



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 26 JANUARY 2021 at 7.00 pm

Remote: via Microsoft Teams

Members of the public are welcome to observe the meeting via the Council's website at www.lewisham.gov.uk

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	L
Councillor Sophie Davis	Vice-Chair	L
Councillor Peter Bernards	Chair of Housing Select Committee	L
Councillor Juliet Campbell	Chair of Safer Stronger Communities Select Committee	L
Councillor Patrick Codd	Chair of Public Accounts Select Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	Labour Co-op
Councillor Joan Millbank	Labour Group Representative	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	Labour Co-op
Councillor Luke Sorba	Chair of Children and Young People Select Committee	L
Councillor Kim Powell	Labour Group Representative	L

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 18 January 2021



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.

Non-elected Voting Members

Lilian Brooks	Primary School Parent Governor Representative
Monsignor N Rothon	Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges
Oluwafela Ajayi	PGR- Special Schools
Clive Caseley	PGR (Secondary Schools)



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ORDER OF BUSINESS – PART 1 AGENDA

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Lewisham



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Overview and Scrutiny Education Business Panel

Minutes

Date: 26 January 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider minutes of that part of the meeting of the Overview and Scrutiny Education Business Panel of 13 October 2020, which were opened to the press and public

1. Recommendation

It is recommended that the minutes of those parts of the meeting of the Overview and Scrutiny (Education) Business Panel which were open to the press and public held on 13 October 2020 be confirmed and signed.

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU

18 October 2020

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 13 October 2020 at 7.00 pm

PRESENT: Councillors Bill Brown, Sophie Davis, Peter Bernards, Juliet Campbell, Patrick Codd, Joan Millbank, John Muldoon, Luke Sorba, Lilian Brooks, Monsignor N Rotheron, Ajayi and Caseley

ALSO PRESENT:

Under Standing Order:

Councillor Cllr Chris Barnham - Cabinet Member for Schools Performance & Children's Services.

Officers:

Executive Director of Children and Young Peoples Services, and Estate Management & Contract Manager.

Clerk:

Senior Committee Manager

Apologies for absence were received from Councillor Liam Curran and Councillor Kim Powell

1. Minutes

2. Declarations of Interests

None was declared.

3. Decisions made by Mayor and Cabinet on 7 October 2020 - open session

The meeting started at 7.00pm and adjourned shortly after 7.03pm, to resume at 7.07pm

Councillor Bill Brown, Chair of the Panel, advised the meeting that Councillor Luke Sorba had requested further consideration of two decisions taken by the Mayor and Cabinet on 7 October 2020 in relation to:

- The future delivery of school meal provision; and
- The Greenvale School expansion project

Councillor Sorba, Chair of the Children and Young People Select Committee addressed the meeting.

1. The future delivery of school meal provision

Councillor Sorba informed the meeting that the existing contract, managed by an external operator on behalf of schools was nearing completion. It

was understandable that an in-house model for delivery would not be pursued as part of the renewal options on the basis that it was uneconomical. It was stated that the report also highlighted that the majority of schools were reluctant to undertake contract management responsibilities on similar economic basis. However, reported criticisms that the current provision included several months of failure to deliver, which had resulted in maximum penalties to schools for breaches in contract obligations, was a concern. Therefore, although there would be no direct cost to the Council in the pursuit of a new central contract, the fact remained that the proposal upon which the decision by the Mayor and Cabinet was based included an evaluation of the current provision. In view of that, Councillor Sorba stated that the Council had a duty to ensure value for money for children and young people in Lewisham, particularly also that the dedicated grant distributed to schools by the Department of Education was derived from public funds.

In response to questions on value for money considerations, the Executive Director of Children and Young Peoples Services confirmed to the Panel that the concern expressed by Councillor Sorba about the existing contract was factual. Therefore, improvement would be focused on applying sound procurement activities, and developing key indicators to support the process, with a view to help deliver a service specification with mechanisms for quality provision, and appropriate conditions to terminate the contract in the event of a breach. The Executive Director gave an assurance to the Panel that the efforts to be employed at the development stage would include engagement with the Public Health Team on matters relating to nutritional quality of the foods to be provided, and consultation with schools to determine arrangements for monitoring phases during the term of the contract.

The Senior Contracts Officer (Regeneration & Place) also confirmed to the Panel that the existing Contract and Monitoring Team of experienced staff would support the development process, and be retained after the renewal of the contract. She gave an assurance to the Panel that officers' efforts would be geared towards quality provision, and supported by balanced pricing and affordability. Thus, as part of the improvement arrangements, the Team would organise a focus group to include school leaders and governors, with a view to provide an opportunity for a wide range of input when reviewing the contract specification. It was stated that comments and suggestions from councillors would also be welcomed.

The Panel received further confirmation from the Senior Contracts Officer (Regeneration & Place) that the review criteria would include provision for accessing quality locally-sourced produce. It was stated that consideration also would be given to how the produce would be transported. Thus, submissions that support "Making Lewisham Greener" objectives would be considered favourably during the tender assessment process.

In his closing remarks, Councillor Sorba expressed an appreciation that work was underway to develop an efficient new contract specification, and that the experienced team of staff would be retained. Councillor Sorba

stated that there should not be complacency. Thus, in spite of the proposed plans, lessons should be learnt to ensure consistency throughout the term of the new contract arrangement, as failure to do so could create a gap, as was the case with a leisure contract which was stringent at the procurement stage, but failed at delivery. Thus, when examining tenders for the future delivery of school meals, officers should take care to include mechanisms for adequate management and continuous monitoring, with a view to maintain standards in quality provision into the long-term.

2. **The Greenvale School expansion project**

Because of the confidential nature of aspects of the decision by the Mayor and Cabinet on the matter, the meeting proceeded into a 'closed session'. Submissions by Councillor Sorba on financial management and value for money concerns were noted, together with responses from officers and the Cabinet Member for Schools Performance and Children's Services.

Meeting closed at 7.55pm

Chair



Overview and Scrutiny Education Business Panel

Declaration of Interest

Date: 26 January 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Senior Committee Manager

Outline and recommendations

Members are asked to declare any personal interest they have in any item(s) of the agenda relating to educational matters

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 members' 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)



Overview and Scrutiny Business (Education) Panel

Decisions made by Mayor and Cabinet

Date: 26 January 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Senior Committee Manager

Outline and recommendations

Members are asked to consider decision taken at a meeting of the Mayor and Cabinet held on 13 January 2021 in open session

1. Recommendation

To consider decision taken by the Mayor on 13 January 2021, which will come in to force on 27 January 2021, unless called in by the Overview & Scrutiny Business (Education) Panel on 26 January 2021.

2. Background

- 2.1 The Mayor and Cabinet considered the following decision on 13 January 2021:
 - i. Schools Minor Works Programme 2021 – 2025: approval to procure and budget allocation (part 1)
- 2.2 The notice of the decision in respect of this report is attached below.
- 2.3 Under the provisions of Standing Orders Part IV E 14, Members may call in an executive decision within 7 days. If this report is not called in, the decision will come into force on 27 January 2021.



NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

1. **Schools Minor Works Programme 2021 – 2025: approval to procure and budget allocation (part 1)**

Having considered an officer report, and a presentation by the Cabinet Member for Children's Services and School Performance, Councillor Chris Barnham, the Mayor and Cabinet agreed that:

- (1) the procurement of contractors to deliver the SMWP 2021/2022 as set out be approved;
- (2) the extension of the current School Minor Works Programme consultant contract to include the construction phase of this year's scheme, as set out be approved;
- (3) the procurement of a new set of school condition surveys to inform the Schools Minor Works Programmes from 2022 to 2025, as set out be approved;
- (4) the procurement of consultant services for the School Minor Works Programmes from 2022 to 2025, as set out be approved;
- (5) authority be delegated to the Executive Director for Children & Young People, on the advice of the Executive Director for Corporate Resources and Executive Director for Housing, Regeneration & Environment, to finalise the list of works and commence the procurement for the School Minor Capital Works Programme for 2021; and
- (6) authority be delegated to the Executive Director for Children & Young People, on the advice of the Executive Director for Corporate Resources and Executive Director for Housing, Regeneration & Environment to award and enter into contracts to deliver the Schools Minor Capital Works Programme 2021.

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
January 14 2021



Overview and Scrutiny Education Business Panel

Exclusion of the Press and Public

Date: 26 January 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Senior Committee Manager

Outline and recommendations

Members are asked to note an item that will be considered in closed session

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:-

Decision made by the Mayor and Cabinet on 13 January 2021:

- i. Schools Minor Works Programme 2021 – 2025: approval to procure and budget allocation (part 2)

Agenda Item 5

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

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