



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 30 MARCH 2021 at 7.00 pm

Remote: via Microsoft Teams

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MEMBERS

Councillor Bill Brown	Chair of Overview & Scrutiny Committee	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, 22 March 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

Item No		Page No.s
1.	Minutes	1 - 7
2.	Declarations of Interest	8 - 11
3.	Decision by the Executive Director of Children and Young People	12 - 20
4.	Decisions made by the Mayor and Cabinet on 24 March 2021	21 - 22



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Overview and Scrutiny Education Business Panel

Minutes

Date: 30 March 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 16 March 2021 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 16 March 2021 be confirmed and signed.

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

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 16 March 2021 at 7.12 pm

PRESENT: Councillors Bill Brown, Peter Bernards, Juliet Campbell, Patrick Codd, Joan Millbank, John Muldoon, Kim Powell and Luke Sorba.

Oluwafela Ajayi - PGR- Special Schools

Monsignor N Rothern - Roman Catholic Archdiocese of Southwark Commission for Schools and Colleges

Clive Casely - PGR (Secondary Schools)

Apologies Councillor Curran.

IN ATTENDANCE Councillors Barnham, Bell, Kelleher, and Jacq Paschoud

ALSO PRESENT:

Patricia Barber - Chair of Governors for St Mary Magdalen's Catholic Primary School.

Daniel Coleman - representing the arch diocese of Southwark

Presenting Officers –Executive Director for Children and Young People and Director of Education.

The meeting commenced at 7.12pm and adjourned at 7.13pm in order to consider business of the Overview and Scrutiny Business Panel.

The meeting resumed at 7.14pm.

1 Minutes

RESOLVED that the minutes of the open meeting held on 16 February 2021 be confirmed as an accurate record.

2 Declarations of Interests

None was declared.

3 Decision Made by the Mayor on 10 March 2021 - open session

Governing Body Proposal regarding the future of St Mary Magdalen's Catholic Primary School

- 3.1 The Chair informed Panel Members that Councillor Sorba, had asked for this report to be submitted to this Panel for consideration.

- 3.2 Councillor Sorba said that it was rare for members to receive a consultation report when the anticipated result was the closure of a school. It was because of the critical nature of the decision the Council would be facing at the end of the consultation, and the level of public interest, that he had requested that it be considered by this panel. He said that residents had asked him whether the Council could have done any more to prevent the crisis at the school and the history that had led to the current situation.
- 3.3 Councillor Campbell also expressed her concern at the possible closure of one of Lewisham's schools and said that any consultation must be very thorough to ensure that members receive all the information required. She asked who would be consulted and how this would be managed.
- 3.4 The Director of Education said that in April 2018, St Mary Magdalen's was judged by Ofsted to be good and categorised as a green school. The support from school improvement had, therefore, been minimal. There had been a good relationship between Lewisham and senior leadership and there were no concerns about the school.
- 3.5 In the summer of 2018, some of the statutory assessment results were dis-applied by the Department of Education and the Standard Testing Agency, following allegations that children were being over supported. There was an investigation into these allegations and the results were made null and void. A difficult period for the school then followed and parents' confidence in the school waned. The Council then worked closely with the diocese to support the school and resolve some of the issues. In 2019 the diocese acted swiftly to put in appropriate new leadership and management.
- 3.6 The Director of Education said that number of children attending faith schools had fallen across London. A local authority would not want to have to consider the closure of a school but the diocese had approached Lewisham for support.
- 3.7 Mr Coleman said that his involvement with the school went back to the dis-application of the sats results and he carried out the investigation on behalf of the diocese. Following the resignation of the Head Teacher and Chair of governors at the time, he attended the school in June/July 2018 and he considered there to be serious issues including:
- The building was damp and the floor was ruined
 - There was a gas leak in the kitchen
 - Serious financial irregularities
 - Accounts that Mr Coleman was not aware of
 - Issues regarding the payment of staff
 - Unusual negotiation of some of the contracts
 - There were issues regarding some of the arrangements with the regard to the amount of time the Head Teacher spent in the school.
- 3.8 Mr Coleman said that there were reduced numbers of children in schools across all sectors in London; Catholic schools had the added pressure that baptismal

roles had fallen over a number of years. There were 147 children on the role which was significant because it feeds into the budget deficit

- 3.9 Ms Barber said she was asked to support the school in 2019. The situation was so bad that a new leadership team had to be recruited. Staff also had to be recruited because previous staff members had resigned. The school was in total disarray in all areas and the school was in a financial deficit position.
- Accounts were found that no one knew anything about and were not registered anywhere.
 - Substantial amount of money in banks that were not known about.
 - Contracts signed for equipment not recorded in the accounts.
- 3.10 Open house meetings were arranged with parents because engagement was low. Ms Barber said that this was a positive move and since then, children had received a good education. However, numbers were still falling and less than 50% of children attending the school were baptised Catholics. Places in alternative schools would have to be found for these children, but as the reports showed, there were spaces in other schools in the borough including Catholic and other faith schools. Some children were already taking up these places
- 3.11 Ms Barber said that there would be a public consultation open for 6 weeks starting on 19 April. Responses would be analysed and reported back to Mayor and Cabinet. Members would then consider whether there was agreement with the move to the closure of the school. The consultation would be for anyone and would be advertised on the website for the diocese, school website, and local schools would also be invited.
- 3.12 Councillor Sorba said that he was surprised that the irregularities in the school had not been identified by anyone in the accountability system. Ms Barber said that she had asked the same question of the governing board and they assured her that what they were told was not based on fact, and they had not evidence based what they were told. She said that she understood that staff employed at the time were no longer in this authority but she said that it would appear that due diligence had not been done by those visiting the school on an annual basis.
- 3.13 Ms Barber said that when she first visited the school, the state of the kitchen was unbelievable. The main school hall was refurbished with the help of the diocese because it was in a disgusting state. She reassured members, that the children were now receiving a quality education but as a representative of the governing body, she could not reassure anyone that this was a viable option going forward. The school was in debt and this would increase if the school did not close.
- 3.14 Following members' questions, the Executive Director for Children and Young People said that the school was judged good by Ofsted. Local resources were very limited in terms of school improvement. His understanding was that at the time the school was not welcoming visits from the local authority. The school had received a good Ofsted rating which would have made it more difficult for the local authority to probe and to ask questions.

- 3.15 The Executive Director for Children and Young People said that with regard to lessons learned, there was now a different approach to school improvement in Lewisham and a much more robust process of bringing together a range of different evidence in schools including financial information, HR issues, staffing movements, as well as achievements and outcomes for children. Procedures had changed considerably over the last 3 years.
- 3.16 The Executive Director for Children and Young People clarified that there would be a public consultation as Ms Barber described, but would be managed by the school rather than the local authority because it was an aided school. There would be a further period of representation and after this second period, if it was the view to continue with the proposal to closure, a report would then be submitted to Mayor and Cabinet.
- 3.17 Mr Coleman clarified that the number of children attending the school did stabilise under new management but there were no signs that those numbers had turned around and improved, and an increase in numbers was the only way that the school would be able to get out of the current financial deficit. He said that there were ample spaces in local schools for children attending St Mary Magdalen School. Parents could choose the education they want for their child, including Catholic schools and non-faith schools. He said that there were 22 children due to leave school at the end of year 6 in this academic year. There were only 12 potential pupils coming into reception in September 2021. Mr Coleman said that he did not want to have to consider the closure of a school but with the financial deficit position the school was in, and the drop in numbers of children attending the school, he did not believe that there could be another outcome.
- 3.18 In response to questions from Councillors Codd and Kelleher, Ms Barber wanted to reassure members that consideration was given to reducing the school from a group two size school to a size one, but unfortunately it was not feasible and would not have provided the level of education that she believes children in Lewisham should have.
- 3.19 Ms Barber acknowledged that the capacity figures in the council report did not match the report of the governing body. This was because the reports were written at different times. A definitive list agreed by the school and Lewisham, would be included in the consultation documents.
- 3.20 Ms Barber explained that the demographics in the area had changed over many years. Most of the local family homes had been divided into flats. In addition, the local area was an aging parish with very few children coming through requiring school places
- 3.21 Ms Barber said that the school building belongs to the diocese. When investment was made in the building, there had been no intention to close the school and it was considered that the children deserved a decent environment in which to learn. She considered that as a governing body, they would not be doing due diligence if they allowed finances to fall deeper into debt.
- 3.22 Following several questions from Mr Ajayi and Councillor Kelleher the Director for Children and Young People advised that:

- Lewisham have a different school improvement framework from 3 years ago. Although he could not guarantee that there were not similar issues of mismanagement in other Lewisham schools, there was no evidence to suggest that this was the case. There are much clearer mechanisms for keeping a check on schools.
- There were no concerns about the current leadership at St Mary Magdalen School, or the quality of teaching. None of the concerns associated with the school in the past exist currently and scrutiny of the school continues.
- Consideration was not just given to an Ofsted report. Financial information is also considered and other sources of data, and officers ensure that there is a good balance of support and challenge for each school.

3.23 The Chair clarified that although officers would not know about all issues within schools, the situation with regard to St Mary Magdalen School could not occur again in a Lewisham school because there were robust procedures in place that would prevent this level of mismanagement.

3.24 In a response to a comment from Councillor Millbank about the power of school governing bodies, Mr Coleman said that when he attended a meeting of the governing body, most members understood that the school had self-assessed itself as outstanding. When he told them that this was not true, they were surprised as they had taken the advice from the Chair of governors who told them the school was outstanding. This was how the school operated; the Chair would give the governing body information and it would be received as correct without any evidence.

3.25 In response to a question from Councillor Bernards with regard to the number of first choice places offered, Ms Barber said that for the academic year 2021/22 there were 7 first choice applications to the school, 30 places were available and the school was one form entry.

3.26 Councillor Sorba asked what would happen to staff if the school closes. Ms Barber said, at this stage it could not be assumed that the school would close. However, consideration to close was being considered. There would be support for staff and parents with an open process. Staff would not be directed to a position just as parents would not be directed to a school. However, if the school were advised by the diocese or local authority that a position was available, it would be drawn to the attention of staff members, otherwise a redundancy process would commence.

3.27 Mr Coleman said that there was a dedicated staff member who would be ready to take the lead on behalf of the diocese. Their offices and contacts would be made available for staff to help them find employment within other Catholic schools. This support could not be offered until a decision was made about the future of the school but the diocese would work hard to obtain the best result for a many staff as possible.

3.28 The Chair thanked Ms Barber and Mr Coleman for their contribution to the meeting. He said that members would wait until the conclusion of the consultation process but it had been made clear in the meeting that no one wanted to be in the position whereby the closure of a school was being considered. There were no referrals or comments for Mayor and Cabinet.

RESOLVED that the report be noted.

The meeting ended at 8.03pm.

Chair

Agenda Item 2



Overview and Scrutiny Education Business Panel

Declarations of Interest

Date: 30 March 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive

Outline and recommendations

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

1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. 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.

1.2. Further information on these is provided in the body of this report.

2. Recommendation

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

3. Disclosable pecuniary interests

3.1 These 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.

4. Other registerable interests

4.1 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.

5. Non registerable interests

- 5.1. 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).

6. Declaration and impact of interest on members' participation

- 6.1. 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 not 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**
- 6.2. 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 6.3 below applies.
- 6.3. 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.
- 6.4. 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.
- 6.5. 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.

7. Sensitive information

- 7.1. 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.

8. Exempt categories

- 8.1. 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 and Scrutiny Education Business Panel

Decisions made by the Executive Director of Children and Young People

Date: 30 March 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider key decisions taken by the Executive Director of Children and Young People – open session

1. Recommendation

To consider key decisions taken by the Executive Director of Children and Young People, which will come in to force on 31 March 2021, unless called in by the Overview and Scrutiny Education Business Panel on 30 March 2021.

2. Background

2.1 The Executive Director of Children and Young People made the following key decisions:

- Direct Award of Autistic Spectrum Disorder Outreach Support Services to Drumbeat School

2.3 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 decisions to be made will come into force on 31 March 2021.



Executive Director for Children and Young People

Report title: Direct Award of Autistic Spectrum Disorder Outreach Support Services to Drumbeat School

Date: 23rd March 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All wards

Contributors: Victoria Lucking, CWCN Service Development Lead; Viki Redgrave, CWCN Strategic and Operational Lead

Outline and recommendations

In line with section 12 of the Public Contracts Regulations, officers recommend that the council make a direct award of ASD Outreach and support services to another contracting authority in the form of Drumbeat School.

Timeline of engagement and decision-making

Drumbeat School and Autism Outreach opened in 2009. The remit of the provision is to provide the best quality of education for all students with autism and their families. Drumbeat Autism Outreach is to provide educational settings and families with the skillset and knowledge to meet the needs of Children and Young People with a diagnosis of autism and/or social communication differences.

Formal consultation happened at the point of Drumbeat School and Autism Outreach opening in 2009.

In 2017 there has been a review of the service that the Drumbeat Autism Outreach provides, this highlights the requirement for a formalised agreement around expectations between Lewisham Local Authority and Drumbeat School.

1. Summary

- 1.1. The Drumbeat Autistic Spectrum Disorder (ASD) Outreach Service supports both educational settings and families to make sure that they are able to meet the needs of their child or young person with Autism/Social Communication Differences.
- 1.2. The Drumbeat ASD Outreach Service offers direct support and advice to individual students, professionals and all those involved with the child or young person.
- 1.3. Additionally, the Drumbeat ASD Outreach Service staff members use their specialist skills and knowledge to provide assessments for Education, Health and Care plans. The offer includes bespoke packages to children and young people at times of transition - and various training packages for professionals and families to promote independence and inclusion.

2. Recommendations

- 2.1. It is recommended that the Executive Director for Children and Young People award a contract to Drumbeat School for the provision of ASD Outreach and Support Services for a period of 1 academic year for a total value of £485,000.

3. Policy Context

3.1. Equalities Act 2010

Under the Equality Act 2010, Local Authorities are required by law to ensure schools and services make reasonable adjustments for individual pupils with SEND including ASD. These duties are anticipatory and require thought to what children and young people may require to prevent them being at a substantial disadvantage to their peers.

3.2. The SEND Code of Practice (2014)

The Code of Practice provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England. It relates to children and young people with special educational needs (SEN) and disabled children and young people. Local authorities must arrange for children with SEN or disabilities for whom they are responsible, and their parents, to be provided with information and advice about matters relating to their SEN or disabilities, including matters relating to health and social care.

The Code of Practice identifies the four board areas of special educational need of which communication and interaction is highlighted. Children and young people with ASD fall under this category and require suitable provision and adjustments to meet their special educational needs.

3.3. The Children's and Families Act (2014)

The Children and Families Act 2014 (CFA) highlights the responsibilities for local authorities these apply to disabled children as well as those with SEN. In particular, LAs must have regard to a set of principles including recognising the importance of: the views, wishes and feelings of children and their parents; their full participation, or enable them, in decision-making; information and support to achieve the best possible educational and other outcomes. Local Authorities must identify disabled children as well as those with SEN and:

- Commission services jointly with other agencies
- Integrate services where it will promote well-being or improve quality of services

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- Publish a local offer of services
- Provide information and advice
- Keep services under review
- Co-operate with, and seek the cooperation of local partners.

3.4. **National Autism Strategy – Think Autism**

The national strategy for autism – ‘Think Autism’ (2014) supports the Autism Act (2009) which endeavours to provide Local Authorities the support to enrich and improve the lives of people with autism. This comes in the shape of providing early identification, supporting schools and families to be accepting and develop the skills of those with autism. ‘Think Autism’ covers all ages and a focus is on supporting children in school and the transition to adulthood.

3.5. **Lewisham Send Strategy 2020- 2023**

The Local Area Partnership SEND Strategy 2020-2023 has a specific work stream dedicated to supporting children and young people with Autism and their families and professionals working with them across health, education and social care. The SEND Strategy aim is to ensure that every child and young person with Autism feels listened to, understood and able to access specialised support and advice when they need it by creating a community that provides equality of provision and life chances, supporting independence and championing autonomy. There are specific objectives and a development plan to ensure the aims within the strategy are met.

4. **Background**

- 4.1. Drumbeat School and Autism Outreach Services was initiated in 2009 in response to the growing population of children and young people with Autism in Lewisham requiring specialist provision and an outreach service to support early identification and intervention for educational establishments and families.
- 4.2. Since 2009, the service has grown due to an increase in demand and the good relationship between the Local Authority and Drumbeat School and Autism Service has allowed a flexible approach in catering to the ever changing cohort of children in the Borough.
- 4.3. The Autism Outreach Audit from 2017 indicated that the service was effective in meeting the needs of CYP with Autism and the training for schools and parental feedback was positive.
- 4.4. The audit did recognise a need for governance and structure and advised a Service Level Agreement should be in place between the Local Authority and Drumbeat Autism Outreach. Due to changes in management and unforeseen circumstances, there has been a delay in finalising the agreement.

5. **Service Outline**

- 5.1. As part of their core offer for Drumbeat Autism Outreach Support Services, they will provide the services at the frequency outlined in the table below:

Service Offer	Service Frequency
Referral Service to Early Years Settings (Nursery and PVI's)	3 visits (maximum) per pupil over a 2 year period
Offer of a transition review	1 session
Review in Reception class	1 visit per pupil
Commissioned Education, Health and Care Plan Needs Assessments	Contribute to up to 75 Needs Assessments per academic year Term Time Only (TTO)
Representation and contribution to Lewisham SEND Panel	Weekly attendance TTO
Lead, representation and contribution to the Local Area SEND Strategy 2020-2023	0.5 days per week TTO
Representation and contribution to other multi agency strategic work across the Local Authority	Including SENDAB and Transition Programme Board, SENCO Forum etc., Early Years forums and Inclusion Funding contributions
Parent/carer workshop	Monthly
Parent/carer courses	4 per term
Parent /carer drop-ins	6 different drop-ins per term
Support and training for resource base provision	6 training sessions (0.5 days per half term)
Web platform with resources, web links and information	To be regularly updated
Preparing for Adulthood Pathways Transition Support	Documents and support provided as required in summer term
Deliver AET Tier 1 to Early Years, Schools and Post 16 providers	One fifth of providers to have received training each year
Delivery of Tom-Tom	Weekly session TTO

- 5.2. An enhanced offer can be bought from educational providers in the form of a SLA. This is a contract between Drumbeat School and the educational provider. There is a tiered offer that providers can purchase which increases the amount of support for settings.
- 5.3. The three tiered approach is an increase of the days of contact between the educational provider and Drumbeat Autism Outreach. There is a menu of support that the educational provider can purchase as part of the SLA as well as the opportunity for bespoke packages. Each provider that purchases an enhanced offer will have the

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opportunity for bespoke training for the allocated Autism Champion.

6. Financial implications

- 6.1. Drumbeat Autism Outreach Service will be allocated £485,000 per year from the High Needs Block to deliver the Core Offer as outlined in the table at 5.1.

7. Legal implications

- 7.1. The report recommends a direct award of contract to Drumbeat School for the provision of ASD Outreach and Support Services for a value of £485,000. Under the Council's Contract Procedure Rules this is a Category B contract and can be awarded by the Executive Director for Children and Young People.
- 7.2. Under the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 ("the Regulations") a Contracting Authority may enter into a contract with another Contracting Authority without carrying out a competitive procurement process where the Contract establishes or implements co-operation between contracting authorities provided that the aim is to ensure that the public services they have to perform are provided with a view to achieving objectives they have in common; the implementation of that co-operation is governed solely by considerations relating to the public interest; and the participating contracting authorities perform on the open market less than 20% of the activities concerned by the co-operation. These criteria are met.
- 7.3. The award of this contract is a key decision and must be included in the Key Decision Plan.
- 7.4. The Council has a public sector equality duty (the equality duty or the duty - The Equality Act 2010, or the Act). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.5. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. The decision maker must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 7.6. The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have

statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website.

- 7.7 The EHRC has issued five guides for public authorities in England giving advice on the equality duty. The 'Essential' guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

8. Equalities implications

- 8.1. The Drumbeat Autism Outreach Service will have a positive effect on equality in Lewisham. The service provides education and support to eliminate disability by education and social inclusion. It also promotes and celebrates neurodiversity and tackles stereotypes.
- 8.2. The Drumbeat Autism Outreach Service fosters excellent relationships between different people and encourages advances in equality of opportunity. The Drumbeat Autism Outreach Service takes into consideration the nine protected characteristics as set out in the Equality Act 2010 and listed below for reference:
- a) Age
 - b) Disability
 - c) Gender reassignment
 - d) Marriage and civil partnership
 - e) Being pregnant or on maternity leave
 - f) Race
 - g) Religion or belief
 - h) Sex (Gender)
 - i) Sexual Orientation

9. Climate change and environmental implications

- 9.1. There are no direct climate change and environmental implications arising from this report.

10. Crime and disorder implications

- 10.1. There are no direct crime and disorder implications arising from this report.

11. Health and wellbeing implications

- 11.1. The Drumbeat Autism Outreach Service will have a positive effect on the health and wellbeing of Lewisham Residents. The service contributes to social inclusion, participation and independence of autistic children and young people.
- 11.2. Additionally, the Drumbeat Autism Outreach Service engages with the wider community to promote education regarding social inclusion and neurodivergent acceptance. The service will contribute to economic growth in Lewisham by enabling autistic people to further develop their skills and employability.

- 11.3. The Drumbeat Autism Outreach service promotes healthy eating and looking after physical health and wellbeing for autistic children and young people - and their families - through the delivery of workshops and information services.

12. Social Value implications

12.1. Employment, Skills and Economy

With [new data](#) (February 2021) from the Office of National Statistics in mind - data which shows that just 22% of autistic adults are in any kind of employment - Drumbeat has committed to reporting on the number of children and young people known to the Autism Outreach Service that continue their post-16 academic studies.

Drumbeat will also provide information, support, guidance and training in Autism specific strategies and interventions to school staff, parents/carers and outside agencies. This will help to support children and young people to make progress and reach their potential.

12.2. Making Lewisham Healthier

Drumbeat has committed to reporting on the number of contributions to Education, Health and Care (EHC) Plan Needs Assessments completed (as part of a multi-disciplinary partnership) per quarter as well as the percentage of actions completed on the SEND Strategy Autism Strand per year.

12.3. Training Lewisham's Future

Drumbeat has committed to reporting on the number of children and young people with an EHC plan known to the Autism Outreach Service who remain in mainstream education and go on to further education within mainstream education.

Drumbeat will also report on the number of parent(s)/carer(s) of children and young people known to the Autism Outreach Service who attend Drumbeat courses and workshops, with a commitment that a minimum of 75% of parent(s)/carer(s) will over the course of this 1 year contract.

12.4. Greener Lewisham

Drumbeat Autism Outreach Service works alongside the Independent Travel Training Team with the aim of promoting independent and sustainable travel. By providing schools, families and children and young people with strategies for safe independent travel, this has allowed some children and young people who were previously relying on Local Authority transport to travel independently via public transport or walking.

Drumbeat is committed to enabling this independent and environmentally friendly change wherever possible and will report on the number of children and young people who choose to make this change over the course of this 1 year contract.

13. Background papers



Drumbeat Short
Breaks Ext Report - I

13.1.

14. Glossary

- 14.1. Please see the table below for definitions of terms featured in this report:

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Page 19

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Term	Definition
AET	Autism Education Trust
ASD	Autistic Spectrum Disorder
CYP	Children and Young People
SEND	Special Educational Needs and/or Disabilities
PVI	Private, Voluntary and Independent Nursery
SEND	Special Educational Needs and/or Disabilities

15. Report author and contact

- 15.1. Victoria Lucking, Service Development Lead, Children with Complex Needs and Disabilities Service
- 15.2. Victoria Lucking, 07737 784 196, Victoria.Lucking@Lewisham.gov.uk

16. Comments for and on behalf of the Executive Director for Corporate Resources

- 16.1. Mala Dadlani, Interim Group Finance Manager
- 16.2. Mala Dadlani, 02083 143 948, Malasona.Dadlani@Lewisham.gov.uk

17. Comments for and on behalf of the Director of Law, Governance and HR

- 17.1. Mia Agnew, Senior Lawyer
- 17.2. Mia Agnew, 02083 147 546, Mia.Agnew@Lewisham.gov.uk

18. Decision

- 18.1. Signed: 

Dated: 24th March 2021

Pinaki Ghoshal, Executive Director for Children and Young People

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Page 20

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Overview and Scrutiny Education Business Panel

Decisions made by Mayor and Cabinet

Date: 30 March 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Business and Committee

Outline and recommendations

Members are asked to consider decision taken at a meeting of the Mayor and Cabinet held on 24 March 2021 in open session

1. Recommendation

To consider decision taken by the Mayor and Cabinet on 24 March 2021, which will come in to force on 31 March 2021, unless called in by the Overview & Scrutiny Education Business Panel on 30 March 2021.

2. Background

2.1 The Mayor and Cabinet considered the following decision on 24 March 2021:

- i. COVID-19 Related Extensions by Children & Young People Directorate

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 31 March 2021.



NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

The Mayor and Cabinet made the following decision on March 24 2021. The recommendations shown were agreed by a 9-0 vote of voting members in attendance. The decision will become effective on March 31 2021 unless called in by the Overview & Scrutiny Education Business Panel on March 30 2021.

1. **COVID-19 Related Extensions by Children & Young People Directorate**

Having considered an open 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 the following contracts be extended:

(1) Ravensbourne Project - Specialist Short Breaks – overnight, holiday and weekends services

- Extension of twelve months from 1 September 2021 to 31 August 2022, costing £630,000

(2) Health Visiting and School Health – 0-19 Public Health Nursing Service

- Extension of twelve months from 1 April 2022 to 31 March 2023, at a cost of £6,949,489. This is fully funded by the Public Health Grant.

(3) Children Centres – Early Years Alliance, Kelvin Grove and Elliot Bank, Dowderry

- Extension of Early Years Alliance (Pre School Learning Alliance) for a period of 12 months from 1st April 2022 to 31st March 2023 at a cost of £1.3m
- Dowderry School for a period of 12 months from 1st April 2022 to 31st March 2023 at a cost of £0.2m
- Elliot Bank and Kelvin Grove for a period of 12 months from 1st April 2022 to 31st March 2023 at a cost of £0.17m
- The total cost of the extensions is £1.67m

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
March 25 2021