

**CHILDREN'S SERVICES, CULTURE, YOUNG PEOPLE AND  
SPORT SCRUTINY COMMITTEE**

MEETING, 4TH DECEMBER, 2008

Present – Councillors A. Wilkinson (Chairman), Rushton (Vice-Chairman), Ashcroft, Hornby, Mistry, Mrs. Ronson, Scowcroft, R. Silvester, Mrs. Swarbrick, J. Walsh and Williamson.

Lay Members

Ms. A Egan - UNISON

Also in attendance

Mr. A. Donaldson	-	Assistant Director Policy Improvement and Area Working and Committee Chief Officer Support
Mr. I.D. Mulholland	-	Scrutiny Team Leader
Councillor Adia	-	Executive Member for Children's Services
Mrs. M. Asquith	-	Director of Children's Services
Mrs. J. Thompson	-	Assistant Director (Positive Contribution)
Mr. J. Daly	-	Assistant Director Staying Safe
Mr. A Birch	-	Assistant Director School Effectiveness
Mrs. S. Crossley	-	Assistant Director (Adult and Community Services)
Mr. S. Fazal	-	Assistant Director (Access and Inclusion)

Apologies for absence were submitted on behalf of Councillors Mrs. Fairclough and White.

Councillor A. Wilkinson in the Chair.

### **34. MINUTES**

The minutes of the meeting of the Children's Services Scrutiny Committee held on 9th October, 2008 were submitted.

Resolved – That the minutes be approved as a correct record.

### **35. MONITORING OF DECISIONS**

The Director of Legal and Democratic Services submitted a report that informed members of the progress of decisions taken and issues raised by the Committee.

Further to the issue of School engagement in the opening up of School Playing Fields, Members referred to their wish to know how many children were actually participating.

Members also referred to the relevant case of, Baby P, at Haringey Council and enquired as to whether there were appropriate safe guards in Bolton.

The Committee was notified that quality assurance had been undertaken and now also an assessment was being undertaken against the JAR (Joint Action Plan).

Members also referred to the Culture Division trend information for part-time staff.

Resolved - (i) That the action and progress outlined in the report be noted.

(ii) That the Committee be advised of information with regard to how many children were actual participating in the opening up of school playing fields.

(iii) That further information regarding the sick pay arrangements and trend information with regard to part-time staff in the Culture Division be circulated to Members.

### **36. ANNUAL WORK PROGRAMME**

The Director of Legal and Democratic Services submitted a report which provided members with suitable criteria to aid in the selection of topics for scrutiny and outlined the Committee's work programme.

Members' views and comments were sought in relation to any further items and issues that they wanted included on the Committee's work programme.

Resolved – (i) That the report be noted.

(ii) That a report be submitted to the next meeting of this Committee regarding the condition of the Children's Social Care Programme and performance data in this regard following the recent case of, Baby P at Haringey Council.

### **37. MEMBERS QUESTIONS**

**The following questions were raised by Councillor R. Silvester in accordance with Standing Order 36:-**

I had over the last week been involved with casework regarding two families who lodged appeals for their sons to keep free bus passes who attended faith schools over three miles away relating to the Home to School Policy. Both families' appeals had now been upheld by the education assistance panel.

In relation to pupil 'TH', officers followed the policy and concluded the 'TH' could have attended Mount St Josephs school instead, which was the nearest faith school and under three miles away (2.55 miles).

What had concerned me as an elected member was that in the case of 'TH' none of the admission criteria for Mount St Josephs applied to 'TH' in any way.

'TH' was not Roman Catholic, he did not attend an associated primary school of Mount St Josephs, he did not have brothers or sisters at Mount St Josephs and did not attend a primary school within one mile or one miles walking distance of Mount St Josephs so none of the admission criteria applied to him.

I did not understand how officers could have expected the family of 'TH' to have applied for him to attend Mount St Josephs as he would not have been successful.

I believe that the family of 'TH' should not have gone through the process and ordeal of an appeal in order for, TH, to keep his free bus pass.

**The following response was prepared by the Director of Children's Services to the following specific questions:-**

Question 1) I would therefore like to know which one of the admission criteria of Mount St Josephs officers believed related to 'TH' as officers concluded that 'TH' could have attended Mount St Josephs with it being the nearest faith school and therefore that he was not entitled to keep his free bus pass because of this?

Child 'TH's family stated that they did not make an application for Mt St Joseph's as child 'TH' did not meet the admissions criteria and would not have obtained a place.

The admissions criteria applied by St Joseph's were oversubscription criteria and only applied if there were more applicants than places available. If there were fewer applicants than places, the school admitted non-Roman Catholic applicants.

It was therefore, possible that child 'TH' would have been accepted at St Joseph's had the parents expressed a preference for the school. Moreover, parents were able to express preference from up to three secondary schools and making an application for St Joseph's would not have prevented them from expressing a preference for Canon Slade and/or another Bolton secondary school.

Bolton's policy on the provision of free home to school transport for children attending denominational schools stated:

'Parents whose preference was for a denominational school based on religious grounds would qualify for a free bus pass if their home address was more than 3 miles from the nearest available appropriate denominational school even if the nearest denominational school was outside the Bolton boundary or 2 miles if the child was under 8 years of age. You would be required to provide evidence that the denomination of the school was the one to which parents and children adhered and therefore you had to provide a letter from your minister of religion or faith leader that you were regular worshipers. Your application would not be considered without this evidence.'

The family of child 'TH' had made an application for Canon Slade School. Although Canon Slade was the nearest available Church of England School, child 'TH's family were not members of the Church of England and attended Bolton Pentecostal Church. Therefore, the Pupil and Student Services Team determined that all other Christian Faith schools, including Roman Catholic schools were appropriate.

A bus pass was refused on the ground that there was a nearer appropriate faith school with 3 miles of the child's home, i.e. Mt St Joseph's.

The main focus of this case was whether a Catholic School should be considered as appropriate denominational school for a child of a Pentecostal denomination. This was an area which would need reviewing during the overall review of the transport policy next year.

Question 2) Why were free bus passes issued to pupils and then families informed afterwards that pupils were not entitled to keep them?

Due to an administrative error, free bus passes were issued to 6 pupils before evidence of their denomination was obtained. Passes were issued to 4 pupils attending Canon Slade and to 2 pupils attending St James.

To correct this error, the Pupil and Student Services Team wrote to the recipients of the free bus passes explaining that

they had been issued in error, apologising for the mistake and requesting their return. At the same time, information was provided on how the children's families could appeal against this decision. Three families chose to exercise their right of appeal and of those, two appeals were upheld by the Education Assistance Panel and one was refused.

Question 3) I had been informed by the Director that the Home to School policy was to be reviewed and changes made to it. At the moment it was causing a lot of grief and upset to families which I had encountered over the last week, therefore how did the Director envisage that the policy could be changed to ensure that it was fairer, clearer and not discriminatory in any way?

It might be possible to seek expert guidance on religious denominations and to refine the Council's policy to set out more clearly the circumstances under which children of particular faiths would be eligible for free bus passes. It might also be possible to improve the guidance provided to parents by giving examples of when children of different faiths were eligible for free bus passes when attending different faith schools.

There would be other areas for consideration for the review, but the review had not yet been scoped and therefore it was difficult to be more precise about this.

Resolved – (i) That the questions and responses be noted.

(ii) That further information be submitted to a future of the Committee following consideration at a meeting of the Children's Policy Development Group of the issues raised.

### **38. MINUTES OF THE MEETING OF THE EXECUTIVE**

An Extract of the minutes of the meeting of the Executive held on 27<sup>th</sup> October, 2008 in relation to BSF and Academies was submitted.

Resolved – That the decisions of the Executive be noted.

**39. MINUTES OF THE MEETINGS OF THE EXECUTIVE MEMBER FOR CULTURE, YOUNG PEOPLE AND SPORT**

The minutes of the meetings of the Executive Member for Culture, Young People and Sport held on 27<sup>th</sup> October and 24<sup>th</sup> November, 2008 were submitted.

Resolved – That the decisions of the Executive Member be noted.

**40. MINUTES OF MEETINGS OF THE EXECUTIVE MEMBER FOR CHILDREN'S SERVICES**

The minutes of the meetings of the Executive Member for Children's Services held on 21<sup>st</sup> October and 17<sup>th</sup> November, 2008 were submitted.

Resolved – That the decisions of the Executive Member be noted.

**41. MINUTES OF THE MEETING OF THE LIBRARY REVIEW POLICY DEVELOPMENT GROUP**

The minutes of the meeting of the Library Review Policy Development Group held on 7<sup>th</sup> October and 4<sup>th</sup> November, 2008 were submitted.

Resolved – That the minutes be noted.

**42 MINUTES OF THE MEETING OF THE CHILDREN'S POLICY DEVELOPMENT GROUP**

The minutes of the meeting of the Children's Policy Development Group held on 21<sup>st</sup> October, 2008, were submitted.

Resolved – That the minutes be noted.

**43. MINUTES OF THE CULTURE AND COMMUNITY**

## **SERVICES POLICY DEVELOPMENT GROUP**

The minutes of the meeting of the Culture and Community Services Policy Development Group held on 3<sup>rd</sup> November, 2008, were submitted.

Resolved – That the minutes be noted.

### **44. SCHOOLS CAPITAL PROGRAMME POLICY DEVELOPMENT GROUP**

The minutes of the meeting of the Schools Capital Programme Policy Development Group held on 10<sup>th</sup> November, 2008, were submitted.

Resolved – That the minutes be noted.

### **45. CORPORATE PARENTING – PROGRESS REPORT.**

The Director of Children's Services submitted a report which reminded Members that following a scrutiny exercise into services provided to looked after children, a Corporate Parenting Group was established to become an interdepartmental/agency steering group which ensured that both Bolton Council and its partner agencies provided the necessary support to Looked After Children and those who cared for them

The panel had overseen and enhanced the development of a number of schemes including the Looked After Supported Employment (LASE) Scheme and the Looked After Children life mentoring scheme which although funded by the Council was administered via Bolton Lads and Girls Club.

However, the Panel had been unable to make further progress owing to a falling level of attendance and a lack of clarity as to the roles of Members.

Recent guidance issued by the Department for Culture, Schools and Families (DCSF) in conjunction with the National Children's Bureau, "Putting Corporate Parenting into Practice"

had clarified such roles by categorising agency responsibilities into 3 levels. Level 1 having a general knowledge to Level 3 being specialist knowledge. Discussion at a Corporate Parenting Panel had resulted in agreement that the Panel's work fell into Level 3. Such responsibilities required agencies/groups to have greater understanding of the Care System, its strengths and weaknesses and would also place high levels of delegated responsibility on panel members to ensure council and partner agency services to LAC were coordinated and effective.

These enhanced responsibilities would present challenges to both members and officers. A Panel operating under Level 3 responsibilities would require clear routes of accountability and reporting. A new duty on all local authorities to establish Child in Care Councils (CiCC) would also require the Panel to accept powers delegated by the Executive Member for Children's Services and the Director of Children's Services.

The creation of a Bolton Child in Care Council was underway and once functional would ensure that the views and experiences of young people in care were collated and used to inform the work of the Corporate Parenting arrangements as detailed in the report

Members in their deliberations referred to the possible need to appoint dedicated school governors for Looked After Children

Resolved – That the report be noted.

#### **46. EARLY YEARS SERVICES AND DEVELOPMENTS – UPDATE**

(Councillor Rushton declared a personal interest in the following item as a School Governor)

The Director of Children's Services submitted a report regarding the development of phase three children's centres.

The Committee was advised that Early Start had developed fifteen children's centres across the first two phases of the

delivery programme and the Department for Children, Schools and Families (DCSF) had set an indicative target of four phase three children's centres which would complete universal coverage for Bolton's 16,168 children aged 0-5 and their families.

The report stated that phase three centres were to be designated by 2010 and their reach areas would primarily cover less disadvantaged areas and they would offer a less intensive level of support than those centres developed in phases one and two. Furthermore capital funding for phase three centres was subsequently lower than in the previous phases and guidance promoted delivery via building on existing services rather than via large scale capital projects.

The report also outlined the results of the review which had been undertaken of the reach areas of phase one and two centres and it was stated that the review had provided an opportunity to consider how the portfolio of children's centres might best be aligned with the ten Every Child Matters Partnership areas. This would inform the planning for future management and commissioning arrangements.

In terms of the development of phase three children's centres, two options for universal coverage were put forward. The first was based on the indicative target of four new centres set by the DCSF and the second model was based on the delivery of three new centres. Both options incorporated alterations to the configuration of the existing reach areas to address the issues which had been identified as part of the review and the report outlined the advantages and disadvantages of both options.

With regard to consultation, approval was sought to conduct consultation regarding phase three development with key stakeholders as per the action plan detailed in Appendix D to the report.

The Committee was advised that, at his meeting on 7<sup>th</sup> July, 2008, the Executive Member for Children's Services had

approved:-

- a model of three phase three children's centre (option2);
- That consultation be held with appropriate stakeholders regarding possible locations for the phase three centres, local service requirements and the best means of achieving universal children's centre coverage across Bolton; and
- Options for the locations of the centres be generated and submitted for decision in October, 2008, along with the results of the consultation.

Resolved – (i) That the report be noted.

(ii) That specific information be provided to ward members on the proposals.

#### **47. ANNUAL PERFORMANCE ASSESSMENT LETTER**

Resolved – That consideration of this matter be deferred until the next meeting

#### **48. BUILDING SCHOOLS FOR THE FUTURE AND ACADEMIES PROGRESS**

The Director of Children's Services submitted a report which informed members of revised guidelines issued by the Partnership for Schools (PFS) for entry into the Building Schools for the Future Programme (BSF). It also reported on the progress with regard to the establishment of the joint Local Education Partnership with Blackburn with Darwen Council.

By way of background information, the report advised that BSF was a national programme to transform secondary education in England. The programme was initially intended to be delivered in fifteen waves and Bolton was undesignated in wave 7-9. However, the Department for Children, Schools and Families had now issued revised guidance for the submission of Expressions of Interest for projects in waves 7-15 of the BSF

programme. All authorities in waves 1-15 were now being invited to submit Expressions of Interest for entry into the next waves of the programme based on a small number of discrete projects. The first project would be up to the value of £80,000,000 and subsequent follow on projects up to £100,000,000.

The report stated that projects must have educational transformation at their heart and should use the following criteria to prioritise schools :-

- social and educational need;
- building need;
- contributing to local or regional regeneration;
- school re-organisation; and
- sustainable communities and new housing and population growth.

The report also advised that there should be a 50:35:15 split against new build, major refurbishment and minor refurbishment.

The report stated that an agreement had been reached in principle with PFS that were an Academy proposal to emerge in the near future this would be funded out with the first allocation. This meant that in addition to the first wave of the BSF project of approximately £80,000,000 there could be another £20,000,000 available to the Academies programme.

The report advised that in order to properly assess how the three different projects could be developed extensive modelling against a range of criteria had been undertaken. The graph at appendix one demonstrated the approach which had been taken to inform the recommendations and decisions around the BSF project proposals. The relevant schools were given a ranking of between one and five and these were used to 'score' each school. This was repeated eight times with different

weightings given to different sections on each occasion. It was hoped that this would help to give the Council considerable credibility when selecting the phasing of the projects. The weightings, which demonstrated the priority order for the schools, were shown at appendix two. The phasing at Appendix 2 was for demonstration purposes only and was not the submission which would be put forward by the Council.

The final model would need to include Harper Green Secondary School and to take account of new information on deprivation and weightings which was given to officers at a meeting with the DCSF.

The report advised that the funding allocation model estimate of £244,000,000 in total for Bolton should also be treated with caution due to it being derived from the number of pupils on roll by the school square meterage. Therefore, until detailed site condition work had been undertaken it was difficult to come up with a more accurate estimate of costs.

The Expression of Interest had to be submitted by 30<sup>th</sup> November, 2008 with authorities shortlisted for entry into wave 7 being invited to demonstrate their readiness to deliver in the New Year with a formal announcement anticipated in March, 2009. As part of the demonstration of the readiness to deliver, the Council would need to undertake more detailed survey work and it was recommended that work began immediately in respect of the phase one project. This would be undertaken by the Lead Technical Advisers. Navigant/Capita and funded through the monies reported to the Executive on 27<sup>th</sup> October, 2008.

With regard to the Joint Local Education Partnership with Blackburn and Darwen Council, members were updated that the procurement phase of the joint BSF project had been formally entered into on 2<sup>nd</sup> August, 2008 with the issue of a notice in the European Journal requesting expressions of interest.

Completed Pre-Qualification Questionnaires were received from four leading bidding consortia on 8<sup>th</sup> September, 2008.

Submissions were reviewed for compliance with standing orders and then distributed to officers from both Blackburn with Darwen and Bolton Council's for scrutiny and evaluation.

The report advised that evaluation of the submissions was undertaken within a fast track two week period culminating in the LEP selection panel meeting chaired by the Deputy Chief Executive, Blackburn with Darwen and attended by key officers from each workstream including the Deputy Chief Executive and Director of Children's Services as well as other representatives from Bolton. All bids received were fully compliant and all four consortia were advised on 19<sup>th</sup> September, 2008 that they were being taken forward into the formal competitive stage of the procurement – Invitation to Participate in Dialogue (ITPD).

Following the ITPD presentations five evaluation teams reconvened to review their initial consensus scores. The revised consensus scores were then presented to the LEP Selection Panel on 24<sup>th</sup> October, 2008 for consideration and approval. Following consideration of the scores and relevant information on market capacity, the LEP panel agreed that three of the four consortia should be taken forward to the Invitation to Continue in Dialogue. Dialogue with the three bidders began on 3<sup>rd</sup> November, 2008. This had three discrete phases lasting approximately 10-11 months.

The report advised that the evaluation of the final bids was expected to be completed by 16<sup>th</sup> September, 2009 when a preferred partner would be appointed by both Councils and the Shadow Local Education Partnership was formed.

Resolved – That the report be noted.

#### **49. EDUCATIONAL ATTAINMENT OF LOOKED AFTER CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL**

The Committee received and considered the final report of the the outcomes of the investigations of the Educational Attainment of Looked After Children and Young People Scrutiny Panel.

Resolved - (i) That the recommendations contained in the report to the Executive Member for Children's Services and the Executive Member for Culture, Young People and Sport, be approved.

(ii) That the Executive Member for Children's Services and Executive Member for Culture Young People and Sport be requested to prepare a report detailing their response to the recommendations contained in the report; such report to be submitted to the Scrutiny Committee within six months of the date of this meeting.

**50. PUPIL REFERRAL UNIT FACILITY ON BARLOW PARK.**

Pursuant to Minute 33 of the meeting of the Committee held on 9<sup>th</sup> October, 2008, the Director of Children's Services submitted a report providing information on the operation of Compass Centre North which had been operating at Barlow Park since October, 2006.

The report provided information relating to the operation of the facility, the numbers of young people accessing the centre, the associated costs and feedback from schools about their perceptions of this work.

Resolved – (i) That the report be noted.

(ii) That the Committee be advised of further information in respect of the unit costs and attendance figures and also comparable details with other pupil referral units.

(The meeting started at 4.00 p.m. and finished at 5.10 p.m.)

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**NOTES**