



CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE AGENDA

7.30 pm

Thursday
1 November 2012

Town Hall

Members 14: Quorum 6

COUNCILLORS:

Sandra Binion (Chairman)
Gillian Ford (Vice-Chair)
Nic Dodin

Peter Gardner
Robby Misir
Pat Murray

Frederick Thompson
Melvin Wallace
Keith Wells

CO-OPTED MEMBERS:

**Statutory Members
representing the Churches**

Phillip Grundy, Church of
England
Jack How, Roman Catholic
Church

**Statutory Members
representing parent
governors**

Julie Lamb, Special Schools
Anne Ling, Primary Schools
Garry Dennis, Secondary
Schools

Non-voting members representing local teacher unions and professional associations:
Margaret Cameron (NAHT), Keith Passingham (NASUWT), Bev Whitehead (NUT)

For information about the meeting please contact:

**Sean Cable 01708 432436
sean.cable@havering.gov.uk**

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

They have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns of the public.

The committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations.

Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research and site visits. Once the topic group has finished its work it will send a report to the Committee that created it and it will often suggest recommendations to the executive.

Terms of Reference

The areas scrutinised by the Committee are:

- School Improvement (BSF)
- Pupil and Student Services (including the Youth Service)
- Children's Social Services
- Safeguarding
- Adult Education
- 14-19 Diploma
- Scrutiny of relevant aspects of the LAA
- Councillor Calls for Action
- Social Inclusion

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

2 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 MINUTES (Pages 1 - 12)

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

5 CRITERIA TO ASSESS FREE SCHOOL PROVIDERS

Report to follow.

6 COMPLAINTS & COMPLIMENTS REPORT (Pages 13 - 32)

Report and first appendix attached, further appendix to follow.

7 CAREERS EDUCATION, INFORMATION, ADVICE & GUIDANCE (Pages 33 - 36)

Report attached.

8 FUTURE AGENDAS

Committee Members are invited to indicate to the Chairman, items within this Committee's terms of reference they would like to see discussed at a future meeting. Note: it is not considered appropriate for issues relating to individuals to be discussed under this provision.

9 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Ian Buckmaster
Committee Administration &
Member Support Manager**

Public Document Pack Agenda Item 4

MINUTES OF A SPECIAL MEETING OF THE CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE

Town Hall

11 October 2012 (7.30 - 10.00 pm)

Present: Councillors Sandra Binion (Chairman), Nic Dodin, Peter Gardner, Pat Murray, Melvin Wallace, Keith Wells, Wendy Brice-Thompson (In place of Frederick Thompson), Garry Pain (In place of Robby Misir) and Ron Ower (In place of Gillian Ford)

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

Two members of the public were present.

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 Margaret Cameron, Jack How and Keith Passingham and Bev Whitehead

11 PRIMARY SCHOOL EXPANSIONS 2012-13 - CALL-IN OF CABINET DECISION

In accordance with Paragraph 17 of the Overview and Scrutiny Committee Rules, two members, representing more than one group had signed a requisition calling-in in a decision of Cabinet. On this occasion, councillors Keith Darvill and Gillian Ford had called-in the Cabinet decision of 26 September 2012 relating to primary school expansion in 2012-13.

The decision of Cabinet concerned a report on the proposals for primary school expansions in the borough for 2012-13, owing to a projected shortage of primary school places for September 2013. Based on the report (which was circulated to members of the Committee) made the following decisions:

1. that the 15 schools listed in Appendix 1 (of the Cabinet Report) for proposed permanent expansion from September 2013 to meet the projected deficit of primary places be expanded;
2. that the statutory processes be initiated to permanently expand the capacity of eight of those 15 schools by September 2013: Harold Court Primary; Harold Wood Primary; Pyrgo Priory Primary; St Patrick's Primary; Rise Park Infant and Junior schools; and Towers Infant and Junior schools;

3. that the proposal to expand Branfil Primary School from 1 September 2013 be commenced, following the Representation Period which ended on 31 August 2012;
4. that officers take all necessary steps in order to deliver the expansion programme, including the submission of planning applications;
5. that the commencement of a tendering process for construction/ refurbishment works at issue of tenders for Harold Court Primary, Harold Wood Primary, Mead Primary, Parsonage Farm Primary, Rise Park Infant and Junior schools, Towers Infant and Junior schools, together with all associated investigations e.g. soil survey, and;
- 6 that the final allocation of available Capital funding as detailed within the Cabinet report was to be delegated to the Lead Members for Children and Learning and Value, and the Group Directors of Children's Services and Finance and Commerce.

These decisions were considered necessary to provide sufficient additional primary places to meet the forecast rise in primary pupil numbers projected from September 2013 and beyond. The reasons for proposing specific schools for expansion were given in Appendix 1 of the Cabinet report.

Other options considered

The option of adapting existing accommodation for 'bulge' (temporary) classes to respond to the projected deficit of primary places was considered because this would be more affordable and avoid the risk of providing permanent accommodation that might then become surplus in the foreseeable future.

This option was rejected because of the high level of confidence in the latest pupil forecasts for 2012 that project the birth rate will be sustained at the current high level for the medium term and the corroboration of these projections by the latest ONS forecasts. Given the long term confidence in forecasts the permanent expansion proposals were considered to provide best value for money and the preferred option of schools for responding to expansions.

In some planning areas there was more than one option for deciding on a school to expand for September 2013 and a clear rationale was given for each school being proposed and was specified in Appendix 1. As projections of rising pupil numbers was forecast to continue, all schools that were not proposed for expansion in 2013 would be fully considered for any future programme.

The decision to proceed with planning applications and tendering arrangements in parallel with the statutory consultation process was a necessity in order to avoid delays in delivering the required capacity. In the

event of the statutory consultation being unsuccessful, the planning permission and contract award will not be implemented.

Reasons for the requisition:

The reasons for the requisition were detailed on the formal notification and were detailed as follows:

1. to review the selection of 15 schools and Branfil School set out in the Report to Cabinet for permanent expansion;
2. to consider the capital and revenue financial risks predicted for the cost of expansion of the schools;
3. to review the timetable to deliver the proposed expansions.

Officers began by providing the Committee with an explanation of the rationale and procedure underlying the Cabinet report. Fifteen schools were scheduled for expansion, with Branfil being the first to undergo expansion after the statutory consultation process, which had now ended. The money allocated for the expansion had been delegated to the Cabinet Member for Children & Learning.

There was a considerable time pressure around primary school expansion, given the shortfall in primary places. As such, detailed contingency plans were being developed against failure to expand the schools on time. The criteria against which the schools had been judged suitable for expansion was rigorous and took into account the projected deficit in school places for 2013. Principally, one of the criteria for selecting schools to be expanded focussed on oversubscribed, popular schools. Ofsted ratings were also considered.

Numerous feasibility studies had been undertaken and work would be commencing around expansion in March 2013, with a planning application for the Mead School expansion being sought in November 2012.

The Committee moved on to consider the reasons given for the requisition. Officers were asked to comment on the first reason indicated above. Officers explained to the Committee that they had looked at the total number of schools for expansion and had had extensive discussions to narrow down the list from a much larger number initially indicated. It was stated that the Cabinet report listed in detail the planning areas that had been assessed, as well as the consultation that had been undergone with head teachers and governors of all the schools proposed for expansion. Officers worked in line with the Commissioning School Places Strategy and reiterated the fact that there had been no forced expansions.

In response to questions, officers explained that schools did not have to meet all four of the expansion criteria in order to be considered for expansion, some schools were outstanding but it was not possible to

expand them given the funding available. Further, officers, clarifying to members about the consistency in the selected schools, explained that all of the fifteen selected for expansion were in areas of growth and that none of the schools would become too large. All had a good physical site for expansion and all were popular schools. Members sought clarification as to how officers defined an 'area of growth'. Officers informed the Committee that growth was projected through birth data and NHS figures. Projections were also based on buildings and in statistical terms, it was contended, were very reliable. The ward-level projections were particularly effective, as they were able to take into account fluctuation of population; those leaving and moving, working to a 95% occupancy level (thereby providing 'flex' in the figures to make allowance for population mobility).

At this point in the meeting, Cllr Darvill requested that he be permitted to present to the Committee the reasons for the requisition. After some discussion, the Chairman asked that councillors restrict themselves to questions to officers to ensure that all issues could be raised. All of the reasons for the requisition would come out during questioning.

Back to questioning, members sought to understand why the fifteen schools selected for expansion had been chosen against the other schools. It was explained that popular schools that could be expanded and that would not become too big had been selected. The criteria had been reviewed and above all schools that would be able to cope with expansion had been selected. Members contended that many other schools were popular in Havering and queried as to whether they had been approached to consider expanding. Officers responded that all schools had been approached and had been part of the process from the start. No school that wanted to expand and that had capacity to expand was refused.

Some members suggested that it was a shame that only high-performing and oversubscribed schools had been selected for expansion, as evidence had suggested that one way of improving failing schools was to expand them and increase the intake cohort. Improving the buildings and physical space of such schools also tended to improve performance. However, Havering had taken a position, it was explained, that felt it was inappropriate to add additional pressure to failing schools by increasing their intake.

Other members expressed a concern that inaccurate information was present in the Cabinet report, particularly surrounding the proposals to expand Branfil. Information was circulated that purported to indicate that Branfil was already oversubscribed. However, this evidence was said not to demonstrate whether Branfil was oversubscribed. Members further contended that the population within the catchment area of Branfil was going down and that it was therefore wrong to select Branfil for expansion, as the decreased population within the catchment area would likely see an increase in out of borough children take places that should go to Havering children. The argument was that Upminster ward (where Branfil School was located) had seen an 8.8% increase in births compared with a 15.6 increase in births in Cranham. This would equate to a shortfall of 18 places, with pupils have to travel a long way to attend school at Branfil (given that

Upminster is such a large ward). Officers stated that travel plans would be constantly revised to ensure that they were achieving what was required.

Members stated that it would have been helpful if the birth rates and other statistical data around population projections had been included in the Cabinet report. The capital spend for the expansion of Branfil School was £5.5 million against high demand in other areas, with a net loss of two forms of entry across the borough. It was contended that there was a big question around how resources were being strategically allocated. £5.8 million was being assigned to a school (Branfil) that needed refurbishment and this had nothing to do with expanding school numbers. Capital needed to be distributed more effectively and evenly to avoid the loss of two forms of entry. Officers explained that by wrapping up the refurbishment of Branfil School with its expansion achieved economies of scale. The Cabinet member that there were two problems being tackled in parallel, the expansion of Branfil could have been treated as a stand alone project, but there was a cost saving to combining it with the expansion of the school. Some members expressed a concern that Branfil School had been selected over and above other schools because of the cost saving that could be achieved by refurbishing it at the same time. Officers ensured members that this had not been the case.

Returning to the issue of travel plans for Branfil, members requested that as Branfil was on the west of the planning area a mid-point school would have been more appropriate. Branfil, it was argued, had no public transport and it was requested that the travel plan for the school be reviewed and updated. Officers explained that planning conditions included a condition to review travel plans and this was to be discharged.

There was a question about the proposed expansion of Pyrigo School, which was originally considered for expansion under the plans for the Learning Village in Harold Hill. Essentially, there was a concern that the school would be unable to cope after some members had had a discussion with the school's head teacher. Officers explained that Pyrigo had made the decision to expand themselves; it had been their request and was not part of Havering's process.

In relation to the two-form shortfall in Romford, officers explained that there would be a careful consideration of commissioning of school places, with the new Strategy coming to Cabinet taking careful consideration of this issue.

The Committee moved on to consider the second reason given for the requisition, noting that many of these issues had already been discussed in the first part of the debate.

There was a discussion around the way capital disposal of schools had been dealt with in the past, but officers explained that this was due to government dictate and new guidance allowed Havering more flexibility. Members asked how much of the capital funding outlined in the report was

from government and how much was from Havering and officers explained that capital receipts from closed schools had been used for school expansion elsewhere, separate from these new plans. Questions around Ingrebourne, which was currently being used for community groups, and whether it could be brought back into use to mitigate against the two-form shortfall, were posited. Officers explained that Ingrebourne was not immediately available, but the site was viable.

Moving on to consider the third reason for the call-in, members commented on the tight timetable and the likelihood that the September 2013 deadline was unrealistic. Members asked what would happen if the timetable was not met. Officers explained that in terms of Branfil and Mead schools, Havering was confident that the deadline could be met and officers had recognised that for other schools the deadline would be challenging. To mitigate against this, one option being explored was to accelerate some of the expansion. The worst case scenario would involve looking for temporary provision.

All questions having been asked and the debate being finished, the Chairman asked members to vote on whether or not they would like to uphold the requisition.

The proposal that the requisition be upheld (and therefore that the matter be referred to the Cabinet for further consideration) was LOST (by 8 votes to 4 with one abstention).

The voting was as follows:

FOR: Councillors Murray, Ower and co-opted members Garry Dennis and Philip Grundy

AGAINST: Councillors Binion, Brice-Thompson, Gardner, Pain, Wallace, Wells and co-opted members Julie Lamb and Anne Ling.

ABSTENTION: Councillor Dodin

The requisition was not upheld.

Chairman

Public Document Pack

MINUTES OF A SPECIAL MEETING OF THE CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE

Town Hall

11 October 2012 (7.30 - 10.00 pm)

Present: Councillors Sandra Binion (Chairman), Nic Dodin, Peter Gardner, Pat Murray, Melvin Wallace, Keith Wells, Wendy Brice-Thompson (In place of Frederick Thompson), Garry Pain (In place of Robby Misir) and Ron Ower (In place of Gillian Ford)

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

Two members of the public were present.

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 Margaret Cameron, Jack How and Keith Passingham and Bev Whitehead

11 **PRIMARY SCHOOL EXPANSIONS 2012-13 - CALL-IN OF CABINET DECISION**

In accordance with Paragraph 17 of the Overview and Scrutiny Committee Rules, two members, representing more than one group had signed a requisition calling-in in a decision of Cabinet. On this occasion, councillors Keith Darvill and Gillian Ford had called-in the Cabinet decision of 26 September 2012 relating to primary school expansion in 2012-13.

The decision of Cabinet concerned a report on the proposals for primary school expansions in the borough for 2012-13, owing to a projected shortage of primary school places for September 2013. Based on the report (which was circulated to members of the Committee) made the following decisions:

1. that the 15 schools listed in Appendix 1 (of the Cabinet Report) for proposed permanent expansion from September 2013 to meet the projected deficit of primary places be expanded;
2. that the statutory processes be initiated to permanently expand the capacity of eight of those 15 schools by September 2013: Harold Court Primary; Harold Wood Primary; Pyrgo Priory Primary; St Patrick's Primary; Rise Park Infant and Junior schools; and Towers Infant and Junior schools;

3. that the proposal to expand Branfil Primary School from 1 September 2013 be commenced, following the Representation Period which ended on 31 August 2012;
4. that officers take all necessary steps in order to deliver the expansion programme, including the submission of planning applications;
5. that the commencement of a tendering process for construction/ refurbishment works at issue of tenders for Harold Court Primary, Harold Wood Primary, Mead Primary, Parsonage Farm Primary, Rise Park Infant and Junior schools, Towers Infant and Junior schools, together with all associated investigations e.g. soil survey, and;
- 6 that the final allocation of available Capital funding as detailed within the Cabinet report was to be delegated to the Lead Members for Children and Learning and Value, and the Group Directors of Children's Services and Finance and Commerce.

These decisions were considered necessary to provide sufficient additional primary places to meet the forecast rise in primary pupil numbers projected from September 2013 and beyond. The reasons for proposing specific schools for expansion were given in Appendix 1 of the Cabinet report.

Other options considered

The option of adapting existing accommodation for 'bulge' (temporary) classes to respond to the projected deficit of primary places was considered because this would be more affordable and avoid the risk of providing permanent accommodation that might then become surplus in the foreseeable future.

This option was rejected because of the high level of confidence in the latest pupil forecasts for 2012 that project the birth rate will be sustained at the current high level for the medium term and the corroboration of these projections by the latest ONS forecasts. Given the long term confidence in forecasts the permanent expansion proposals were considered to provide best value for money and the preferred option of schools for responding to expansions.

In some planning areas there was more than one option for deciding on a school to expand for September 2013 and a clear rationale was given for each school being proposed and was specified in Appendix 1. As projections of rising pupil numbers was forecast to continue, all schools that were not proposed for expansion in 2013 would be fully considered for any future programme.

The decision to proceed with planning applications and tendering arrangements in parallel with the statutory consultation process was a necessity in order to avoid delays in delivering the required capacity. In the

event of the statutory consultation being unsuccessful, the planning permission and contract award will not be implemented.

Reasons for the requisition:

The reasons for the requisition were detailed on the formal notification and were detailed as follows:

1. to review the selection of 15 schools and Branfil School set out in the Report to Cabinet for permanent expansion;
2. to consider the capital and revenue financial risks predicted for the cost of expansion of the schools;
3. to review the timetable to deliver the proposed expansions.

Officers began by providing the Committee with an explanation of the rationale and procedure underlying the Cabinet report. Fifteen schools were scheduled for expansion, with Branfil being the first to undergo expansion after the statutory consultation process, which had now ended. The money allocated for the expansion had been delegated to the Cabinet Member for Children & Learning.

There was a considerable time pressure around primary school expansion, given the shortfall in primary places. As such, detailed contingency plans were being developed against failure to expand the schools on time. The criteria against which the schools had been judged suitable for expansion was rigorous and took into account the projected deficit in school places for 2013. Principally, one of the criteria for selecting schools to be expanded focussed on oversubscribed, popular schools. Ofsted ratings were also considered.

Numerous feasibility studies had been undertaken and work would be commencing around expansion in March 2013, with a planning application for the Mead School expansion being sought in November 2012.

The Committee moved on to consider the reasons given for the requisition. Officers were asked to comment on the first reason indicated above. Officers explained to the Committee that they had looked at the total number of schools for expansion and had had extensive discussions to narrow down the list from a much larger number initially indicated. It was stated that the Cabinet report listed in detail the planning areas that had been assessed, as well as the consultation that had been undergone with head teachers and governors of all the schools proposed for expansion. Officers worked in line with the Commissioning School Places Strategy and reiterated the fact that there had been no forced expansions.

In response to questions, officers explained that schools did not have to meet all four of the expansion criteria in order to be considered for expansion, some schools were outstanding but it was not possible to

expand them given the funding available. Further, officers, clarifying to members about the consistency in the selected schools, explained that all of the fifteen selected for expansion were in areas of growth and that none of the schools would become too large. All had a good physical site for expansion and all were popular schools. Members sought clarification as to how officers defined an 'area of growth'. Officers informed the Committee that growth was projected through birth data and NHS figures. Projections were also based on buildings and in statistical terms, it was contended, were very reliable. The ward-level projections were particularly effective, as they were able to take into account fluctuation of population; those leaving and moving, working to a 95% occupancy level (thereby providing 'flex' in the figures to make allowance for population mobility).

At this point in the meeting, Cllr Darvill requested that he be permitted to present to the Committee the reasons for the requisition. After some discussion, the Chairman asked that councillors restrict themselves to questions to officers to ensure that all issues could be raised. All of the reasons for the requisition would come out during questioning.

Back to questioning, members sought to understand why the fifteen schools selected for expansion had been chosen against the other schools. It was explained that popular schools that could be expanded and that would not become too big had been selected. The criteria had been reviewed and above all schools that would be able to cope with expansion had been selected. Members contended that many other schools were popular in Havering and queried as to whether they had been approached to consider expanding. Officers responded that all schools had been approached and had been part of the process from the start. No school that wanted to expand and that had capacity to expand was refused.

Some members suggested that it was a shame that only high-performing and oversubscribed schools had been selected for expansion, as evidence had suggested that one way of improving failing schools was to expand them and increase the intake cohort. Improving the buildings and physical space of such schools also tended to improve performance. However, Havering had taken a position, it was explained, that felt it was inappropriate to add additional pressure to failing schools by increasing their intake.

Other members expressed a concern that inaccurate information was present in the Cabinet report, particularly surrounding the proposals to expand Branfil. Information was circulated that purported to indicate that Branfil was already oversubscribed. However, this evidence was said not to demonstrate whether Branfil was oversubscribed. Members further contended that the population within the catchment area of Branfil was going down and that it was therefore wrong to select Branfil for expansion, as the decreased population within the catchment area would likely see an increase in out of borough children take places that should go to Havering children. The argument was that Upminster ward (where Branfil School was located) had seen an 8.8% increase in births compared with a 15.6 increase in births in Cranham. This would equate to a shortfall of 18 places, with pupils have to travel a long way to attend school at Branfil (given that

Upminster is such a large ward). Officers stated that travel plans would be constantly revised to ensure that they were achieving what was required.

Members stated that it would have been helpful if the birth rates and other statistical data around population projections had been included in the Cabinet report. The capital spend for the expansion of Branfil School was £5.5 million against high demand in other areas, with a net loss of two forms of entry across the borough. It was contended that there was a big question around how resources were being strategically allocated. £5.8 million was being assigned to a school (Branfil) that needed refurbishment and this had nothing to do with expanding school numbers. Capital needed to be distributed more effectively and evenly to avoid the loss of two forms of entry. Officers explained that by wrapping up the refurbishment of Branfil School with its expansion achieved economies of scale. The Cabinet member that there were two problems being tackled in parallel, the expansion of Branfil could have been treated as a stand alone project, but there was a cost saving to combining it with the expansion of the school. Some members expressed a concern that Branfil School had been selected over and above other schools because of the cost saving that could be achieved by refurbishing it at the same time. Officers ensured members that this had not been the case.

Returning to the issue of travel plans for Branfil, members requested that as Branfil was on the west of the planning area a mid-point school would have been more appropriate. Branfil, it was argued, had no public transport and it was requested that the travel plan for the school be reviewed and updated. Officers explained that planning conditions included a condition to review travel plans and this was to be discharged.

There was a question about the proposed expansion of Pyrigo School, which was originally considered for expansion under the plans for the Learning Village in Harold Hill. Essentially, there was a concern that the school would be unable to cope after some members had had a discussion with the school's head teacher. Officers explained that Pyrigo had made the decision to expand themselves; it had been their request and was not part of Havering's process.

In relation to the two-form shortfall in Romford, officers explained that there would be a careful consideration of commissioning of school places, with the new Strategy coming to Cabinet taking careful consideration of this issue.

The Committee moved on to consider the second reason given for the requisition, noting that many of these issues had already been discussed in the first part of the debate.

There was a discussion around the way capital disposal of schools had been dealt with in the past, but officers explained that this was due to government dictate and new guidance allowed Havering more flexibility. Members asked how much of the capital funding outlined in the report was

from government and how much was from Havering and officers explained that capital receipts from closed schools had been used for school expansion elsewhere, separate from these new plans. Questions around Ingrebourne, which was currently being used for community groups, and whether it could be brought back into use to mitigate against the two-form shortfall, were posited. Officers explained that Ingrebourne was not immediately available, but the site was viable.

Moving on to consider the third reason for the call-in, members commented on the tight timetable and the likelihood that the September 2013 deadline was unrealistic. Members asked what would happen if the timetable was not met. Officers explained that in terms of Branfil and Mead schools, Havering was confident that the deadline could be met and officers had recognised that for other schools the deadline would be challenging. To mitigate against this, one option being explored was to accelerate some of the expansion. The worst case scenario would involve looking for temporary provision.

All questions having been asked and the debate being finished, the Chairman asked members to vote on whether or not they would like to uphold the requisition.

The proposal that the requisition be upheld (and therefore that the matter be referred to the Cabinet for further consideration) was LOST (by 8 votes to 4 with one abstention).

The voting was as follows:

FOR: Councillors Murray, Ower and co-opted members Garry Dennis and Philip Grundy

AGAINST: Councillors Binion, Brice-Thompson, Gardner, Pain, Wallace, Wells and co-opted members Julie Lamb and Anne Ling.

ABSTENTION: Councillor Dodin

The requisition was not upheld.

Chairman

**Children's Services Overview
& Scrutiny Committee
1 November 2012**

REPORT

Subject Heading:

Social Care and Learning (Children and Young People's Services) Annual Complaints and Compliments Report 2011/12

Report Author and contact details:

Coral Hayden
Complaints, Information & Communication Team Manager

Policy context:

Tel: 01708 433056
Service Quality and Customer Relationships

SUMMARY

The report provides 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.

RECOMMENDATIONS

To note the content of the report and the attached appendix 1 that sets out the position for 2011/12.

REPORT DETAIL

1.0 Introduction

The separate Appendix 1 contains the summary report on the position regarding service complaints handled in relation to the Children and Young People's Services during the period 1 April 2011 to 31 March 2012. It also shows the compliments received.

2.0 Key Issues

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

Some of the key messages that arise from the report during 2011/12 are that:

- The overall number of complaints are around 133 (36 matters raised by MP's and Councillors).
- The Pre Stage 1 process (29) has 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 are monitored through their own individual corporate processes (page 4 of appendix 1, see table 1 on page 10).
- The overall number of Stage 1 complaints has decreased by 15. The reason for the decrease is that in 2010/11 there were numerous of complaints in relation to the reduction of service user's packages of care. There has been a consistent approach with complaints made by the Children's Advocacy Service (pages 5-6 of appendix 1, see table 1 - 4).
- The number of Stage 1 complaints, that escalated to a Stage 2 complaint had decreased in 2011/12 by 2 (page 7 of appendix 1, see tables 1, 2, 3 and 5).

- There was one Stage 3 complaint for the financial year 2011/12 This Stage 3 complaint had rolled over into 2011/12 (page 7 of appendix 1, see tables 1, 2, 3 and 6).
- For 2011/12 34 Compliments were received, these are in relation to the good work Children and Young People's Services have carried out (page 8 of appendix 1 and tables 1 and 7).
- 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 are initiated by parents and very few by children and young people.
- The majority of complaints relate to the quality of service, alleged behaviour of staff and disputed decision (on appendix 1, pages 5 & 6 provides examples).
- A number of future actions have been identified as a result of the Annual Complaints and Compliments Report 2011/12. These are set out on page 9 of the appendix 1. Most are continuous development matters, but with one or two specific new actions. Key is the continuation of a staff training programme.

3.0 Future Arrangements

Currently, the Council has a corporate complaints model that captures non social care complaints, principally education, children services activity. Attached to that are separate regulated processes, for the Children's Social Care and Adult Social Care (inc. health aspects) Service. These complaints systems are statutory and have separate defined and differing regulated processes.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Children's Complaints Service has a small annual operational budget of £14,460. That includes the need on occasion to commission Independent People, which is the least predictable cost associated with the service.

There are no new financial implications or risks arising from this report.

Legal implications and risks:

There are no apparent legal implications from noting this Report. The complaints process is governed by the Children Act 1989 Representations Procedure (England) Regulations 2006.

Human Resources implications and risks:

There are no new HR implications or risks arising from this report.

Equalities implications and risks:

The report demonstrates that there is a transparent and structured (both informal and formal) route for concerns or complaints, including those relating specifically to matters of equality of treatment, to be registered for review and action where required.

The Council regularly monitors complaints against a range of equality indicators, such as ethnicity. This data is captured on the CRM system and forms part of the Complaints Annual Report.

In line with the Council's corporate policy on translation and interpreting services, this service also offers information in alternative languages and formats on request.

BACKGROUND PAPERS

Appendix 1 attached which draws on the electronic and paper recording systems held within the Social Care and Learning Directorate.



APPENDIX 1

Social Care and Learning: Children and Young People's Services

Annual Report 2011 – 2012 Complaints and Compliments

Page 17

Prepared for:

Sue Butterworth, Group Director of Children's Services

Kathy Bundred, Head of Children and Young People's Services

**Prepared by: Coral Hayden Complaints, Information & Communication Team Manager
Natalia Nash Complaints & Information Officer**

ANNUAL REPORT for 1st April 2011 to 31st March 2012

	<u>Contents</u>	<u>Pages</u>
1	Introduction	3
2	Corporate Complaints	4
3	Members Correspondence	5
4	Pre Stage 1 Enquiries	5
5	Stage 1	6
5	Outcomes and Recommendation from Stage 1 Complaints – 2011-12	7
6	Stage 2	7
6	Outcomes and Recommendation from Stage 2 Complaints – 2011-12	8
7	Stage 3 Review Panels	8
8	Complaints made to the Local Government Ombudsman and Decision	8
9	Compliments	9
10	Expenditure on Investigation on Complaints	9
11	Compensation payments	9
12	Complaints Action Plan 2011-12	10
13	Table 1 – Complaint Activity	11
14	Table 2 – Outcome of Complaints	11
15	Table 3 – Response Times of Complaints	12
16	Table 4 - Stage 1 - Nature of Complaint against Team	12
17	Table 5 - Stage 2 - Nature of complaint against Team	13
18	Table 6 – Stage 3 Review Panel - Nature of complaint against Team	13
19	Table 7 - Compliments - Nature of compliments against Team	13
20	Table 8 – How Complaints and Compliments were Received	14
21	Table 9 - Ethnicity, Disability and Age for both Complainant and Service User	15

ANNUAL REPORT for 1st April 2011 to 31st March 2012

1. Introduction:

This report covers the complaints, representations and compliments received about children and young people services (C&YPS). It covers complaints made by children or young people. It also applies to parents, foster carers and people in which the local authority consider have a sufficient interest in the child or young person's welfare to warrant his/her representations being considered by them, under the complaints and representations procedures established through the Local Authority Social Services Complaints (England) Regulations 2006.

The report sets out the types of complaints/compliments received and the effectiveness of our services in meeting statutory requirements, including timescales, independence and the processes set out in the regulations. However, services are striving towards improvements by using the lessons learnt from complaints to help inform change. The development of the new Customer Relations Management (CRM) system will link actions and recommendations to outcomes and this will assist in evidencing service improvements and having a more joined up service with all data being stored in one place, with integration to other line of business systems.

There are a number of different codes (attributes) which can be used to identify the nature of Children and Young People's Services complaints. Only those that relate to the specific data recorded over the reported year (1 April 2011 – 31 March 2012) are used here. Tables are included at the end of the report.

The requirements are set out in the Children Act 2004 and Every Child Matters guidance that govern the way in which C&YPS social services complaints are recorded and managed. For further information see "**Getting the Best from Complaints**" web link:-
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFES-2055-2006> :

Stage 1 - Local Resolution

The complaints procedure requires complaints at stage 1 to be responded to within 10 working days (with a further 10 days for more complex complaints or additional time if an advocate is required); After this deadline the complainant can request consideration at Stage 2 if he/she so wishes. The Complaints Manager should inform the complainant that they have the right to move on to Stage 2 if the time scale has elapsed for Stage 1 and the complainant has not received an outcome. It may be that the complainant is happy to put this off for the time being (for example, if the reason that resolution is delayed due to a key person being off sick or on leave), so this period can be extended with the complainant's agreement or request. If the matter is resolved, the local authority must write to the complainant confirming the agreed resolution and the Complaints Manager should be informed of the outcome as soon as possible. Otherwise, a letter should be sent by the local authority to the complainant (or a meeting offered, if this is more appropriate) responding to the complaint. Where the matter is not resolved locally, the complainant has the right to request consideration of the complaint at Stage 2. There is no time-limit within which he must request this, but local authorities may wish to recommend that the complainant does this within 20 working days so that momentum in

ANNUAL REPORT for 1st April 2011 to 31st March 2012

resolving the complaint is not lost. The local authority is under a duty to operate expeditiously throughout the complaints handling process.

Stage 2 – Formal Investigation

The formal investigation is undertaken by an Independent Investigating Officer and Independent Person. The Head of Service adjudicates on the findings. The timescale for investigation is 25 working days. Where it is not possible to complete the investigation within 25 working days, Stage 2 may be extended to a maximum of 65 working days. All extensions should be agreed by the Complaints Manager. The important thing is to maintain dialogue with the complainant and where possible reach a mutual agreement as to what is reasonable where a response in 25 working days is not feasible.

Stage 3 – Review Panel

A Review Panel is managed independently of Children and Young People's Services and conducted by Havering's Democratic Services. The panel consists of an independent Chairperson and two independent members. The Panel will review the complaint within 30 working days of the complainants request to go to Stage 3. The complainant will receive a letter of finding and recommendations from the chairperson of the panel within 5 working days. The Group Director must consider the recommendations together with the Independent Person and formulate the Authority's response within 15 working days.

Complaints that relate to Children and Young People's Services that do not fall within the statutory requirements are recorded on the Council's Corporate CRM system.

2. Corporate Complaints:

The Corporate Complaints Procedure has been in existence since September 2008. All service areas complaints/compliments are recorded on the Corporate Customer Relations Management System (CRM) and responded within 10 working days. All complaints outstanding for more than 10 working days are reviewed by the Head of Service. All complaints outstanding for more than 20 working days are reviewed by the Group Director and Chief Executive.

Due to the Statutory Complaints Procedure, Children and Young People's Services would normally be exempt from the corporate procedures. In 2011/12 there were 8 complaints logged under the Corporate Complaints Procedure and dealt with as a Corporate Complaint. In the previous year 2010/11 we received 17 and 5 of these complaints were dealt with as a Corporate Complaint. These complainants were not technically eligible to make a complaint under the Statutory Complaints Procedure, but could do so in relation to a service received by Children and Young People's Services e.g. a complaint against the Youth Service.

ANNUAL REPORT for 1st April 2011 to 31st March 2012

3. Members Correspondence:

Procedures for members correspondence from MP's and Councillors has been in effect since February 2010. These procedures ensure managers are directly accountable for Members enquiries in their area and set a challenging timetable for responding and dealing with correspondence effectively, 10 working days. All correspondence not dealt with within 20 days is referred to the appropriate Assistant / Group Director and the Chief Executive.

The number of Members correspondence items in 2011/12 was 36 as compared to the previous year 2010/11 when there were 46.

4. Pre Stage 1 Enquiries:

Since 2005 Children and Young People's Services have continued to be successful with the Pre Stage 1 Enquiry system. They deal with complainant's issues at an early stage, enabling the services to achieve a quick resolution. Although it is not a statutory requirement to resolve dissatisfaction at Pre Stage 1 this process has been found to be very effective in reaching a speedy resolution to concerns and avoid matters escalating into formal complaints.

The number of enquiries received at Pre Stage 1 in 2011/12 was 29 in comparison with the previous year 2010/11 where there were 49.

Up until 1 January 2012 all enquiries in relation to Special Education Needs Section (SEN) were recorded under C&YPS now, however since the restructure the data is now captured within the Service Area Learning & Achievement.

The majority of Pre Stage 1 enquiries were about the quality of service and dispute decision.

- Out of the 29 Pre Stage 1 complaints there were 9 enquiries recorded against the quality of service. An example of a complaint against quality of service was unhappy with the lateness of the transport provided to a special needs school.
- 5 enquiries were against dispute decision. An example of a complaint against dispute decision was where a complainant was disappointed that LBH had decided not to provide a drop kerb.

ANNUAL REPORT for 1st April 2011 to 31st March 2012

5. Stage 1 Complaints:

From 1 April 2011 to 31 March 2012 the Complaints Section recorded 48 Stage 1 complaints, compared to 63 in the previous year. The reason for the decrease is in 2010/11 there were numerous of complaints in relation to service user's packages of care being reduced.

The majority of Stage 1 complaints were about quality of service, the alleged behaviour of staff and dispute decision.

- Out of the 48 Stage 1 complaints there were 12 complaints recorded against the quality of service – 1 was upheld (either fully or partially). It is evident that many complaints of this type arise because of the nature of the service interventions rather than the way issues are handled.

The complaint that was upheld was where a complainant had been given mix messages and therefore was confused about what was happening.

- 8 complaints were against behaviour of staff - 0 were upheld (either fully or partially).

An example of a complaint against behaviour of staff was where a complainant felt they were being harassed by member of staff.

- 8 complaints were against dispute decision – 1 was upheld (either fully or partially).

In this instance the complainant was not happy with respite care hours provided.

Of the 48 complaints:

6 were upheld (either fully or partially)

38 were not upheld

3 Withdrew

1 Ongoing

During 2011/12 48 complaints were received, 33 complaints were responded to within the 10 working days timescale, 5 complaints were responded to within 20 working days, 6 outside the timescale. 3 complaints withdrew and 1 is ongoing and rolled over to 2012-13.

ANNUAL REPORT for 1st April 2011 to 31st March 2012

Those complaints that were dealt with within 20 working days, or went outside of timescale the complaints team sent 3 holding letters, 1 whereby we maintained dialogue and 1 complaint pending due to the young person/mothers consent. 1 had a pre meeting with the service area to gain clarification before a final response.

The majority of complaints were made by parents and only 2 were made by children/young people directly. The Children Advocacy Service made 8 complaints on behalf of young people.

Social work staff and the Action for Children Advocacy Service continue to work, to ensure that children and young people have access to the processes that result in their complaints being heard. Action for Children work closely with individual service area to aim to achieve an early resolution before taking the complaint issues through the Statutory Complaints Process.

5. Outcomes and Recommendation from Stage 1 Complaints – 2011-12

Below is a list of outcomes and recommendations which have come from the Stage 1 complaints. In all cases the complainant would receive an explanation and majority of cases would receive an apology. The apology may not be for the failure of the service but for how they felt the service was received.

Explanation Given	Placement Extended	Meeting offered
Apology Given	Amend Report	Assessment to be carried out
Financial Assistance Awarded	Assistance to find alternative services	Change of social worker

6. Stage 2 Complaints:

From 1 April 2011 to 31 March 2012 there were 5 Stage 2 complaints that fell within the Statutory Complaints Process. 2 of these complaints withdrew. This being a decrease of 2 in comparison to the previous year (2010/11) when there were 7 Stage 2 complaints.

Within 2011-12 the Complaints Section received 9 requests to go to a Stage 2 but they were all dealt with locally.

One Stage 2 has rolled over into the next financial year 2012/13 due to the complexity of the complaints, and remains on going.

ANNUAL REPORT for 1st April 2011 to 31st March 2012

6. Outcomes and Recommendation from Stage 2 Complaints – 2011-12

Below is a list of outcomes, recommendations and lessons learnt which have come from the Stage 2 complaints. In all cases the complainant would receive an adjudication letter from the Heads of Service along with the Independent Investigators Officers and Independent Persons reports. In the adjudication letter it would address each individual complaint points and suggested outcomes or recommendations.

Outcomes are arranged from apologies and explanation's given and in one case financial assistance was awarded along with policy/procedures put in place

7. Stage 3 Review Panels:

One Stage 3 Review Panel was held in 2011-12. The outcomes from the Stage 3 Review Panel were:

- The complainant received a formal apology for the failings in the Service.
- Procedures on managing allegations are tightened up through the Local Authority Designated Officer.
- Ex gratia payments were made for time and trouble, for all the complaint points which were fully or partially upheld and stress and anxiety caused.

Page 24

8. Local Government Ombudsman complaints, enquiries and decision:

There were 10 complaints submitted, compared to 7 in 2010/11. Please see the table below which sets out the details/outcomes:

Service Area	Ombudsman Discretion - no or insufficient Injustice	Premature Complaint	Outside Jurisdiction	Investigation Discontinued	No Maladministration after Investigation	Informal Enquiry
Children with Disabilities Team			2			
Family Placement Team		1	1			
Duty and Assessment Team				1		1
Occupational Therapist				1		
Psychology Service	1			1	1	
TOTAL	1	1	3	3	1	1

ANNUAL REPORT for 1st April 2011 to 31st March 2012

9. Compliments:

In 2011/12 34 compliments were received, compared to 7 in 2010/11. The increase is due to children centres implementing an evaluation /feedback form to be completed by parents for each activity/event held attended.

10. Expenditure on Investigation of Complaints:

There are ongoing costs attached to the delivery of an effective complaints service in line with government regulation. The major part of the costs are associated with the staff resource time spent receiving, handling and resolving complaints which include the hidden cost of social work staff. There are thus service and budgetary benefits from reducing complaints. A small budget is held separately to commission Independent People to carry out investigations and determine outcomes at the later stages. Expenditure in 2011/12 for that element was £14,491.92 against a budget £14,460. The reason for the overspend is that Children and Young People's Services had to commission two independent people to carry out a very complex Stage 2 complaint. The Complaints Section also incurred further costs whereby we commissioned 3 panel members to undertake a Stage 3 Review Panel, which required Child Protection expertise.

Page 25

11. Compensation Payments:

The Council can provide compensation if, after a complaint has been investigated, or as an outcome of a Local Government Ombudsman's investigation (LGO), it is concluded that:

- the Ombudsman finds that there has been maladministration by the Council causing injustice to the complainant; and
- he would recommend that compensation should therefore be paid to the complainant.

Within 2011/12 Children and Young People's Services incurred compensation totalling £1,180.00 compared to £300.00 in the previous financial year 2010/11.

ANNUAL REPORT for 1st April 2011 to 31st March 2012

12. Complaints Action Plan – 2011/2012 - As a result of the annual review of complaints and compliments:

Issues Identified	Lessons Learnt	Action to be taken	Timescale	Review
Information provided to service users inconsistent	<ul style="list-style-type: none"> Clarity of service provision to be given in a consistent manner at outset 	<ul style="list-style-type: none"> To continue training & supporting new and existing staff through various processes, which could lead to a complaint i.e. DPA 	Ongoing	Once training has been undertaken to review feedback forms to look at any gaps.
Communication	<ul style="list-style-type: none"> Recommendations made at Stage 1, 2 & 3. Lack of complaints received from children/young people. Quality of response letters Adjudication meetings 	<ul style="list-style-type: none"> The Complaints Section will continue to work with Service teams by monitoring and reviewing the implementation of all recommendations made at Stage 1 & 2. Continued joint working with the Action for Children Advocacy Service, as the organisation supports being the voice of young people and to work more closely with the Independent Reviewing Officers. The Complaints Section will continue to work with Team Managers and Service Managers to ensure complaint points & suggested outcomes are addressed. The Head of Service will continue to monitor the effectiveness of the adjudication meetings with the Independent People on their investigation findings. 	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>This information will feed into the Head of Service Internal Service Improvement pack identify any themes, trends and gaps, which may highlight specific areas that need to be improved.</p> <p>To identify any gaps in service and future needs.</p>
Information not being sent appropriately	<ul style="list-style-type: none"> Documents to be sent securely Information to be sent to appropriate contact 	<ul style="list-style-type: none"> All confidential documents to be sent via Egress. 	Immediate	Staff are all using Egress for sending external e-mail.
Consultation	<ul style="list-style-type: none"> Feedback from complaints 	<ul style="list-style-type: none"> Continuation of Satisfaction' survey forms will be distributed to complainants at the closure date of Stage 1. Analysis of the data will be filtered into suggested outcome/s to improve processes 	Ongoing	This information will feed into the Internal Service Improvement pack

ANNUAL REPORT for 1st April 2011 to 31st March 2012

TABLES RELATING TO 2011/12 COMPLAINTS AND COMPLIMENTS

13. Table 1 – Complaint Activity:

Complaint Stage	2010/11	2011/12
Corporate Complaints	18	4
Members Correspondence (from MP's & Cllrs)	46	36
Pre-Stage 1 Enquiries	49	29
Direct Stage 1 Complaints	63	48
Stage 1 escalated to Stage 2	6	2
Direct Stage 2 Complaints	1	1
Stage 2 Withdrawn	-	1
Stage 2 rolled over from 2011/12 into the financial year of 2012/13	-	1
Stage 2 escalated to Stage 3	2	-
Stage 3 Review Panel	-	1
Local Government Ombudsman	7	10
Compliments	7	34

14. Table 2 – Outcome of Complaints

Stages	Upheld (either fully or partially)	Not upheld	Withdrawn
Pre Stage 1	As this is not a statutory requirement this is not recorded.		
*Stage 1	6	38	3
**Stage 2	2	-	2
Stage 3	1	-	-

*A Stage 1 complaint is outstanding as this was not received until late March 2012.

** A Stage 2 investigation is still ongoing due to the nature of the complaint.

ANNUAL REPORT for 1st April 2011 to 31st March 2012

15. Table 3 – Response Times of Complaints

	Stage 1	Stage 2	Stage 3
Within 10 Working Days	33	-	-
Within 20 Working Days	5	-	-
Within 25 Working Days	-	-	-
Within 30 Working Days	-	-	-
Within 65 Working Days	-	1	-
Outside of Timescale	6	1	1
Withdrawn	3	3	-
Ongoing	1	-	-

16. Table 4 – Stage 1 Complaint's – Nature of Complaint against the Team:

	Children in Need	Leaving Care	Duty and Assessment Team	Ingrebourne Children Centre	Looked After Children Team	Intensive Family Intervention Team	Collier Row Children Centre	Hilldene Children Centre	Adoption	Children with Disabilities Team	Total
Behaviour of Staff	3	2	1		2						8
Closure of Service			1								1
Dispute decision		3	1		1					3	8
Incorrect Assessment			2			2				1	5
Incorrect Information			2			1	1				4
Lack of Communication					2				1		3
Level of Service	2	1	1		1						5
Quality of Service		1	3		4				2	1	11
Data Protection Breach			1	1				1			3
Total	5	7	12	1	10	3	1	1	3	5	48

ANNUAL REPORT for 1st April 2011 to 31st March 2012

17. Table 5 – Stage 2 Complaints – Nature of Complaint against the Team:

	Looked After Children	Leaving Care	Children with Disabilities Team	Adoption	Duty and Assessment Team	Total
Quality of Service	1	1		1	1	4
Dispute Decision			1			1
Total	1	1	1		1	4

18. Table 6 – Stage 3 Review Panels - Nature of Complaint against the Team:

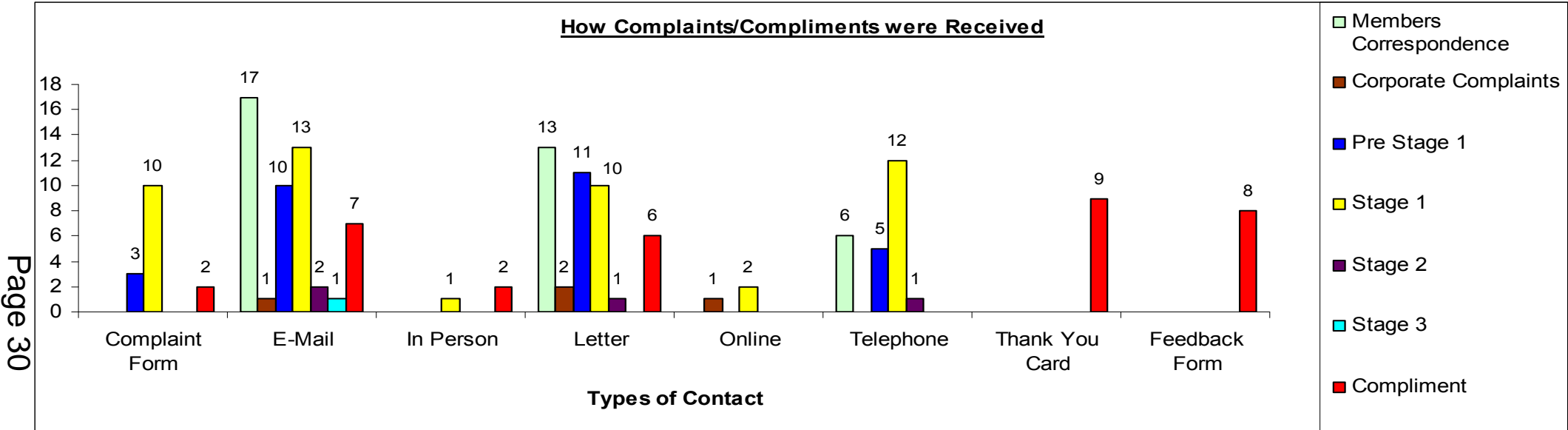
	Looked After Children Team
Quality of Service	1
Total	1

Page 29

19. Table 7 – Compliments - Nature of Compliment against the Team:

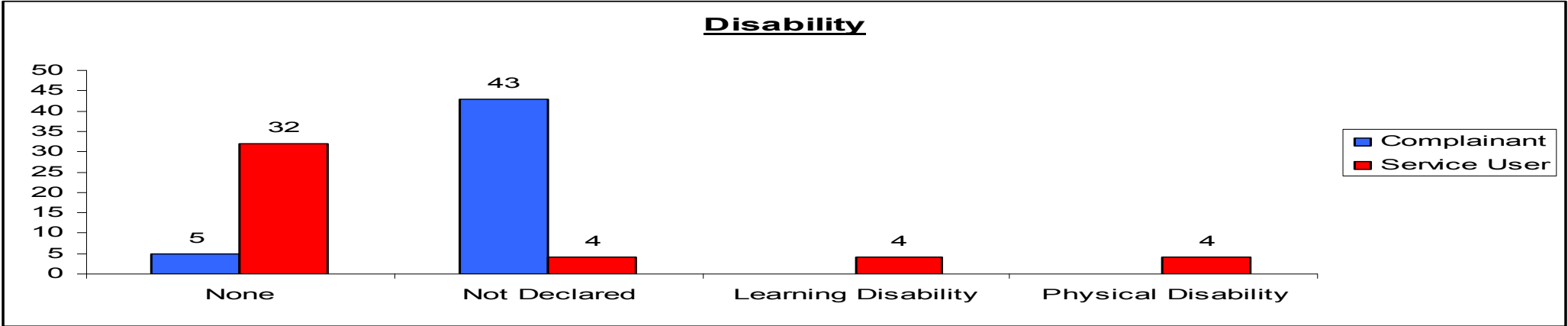
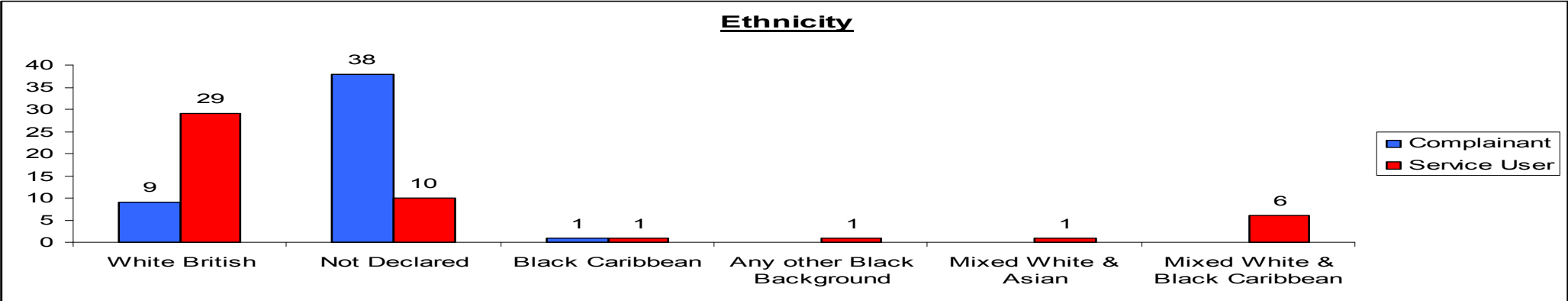
	Leaving Care Team	Youth Inclusion Support Programme (YISP)	Children with Disability Team	Adoption	Looked After Children Team	Children in Need Team	Pyrgo Children Centre	Elm Park Children Centre	St Kilda's Children's Centre	Collier Row Children Centre	Safeguarding & Service Standards Unit	TOTAL
Level of Service		1	1	1				1	1	1	1	7
Help and Support	1	5	3	1	2		1		7	1	1	22
Attitude of Staff		1	1									2
Professional Staff		1				1						2
Response Time	1											1
TOTAL	2	8	5	2	2	1	1	1	8	2	2	34

20. Table 8 – How Complaints & Compliments were Received

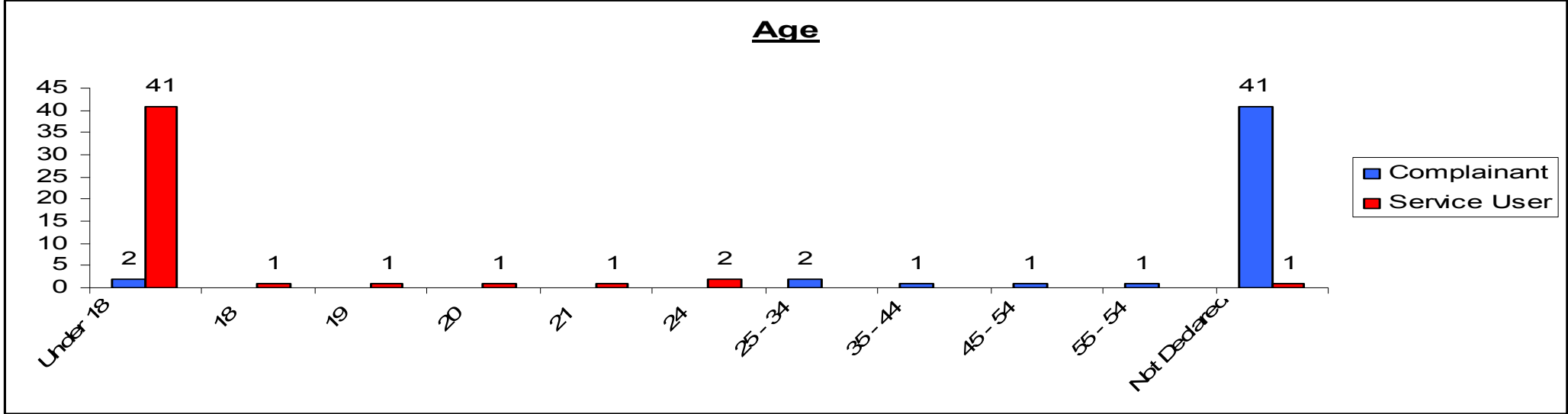


ANNUAL REPORT for 1st April 2011 to 31st March 2012

21. **Table 9 – Ethnicity, Disability and Age for both Complainant and Service User for Stage 1 Complaints**



ANNUAL REPORT for 1st April 2011 to 31st March 2012



CHILDREN & LEARNING OVERVIEW AND SCRUTINY COMMITTEE

Subject Heading:

Careers Education, Information, Advice & Guidance

CMT Lead:

Sue Butterworth, Group Director,
Children's Services

Report Author and contact details:

Trevor Cook, 14-19 Partnership Manager
trevor.cook@havering.gov.uk

Policy context:

SUMMARY

The Education Act 2011 inserts a new duty, section 42A, into Part VII of the Education Act 1997, requiring schools to secure access to independent¹ careers guidance² for pupils in years 9-11. Careers guidance must be presented in an impartial³ manner and promote the best interests of the pupils to whom it is given. Careers guidance must also include information on all options available in respect of 16-18 education or training, including apprenticeships and other work-based education and training options.

RECOMMENDATIONS

The Committee is asked to consider the following possible lines of enquiry as part of a topic group:

- Visit to a range of secondary schools/academies to meet with Senior Management Team staff responsible for CEIAG to discuss how they are discharging their statutory duties.

¹ Independent is defined as external to the school.

² Careers guidance refers to services and activities, intended to assist individuals of any age and at any point throughout their lives, to make education, training and occupational choices and to manage their careers. The activities may take place on an individual or group basis and may be face-to-face or at a distance (including help lines and web based services). They include careers information provision, assessment and self-assessment tools, counselling interviews, careers education programmes, taster programmes, work search programmes and transition services.

³ Impartial is defined as showing no bias or favouritism towards a particular education or work option.

- Visit to a range of secondary schools/academies to meet with Governors responsible for CEIAG to discuss how they are discharging their statutory duties.
- Meeting with LBH Young People's Learning manager to discuss commissioning approach for targeted IAG service.
- Visit to Targeted IAG provider (Prospects) to discuss implementation of targeted IAG service.

REPORT DETAIL

Responsibilities of Schools

The Government's general approach is 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 is an expectation that schools will have regard to statutory guidance when deciding on the most appropriate forms of independent careers guidance.

The Education Act 2011 places 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 will be free to make arrangements for careers guidance that fit the needs and circumstances of their pupils, and will be expected to work, as appropriate, in partnership with external and expert providers.

The National Careers Service has been fully operational from April 2012. It will comprise a single website (www.nationalcareersservice.direct.gov.uk from April) and telephone helpline number (0800 100 900) to which schools may wish to direct pupils.

In fulfilling their new duty, schools should secure access to independent face-to-face careers guidance where it is the most suitable support for young people to make successful transitions, particularly children from disadvantaged backgrounds or those who have special educational needs, learning difficulties or disabilities.

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

Schools should 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 are

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 may include A levels, apprenticeships and vocational options. This will 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 are aware of the full range of academic and vocational options.

Schools are 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.

Responsibilities of Local Authorities

Now the duty on schools has commenced, there is no expectation that local authorities will 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 are required to assist the most vulnerable young people and those at risk of disengaging with education or work.

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

To enable local authorities to fulfil these duties, they will continue to track all young people's participation through the local Client Caseload Information System (CCIS) in order to identify those who are at risk of not participating post-16, or are in need of targeted support. Schools should 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 requires 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 are available, and how young people can be referred for support. From 2013 schools will be under a duty to notify local authorities whenever a 16 or 17 year old leaves education.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: None

Human Resources implications and risks: None

Equalities implications and risks: None