



AGENDA

OVERVIEW AND SCRUTINY EDUCATION BUSINESS PANEL

Date: TUESDAY, 16 NOVEMBER 2021 at 7.00 pm

Remote via Microsoft Teams 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 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, 8 November 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.

Councillor
Mark Ingleby

Chair of Public Accounts Select Committee

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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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Lewisham



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Overview and Scrutiny Education Business Panel

Minutes

Date: 16 November 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 12 October 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 12 October 2021, be confirmed and signed.

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

8 November 2021

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday 12 October 2021 at 7pm

Present: Councillor Maslin (Chair), Councillor Campbell, Councillor Ingleby, Councillor Krupski, Councillor Millbank, Councillor Muldoon.

Present remotely: Councillor Bernards, Councillor Wise.

In Attendance remotely: Councillor Dacres

Also Present: Director of Communities, Partnership and Leisure (DCPL), Officers (Housing Services).

Apologies: Councillor Holland, Councillor Sorba

1. Declarations of Interest

No interests were declared.

2. Minutes

The minutes of the last meeting were deferred to the next scheduled Committee meeting.

3. Key Decision Plan

The Head of Business and Committee presented this item. The report outlined the upcoming key decisions over the next few months.

Councillor Millbank asked if the 'Lewisham and Lee Green Low Traffic Neighbourhood: Consultation report' would consider just that particular neighbourhood or Low Traffic Neighbourhoods in general.

The Head of Business and Committee responded that he would consult with the local authority's transport and highways officer, for further clarification. Councillor Krupski confirmed the consultation would specifically address the consultation feedback with regard to the Lee Green Low Traffic Neighbourhood.

Councillor Muldoon noted a typo on page 11 of the Key Decision Plan stating that the report titled 'Permission to award principal contractor to carry out refurbishment works to Lewisham Town Hall' should probably include the word 'Works' as opposed to 'Woks'.

The Head of Business and Committee acknowledged the typo error and confirmed that Councillor Muldoon's assertion, was correct.

RESOLVED that the report be noted.

4. Decisions made by Mayor and Cabinet - 6 October 2021 in open session

Private Sector Housing - Consultation for introducing selective licensing scheme

The Chair advised Members that he had received a request from Councillor Ingleby, for the panel to consider a decision made by the Mayor and Cabinet, in regard to the: 'Borough-Wide Selective Licensing of the private rented sector – approval to consult' report.

Councillor Ingleby requested:

1. Clarification whether what was being proposed in the report, fell within Article 4 directions
2. Advice on whether the Article 4 directions process, helped or hindered the progress, of the proposal

An Officer who represented Housing Services, advised Members the Article 4 directions related to individual properties that required planning consent.

The Officer informed Members the local authority intended to launch a Selective Licensing scheme, which would regulate the management of HMO's. The Officer concluded that the Article 4 directions would not impact the proposal, as the proposal did not include the development of HMO's.

Domestic Abuse and Violence against Women and Girls Strategy 2021-26

The Chair informed Members that he had received a request from Councillor Campbell, for the panel to consider a decision made by the Mayor and Cabinet, in regard to the: 'Domestic Abuse and Violence against Women and Girls Strategy' report.

Councillor Campbell enquired:

1. What tangible preventative work would be conducted, to prevent violence against women and girls, as well as addressing street violence
2. What work would the police be involved with in support, as stakeholders of the strategy, in partnership with the local authority
3. How would the local authority convey the impact the strategy had, on preventing violence against women and girls.

The Director of Communities, Partnership and Leisure (DCPL), advised Members that the strategy placed a huge focus on the prevention of violence, as priority. The DCPL quoted from the report with regard to the action plan outlined within, which proposed to raise awareness of domestic abuse along with early intervention measures such as: various education programs, public facing campaigns and promoting zero tolerance approaches. The DCPL assured Members, it is now the local authority's role to deliver on the action plan outlined. The DCPL confirmed that once the proposal had been approved, the strategy's offer would be implemented. The DCPL emphasised that continual scrutiny of the strategy would be welcome, as well as guidance from the panel and public, to ensure the action plan was delivered.

The DCPL advised that with regard to the police, it was acknowledged whilst their contribution to the strategy had not been highlighted, their support was at the core of the strategy's delivery. The DCPL advised Members of police strategies, such as: the multi-agency risk assessment conference, co-chaired by the police, which was key to dealing with very high risk abuse cases. Mention was also given to the various domestic violence and other protection orders, referred to in the report managed by the police. The DCPL also emphasised the police work conducted, via constant review of domestic violence cases, under the initiative 'Operation Dauntless'.

The DCPL clarified the dashboard methods, as outlined in section 10 of the report that would convey how the strategy, had made an impact on the prevention of domestic violence.

Councillor Krupski asked:

1. Why the local authority had such a poor record in the prevention of domestic violence
2. Had been any research been conducted, to identify what triggered instances of abuse i.e. stress.
3. What could be done in terms of building expertise in professionals, who work with abuse cases, to help them identify the early signs of domestic violence, so they can assist those affected?
4. Were there any charities or organisations that helped males affected by domestic violence?

The DCPL acknowledged the wide prevalence of domestic abuse cases in the borough and advised a huge amount of research was being conducted, to establish the causes. Members were advised the local authority was in discussion with the police, to obtain full victim profiles for research purposes. The Committee were advised the local authority had officers on standby to engage in the research process.

Members were assured that professional training was being addressed, to equip professionals to identify abuse and respond appropriately. The DCPL recounted the research conducted amongst abuse survivors, which highlighted the importance of professional curiosity.

The DCPL acknowledged that domestic abuse appeared to be gender specific. Members were advised that the strategy sought to use gender neutral language. It was advised that care was taken to neutralise pronouns. The DCPL advised the strategy did recognise and expand on the prevalence of male against female domestic abuse. Members were informed the strategy addressed this and the need for men to challenge and address misogynist behaviours.

Members were advised that the local authority noted the lack of services for male victims of domestic abuse and had launched a campaign to address the issue. The DCPL advised of the campaigns progress, in terms of referrals received.

Councillor Millbank requested:

1. Clarification, with regard to 'cross borough work' referred to on section 6.8 of the cover report, page 68 of the strategy.
2. Assurance that the local authority would recognise White Ribbon Day on the 25 November 2021.
3. How can the local authority add its voice to have misogyny recognised as a hate crime?

The DCPL advised that with regard to domestic violence, there was more cross borough work, than on any other policy area.

Members were assured White Ribbon Day would be recognised on the 25 November, which would be the first of the 16 days of activism, to end violence against women. The DCPL discussed the planned launch of the strategy on the 9 November to tie in with White Ribbon Day and other events.

Councillor Dacres reiterated the DCPL's advice with regard to the launch of the strategy and events in support of the strategy and White Ribbon Day.

Councillor Dacres discussed the work carried out to make misogyny a hate crime, such as the open letter sent to government signed by over 270 female councillors. The Councillor noted the support from councillors for misogyny as a hate crime to be written into law.

Members were assured the work for misogyny to be recognised legally as a crime, would continue.

The Chair advised Members that he was aware that following recent tragic events, the voices against misogyny were mainly those of women. He advised the importance of men in the local authority to acknowledge the need to challenge and address the misogynist behaviours of men alongside women, to ensure success in combating misogyny.

RESOLVED that the report be noted.

5. Decisions by the Executive Director of Community Services in open session

No requests were made for the Panel to consider any decisions.

The item was closed.

6. Exclusion of the Press and Public

RESOLVED that the report be noted

7. Part 2 – Closed Session - Decisions by M&C- 6 Oct2021

RESOLVED that the report be noted

8. Part 2 Decisions made by the Executive Directors

The Chair advised Members that he had received a request from Councillor Ingleby, for the panel to consider a confidential decision made by the Executive Director for Community Services, in regard to the report 'Permission to Procure Lewisham and Greenwich Appropriate Adult Service for Vulnerable Adults'. A question was asked by Councillor Ingleby which was fully addressed by Tom Brown, the Executive Director for Community Services.

RESOLVED that the report be noted

The meeting ended at 7.48pm

Agenda Item 2



Overview and Scrutiny Education Business Panel

Declarations of Interest

Date: 16 November 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 Executive Director for Children and Young People

Date: 16 November 2021

Key decision: Yes

Class: Part 1

Ward(s) affected: All

Outline and recommendations

Members are asked to consider decisions taken by the Executive Director for Children and Young People in open session

1. Recommendation

To consider a decision taken by the Executive Director for Children and Young People on 21 September 2021, which will come in to force on 17 November 2021, unless called in by the Overview & Scrutiny Education Business Panel on 16 November 2021.

2. Background

2.1 Executive Director for Children and Young People on 21 September 2021:

i. Making of Instruments of Government

2.2 The notice of the decision in respect of this report is attached.

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 17 November 2021.



Delegated Authority Report

Making of Instruments of Government.

Date: 20 September 2021

Key decision: Yes

Class: Part 1.

Ward(s) affected: Forest Hill

Contributors: Head of Schools Services

Outline and recommendations

The governing body of Sydenham School have resolved to increase the number of co-opted governors from 6 to 7 and have asked the Local Authority to make a variation to their Instrument of Government to increase the total number of governors from 13 to 14.

The purpose of this report is to seek agreement to vary the Instrument of Government for the governing body of Sydenham School.

The Executive Director of Children and Young People is recommended to approve that the Instrument of Government for the governing body listed below be made by Local Authority order dated 20 September 2021 as set out in Appendix 1.

- The governing body of Sydenham School

Timeline of engagement and decision-making

The Instrument of Government for the governing body of Sydenham School was last made on 21 November 2018 by Mayor and Cabinet.

1. Summary

- 1.1. The governing body of Sydenham School have resolved to amend their Instrument of Government and have asked the Local Authority to make a variation to their Instrument of Government.

2. Recommendations

- 2.1. The Executive Director of Children and Young People is recommended to approve that the Instrument of Government for the governing body listed below be made by Local Authority order dated 20 September 2021 as set out in Appendix 1.
 - The governing body of Sydenham School

3. Policy Context

- 3.1. Each maintained school has to have an Instrument of Government. The Local Authority must satisfy itself that the Instrument of Government for each maintained school conforms to the legislation. The Local Authority must also agree its content
- 3.2. The report is consistent with the third priority identified in the 2018-2022 Corporate Strategy listed below.

“Giving children and young people the best start in life - Every child has access to an outstanding and inspiring education and is given the support they need to keep them safe, well and able to achieve their full potential”

4. Background

- 4.1. At the governing body meeting on 9 June 2021 the governing body of Sydenham School resolved unanimously to increase the number of co-opted governors from 6 to 7 and thus amend the Instrument of Government previously agreed in November 2018.
- 4.2. The Governing Body of Sydenham School was larger previously and the school struggled to fill some of the Governor positions. With a full complement of Governors, there is a need to increase the Governing Body by one co-opted Governor. This would allow for even distribution over committees and to aid in co-opting a governor to aid in adding diversity to the governing body.
- 4.3. The governing body or local authority can review and vary the instrument of

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government at any time after it is made.

- 4.4. Each governing body must be constituted in accordance with regulations made by virtue of section 20 of the Education Act 2002 namely The School Governance (Constitution) (England) Regulations 2012, as amended by The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2017.
- 4.5. The total membership of the governing body of a maintained school must be no fewer than seven governors
- 4.6. The governing body of a maintained school must include the following:-
 - (a) at least two parent governors;
 - (b) the headteacher unless the headteacher resigns the office of governor in accordance with regulations;
 - (c) one staff governor, and
 - (d) one local authority governor
- 4.7. The governing body may in addition appoint such number of co-opted governors as they consider necessary provided the requirement in paragraph 4.8 are met in respect of governing bodies of maintained schools.
- 4.8. The total number of co-opted governors who are also eligible to be elected or appointed as staff governors (when counted with the staff governor and the headteacher) must not exceed one third of the total membership of the governing body.
- 4.9. Appendix 1 details the Instrument of Government the Local Authority is proposing to make by order.

5. Financial implications

- 5.1. There are no financial implications arising from this report

6. Legal implications

- 6.1. Section 20 of the Education Act 2002 requires all maintained schools to have an Instrument of Government which determines the constitution of the governing body and other matters relating to the school.
- 6.2. Each school must have an Instrument of Government detailing the name of the school, the type of school and the membership of the governing body. The category of governor and the number in each category is specified in the School Governance (Constitution) (England) Regulations 2012 as amended.
- 6.3. The Instrument of Government proposed for the governing body of Sydenham School conforms to The School Governance (Constitution) (England) Regulations 2012 as amended.

7. Equalities implications

- 7.1. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). 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
- 7.2. 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.
- 7.3. 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 at 7.2 above.
- 7.4. 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
- 7.5. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality 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 at
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 7.6. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
 - [Meeting the equality duty in policy and decision-making](#)
 - [Engagement and the equality duty: A guide for public authorities](#)
 - [Objectives and the equality duty. A guide for public authorities](#)
 - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 7.7. 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. Further information and resources are available at:
- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality->

8. Climate change and environmental implications

8.1. There are no climate change or environmental implications arising from this report]

9. Crime and disorder implications

9.1. There are no crime and disorder implications arising from this report

10. Health and wellbeing implications

10.1. There are no health and wellbeing implications arising from this report

11. Appendices

- Appendix 1 Instrument of Government for the governing body of Sydenham School

12. Background papers

12.1.

Short Title of Document	Date	File Location
The School Governance (Constitution) (England) Regulations 2012	2012	https://www.legislation.gov.uk/uk/si/2012/1034/contents/made
The constitution of governing bodies of maintained schools Statutory guidance for governing bodies of maintained schools and local authorities in England	2017	https://www.gov.uk/government/publications/constitution-of-governing-bodies-of-maintained-schools
The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2017	2017	https://www.legislation.gov.uk/uk/si/2017/487/made

13. Glossary

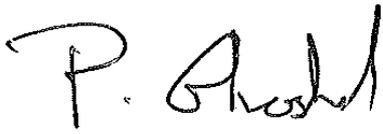
13.1.

Term	Definition
Instrument of Government	An Instrument of Government is the legal document for Local Authority schools that records the constitution of the governing body and the term of office for each category of governor as well as the name of the school.

14. Report author and contact

14.1. Suhaib Saeed, Head of School Services suhaib.saeed@lewisham.gov.uk

Signed under Delegated Authority



Pinaki Ghoshal

Date 21st September 20221

Executive Director for Children and Young People

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Appendix 1

INSTRUMENT OF GOVERNMENT: COMMUNITY SCHOOLS

1. The name of the school is **Sydenham School**
2. The school is a **community school**
3. The name of the governing body is **The governing body of Sydenham School**
4. The governing body shall consist of:
 - a. **4** parent governors
 - b. **1** Local Authority governor
 - c. **1** staff governor
 - d. **1** Headteacher
 - e. **7** co-opted governors
5. Total number of governors **14**
6. This instrument of government comes into effect on: **5 October 2021**
7. This instrument was made by order of Lewisham Local Authority on **20 September 2021**
8. The variation to the Instrument of Government comes into effect on **5 October 2021**
9. A copy of the instrument must be supplied to every member and associate member of the governing body (and the headteacher if not a governor)