

Lancashire County Council

Education Scrutiny Committee

Meeting held on Tuesday the 2nd November 2010 at 10.00am in Cabinet Room 'C' at County Hall, Preston

Minutes

Present:

County Councillors

C Grunshaw (Chair)

K Bailey	A Jones
R N Blow	A D Kay
Mrs P Case	Y Motala
S Chapman (1)	D M O'Toole (2)
S Derwent	S Riches
P Evans	C Wells
S Fishwick	M Younis

- (1) attended the meeting in place of County Councillor C Evans.
(2) attended the meeting in place of County Councillor K Brown.

Voting Co-opted Members

Mr T Charnock	-	Representing RC Schools
Canon D Durham	-	Representing CE Schools
Mrs J Hamid	-	Representing Parent Governors (Secondary)
Mr K Wales	-	Representing Free Church Schools

Apologies for absence were presented on behalf of County Councillor A Knox.

Disclosure of Personal and Prejudicial Interests.

County Councillor R N Blow declared a personal non prejudicial interest in relation to item 5 as she her grandchild was a pupil at one of the schools mentioned in the report.

Minutes of the meeting held on the 13th July 2010.

11. **Resolved:** That the Minutes of the meeting held on the 13th July 2010 be confirmed as an accurate record and signed by the Chair.

Minutes of the special meeting of the Education Scrutiny Committee held on the 20th October 2010.

It was noted that having considered the matter the Committee had resolved not to request the Cabinet Member for Children and Schools to reconsider the

decision made on the 11th October 2010 in relation to the introduction of a flat rate daily charge of £2 per child for new pupils entitled to denominational transport from September 2011 onwards.

- 12. Resolved:** That the Minutes of the special meeting held on the 20th October 2010 be confirmed as an accurate record and signed by the Chair.

Academies Act 2010

Mr Stott, the Director for Universal and Prevention Services presented an update in connection with the development of Academies and Free Schools in Lancashire.

It was reported that before the Bill had received Royal Assent a number of amendments had been made including the requirement for the governing body of a maintained school in England to consult 'such persons as they think appropriate' before the Funding Agreement was signed and the school converted to an Academy. It was noted that other requirements included having at least two parent governors on the governing body, promoting community cohesion and having a designated teacher with responsibility for looked after children.

Mr Stott informed the meeting that under the Academies Act 2010 there were three ways in which an Academy could be established – Conversion, Direction and Addition.

"Conversion" – involved the governing body of a maintained school applying to the Secretary of State, seeking agreement for the school to convert to an Academy, the Secretary of State agreeing to issue an Academy Order and subsequently signing a Funding Agreement. It was noted that at present the Department for Education (DfE) would only consider applications for Academy status from secondary and primary schools which had been judged by Ofsted to be "outstanding". Furthermore church schools which had an existing foundation/trust would need the consent of the existing foundation/trust before they could apply to convert to become an Academy, even if they had been judged to be outstanding.

With regard to Lancashire it was reported that the Secretary of State had received applications to convert from the six outstanding schools listed below and had published Academy Orders in relation to the first four. It was noted that whilst these Orders enabled the schools to convert to become Academies in each case the conversion would only happen if the Funding Agreement was signed.

Hambleton Primary School
Lancaster Girls' Grammar School
Clitheroe Royal Grammar School
Hodgson High School
Lancaster Royal Grammar School
Bishop Rawstorne C of E High School

Canon Durham informed the meeting that the Diocese of Blackburn Board of Education was due to meet later in the week to consider the application in relation to Bishop Rawstorne C of E High School.

"Direction" – where the Secretary of State issued an Academy Order for a school that was considered eligible for intervention, because it had been deemed by Ofsted to require special measures, in order to require significant improvement or because the local authority had issued a warning notice to the school. Mr Stott reported that there were currently no schools in Lancashire in this position.

"Addition" – where the promoters of an additional school, such as charities, universities, businesses, educational groups or teachers/groups of parents in response to parental demand, applied to the Secretary of State, who then agreed to enter into Academy arrangements in relation to the additional school. It was noted that this type of Academy was also referred to as a "Free School".

Mr Stott informed the meeting that in Lancashire a petition had been circulating in Chorley with a view to establishing a free school for 14-19 year olds, and interest in converting to an Academy had also been shown by an existing independent school in West Lancashire.

It was noted that those outstanding schools which converted to Academies would be expected to agree to support another school in order to raise its level of attainment. Whilst it was anticipated that this would be the case Mr Stott highlighted the fact that there was nothing in the Act which would require an Academy to support a school within the same locality or indeed within the County.

With regard to finance Mr Stott reported that unlike the Academies established under the Education Act 2002 (of which there were two in Lancashire) in the future new Academies would not necessarily receive significant capital allocations for major building improvements. Also whilst the DfE had made a grant of £25,000 available to contribute to the costs of conversion (estimated to cost £66,000 on average) other start up grants which had previously been available would no longer apply.

The implications of maintained schools converting to Academies in terms of funding was discussed and it was noted that as new Academies would receive funding direct from Government there were significant financial management challenges for the County Council which would be required to continue to provide current levels of service for the remaining maintained schools but with a reduced level of funding. Mr Stott reported that as a result Academies could be required to pay a premium for services such as HR and finance which they could buy in from the County Council and Officers had suggested that this could be in the region of a 10% add on. However, it was acknowledged that even the introduction of such a premium would be unlikely to recoup fully all losses for the County Council as Academies were under no obligation to purchase such services from the authority.

The previous announcement by the DfE of an in-year reduction of £50m in 2010/11 nationally in the allocation of Harnessing Technology grant to local authorities in order to provide some funding to facilitate the establishment of Free Schools was also discussed. Concern was expressed about the implications of this decision in relation to the continuation of Cumbria and Lancashire Education On-line (CLEO) which provided a service to 950 schools across both counties. It was noted that similar concerns had been expressed by the Schools' Forum Contracts and School Support Services Sub Group which had subsequently written to the Prime Minister to request reinstatement of some of the grant.

There was general agreement amongst members of the Committee that a letter should be sent to the Secretary of State for Education and also to the Local Government Association Children's Board, expressing similar concerns and highlighting the implications for CLEO.

Concern was also expressed regarding the implications for governing bodies of Academies in relation to insurance in the event of significant damage to buildings. It was reported that due to its size the County Council was generally self insuring in terms of its school buildings. However, if a maintained school was to convert to an Academy it would no longer be subject to this arrangement and would instead have its insurance provided via the DfE. In the future it was suggested that the DfE would seek to broker insurance for Academies as a specific group in order to mitigate costs.

It was also suggested that further information should be provided to the Committee regarding the residual responsibility for the County Council in relation to the pupils attending Academies, for example in relation to the provision of assistance with home to school transport.

13. Resolved

1. That the report be noted.
2. That a copy of the letter dated 23rd September 2010 from the Chairman of the Lancashire Schools Forum, together with concerns of the Committee regarding the future implications in relation to Cumbria and Lancashire Education On-line be sent to the Secretary of state for education and the Local Government Association Children's Board.
3. That the Committee continue to receive further reports regarding the development of Academies, with particular attention to the issue of insurance liability and the County Council's residual responsibility regarding pupils who attend Academies in relation to issues such as assistance with home to school transport.

Provisional attainment data at the end of Key Stage 2 and Key Stage 4 and the attainment of Looked After Children at the end of Key Stage 4 (2010)

Mr Stott, The Director for Universal and Prevention Services presented a report on the overall attainment in Lancashire schools at the end of Key Stage 2 and Key Stage 4 and the performance of Looked After Children at the end of Key Stage 4.

In presenting the report Mr Stott cautioned the Committee that the Key Stage 2 data was based on provisional Teacher Assessment information as around 40% of primary schools had not taken part in the national tests during the summer and that Teacher assessment was not moderated at the end of Key Stage 2. He also pointed out that the Key Stage 4 information was based upon early unvalidated data for which no national comparisons were currently available.

It was reported that for Key Stage 2 the provisional results indicated that the proportion of Lancashire pupils gaining Level 4+ remained above the national average in English, Science and Mathematics. With regard to attainment it was

noted that the figures for English and Mathematics remained the same as in 2010 compared with a slight rise nationally whereas in Science attainment in Lancashire had fallen by 2% compared with a fall nationally of 1%. The Committee noted that the proportion of pupils gaining the higher level of attainment (Level 5) also remained above the national average for English, Mathematics and Science according to the Teacher Assessment results and that overall attainment in Lancashire was comparable with the average of the authority's statistical neighbours.

In the most disadvantaged areas of Lancashire (Burnley, Hyndburn, Pendle and Preston) it was noted that attainment had either remained the same or fallen slightly and so the attainment gap between those Districts and the Lancashire average remained very similar to 2009.

With regard to Key Stage 4 it was reported that overall performance had improved in the majority of Districts. However, it was noted that the gap between the most disadvantaged communities and their peers remained considerable with the results for Burnley being around 19% below the Lancashire average. In response to concerns regarding this figure Mr Stott informed the Committee that two out of the three national challenge schools in Burnley had shown improvements over the summer. He added that the new buildings provided as part of Building Schools for the Future were open and that there was evidence of good partnership working in the area which was anticipated to lead to improvements in the future.

The Committee noted that other disadvantaged areas of Lancashire such as Pendle and Preston had made good progress in narrowing the attainment gap though there was acknowledged there was still room for improvement. In response to a query regarding the particular improvement in attainment for pupils in Preston Mr Stott informed the meeting that in addition to general school improvements and good management the merger of Ashton High School and the City of Preston School had led to a significant improvement in the attainment of pupils in the area

The Committee welcomed the results in relation to the attainment of Looked After Children which indicated that a general improvement both in the proportion of pupils gaining five or more GCSEs including English and Mathematics at grades A*-C and in relation to overall attainment when compared with 2009 figures. The particular success of the residential visit at the University of Central Lancashire (UCLAN) was noted and whilst there was some concern regarding future funding it was suggested that whilst no guarantees could be given in view of the priorities in relation to Looked After Children it was likely that this would continue.

14. Resolved

1. That the report be noted
2. That reports be presented to a future meeting regarding the following:
 - a) The overall attainment in Lancashire at the end of Key Stage 2 and Key 4 on a school by school basis once the validated assessment data had been published early in 2011.
 - b) The specific attainment of Looked after Children across the County and the impact of initiatives such as the residential visit at UCLAN in promoting higher levels of attainment within that group.

- c) Initiatives aimed at narrowing the gap across the County with a particular focus on those areas where the gap is currently at its widest.
- d) Feedback regarding levels of attainment within those schools which were part of the Building Schools for the Future Programme.

Budget Scrutiny Arrangements

Wendy Broadley informed the meeting that following consultation with the Chair and Deputy Chair it was proposed to have an additional meeting at 10.00am on Wednesday 19th January 2011 in order that the Committee could scrutinise the Cabinet's budget proposals relating to Education.

It was noted that the Cabinet Member for Children and Schools would attend the meeting.

- 15. Resolved:** That the arrangements for an additional meeting of the Committee for 10.00am on Wednesday 19th January, 2011 in Cabinet room 'C' at County Hall, Preston be noted.

Recent and Forthcoming Decisions

The Chair presented a report regarding recent and forthcoming decisions which were relevant to the work of the Committee.

- 16. Resolved:** That the report be noted

Urgent Business

There were no items of Urgent Business presented for consideration at the meeting.

Date of Next Meeting

17. Resolved:

- 1. That in accordance with Resolution 15 a meeting of the Committee will now be held at 10.00am on the 19th January 2011 in the Cabinet Room 'C' at County Hall, Preston to discuss the budget proposals in relation to Education.
- 2. That the additional meeting specified at 1 above will be followed by a scheduled meeting of the Committee on the 15th March 2011.

I M Fisher
County Secretary and Solicitor

County Hall
Preston.