



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 2 OCTOBER 2018 at 7.00 pm

Committee Rooms 1 & 2

Civic Suite

Lewisham Town Hall

London SE6 4RU

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Juliet Campbell	Vice Chair of Overview & Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour
Councillor Feis-Bryce	Labour Group Representative	Co-op
Councillor Jim Mallory	Chair of Public Accounts Select Committee	L
Councillor Joan Millbank	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour
Councillor Luke Sorba	Chair of Children and Young People Select Committee	Co-op
Councillor Susan Wise	Chair of Housing Select Committee	L
		Labour
		Co-op

This meeting is an open meeting and all items on the open agenda may be audio recorded and/or filmed

Non-elected Voting Members

Lilian Brooks	Primary School Parent Governor Representative
Kevin Mantle	Parent Governor Representative for Special Schools
Monsignor N Rothern	Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges
Mark Saunders	Secondary School Parent Governor Representative

Members are summoned to attend this meeting

Ian Thomas
Chief Executive
Lewisham Town Hall
Catford

London SE6 4RU

Date: Monday, 24 September 2018



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

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Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 2 October 2018

It is recommended that the minutes of that part of the meetings of the Overview and Scrutiny (Education) Business Panel which were open to the press and public, held on 13 March 2018 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 13 March 2018 at 7.00 pm

PRESENT: Councillors Alan Hall (Chair), Liam Curran, Jim Mallory, John Muldoon, Maja Hilton, Liz Johnston-Franklin, Luke Sorba and Monsignor N Rothern

Apologies for absence were received from Councillor Gareth Siddorn, Councillor Carl Handley and Councillor Pauline Morrison

The meeting was adjourned at 7:10pm and reconvened at 7:50pm.

10. Minutes

RESOLVED that the minutes of the open meeting held on 13 February 2018 be confirmed as an accurate record.

11. Declarations of Interests

The Chair declared a personal non pecuniary interest in item 3 as a Board Member of Brentwood and Watergate Joint Committee Trust.

12. Decisions made by Mayor and Cabinet on 28 February 2018

Establishment of Lewisham Learning Partnership

The Executive Director for Children and Young People introduced the report.

Councillor Sorba, Chair of Children and Young People Select Committee stated that the Select Committee had discussed the proposed Partnership, and he had some reservations about the proposal. Councillor Sorba said he was concerned that the long-term plan was for the Partnership to become a separate Legal Entity. He said given the challenges faced by Lewisham schools the Partnership should concentrate on addressing those challenges, instead of offering its services externally.

Business Panel commented that funding was from public money and the School Improvement budget, and there was no advantage to the Council if the Partnership became a separate Legal Entity. The Executive Director for Children and Young People notified Panel Members that there was no discussion on separate Legal Entity status currently within the Partnership, as this was not a priority. She said ultimately it would be for the Partnership to decide how they operate, but for now it has to determine its structure.

Panel Members asked about the equalities implications following the secondment of a Headteacher to the role of Interim Director to the Partnership. The Executive Director for Children and Young People said an agreed process for the appointment was followed, and the interim position would run until the end of the financial year. This would be followed by an open permanent recruitment process, which would be widely advertised.

Panel Members raised concerns about accountability and funding , especially if the separate Legal Entity status was pursued. Panel Members were concerned that accountability and proper monitoring would not be done, as it would not be within the Council’s power to ensure things were done properly.

Panel Members asked who would be setting the targets and objectives of the Partnership and were told the schools would set their own targets with the overarching targets being set by the Partnership.

Monsignor Rotherham said there was a great deal of enthusiasm associated with this Partnership, but he would urge that some key indicators and objectives be put in place, plus regular reports to the Education Business Panel to prevent the Partnership becoming another consultative body. It was commented that education was a main driver in improving prosperity, and as a Council Lewisham should be focussing on improvement.

RESOLVED that:

- i. the decision of the Mayor be noted.
- ii. It be noted that funding was from public money.
- iii. concerns were raised about a future change in the Partnership’s status.
- iv. an explicit Mayoral decision be made if there is a change of structure or status of the Partnership.
- v. the Mayor be requested to instruct officers to do an open recruitment process for the next Leadership appointment at the end of the 1 year secondment.
- vi. the Mayor be requested to instruct officers to provide a Framework of work for the Children and Young People Select Committee for consideration.
- vii. the Mayor be requested to ask the responsible Cabinet Member to review the work of the Partnership on a regular basis.

Watergate Expansion Decision

The Chair said the demand for places was constantly increasing. He highlighted the importance of involving local Members and the community in these projects and said officers should ensure this would be done during the building stage.

Action >>>>> ED CYP

RESOLVED that the decision of the Mayor be noted.

Greenvale Expansion Decision

The Chair said the demand for places was constantly increasing. He highlighted the importance of involving Local Members and the community in these projects, and asked that officers ensure this would be done during the building stage.

Action >>>>> ED CYP

RESOLVED that the decision of the Mayor be noted.

13. Exclusion of the Press and Public

Noted.

The following is a summary of the discussion at the closed meeting:

14. Decision made by Mayor and Cabinet on 28 February 2018

SEND School Expansion Approval

The Executive Director for Children and Young People introduced the report.

Following a request from the Chair, the Executive Director for Children and Young People explained the next stage of the project. The Chair requested Local Members involvement in the planning stage as concerns had been raised about the space available at Watergate. Business Panel Members urged that officers ensure that the facilities were utilised sensitively.

Action >>>>> ED CYP

RESOLVED that the decision of the Mayor be noted.

Meeting ended 7.50pm

Chair

OVERVIEW AND SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Declarations of Interests	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 2 October 2018

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-

- (a) that body to the member's knowledge has a place of business or land in the borough; and
- (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on member's participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine**

of up to £5000

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3

OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Decision made by Mayor and Cabinet on 20 September 2018	
Key Decision		Item No. 3
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 2 October 2018

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 20 September 2018 which will come in to force on 3 October 2018.

2. Background

2.1 The Mayor and Cabinet considered the following key decision on 20 September 2018.-

2.2 The notice of decisions made in respect of these reports is attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If the reports are not called in they will come into force on 3 October 2018.

1. Baring Instrument of Government
2. Drumbeat Instrument of Government
3. Oakbridge Federation Instrument of Government
4. Local Government Social Care Ombudsman Report



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 20 September 2018. These Decisions will become effective on 3 October 2018 unless called in by the Overview & Scrutiny (Education) Business Panel on 2 October 2018.

1. Baring Instrument of Government

Having considered an officer report and a presentation by the Mayor, the Mayor and Cabinet agreed that the Instrument of Government for Baring Primary School be made by Local Authority order dated 18 October 2018 as set out.

2. Drumbeat Instrument of Government

Having considered an officer report and a presentation by the Mayor, the Mayor and Cabinet agreed that the Instrument of Government for Drumbeat School and ASD Service be made by Local Authority order dated 5 October 2018 as set out.

3. Oakbridge Federation Instrument of Government

Having considered an officer report and a presentation by the Mayor, the Mayor and Cabinet agreed that the Instrument of Government for the Oakbridge Federation be made by Local Authority order dated 3 October 2018 as set out.

4. Local Government Social Care Ombudsman report

Having considered an officer report and a presentation by the Mayor, the Mayor and Cabinet agreed that the contents of the report be received and forwarded to Council for consideration.

Ian Thomas
Chief Executive

**Lewisham Town Hall
Catford SE6 4RU
24 September 2018**