

**CABINET MEMBER FOR
CHILDREN AND EDUCATION SERVICES
8th December, 2014**

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

F27. DECLARATIONS OF INTEREST.

No Declarations of Interest were made.

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**F28. MINUTES OF THE PREVIOUS MEETING OF THE CABINET MEMBER
FOR CHILDREN AND EDUCATION SERVICES HELD ON 10TH
NOVEMBER, 2014**

The minutes of the previous meeting of the Cabinet Member for Children and Education Services held on 10th November, 2014, were considered.

Resolved: - That the minutes of the previous meeting be agreed as an accurate record.

F29. QUESTIONS FROM MEMBERS OF THE PUBLIC

A member of the public asked why the leadership and management of Abbey School was still controlled by Winterhill School following the outcomes of the Ofsted report?

Dorothy Smith, Director for Schools and Lifelong Learning (Children and Young People's Services Directorate), explained that the Ofsted report commended the involvement of Winterhill School in Abbey School's leadership and management as a strength. Abbey School has an interim executive board responsible for ensuring good and improving education is delivered.

The member of the public asked a supplementary question referring to the Ofsted report that had graded leadership and management overall as inadequate.

The Director for Schools and Lifelong Learning confirmed that leadership of all levels at the School in the Ofsted report had been inadequate. However, leadership was found to have an accurate view of the improvements needed around teaching and learning and behaviour at Abbey School.

A member of the public referred to serious failings of leadership and management found by Ofsted and asked why this was not within the report being considered by Members today?

The Director for Schools and Lifelong Learning confirmed that the consistent focus had been on leadership and management issues throughout the past when the Local Authority had worked with Abbey School. She explained that the Interim Strategic Director for Children and Young People's Services has commissioned an external review on the previous eighteen months at the School, including the work and practise taking place, the contribution of the Local Authority and the role of leadership and management. The review would contribute to better understanding of the situation and the response will be considered as part of the consultation process.

A member of the public asked about transitional arrangements and commented that there were little or no transitional arrangements in place for the needs of the children attending Abbey School. In addition, the member of the public referred to a shambolic transition process resulting from the earlier re-structure.

The Director for Schools and Lifelong Learning explained how any transitional arrangements in place were secure and mindful of childrens' needs. No child would be moved unless a full child-centred transition process had been conducted. These plans were being conducted by Rotherham's Special Educational Needs Assessment team. In addition, no move would take place as a result of parents or carers being pressurised into changing their child/childrens' School. The Director urged those members of the public present, and any other stakeholders, to contact her if they felt that there were non-secure transitions in place. All staff involved in the transitions process appreciated the difficulty faced by children who are being moved and had left their friends and staff members who they enjoyed working with and felt comfortable with.

The member of the public asked a supplementary question referring to the indecent haste with which he felt children had been moved from Abbey School with when it was not in their best interests. He asked whether this had been done to make the School appear unviable?

The Director for Schools and Lifelong Learning confirmed that there were additional places in the Borough as an alternative offer. Abbey School was not meeting all of its pupils' needs in the short-term and could probably not meet them in the medium term, so it was in the best interests of the children in terms of them receiving a good education that the offer was being made.

A member of the public explained that he was a parent of a child attending the School. He had taken the day off work to attend the meeting and believed that many more parents of children at the School would have attended if they were able to. He asked how it was justified to

create much needed places at other Special Schools and then remove the ones at Abbey School by closing it?

The Service Lead for School Planning, Admissions and Appeals (Schools and Lifelong Learning, Children and Young People's Services Directorate) explained that the proposal to increase the admission number at Kelford School was going through a Pre-Statutory Consultation process. Should the proposal to close Abbey School be agreed and implemented further School expansions would need to be consulted upon. However at this time it would be inappropriate to commence this process.

The member of the public, who had a son attending Abbey School who would shortly be leaving, asked a supplementary question and stated that it had always been a good school. Parents wanted the School to remain open, whilst the Local Authority wanted it to close. Who knew best?

Councillor Beaumont, Cabinet Member for Children and Education Services, emphasised that the process was a consultation and a listening exercise. No decision about the School's long-term future had yet been made.

A member of the public asked a question about why parents had been told that the School was definitely closing in April. The Local Authority was saying the proposal was being consulted upon but actions were being taken to parents and carers pressuring them to move and misinforming them.

The Director for Schools and Lifelong Learning explained that the situations described should not have occurred and had been looked into immediately that they were reported to the Local Authority. The proposal to close Abbey School was under consultation and no parent should feel pressurised. The Director had given this clear message to the Teams and individuals involved.

The member of the public asked a supplementary question and asked why Teachers at Abbey School had been threatened with disciplinary measures?

The Director for Schools and Lifelong Learning was not aware that this had happened but confirmed that this would usually be something that was undertaken at the School-level.

The Cabinet Member for Children and Education Services asked individual examples to be raised with the Local Authority if it was felt necessary and that any pressure to move children to a different School should have immediately stopped.

A member of the public who had a son attending the School asked who was going to gain from the closure of Abbey School. She agreed that the message to parents from the Special Educational Needs Assessment Service had been that the School was closing.

The Cabinet Member for Children and Education Services emphasised that the proposal to close Abbey School was still in the consultation stage and no decision had been made by Elected Members about the future of the School.

A member of the public asked, should the proposal to close the School be agreed, would the existing site be utilised for education purposes?

The Service Lead for School Planning, Admissions and Appeals explained that the Department for Education's guidance relating to surplus land and premises. Initially it would be considered for other education uses by the Local Authority. If it was not needed for this purpose, Academy and Free Schools would have the opportunity to express an interest in the land and premises. Only if there was no interest at this stage would the site be offered up for other purposes. Throughout the Pre-Statutory and Statutory Consultation processes alternative uses for the site would not be considered as it would be inappropriate in the consultation stage.

The member of the public asked a supplementary process to confirm whether any of the local schools, including Kelford and Winterhill, had expressed an interest in the use of Abbey School's site from 31st August, 2015?

Councillor Beaumont, and the Service Lead for School Planning, Admissions and Appeals, confirmed that no such expressions of interest had been received.

A member of the public who was the parent of a young person attending the School asked what would happen when she had to leave the School where she was so well established and where she did not have long to go until she left school?

The Director for Schools and Lifelong Learning welcomed the opportunity to discuss with parents and carers outside of the meeting individual circumstances. She also suggested that families contact the Special Educational Needs Assessment Service to discuss their child/children's circumstances.

The member of the public commented that as his daughter was older he had been advised to leave her at Abbey School for as long as possible. Unfortunately she was becoming upset as her friends left the School and this was beginning to impact on her behaviour.

A member of the public referred to a meeting that had been held in a licenced premises in the locality of the School on the previous Wednesday. This was when many parents had first learned about the proposal. They had reported feeling disgusted about how they had found out.

The Service Lead for School Planning, Admissions and Appeals explained that the proposal had been published on the Council's website a full week before this meeting. This had been when the proposal had become a public document, no meetings had been arranged on the consultation as it was important to secure authorisation from the Cabinet Member to proceed first.

A member of the public referred to long and positive working relationships between Schools in Rotherham and the Local Authority. What meaningful dialogue had taken place between the Local Authority and Abbey School in the lead up to this proposal?

The Director for Schools and Lifelong Learning outlined a number of meetings that had taken place regarding the need for the school to improve, before the Ofsted Inspection and following the Ofsted report outcomes, meetings were also held with the School Effectiveness Service. The Local Authority was continuing to work with Abbey School.

The member of the public asked a supplementary question on the restructure of Abbey School where nine members of staff had lost their job. When new posts were created it appeared that they had been done in a way that would mean existing staff would not get them, including no requirement for Special Educational Needs experience or subject specific teaching at GCSE-level not being required.

Ian Thomas, Interim Strategic Director for Children and Young People's Services Directorate, referred to the Ofsted report that stated that Abbey School was inadequate. The key findings included that young people were not guided well enough, they were able to abscond from the School and were at risk in that situation, exclusions were high, recording was not accurate, the School did not have high enough expectations of their students, lessons were not interesting and suitably challenging leading to poor behaviour. Furthermore, outcomes at Key Stages Two and Four were exceptionally low. Children who were disadvantaged performed less well and did not achieve their potential. These concerns had led to the commissioning of an external reviewer, Peter Bell, who was a National Leader of Education, an Ofsted inspector and an Executive Headteacher of two Special Schools that had been judged to be Outstanding. Peter would conduct an independent and thorough review and would report back at the end of January, 2015. This would be used to inform the Member decision on the future of Abbey School.

A member of the public confirmed how Trade Unions had been raising issues at Abbey School for twelve months, including pointing out where problems lay and providing ways to fix them. The Trade Unions had begged for help and felt disgusted that it had not been forthcoming from the Local Authority.

The Interim Strategic Director for Children and Young People's Services Directorate confirmed that Peter Bell would speak with all stakeholders at Abbey School, consider all reports that had been made and consider the leadership and management support that had been in place at the School since 2011 and report back on his findings.

Councillor C. Vines referred to earlier Ofsted reports at Abbey School when it had been very successful as recently as 2011. He cited the current leadership and management structures as leading to the gradual decline of the School to its current Ofsted inspection of inadequate. The Local Authority's involvement in the recent leadership and management appeared to be creating a situation where the School would be certain to fail with the intention of closing it. He had engaged a high-calibre external reviewer who had reported back to him concerns at Abbey School. Why did the Local Authority not start to intervene when the School started to fail?

The Director for Schools and Lifelong Learning confirmed that the Local Authority had intervened from January, 2013.

The Strategic Director for Children and Young People's Services Directorate explained that it would not be in any side's interests to run any school into the ground. Peter Bell's external review would consider all of these factors.

Councillor Beaumont thanked all members of the public for attending and for their questions. She also thanked the Officers in attendance for their responses to the questions. Councillor Beaumont emphasised that the consultation on the proposal was still in its early days and she committed to listen to all of the responses and feedback received regarding the proposal. She explained her personal background of being a retired teacher to all age-ranges, including working with children with Special Educational Needs, and as a parent, grandparent and governor. It was her aspiration that all children and young people would get the best. She realised how important Abbey School was to the community and also how difficult the process was. She wished stakeholders to be reassured and come away from the meeting feeling that she would listen to them.

Resolved:- That the questions made be considered as part of the consultation process in relation to Abbey School.

F30. RECEIPT OF PETITION

The petition against the closure of Abbey School was submitted. It was noted that it was still live on the petition hosting website (<https://www.change.org/p/rotherham-metropolitan-borough-council-save-abbey-special-school>), and 955 signatures had been added to it at the time of the meeting.

A member of the public advised that a paper petition was also in circulation. The total overall petition would be submitted in due course.

Resolved:- (1) That the on-line petition of 955 signatures against the closure of Abbey School be noted.

(2) That a further update be provided to the Council and the Cabinet Member for Children and Education Services when all petitions had closed, advising of the final number of signatures.

(3) That the petition be forwarded on to Schools and Lifelong Learning, Children and Young People's Services Directorate for Officers to investigate the petition and to consider it as part of the consultation process.

F31. PROPOSAL TO CLOSE ABBEY SCHOOL

Consideration was given to the report presented by the Service Lead – School Planning, Admissions and Appeals (Schools and Lifelong Learning, Children and Young People's Services Directorate) that outlined a proposal to commence Pre-Statutory Consultation on the proposal to close Abbey School.

The report noted that following an Ofsted inspection of Abbey School that placed the School in Special Measures, it was proposed that it would close as a Special Educational Needs School. The report outlined the key observations from the inspection that highlighted significant health and safety, safeguarding and teaching and learning concerns, along with two strengths.

The report also noted that, should the School close, the site would be utilised for education purposes. Should the School close, there would be significant implications for the staff currently employed by the School, however, as there were no contracts linking any particular members of staff to any particular pupils of the School, when pupils moved to be educated at other Special Schools in Rotherham there would be no automatic right for staff to be employed at the other Schools.

A commitment would be made, subject to Abbey School closing, that existing staff would receive all appropriate support and assistance should they be at risk, including redeployment opportunities in Schools and elsewhere in the Local Authority. The staff consultation process would

include a thirty day consultation period and the issuing of a HR form setting out the numbers and types of staff at risk.

The submitted report gave a draft timeline for the consultation process. It proposed that the final determination and notification to the Department for Education would take place on 29th April, 2015, with a phased implementation date to the end of the 2014/2015 academic year.

Consultation would include:-

- Governing Body / Interim Executive Board;
- Staff and Trade Union representatives;
- Parents and Carers of pupils at the School;
- Local Councillors,
- Local Parish Councillors;
- Local MPs;
- Any other stakeholders – including consideration of the continuing petitions partially received.

Resolved:- (1) That Pre-Statutory Consultation commence on the proposal to close Abbey School as per the timeline and scope in the submitted report.

(2) That a further report detailing the outcomes of the Pre-Statutory Consultation stage be submitted to the Cabinet in due course.

F32. LOCAL AUTHORITY GOVERNOR APPOINTMENTS

Pursuant to Minute No. C50 of January, 2000, consideration was given to nominations received to fill Local Authority Governor vacancies on school governing bodies.

Resolved:- That, with the effective date of appointment as shown, the following appointments and reappointments be made to school governing bodies, subject to satisfactory checks being undertaken:-

New Appointments:-

School	Name	Date effective
Aughton Primary	Ms. L. Blakesley	08/12/2014
Ravenfield Primary	Mr. P. Allen	08/12/2014
Wales High	Councillor D. Beck	08/12/2014

Re-appointments:-

School	Name	Date effective
Brinsworth Whitehill Primary	Ms. M. Stubbs	04/01/2015

Councillor Roche asked for clarification on the process for appointing to Local Authority Governor vacancies before and after governing bodies had reconstituted. The Co-ordinator of Governor Services (Schools and Lifelong Learning, Children and Young People's Services Directorate) confirmed that all applications that were considered by Members were for vacancies that would exist after any yet-to-reconstitute governing bodies had completed a reconstitution.

It was noted that Councillor Sims, member of the Local Authority Governor Appointments Panel, had been consulted about the applications by the Cabinet Member for Children and Education Services.

F33. CARE CRISIS CONCORDANT

The Cabinet Member for Adult Social Care and Health had referred for information a decision he had made that related to the Cabinet Member for Children and Education Services' portfolio at his meeting held on 17th November, 2014, Minute No. H31 refers.

The decision of the Cabinet Member for Adult Social Care and Health to recommend Cabinet to recommend to the Council the signing of the South Yorkshire Declaration Statement on National Crisis Care Concordat, and to approve the involvement of Council Officers in the implementation of the recommendations contained in the Concordat within the Better Care fund Action Plan, was noted.

The Head of the Rotherham Integrated Youth Support Service confirmed that the Youth Cabinet had been heavily involved in this work.

Resolved: - That the decision of the Cabinet Member for Adult Social Care and Health on 17th November, 2014, at Minute No. H31 be noted.

F34. CHILDREN AND YOUNG PEOPLE'S SERVICE REVENUE BUDGET MONITORING REPORT TO 31ST OCTOBER, 2014

Consideration was given to the report presented by the Finance Manager for Children and Young People's Services and Schools (Financial Services, Resources Directorate) that provided a budget monitoring update on the Children and Young People's Service revenue budget to the end of March, 2015.

The budget monitoring report was based on actual income and expenditure to the end of October, 2014. Overall, the Directorate was projecting an over-spend outturn position of £4.029 million, which was an

increase of 9.3% of the total budget. The reported position at the end of October was an increase of £524,000 since the September budget monitoring report.

The report gave the net budget and forecast outturn for each division of service within the whole Directorate, and any variations.

The main variances were outlined, along with the underlying reasons shown in the submitted report. The main areas of over-spend related to:-

- Academy conversions – treatment of deficits - £283,000 (previous provision had also been made in the 2013/2014 accounts);
- Child Protection Teams - £80,000;
- Children in Need Social Work Teams - £536,000;
- Looked After Children - £3,398, 000.

Some of the overspends were off-set against under-spends in other areas as outlined in the submitted report.

As at the end of October, 2014, there were 402 Looked After Children, which was a reduction of 2 since the September budget monitoring report and an increase of 2 as at March, 2014. The submitted report outlined the type of looked after children's placement, along with current and previous financial year costs, including whether they were based in Out of Authority Residential settings, and independent or in-house fostering settings.

The report also outlined the use of Special Guardianship and Residence Orders. There was a continuing push to secure permanency for some children via these routes rather than becoming or remaining looked after children. This sought to reduce the numbers of Looked After Children and also provide better outcomes for children and young people.

Management actions had contributed £604,000 of cost avoidance which would otherwise have been incurred. These related to a reduction in placement costs of £518,000, the Fostering Framework had achieved £42,000 of cost avoidance, the Block contract had avoided £44,000 and the multi-agency support panel and the Valuing Care review would identify potential areas for cost renegotiations and ongoing savings in 2014/2015.

Further information was provided in relation to:-

- Agency spend totalled £591,000 as at 31st October, 2014. This compared to an actual cost of £473,000 for the same period last year;
- Non-contractual overtime totalled £52,000 as at 31st October, 2014, excluding schools. This compared to an actual cost of £70,000 for the same point last year. The overspend related mainly to cover in Residential Units.

- Consultancy costs totalled £139,000 as at 31st October, 2014, compared to an actual cost of £104,000 last year.

Discussion followed and the following issues were raised: -

- The mileage and expenses costs of staff visiting children and young people who were in out-of-authority placements at a great distance from the Borough. It was confirmed that mileage and expenses was met from the specific budget and not from a Social Care budget;
- Were soft incentives available for fostering families? These could act as recruitment and retention incentives? - Further information would be provided to the Members on this;
- Further information was requested around successful approvals for adoption, the number of placement breakdowns and the reasons why families going through the approvals process had withdrawn.

The Interim Strategic Director for Children and Young People's Services spoke about work that he was initiating to ensure that the Directorate operated an efficient budget: -

- Ensure that Looked After Children had the best chances possible to achieve in-line with their peers;
- Invest in and create more fostering placements within the Borough;
- Complex needs: -
 - Prevention work, including working with midwifery services so that more women could have a healthy pregnancy;
 - Joint commissioning between partners, including schools, for early help services;
 - Addressing academy deficits.
- Creation of an accurate Medium Term Financial Strategy that fully reflected the activity of the Directorate.

Resolved: - That that latest financial projection against budget for the year on actual income and expenditure to the end of October, 2014, be noted.

F35. ARRANGEMENTS FOR THE PROVISION OF EMERGENCY HORMONAL CONTRACEPTION (EHC) FOR GIRLS AGED 14 - 16 - UPDATE

Consideration was given to the report presented by the Public Health Consultant that provided an update on commissioning arrangements with Community Pharmacies across Rotherham for the expansion of Emergency Hormonal Contraception Sexual Health Services. This included the development of care pathways and safeguarding reporting mechanisms for all young people accessing the services.

It was proposed that, with the development of care pathways, reporting mechanisms and training, including on-line Child Sexual Exploitation (CSE) training, the scheme be available to young people aged 14 and 15 years old from January, 2015.

The current Public Health Services contract in relation to Emergency Hormonal Contraception (EHC) with Pharmacists operating in Rotherham specified that they provide the service free of charge to females 16 years and above. This aimed to provide greater access and choice for women and young women and aimed to reduce unintended pregnancy and termination of pregnancy.

Currently, females under 16 years of age were not able to obtain EHC at pharmacies under this contract. The proposal to extend the contract to 14 – 16 year olds would require service-providers to be especially vigilant in relation to safeguarding issues, possibly including Child Sexual Exploitation. The Children, Young People and Families' Partnership agreed in October 2014 that the contract should be renegotiated to include extended services for females aged 14 and 15.

The submitted report demonstrated that good progress had been made towards reducing teenage pregnancy in Rotherham. It was currently at its lowest rate of 30.0 conceptions per 1,000 females aged 15-17 in the period 1998-2012.

It was proposed that any female aged 14 or 15 requesting the EHC service would automatically be referred to the Rotherham Integrated Youth Support Service so that support, appropriate further referral and any potential further risk assessment could be carried out. All participating Pharmacists providing this service would be required to have completed the Council's online training package on CSE and sexual abuse.

An electronic recording system had been modified to allow accurate monitoring and information on the referral process that needed to be followed. The system would include an additional alert that would notify the Pharmacist if a young person had accessed EHC previously at the same pharmacy or any other pharmacy in Rotherham. This would allow monitoring to be undertaken monthly, this would include monitoring whether a young person presented at pharmacies across the Borough to the EHC service repeatedly, which could represent a cause for concern.

A training timetable had been developed and the first Pharmacists were expected to be delivering the expanded service from January, 2015.

The Head of Rotherham's Integrated Youth Support Service explained that the proposal continued the existing partnership work. The current offer was robust, longstanding and was well-regarded.

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