authority. The aspiration was to commission across the sub-region of South Yorkshire, although no interest had been shown in this contract as of 30th January, 2015;
- In October and November, 2014, Safe@Last had received referrals for 65 children and had conducted 33 return interviews (50.7%);
- The highest recorded reasons why young people chose to run away were 'to be with friends' and 'family problems';
- With the young person's permission, a copy of the return interview was sent to Children's Social Care to the Contract, Assessment and Referral Team so that they could look for and identify any concerns or trends relating to child sexual exploitation;
- Young people had a choice about whether to take up the interview. Not all return interviews were taken up. Sometimes carers refused the return interviews on behalf of their young person. Some young people were not contactable to conduct the interview;
- The reasons for the return interviews being declined were starting to be recorded so that actions could be taken to address the and encourage young people;
- It was recognised that young people between the ages of 16 – 18 were equally as vulnerable as younger children. Going missing was a trigger relating to child sexual exploitation;
- Safe@Last had proposed to appoint a project worker to meet the needs of 17 year olds as they could not provide this within the existing contract due to capacity;
- Additional funding of £3,266.61 had been agreed by the Director of Safeguarding and Disability, Children and Young People's Services Directorate;
- The Police and Crime Commissioner expected each local authority in South Yorkshire to have a MISPER service;
- The commissioning group consisted of the four local authorities, South Yorkshire Police and the Office of the Police and Crime Commissioner and intended to enable a South Yorkshire MISPER service.

In order that the sub-regional commissioning approach could be re-considered, an exemption from Standing Order 38 (Exemptions) and Standing Order 47 (Contracts valued at less than £50,000) was required to extend the contract for two months to 31st May, 2015, and to enact the variation of contract to include the service to 17 year olds.

Discussion followed, and the following issues were raised: -

- Why had Safe@Last not submitted a tender for the contract? – The organisation had been reluctant to enter into a three-year contract. The organisation raised a lot of their own funding through fundraising and charitable contributions.

Resolved: - (1) That the report be received and its content noted.

(2) That the existing contract with Safe@Last be varied to enable them to provide the same level of service to young people aged 17.

(3) That an exemption to Standing Order 47 (Contracts valued at less than £50,000) be made for two months and the contract with Safe@Last be extended to enable the longer-term commissioning approach to be considered.

(4) That an extension to the existing Safe@Last contract be confirmed for two months to 31st May, 2015, so that there is no break in service.

F53. ASTON LODGE PRIMARY SCHOOL - REPLACE NURSERY

Consideration was given to the report presented by the Capital Projects Co-ordinator (Audit and Asset Management, Resources and Transformation Directorate) that outlined the state of the nursery building at Aston Lodge Primary School. This had necessitated emergency repairs to be made during the summer of 2014.

The report outlined how the building had reached the end of its useful life. The nursery provision at Aston Lodge was a key provider of Foundation Stage One places in the Aston area.

Structural Engineers had been called to the building and had reported back that there were gaps appearing in the cladding between the windows and frames due to bowing. The cladding system was suffering from wet rot. As it was key to transferring the load from the roof to the foundations it was considered dangerous in its present state.

As the building was considered to be at the end of its useful life, a new building was proposed. An initial estimate to replace the building was £420,000 from the Capital Maintenance Grant from the Department for Education 2014/2015 and 2015/2016. This was an estimated total cost and the true costs would not be known until a fully developed cost plan was available.

Resolved: - (1) That the report be received and its content noted.

(2) That works commence on providing Aston Lodge's new nursery building within the CYPS Capital Programme for 2014/2015 and 2015/2016.

F54. ESUITE DATA MANAGEMENT SYSTEM - CONTINUATION OF SUPPORT AND MAINTENANCE

Consideration was given to the report presented by the Strategic Director for Children and Young People's Services Directorate that outlined the existing contract in place with Capita Children's Services for the provision of support and maintenance eSuite (eStart and eNurseries), which was the performance and activity monitoring software currently used by the 12 Children's Centres that would remain open after 1st April, 2015.

Continuation of the existing contract was essential to secure evidence in-line with the SureStart Children's Centre Statutory Guidance. This provided evidence for Ofsted inspections and helped inform future service delivery and monitor reach and uptake ensuring that services met the needs of local vulnerable families.

The report outlined the tendering process that had been followed in 2006 to engage CPFR Solutions, now part of Capita Children's Services.

It was unfeasible to invite tenders from alternative suppliers due to system compatibility. This would necessitate the full replacement of the current Children's Centre system whilst maintaining access to records of the 24,000 children and their families currently registered with Children's Centres, including those who had previously accessed Children's Centre services. This would incur excessive costs.

It was proposed that an exemption be granted from Standing Order 47 (Contracts valued at less than £50,000) and the contract awarded to Capita Children's Services.

The cost for this support and maintenance contract for 1st April, 2015 – 31st March, 2016, was £18,786.21 for the 12 children's centres. Budget had been made available for this contract.

Resolved: - (1) That the report be received and its content noted.

(2) That the contract for support and maintenance of the eSuite software for 2015/2016 valued at £18, 786.21 be exempt from the provisions of Standing Order 47 (Contracts valued at less than £50,000) and the contract be awarded to Capita Children's Services.