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**MINUTES OF A MEETING OF THE  
CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE  
Town Hall  
1 November 2012  
(7.30 pm - 10.00 am)**

**Present:** Councillors Sandra Binion (Chairman), Gillian Ford (Vice-Chair), Nic Dodin, Peter Gardner, Robby Misir, Pat Murray, Frederick Thompson, Melvin Wallace and Keith Wells

Co-opted Members: Phillip Grundy, Julie Lamb, Anne Ling and Garry Dennis

Non-voting Member:

The Chairman advised those present of action to be taken in the event of an emergency evacuation of the building becoming necessary

Apologies for absence were received from, co-opted member Jack How and Bev Whitehead

## 12 **MINUTES**

The Committee approved as a correct record the minutes of the meetings of the Committee held on 20 September 2012 and 11 October 2012 (special meeting) and authorised the Chairman to sign them.

## 13 **CRITERIA TO ASSESS FREE SCHOOL PROVIDERS**

The Committee received a document outlining the criteria by which potential Free School providers seeking to establish a Free School in the borough would be assessed.

The criteria was as follows:

1. Suitability to run an educational establishment
  - Accessed by track record and suitability of sponsors and those that will run the school, the DFE are clear if they have concerns about the suitability of the providers this will rule them out.
2. Clear educational vision, aims and objectives and a capacity to implement them
  - A compelling vision for their school
  - A solid education plan backed up by relevant education expertise
  - Including innovative and creative approaches that promote excellence and extend diversity in the Borough

- No teaching of creationism, the DFE maintain this will rule a sponsor out
3. Leadership and management capacity
  4. A commitment to achieving high standards for their pupils
    - At least in the top 25% of similar schools and often in the top 10%
    - Explanation of how this will be achieved and how they will in practice narrow the gap between the attainment of children from vulnerable back grounds and the rest of the cohort
  5. A commitment to support and deliver the Early Education Entitlement for qualifying 2 year olds (statutory offer from September 2013); and 3 and 4 year olds.
  6. Plans for ensuring compliance with relevant Safeguarding legislation
  7. Plans for ensuring that the provision and policies will be fully SENDA Compliant
  8. Clarity on governance, quality assurance and quality control arrangements
  9. Fair, transparent and inclusive admissions policies which are in line with the Admissions Code
  10. Extending learning opportunities outside the normal school day
  11. Supporting a SEN resource base.
    - The Council would welcome proposals which offer a base for pupils on the Autistic Spectrum Disorder with MLD
  12. Enthusiasm to work with the Council's other schools and partner agencies.
  13. Commitment to the local community and engagement with parents, including the use of school accommodation as a valuable community asset
  14. The capacity to run a financially viable school.

## 14 **COMPLAINTS & COMPLIMENTS REPORT**

The Committee received a report providing information about the numbers and types of complaints handled by the Children and Young People's Service during 2011/12 and how they were dealt with to minimise the impact of justifiable concerns and to reduce the likelihood of future complaints.

The Committee noted that the reason for reporting complaints on Children and Young People's Services separately was because they were handled under specific regulations that individually defined the statutory process into 3 formal stages (Stage 1, 2 and 3). Havering introduced an informal Pre-Stage 1 process in 2005 to support better complaints practice and avoid complaints escalating to statutory processes.

Some of the key messages that arose from the report during 2011/12 were:

- The overall number of complaints was around 133 (with 36 matters raised by MP's and Councillors).
- The Pre-Stage 1 process (29) had been very successful in resolving many initial concerns, with none moving from that stage to the formal stage 1 process.
- Matters raised through a Councillor or MP were monitored through their own individual corporate processes.
- The overall number of Stage 1 complaints had decreased by 15. The reason for the decrease was that in 2010/11 there were numerous complaints in relation to the reduction of service user's packages of care. There had been a consistent approach with complaints made by the Children's Advocacy Service.
- The number of Stage 1 complaints that escalated to a Stage 2 complaint had decreased in 2011/12 by 2.
- There was one Stage 3 complaint for the financial year 2011/12. This Stage 3 complaint had rolled over into 2011/12.
- For 2011/12, 34 Compliments were received, these were in relation to the good work Children and Young People's Services had carried out.
- 10 complaints were submitted to the Local Government Ombudsman (LGO). The outcomes from these complaints were: 1 referred back as a premature complaint and investigated locally as a statutory Stage 1 complaint. 3 outside LGO jurisdiction, 1 informal enquiry, 3 investigations discontinued, 1 complaint was investigated by the LGO and no maladministration was found and 1 LGO Discretion – no or insufficient injustice.
- Most complaints were initiated by parents and very few by children and young people.
- The majority of complaints related to the quality of service, alleged behaviour of staff and disputed decision.

- A number of future actions had been identified as a result of the Annual Complaints and Compliments Report 2011/12. Most were continuous development matters, but with one or two specific new actions. Key was the continuation of a staff training programme.

Currently, the Council had a corporate complaints model that captured non-social care complaints, principally education and children's services activity. Attached to that were separate regulated processes, for the Children's Social Care and Adult Social Care (including health aspects) Service. These complaints systems were statutory and were separately defined.

## 15 **CAREERS EDUCATION, INFORMATION, ADVICE & GUIDANCE**

The Committee had agreed, at its previous meeting, to establish a topic group looking into the new careers education, information, advice & guidance service that was being run to replace the old Connexions careers service. The Committee considered a report which offered potential lines of enquiry.

The Committee noted that the Education Act 2011 had inserted a new duty, section 42A, into Part VII of the Education Act 1997, requiring schools to secure access to independent careers guidance for pupils in years 9-11. Careers guidance would need to be presented in an impartial manner and promote the best interests of the pupils to whom it was given. Careers guidance also needed to include information on all options available in respect of 16-18 education or training, including apprenticeships and other work-based education and training options.

The Committee was informed that the Government's general approach was to give schools greater freedom and flexibility to decide how to fulfil their statutory duties in accordance with the needs of their pupils. However, there was an expectation that schools would have regard to statutory guidance when deciding on the most appropriate forms of independent careers guidance.

The Education Act 2011 placed schools under a duty to secure access to independent and impartial careers guidance for their pupils from September 2012. While complying with the requirement to secure careers guidance from an external source, schools would be free to make arrangements for careers guidance that would fit the needs and circumstances of their pupils, and would be expected to work, as appropriate, in partnership with external and expert providers.

The National Careers Service had been fully operational from April 2012. It would comprise a single website ([www.nationalcareersservice.direct.gov.uk](http://www.nationalcareersservice.direct.gov.uk) from April) and telephone helpline number to which schools would be able to direct pupils.

In fulfilling their new duty, schools were required to secure access to independent face-to-face careers guidance where it was the most suitable

support for young people to make successful transitions, particularly children from disadvantaged backgrounds or those who had special educational needs, learning difficulties or disabilities.

Schools would be able to work individually or in consortia/partnerships to secure careers guidance services. Schools could commission independent careers guidance from providers engaged in delivering the National Careers Service or from other providers or individual careers guidance practitioners, as they would see fit. Where schools deemed face-to-face careers guidance to be appropriate for their pupils, it could be provided by qualified careers professionals.

Schools would need to consider a range of wider careers activities such as engagement with local employers and work-based education and training providers to offer all young people insights into the world of work, and with local colleges and universities for first-hand experience of further and higher education. Schools were free to determine the most appropriate forms of engagement but might consider mentoring, workplace visits, work experience, work shadowing, enterprise clubs, employer talks and links with local higher education institutions.

Schools have a responsibility to act impartially and recognise where it may be in the best interests of some pupils to pursue their education in a further education college or a university technical college, for example. This might include A-levels, apprenticeships and vocational options. This would require schools to establish and maintain links with local post-16 education and training providers, including further education colleges and work-based education and training providers, to ensure that young people were aware of the full range of academic and vocational options.

Schools were also encouraged to arrange visits for 14-16 year olds to local colleges, work-based education and training providers and universities and, where appropriate, to supplement these with local college and work-based education and training provider prospectuses being made available to pupils to assist informed decision making.

The Committee was informed of the responsibilities of local authorities with regards the new arrangements. It was stated that there was no expectation that local authorities would provide a universal careers service. The statutory responsibility under section 68 of the Education and Skills Act 2008 requiring local authorities to encourage, enable and assist the participation of young people in education or training, remains unchanged. Local Authorities were required to assist the most vulnerable young people and those at risk of disengaging with education or work.

Local authorities were also expected to have arrangements in place to ensure that 16 and 17 year olds had received an offer of a suitable place in post-16 education or training, and that they were assisted to take up a place. This would become increasingly important as the participation age is raised.

To enable local authorities to fulfil these duties, they would continue to track all young people's participation through the local Client Caseload Information System (CCIS) in order to identify those who were at risk of not participating post-16, or were in need of targeted support. Schools would be required to work with local authorities to support them in recording young people's post-16 plans and the offers they receive along with their current circumstances and activities.

Section 72 of the Education and Skills Act 2008 required all schools to provide relevant information about pupils to local authority support services. Schools should also work in partnership with local authorities to ensure they know what services should be available, and how young people can be referred for support. From 2013 schools would be under a duty to notify local authorities whenever a 16 or 17 year old leaves education.

The Committee noted the report and would determine the scope and remit of the topic group at the first meeting of that group.

The members of the topic group would be:

Cllr Sandra Binion  
Cllr Gillian Ford  
Cllr Pat Murray  
Cllr Melvin Wallace  
Cllr Keith Wells  
Cllr Frederick Thompson

## 16 **FUTURE AGENDAS**

The Committee noted that at its future meetings it would consider items on:

- Update SEN Transport update
- Travel Plans
- Childcare Sufficiency Assessment

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**Chairman**