



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 31 JANUARY 2017 at 7.00 pm

Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU

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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

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

Members are summoned to attend this meeting

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Thursday 19 January 2017



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: 31 January 2017

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 22 November 2016 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 22 November 2016 at 7.00 pm

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

ALSO PRESENT: Councillor James-J Walsh

Apologies for absence were received from Councillor Gareth Siddorn and Councillor Jim Mallory

The meeting was adjourned at 7.20pm and reconvened at 7.21pm

4. Minutes

The Chair said some of the actions were still outstanding, and asked about the update on Sedgehill School. The Head of Standards and Inclusion said the Executive Director for Children and Young People had sent out a response to all members during the day. The Chair said he would check his mail, and requested outstanding actions from the last meeting to be actioned.

Action >>>>> ED CYP

The Chair asked the Head of Corporate Resources to ensure Sedgehill School's deficit is discussed at Audit Panel as requested, and was told it would be discussed at their 6 December meeting.

Action >>>>> Head of Corporate Resources

RESOLVED that:

- i. the minutes of the open meeting held on 1 November 2016 be confirmed as a correct record.
- ii. that the outstanding actions from the last meeting be progressed as requested.

5. Declarations of Interests

None submitted.

6. Decision Made by Mayor and Cabinet on 9 November 2016

Application for a Licensed Deficit for Prendergast Ladywell school and Forest Hill School

The report was introduced by the Head of Standards and Inclusion. She emphasised that both schools were working very hard in partnership to resolve the problems. In response to a question from the Chair about ensuring the deficit doesn't increase, the Head of Standards and Inclusion said she agreed that if the issues don't get addressed the deficit would rise significantly, but she assured Business Panel that Forest Hill school had already taken steps to reduce their staff

numbers and had recently cut 19 administrative posts, and a savings of about £790k was made. She said that was the level of saving required and proper process would be put in place to ensure the school fulfilled its curriculum.

Councillor Dacres asked how that level of administrative job cuts could take place in a school, and asked whether the school had been overstaffed as there seemed to be a lot of administrative staff. The Head of Standards and Inclusion said she doesn't have the information. Councillor Moore, Chair of the Children and Young People Select Committee explained how a school could have as much non-teaching staff and gave examples of the type of posts involved. Councillor Dacres asked whether an equalities impact assessment had been done, and was told this was being done.

The Chair asked who provided HR services for the school, and was told the Council managed the HR process for the school. The Chair also asked who provided the audit function for the school and was told it was provided by Lewisham Council, but the financial oversight was the responsibility of the school's Governors.

Business Panel was informed that Prendergast Ladywell school had made significant savings and had cut down their teaching staff from 56 to 47, and were still providing a wide curriculum for pupils. The Chair asked if the school had been overstaffed as that was a significant reduction in 1 year. He said he was concerned the effect of these changes could have a huge impact on the school. The Head of Standards and Inclusion said this was being mitigated by a rapid improvement plan, secondary change work, additional support and the Council was working with the Governing Body, providing training and support throughout the process.

Councillor Dacres said she hoped quantity was being replaced by quality and was told that although the number of staff had been cut this would not affect teaching provided for the pupils, only the staff would have to teach more hours than before to maintain the teaching hours. The Chair said the report mentioned 8 schools being in deficit, and asked if licensed deficit applications would be made for the remaining 5 and was told not at this stage.

The Chair asked for an update on these 8 schools to be reported to the Children and Young People Select Committee and that the Audit Panel also look into the issues faced by these schools. The Chair also stated that the outstanding actions would need to be progressed as soon as possible;

- officers to provide equalities impact on staffing reduction at Forest Hill school.
- officers to brief Business Panel Members on the Council's governance role to investigate the school deficits.
- officers to provide an update on Sedgehill School deficit to be circulated to Business Panel Members.

Action >>>>> ED CYP, Head of Corporate Resources

Resolved that the decision of the Mayor be noted.

Meeting ended 7.30pm

OVERVIEW AND SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Declarations of Interests	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 31 January 2017

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 11 January 2017	
Key Decision		Item No. 3
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 31 January 2017

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 11 January 2017 which will come in to force on 1 February 2017.

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 1 February 2017.

- (i) Ashmead Primary School and Addey & Stanhope School Expansions: Results of Consultations
- (ii) The Transfer of Lewisham Music Service
- (iii) Rathfern Primary Instrument of Government



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor and Cabinet made the following decisions on 11 January 2017. These Decisions will become effective on 1 February 2017 unless called in by the Overview & Scrutiny (Education) Business Panel on 31 January 2017.

1. Ashmead Primary School and Addey & Stanhope School Expansions: Results of Consultations

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

- (1) the results of the consultation on the proposal to enlarge Ashmead Primary School from 1 to 2 forms of entry with effect from September 2017 be noted;
- (2) the results of the consultation on the proposal to enlarge Addey and Stanhope School from 4 to 6 forms of entry with effect from September 2018 be noted;
- (3) officers commence the formal statutory process to consult on the proposal to enlarge Ashmead Primary School from 1 to 2 forms of entry with effect from September 2017;
- (4) officers commence the formal statutory process to consult on the proposal to enlarge Addey and Stanhope School from 4 to 6 forms of entry with effect from September 2018; and
- (5) officers report back to Mayor and Cabinet by the end of spring 2017 with the results of both 'Representation' periods requesting Mayoral decisions as the statutory decision maker.

2. The Transfer of Lewisham Music Service

Having considered an officer report and tabled financial addendum, and presentations by the Chair of the Music Service Trust and the

Cabinet Member for Children and Young People, Councillor Paul Maslin, the Mayor agreed from the options available that:

- (1) the DfE undertaking that funding for music hubs will be maintained to 2020 be noted;
- (2) Lewisham Music's status as a legal entity and a registered charity be noted;
- (3) the Music Service (or Lewisham Music if the transfer goes ahead) be noted as a named resident organisation in the Fellowship Inn development under the management of Phoenix Housing Association and with approved Heritage Lottery Funding for the development and refurbishment of the site;
- (4) Lewisham Music's trustees' letter be noted and the transfer of cost liabilities be dealt with in accordance with Option 1 in the financial addendum in order that the transfer can proceed, taking into account the interests of the Council and the Music Service;
- (5) the commencement of formal consultation on TUPE transfer to Lewisham Music for the staff currently employed by the Council to operate the Music Service be approved;
- (6) Lewisham Music's business plan and budget forecasts demonstrate that the transfer of Lewisham Music Service to Lewisham Music best safeguards music education in Lewisham whilst also providing a mechanism for future growth and development;
- (7) the transfer of Lewisham Music Service's budget surplus and assets to Lewisham Music be approved; and
- (8) transfer terms be finalised and signed off by the Executive Director for Children and Young People for the transfer to take place on 1 April 2017.

3. Rathfern Primary School Instrument of Government

Having considered an officer report, and a formal presentation by the Cabinet Member for Children and Young People, Councillor Paul Maslin, the Mayor agreed that the Instrument of Government for Rathfern Primary School be made by Local Authority order dated 1 February 2017.

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford SE6 4RU
12 January 2016**

OVERVIEW & SCRUTINY (EDUCATION) BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 4
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 31 January 2017

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

1. Decision made by Mayor and Cabinet (Contracts) on 11 January 2017
2. Decision made by an Executive Director Under Delegated Authority – Contract Award, The Provision of School Kitchen Conditions Survey

Agenda Item 5

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 6

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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