

## Lancashire County Council

### Education Scrutiny Committee

**Minutes of the Meeting held on Tuesday, 15th March, 2011 at 10.00 am in Cabinet Room 'C' - County Hall, Preston**

#### **Present:**

County Councillor Clive Grunshaw (Chair)

#### **County Councillors**

K Bailey	A Jones
Mrs R Blow	A Kay
K Brown	A Knox
Mrs P Case	Y Motala
Mrs S Derwent	S Riches
C Evans	C Wells
P Evans	M Younis
S Fishwick	

#### **Co-opted members**

T Charnock	(RC Schools representative)
Mrs J Hamid	(Parent Governor)
F Kershaw	(CE Schools representative)
K Wales	(Free Church Schools representative)

#### **1. Apologies**

No apologies for absence were presented at the meeting.

#### **2. Disclosure of Personal/Prejudicial Interests.**

There were no declarations of interest in relation to matters appearing on the agenda.

#### **3. Minutes of the meeting held on the 19th January 2011**

Mr Stott, the Director for Universal and Prevention Services from the Directorate for Children and Young People, referred to the comment at the bottom of page 1 of the Minutes and informed the meeting that information regarding insurance liability was included in the report set out at item 4 on the agenda.

**Resolved:** That the Minutes of the meeting held on the 19<sup>th</sup> January 2011 be confirmed as an accurate record and signed by the Chair.

#### **4. Academies Act 2010**

Mr Stott, the Director for Universal and Prevention Services presented a further report to update the Committee on developments in relation to Academies and informed the meeting that the current position regarding schools in Lancashire was as follows.

Hambleton Primary School	) all converted to Academies on
Lancaster Girls Grammar School	) 1 <sup>st</sup> January 2011
Clitheroe Royal Grammar School	)
Lancaster Royal Grammar School	) applied to be Academies. Academy
Hodgson High School	) Orders issued and awaiting
Ripley St Thomas CE High School (Lancaster)	) confirmation of conversion.
St Michaels CE High School (Chorley)	) all in the process of applying for
Bishop Rawsthorpe CE High School	) Academy status.
Bowland High School	)

It was also noted that under previous legislation two other Academies existed in the County at Accrington and Fulwood, near Preston.

Mr Stott reported that whereas previously the opportunity to convert to an Academy had been restricted to those schools which had been judged by Ofsted to be 'outstanding' the Department for Education (DfE) had recently announced an extension of the arrangements so that 'good schools with one or more outstanding features' could also apply to become Academies on the same basis as outstanding schools. In addition other schools which did not satisfy the above criteria would be able to apply to convert to Academies provided that such an application was made in conjunction with an outstanding school or a good school with one or more outstanding features. It was also noted that that where a special school had been rated as 'outstanding for overall effectiveness' by Ofsted it would in future be able to apply to convert to become and Academy.

The following information was presented regarding schools in Lancashire.

1. Schools which were considered to be outstanding.

Primary	69
Secondary	16
Special	6
2. Schools which were considered to be good.

Primary	263 of which 220 had one or more outstanding features.
Secondary	34 of which 27 had one or more outstanding features.
Special	18 all of which had one or more outstanding features.

In response to requests from County Councillors Jones and Motala, Mr Stott stated that he would arrange for members of the Committee to receive a more detailed breakdown of the information outside of the meeting.

With regard to voluntary and foundation schools it was reported that the DfE had agreed model documentation with the National Society (Church of England) and the Catholic Education Service which would be used where such schools sought to become Academies. The Committee noted that currently three CE schools were engaged in the process though no applications for conversion had yet been made from RC schools.

In view of the change to the criteria County Councillor P Evans asked whether the County Council expected a rush of applications from schools wishing to convert to Academies and whether the authority would be able to cope if this proved to be the case. In response Mr Stott reported that whilst there was no legal requirement to do so all schools which were intending to become academies had to date informed the authority as a courtesy which had been helpful. It was reported that currently there was little overall information regarding the number of schools which intended to convert though Mr Stott was confident that the authority would be able to cope should further requests be made.

With regard to schools of other faiths Mr Stott reported that the application by Preston Muslim Girls School to become a Voluntary aided school was progressing and was expected to be finalised in time for the September 2011 term. It was noted that plans for a muslim girls college on the former site of Burnley College were progressing and a similar facility already existed in Lancaster. It was further reported that the DfE was currently considering an application from the independent Maharishi School in West Lancashire to become an Academy under the Free School route.

In response to a query from County Councillor Knox Mr Stott confirmed that should an existing faith school wish to convert to an Academy it would need the approval of its existing Trust in order to establish a new Trust to take that forward. Mr Kershaw further clarified this point stating that the approval of the body which appointed Foundation Governors would be required before a faith school could pursue becoming an Academy and it was expected that future legislation would clarify this point.

The increase in the floor standard for primary/secondary schools was discussed and Mr Stott informed the meeting that the Executive Director for Children and Young People was due to meet with representatives from the DfE to discuss the matter. In response to a query from County Councillor Jones Mr Stott reported that under the previous arrangements there would have been 25 primary schools and 5 secondary schools which did not meet the standard. It was noted that the increase to a 35% floor standard could potentially involve a larger number of schools, though it was noted this was dependent on examination results in the summer.

Mr Stott assured the Committee that robust school improvement plans were in place regarding the schools concerned and he was confident that the majority of schools would achieve the new floor standard. County Councillor Case expressed her wish that any proposed plans would involve the schools concerned working with either a single school or as a collective in order to improve performance and Mr Stott confirmed that this would be the case.

The issue regarding insurance liability was discussed and Mr Stott informed the committee that providing they acted appropriately then the Governing body of an Academy would be subject to the same protection as the Governors of a community school. It was noted that should a school convert to an Academy it was essential that the necessary insurance be in place from midnight on the date of conversion in order to ensure continuity of cover.

It was reported that Academies would continue to be funded at a comparable rate to maintained schools with an additional 'top up' to represent their share of central funding that the local authority spends on behalf of maintained schools. Mr Stott reported that the Cabinet Member for Children and Schools had previously written to the Secretary of State for Education regarding a shortfall of £6.5 million between the £8 million which had been removed from the County Council budget in anticipation of an estimated number of schools converting to Academies which was more than the £1.5 million cost of the actual number which had converted. County Councillor Case suggested that concerns regarding funding should also be raised via the Local Government Associations Childrens Board.

With regard to traded services County Councillor Case expressed her concern that such services would be unable to generate sufficient additional income to counter balance that which had been lost. In response Mr Stott reported that the authority valued all schools equally and would want to offer traded services to schools outside of the community sector, though this would be on the basis of full cost recovery and not to the detriment of community schools in Lancashire. Academies would be able to purchase traded services subject to an additional premium levied which was intended to ensure that all costs would be recovered. It was noted that whilst the majority of traded services was with Lancashire maintained schools other activity was marginal and the possibility for offering traded services to schools outside the County was being explored with a view to generating additional income.

On behalf of the Committee the Chair thanked Mr Stott for an informative report and excellent presentation.

**Resolved:**

1. That the report be noted.
2. That further information be provided to the Committee regarding the outcome of discussions with the Secretary of State for Education in relation to the directive route for Academies.
3. That the following additional information be circulated to the members of the Committee outside of the meeting.
  - a) A detailed breakdown of the number of primary, secondary and special schools in each district which have been judged by Ofsted to be outstanding, good with one or more outstanding features and good.

- b) A comparison between the number of schools in Lancashire which do not currently satisfy the increased floor standard for primary/secondary schools and the national average.
- c) The response to the Cabinet Member for Children and Schools regarding future funding from the DfE.

## **5. Schools White Paper "The Importance of Teaching" and the Education Bill 2010/11**

Mr Stott presented an overview of the Schools White Paper and the subsequent Education Bill 2010/11. It was noted that the Bill covered the following seven areas as summarised in the report and Appendix.

- Teaching and Leadership
- Behaviour
- Curriculum, Assessment and Qualifications
- The New School System
- Accountability
- School Improvement
- School Funding

The Chair invited members of the Committee to comment on the areas and the following points were discussed.

### *Teaching and Leadership*

In response to a query from County Councillor Wells regarding the link between academic ability and teaching ability Mr Stott reported that teaching was a graduate profession and the provisions of the Bill sought to increase recruitment routes into teaching as set out in the Appendix. However, he also recognised that academic ability did not always necessarily equate with teaching ability.

With regard to teachers acting as role models for young people County Councillor Motala expressed concern that there were not more disabled teachers. In response Mr Stott stated that this was a matter which would be monitored via the recruitment process and whilst he was aware of some disabled teachers within Lancashire he accepted that the County Council could not afford to become complacent.

### *Behaviour*

It was noted that the Bill sought to strengthen teacher's powers in relation to behaviour with particular notice being given to the proposals regarding exclusions. In response to a comment from County Councillor Blow Mr Stott acknowledged that it was important for excluded pupils to be reintegrated into mainstream education and this was usually via Pupil Referral Units. He drew attention to the fact that in future the responsibility for funding any excluded

pupil's ongoing education would be the responsibility of the school (or Academy/Free School) from which they were excluded, until such time as the pupil was reintegrated into mainstream education. It was also noted that the exam results of pupils who were excluded would be reflected in the relevant school's performance tables.

County Councillor Case welcomed the proposal which she felt reflected the good work already done in Lancashire by the PRUs which had been identified by the Behaviour in Schools Overview and Scrutiny Task Group in 2008. She added that schools needed the freedom to experiment in order to identify alternative ways of supporting excluded pupils and Mr Stott reported that the County Council had already made a submission to the DfE regarding current services provision relating to excluded pupils with a view to building upon current good practice as part of a pilot scheme.

### *Curriculum, Assessment and Qualifications*

County Councillor Riches referred to the use of systematic synthetic phonics and asked whether schools would have the freedom to disapply that particular teaching method. Mr Stott reported that the proposed national reading test for children aged six would highlight potential schools where the expected standard level of reading was not achieved and in those circumstances the approach adopted by a particular school would be examined.

It was reported that the 'English Baccalaureate' would recognise those students who achieved C+ GCSEs in English, Maths, two sciences, a modern or ancient language and a humanity (history or geography). Mr Stott noted that whilst the Baccalaureate was not intended to be used as a measure of the performance of schools the fact that results would be published meant the information would inevitably be a factor for parents when considering schools.

The reference to languages was discussed and it was noted that a minority of schools would provide course in an ancient language and that the provision of courses in modern foreign languages was of high importance.

### *Accountability*

With regard to the future governance of schools it was noted that more flexible approaches were proposed including smaller, focussed governing bodies with a minimum of two parent governors and the headteacher. Mr Stott reported that there were some difficulties in recruiting parent governors who had children of school age due to their commitments. In response County Councillor Blow suggested that greater use be made of Grandparents who were increasingly the providers of significant childcare for school aged children.

### *School Funding*

Mr Stott reported that the new Pupil Premium would follow poorer children directly to the school that they attended in addition to the underlying school budget from 2011/12 and that schools would determine how it was spent. It was

noted that the premium would initially be £400 rising to £1,700 per year by the end of the current Parliament and that discussions would take place with schools in order to establish the most effective impact of the funding.

County Councillor P Evans welcomed the proposed Bill which he felt represented an opportunity to support young people in education, especially those from deprived areas or who attended under performing schools. In response Mr Stott informed the meeting that the Education Endowment Fund was intended to provide an additional source of funding to which local authorities could make applications regarding initiatives which would raise the educational attainment of deprived children in underperforming schools.

County Councillor Case referred to the recent Green Paper 'Support and aspiration: a new approach to special educational needs and disability' which set out the Government's proposals for reforming the education system for children with special educational needs. There was general agreement amongst the members of the Committee that this should be the subject of a report to a future meeting.

**Resolved:**

1. That the report be noted.
2. That in view of the specific remit of the Committee and the wider implications regarding special educational needs discussions take place with the Chair of the Scrutiny Committee in order to identify an appropriate method by which to scrutinise proposals set out in the Green Paper 'Support and aspiration: a new approach to special educational needs and disability'.

**6. Urgent Business**

There were no items of urgent business presented for consideration at the meeting.

**7. Date of the Next Meeting**

It was noted that the next scheduled meeting of the Committee was due to take place at 10.00am on the 12<sup>th</sup> July 2011 in Cabinet Room 'C' at County Hall, Preston.

I M Fisher  
County Secretary and Solicitor

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Preston