



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 22 NOVEMBER 2016 at 7.00 pm

Committee Room 2
Civic Suite
Lewisham Town Hall
London SE6 4RU

Enquiries to: Olga Cole
Telephone: 0208 314 8577 (direct line)
Email: olga.cole@lewisham.gov.uk

MEMBERS

Councillor Alan Hall	Chair of Overview and Scrutiny Committee	L
Councillor Gareth Siddorn	Vice Chair of Overview and Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	L
Councillor Brenda Dacres	Labour Group Representative	L
Councillor Carl Handley	Chair of Housing Select Committee	L
Councillor Jim Mallory	Labour Group Representative	L
Councillor David Michael	Chair of Safer Stronger Communities Select Committee	L
Councillor Jamie Milne	Chair of Public Accounts Select Committee	L
Councillor Hilary Moore	Chair of Children and Young People Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	L

Non-elected Voting Members

Sharon Archibald	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

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 14 November 2016



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

Item No		Page No.s
1.	Minutes	1 - 5
2.	Declarations of Interests	6 - 8
3.	Decision Made by Mayor and Cabinet on 9 November 2016	9 - 10

FIELD_TITLE



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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: 22 November 2016

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 1 November 2016 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 1 November 2016 at 7.14 pm

PRESENT: Councillors Alan Hall (Chair), Gareth Siddorn (Vice-Chair), Liam Curran, Brenda Dacres, Carl Handley, David Michael, Jamie Milne, Hilary Moore and John Muldoon

Apologies for absence were received from Councillor Jim Mallory, Kevin Mantle and Monsignor N Rotheron

1. Minutes

RESOLVED that the minutes of the open meeting held on 12 July 2016 be confirmed as a correct record.

2. Declarations of Interests

None Received.

3. Decisions Made by Mayor and Cabinet on 19 October 2016

Financial Forecasts

The Chair said according to the Government's Bill there would be cuts to the schools budgets, and asked what would be the implications for Lewisham Schools.

The Executive Director for Children and Young People summarised the Financial Forecasts pertaining to Education and said that a report had already been to the CYP Select Committee which was due to go to Mayor and Cabinet. She stressed that as far as she was aware Lewisham schools were not eager to embrace multi-academy trusts. The Executive Director for CYP said there were problems with some secondary schools, namely St Matthew Academy and Sedgely, which was going through the process of becoming an Academy.

Councillor Michael asked for examples of the collaborative work that schools were currently doing. The Executive Director for Children and Young People said emphasis was being put on middle leadership and an experienced former Head Teacher from Wandsworth was helping Lewisham schools with this work. She said the secondary schools were now working together in an open and honest way, learning from each other's successes and failures to improve their schools.

Councillor Curran asked about the current financial position at Forest Hill school and its implications. The Executive Director for Children and Young People said a number of schools had gone into financial difficulties because of several reasons and Forest Hill was one of them. She said the implications would be they would have to reduce their staff numbers. She said benchmarking their staffing would enable them to deliver quality education. The Executive Director for Children and Young People said an improvement plan had been put in place for the educational

and financial challenges that they and other schools would be facing, especially if the government introduce the new funding scheme.

The Executive Director for Children and Young People said a report about the two schools would be going to Mayor and Cabinet next week. The Chair asked what would be the implications of reducing the number of staff at the school and was told that because of the support being given to the school from Human Resources, plus the curriculum support things would not be bad. She emphasised that the first priority was to the pupils in the school.

The Chair asked who provided audit for the school and was told Lewisham. The Chair said, that being the case the Council also have responsibility and a statutory role to sign off the budget. The Executive Director for Children and Young People said officers had identified the problem at the last financial year, and she had immediately asked for all schools that had been spending from their reserves to be visited urgently so they could explain their position. She said the support for education finance within the Council had been reduced and they were now down to 3 staff to do the work, and it had been a challenge to provide proper support. This situation was reflected across the Council's staff as they were doing complex jobs with less people.

The Head of Financial Services said that schools were also beginning to share best practices and information about concerns that had been identified. He said school governors were also being trained extensively on how best to support their schools.

The Chair asked how many staff members were in danger of losing their jobs and was told that officers did not have any figures now as the consultation process was still in progress. The Chair said Business Panel Members should be kept informed of developments. He asked whether schools deficit was a local or national issue. The Chair requested a written briefing to Business Panel Members explaining the scale of the problem, the number of jobs that could be lost, and the impact on education outcomes.

Action >>>>> ED CYP

Councillor Dacres said from experience she did not feel governors were being given sufficient training and support that would prepare them for the role of guardians of these schools. She emphasised that they needed to be made aware of what their role would entail before they start. Councillor Dacres said if lessons had been learnt from Sedgehill school's deficit these schools would not be in this position. The Executive Director for Children and Young People said this was very difficult with only 3 staff supporting this work, but processes were being put in place to address the issues.

The Chair asked about the impact the reduction of staff would have on Children with ASD and was told that a scoping exercise was being done and Members would be sent the result as soon as possible.

Action >>>>> ED CYP

The Chair asked whether parents' interest in these schools have been affected judging from open days turn out, and was told that it was early days for Forest Hill school as the information was just coming out, but for Sedgehill school it had been very difficult to recruit children into the school.

Councillor Michael said from experience he was aware that some Head Teachers were very strong and prefer governors to rubber stamp their decisions, without probing to get facts. He asked whether this was one of the problems at Forest Hill School. The Executive Director for Children and Young People said she had experienced this too, hence governors were currently being trained to have confidence to challenge decisions, and support would be available to them from the Directorate as needed. She said they were being told they need to recognise the important role they have.

The Chair said Business Panel Members need to know what site has been identified for the new free school mentioned in the report, and was told by the Executive Director for Children and Young People that no site has been identified for any proposed new school as the process was very long. She said there was a site for a primary school, but to her knowledge none for a secondary school. She added that the DFE would pay for Free Schools but a site had to be available for the school to be built.

The Chair said he heard there was an application from the Church of England to build a new Free School and asked why Members were not notified. The Executive Director for Children and Young People said it was very early in the process and Members would be notified if this proposal became tangible.

Following the discussing Business Panel agreed the following:

- i. that the Schools audit to be referred to the Audit Panel and CYP Select Committee to look at their performance and achievement.
- ii. that officers provide information on specifics around staffing and capacity at Forest Hill school, plus the equalities impact on staffing reduction, to be circulated to Business Panel Members.
- iii. that officers provide CYP Select Committee with a further update on Free Schools especially secondary school places.
- iv. Members had expressed grave concerns about the size and range of school deficits, and asked what is the Council's governance role to investigate this.
- v. officers to provide an update on Sedgehill School deficit to be circulated to Business Panel Members.

Action >>>>> ED CYP

RESOLVED that:

- i. the decision of the Mayor be noted.

- ii. that the Schools audit to be referred to the Audit Panel and CYP Select Committee to look at their performance and achievements.
- iii. that officers provide information on specifics around staffing and capacity at Forest Hill school, plus the equalities impact on staffing reduction, to be circulated to Business Panel Members.
- iv. that officers provide CYP Select Committee with a further update on Free Schools especially secondary school places.
- v. Members had expressed grave concerns about the size and range of school deficits, and asked what is the Council's governance role to investigate this.
- vi. officers to provide an update on Sedgehill School deficit to be circulated to Business Panel Members.

Education Commission Update

Councillor Dacres asked whether the Education Commission would be looking at nursery places, and was told that funding for nursery places would become an issue as they were being funded as part of the voluntary independent sector. The Executive Director for Children and Young People said according to government proposals funding for nursery would get worse, and Lewisham would be putting a strategy in place for Early Years.

RESOLVED that the decision of the Mayor be noted.

Meeting ended: 8.10pm

Chair

Agenda Item 2

OVERVIEW AND SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Declarations of Interests	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 22 November 2016

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	Decisions made by Mayor and Cabinet on 9 November 2016	
Key Decision		Item No. 3
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 22 November 2016

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 9 November 2016 which will come in to force on 23 November 2016.

2. Background

2.1 The Mayor and Cabinet considered the following key decision on 9 November 2016.-

2.2 The notice of decision made in respect of this report 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 report is not called in it will come into force on 23 November 2016.

(i) Licensed Deficits Forest Hill and Prendergast



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor made the following decision on 9 November 2016. This Decision will become effective on 23 November 2016 unless called in by the Overview & Scrutiny (Education) Business Panel on 22 November 2016.

1. Application for a Licensed Deficit for Prendergast Ladywell School and Forest Hill School

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor agreed that

(1) Prendergast Ladywell School budget plan be approved and a loan of £558k be made to cover the school's budget shortfall in the first year of the recovery plan

(2) Forest Hill School's budget plan be approved and a loan of £879k be made to cover the school's budget shortfall in the first year of the recovery plan;

(3) in accordance with the Scheme of Delegation and loan agreement both schools pay back the loan over a five year period;

(4) authority be delegated to the Executive for Resources and Regeneration in consultation with the Executive Director for Children's Services and the Head of Law to agree the terms of the Loan Agreements.

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford SE6 4RU
10 November 2016**