



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 20 JULY 2021 at 7.00 pm

Venue: Remote via Microsoft Team and at Civic Suite, Lewisham Town Hall,
London SE6 4RU

Enquiries to: Jasmine Kassim
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MEMBERS

Councillor Paul Maslin	Chair	Labour Co-op
Councillor Octavia Holland	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 Louise Krupski	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 Susan Wise	Labour Group Representative	Labour Co-op

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Monday, 12 July 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)



Lewisham



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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: 20 July 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Committee Business

Outline and recommendations

Members are asked to consider minutes of that part of the meeting of the Overview and Scrutiny Education Business Panel meeting 22 June 2021, which were opened to the press and public

1. Recommendation

It is recommended that the minutes of those parts of the meetings of the Overview and Scrutiny Education Business Panel which were open to the press and public held on 22 June 2021, be confirmed and signed.

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

12 July 2021

MINUTES OF THE OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Tuesday, 22 June 2021 at 7 pm

PRESENT: Councillor Maslin (Chair) Councillors Bernard's, Codd, Krupski Millbank, and John Muldoon

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

The following councillors were present via remote access: Councillors Holland, Sorba and Wise

Apologies Councillor Campbell and Clive Caseley

IN ATTENDANCE Councillor McGeevor and Adefiranye.

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

Ghoshal, Pinaki Director for Children and Young People

Fiona Gavin Estate & Contracts Manager

Matthew Henaughan Service Manager – School Place Planning

The meeting commenced at 7pm and adjourned at 7.01pm in order to consider business of the Overview and Scrutiny Business Panel.

The meeting resumed at 7.05pm.

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 9 June 2021

School Meals Contract Award

- 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 outlined the background to the school meals contract award. In response to a question from Councillor Sorba, the Director for Children and Young People confirmed that the in house provisions as preferred by members had not proved popular amongst schools. Officers confirmed that many schools had not chosen the centralised approach because of cost. In the next few years, officers would re-engage with schools for a longer term solution in an effort to ensure that there was not a mixed approach across Lewisham schools with regard to the provision of school meals.
- 3.3 Members were advised that the contract put out to tender had strict quality indicators and there was a tighter contract arrangement than the previous contract. It had been disappointing to receive one contract bid because officers had hoped that by offering a longer contract period it would have been more attractive to contractors. The quality and cost of the bid was good. There would be a fixed cost throughout all the schools. This would ensure that smaller schools, who had been paying more for their meals, would not be dis-benefited.
- 3.4 The school packed lunches provided by the contractor had been of poor quality and reported as such in national newspapers; the contractor subsequently apologised at a national level. The Director for Children and Young People said that packed lunches would not form part of the new school meals contract.
- 3.5 In response to questions from Councillor Sorba regarding the differential between the options and quality and standards, the Estate and Contracts Manager said that cost was the main factor for schools turning down the insource model option B, Officers considered two insource models. One was fully insourcing everyone into the local authority and providing a service that way, and the other option was for schools to manage the staff and kitchen. There were about 500 employees at the time and option B required an extensive team structure to manage these staff. The difference in cost between options A and B was about £½m per year, about £10,000 for each school. Schools may have thought that the difference in cost was too high. Officers could consider these costs over the next few years and whether they could be reduced. Another reason why option B was rejected could have been that school business managers considered that their jobs were pressurised and that they did not want to take on extra responsibility of providing a school meals service.
- 3.6 In response to a question from Councillor Sorba regarding the length of the contract period, the Estate and Contracts Manager said that the tender was out for 5 weeks, which was considered to be a reasonable amount of time and ample time to submit bids. She said that there could have been an issue with other local authorities putting out tenders at the same time and it may have been that more resources were put into contracts that were out a week before Lewisham.
- 3.7 The Estate and Contracts Manager said that with regard to standards and quality, there had been a lot of open consultation with governors and school leaders on the specification, and she was hopeful that there would be a better level of service in the future. There would be a three week rolling menu with a backup menu of approximately 50 meals. Any meals that were not popular in the school could be replaced with one of the backup meals. Tighter controls on quality had been considered. Officers had been attending infrequent, extensive, one day visits to

schools. In future there would be shorter, more frequent visits. Every school would be visited at least once a month. The contractor would also be required to provide a free school meal to at least one member of the leadership team in each school so that they could taste the food for themselves and ensure that it was of the standard required. Steps could then be taken to rectify any issues quickly.

- 3.8 The Estate and Contracts Manager said that schools that not necessarily opted out of in-house provision because of dissatisfaction. She said that for some, it may have been dissatisfaction with the suggestion that officers had pursued for an insource option which was not wanted.
- 3.9 In summary, Councillor Sorba said that for some children in Lewisham, their school meal is the most important meal of the day. The school contract is an important part of what this Council delivers through contractors. He said that he had noticed low levels of satisfaction in Chartwells, this was evidenced in the survey of 2019 and he was disappointed that there had not been any other bids. He was concerned that if there were no other bidders this could be reflected in the service provided by the contractor. However, Councillor Sorba was reassured that the contract would be monitored and would have sanctions to maintain a good standard that children in Lewisham deserve.
- 3.10 Monsignor Rotheron asked whether there was a robust complaints procedure in the contract. He said that it was important that schools do not have to wait for a visit from Lewisham officers, and that they know how to submit a complaint immediately. He also asked how this would be managed and whether there would be penalties against the contractor. The Director for Children and Young People said that the contract would be managed centrally. If a school had any concern about the provision of school meals, he would expect them to contact the Estate and Contracts Manager. Officers' role would be to act on behalf of the schools with the contractor to ensure that the children received the very best quality meals.
- 3.11 The Estates and Contracts Manager said that she has a passion for making sure that children in Lewisham receive the best meals possible. She intended to have good working relationships with school leaders and ensure that they know that her team are approachable. Meeting on Microsoft Teams had also helped and made her team more accessible to school leaders. There was a robust complaints procedure in the contract. There was a penalty system and performance management system which carries financial penalties. The system for reporting complaints had been simplified.

There were no referrals or comments for Mayor and Cabinet.

RESOLVED that the report be noted.

4. Decisions by the Executive Director for Children and Young People Making of Instruments of Government.

RESOLVED that the report be noted.

The meeting ended at 7.40pm.

Chair



Overview and Scrutiny Education Business Panel

Declarations of Interest

Date: 20 July 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).



Overview and Scrutiny Education Business Panel

Decisions made by Mayor and Cabinet

Date: 20 July 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive / Head of Committees

Outline and recommendations

Members are asked to consider decisions taken at a meeting of the Mayor and Cabinet held on 14 July 2021 in open session

1. Recommendation

To consider decisions taken by the Mayor and Cabinet on 14 July 2021, which will come in to force on 21 July 2021, unless called in by the Overview & Scrutiny Education Business Panel on 20 July 2021.

2. Background

2.1 The Mayor and Cabinet considered the following decision on 14 July 2021:

- i. Statutory Proposal to close St Mary Magdalen's Catholic Primary School
- ii. Updated Determined Admissions Arrangements in line with new DfE Admissions Code 2021

2.2 The notice of the decisions 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 decisions will come into force on 21 July 2021.



NOTICE OF DECISIONS MADE BY THE MAYOR & CABINET

The Mayor & Cabinet made the following decisions on July 14 2021. All recommendations shown were agreed by a 3-0 vote of voting members in physical attendance. The decisions will become effective on July 21 2021 unless called in by the Overview & Scrutiny Education Business Panel on July 20 2021.

1. Statutory Proposal to close St Mary Magdalen's Catholic Primary School

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

(1) St Mary Magdalen's Catholic Primary School be closed with an implementation date of 31 December 2021; and

(2) officers work with the affected pupils and parents along with the School, Governing Body and Archdiocese to ensure that all displaced pupils are found suitable school places elsewhere.

2. Updated Determined Admissions Arrangements in line with new DfE Admissions Code 2021

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

(1) the changes necessary as a result of the new School Admissions Code 2021 be accepted;

(2) the updated admissions arrangements for community schools for 2021/22 as set out in Appendix 1 be approved

(3) updated admissions arrangements for community schools for 2022/23 as set out in Appendix 2 be approved.

Kim Wright
Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
July 15 2021