

COUNTY BOROUGH OF BLAENAU GWENT

**REPORT TO: THE CHAIR AND MEMBERS OF THE EDUCATION
AND LEARNING SCRUTINY COMMITTEE**

**SUBJECT: EDUCATION AND LEARNING SCRUTINY
COMMITTEE - 11TH FEBRUARY, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR J. HOLT (IN THE CHAIR)

Councillors J. Holt (Vice-Chair)
D. Bevan
M. Cook
M. Day
L. Elias
J. Hill
C. Meredith
J. C. Morgan
J. P. Morgan
L. Parsons
T. Smith
B. Summers
A. Williams (Co-opted Member)

WITH: Corporate Director of Education
Strategic Education Improvement Manager
Service Manager Inclusion
Youth Services Manager
Press & Publicity Officer
Scrutiny & Democratic Officer / Advisor

ITEM	SUBJECT	ACTION
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	

<p>No. 2</p>	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from the Chair Councillor H. Trollope and Councillor D. Wilkshire.</p> <p><u>Co-opted Member</u> T. Baxter</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTERESTS AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
<p>No. 4</p>	<p><u>EDUCATION & LEARNING SCRUTINY COMMITTEE MINUTES</u></p> <p>The Minutes of the Education & Learning Scrutiny Committee Meeting held on 15th December, 2020 were submitted.</p> <p>The Committee AGREED that the Minutes be accepted as a true record of proceedings.</p> <p><u>VERBAL UPDATE - COVID-19 PANDEMIC</u></p> <p>At the request of the Chair, the Corporate Director of Education provided a verbal update on the Education Directorate's response to the COVID-19 pandemic. There were two key strategic updates, the first related to the Estyn Thematic Review Letter, the Welsh Government had requested Estyn to carry out a review on how Councils supported schools since the start of the Covid-19 pandemic which covered the period March to October 2020. The Letter via a report would be presented to the next meeting of this Committee. Overall, there had been constructive feedback from the regulator with four areas of notable practice being identified, including strong collaboration across the Local Authority, particularly the way the Council and schools had worked in a coherent, collective and collegiate fashion. There was recognition of the beneficial support for vulnerable pupils from the Education Psychology Service and it was acknowledged that there was strong work from the Local Authority's Youth Services and the effective use of ICT resources.</p>	

The second key strategic update was that the Welsh Government had made a decision that Foundation Phase learners have face to face learning following half term from 26th February, 2021. The Director was pleased to report that discussions had taken place with Headteachers and it had been agreed that Foundation Phase learners in Blaenau Gwent would have face to face learning from 22nd February.

A Member sought clarification on whether all Foundation Phase pupils would be returning to school on the same date.

The Service Manager Inclusion responded that it was his understanding from the Headteachers meeting that all Foundation Phase pupils would be returning to school on the same date, but would seek clarification.

A Member enquired if the Council had been informed when it would receive the funding from Welsh Government for extra PPE for schools, and sought assurance that this money would be spent on additional equipment, in light of reports that cases could rise when schools return.

The Service Manager Inclusion would contact the Education Transformation Manager to clarify.

No. 5

ACTION SHEET - 15TH DECEMBER 2020

The action sheet arising from the meeting of the Education & Learning Scrutiny Committee held on 15th December, 2020 was submitted.

The Committee AGREED that the action sheet be noted.

No. 6

ADDITIONAL LEARNING NEEDS (ALN) ACT READINESS

Consideration was given to the report of the Service Manager Inclusion which was presented to provide Scrutiny Committee with an update on the Additional Learning Needs (ALN) and Tribunal (Wales) Act (2018) and the progress the Education Directorate is making in readiness.

The Service Manager Inclusion spoke to the report and highlighted the main points contained therein.

The Service Manager noted the cost pressure referenced in the report in relation to statutory duties, however, owing to managing the difficulties of running two systems and the additional capacity required within the ALN Team, the cost pressure would be closer to £100,000.

The Chair congratulated the team for all the hard work and collaboration that had been undertaken.

A Member said he welcomed the report and requested an update with a breakdown of statemented children, ALN children, dyslexic children etc. In response the Service Manager Inclusion said he could provide a breakdown of pupils that are at School Action and School Action Plus that have a statement and their primary needs and include details around the resource base for Members information.

The Committee AGREED this course of action.

With regard to the ALN Bill coming into force in September a Member commented on the excellent work that had been undertaken and congratulated the Service Manager and the team for leading on this issue.

A Member requested that it be acknowledged the excellent work that the officer and his team had achieved on leading this piece of work.

In response to a Member's question regarding cross border transfers into Primary and Secondary and the delay with transfer paperwork and enquired if the new Act would help or hinder this, the Service Manager Inclusion said he felt positive that the changes would be of significant benefit in that area. There had been issues with the current system, delays with transfer paperwork etc. and the five authorities interpreting the criteria at different stages in entirely different ways. The new system was less bureaucratic and the introduction of the Individual Development Plan would replace statements. There would be one plan so whether there was a low level of additional learning need or significant complex needs it would be the same plan. Work was still ongoing in relation to consistency across all five local authorities such as the type of letters sent to parents, etc. With one plan in place there would no longer be multiple interpretations of the different stages and this would make a significant difference to the paperwork received with regard to understanding pupils needs when transferring from one local authority to another. The Service Manager felt that the Welsh Government framework provided a good basis to address the issues in the current system.

A Member referred to capacity issues and enquired what investment would the Directorate or Council make to overcome these capacity issues to meet Estyn recommendations for improvement. He felt that with such an important issue there was a need to ensure that appropriate capacity was in place to carry out all the requirements of the Act. The Director of Education responded that Full Council had endorsed a new structure for the Education Directorate and that it recognised the need for capacity in terms of school improvement and inclusion. As part of the budget setting process a £100,000 growth item had been requested for next year's budget and that will now form part of discussions for setting next year's budget and would be presented to Full Council in March, which if agreed will fund an additional statutory post linked to ALN reform. This issue was a priority and a request had also been put forward to support the additional capacity that was required via the growth bid.

A Member requested clarification on paragraph 2.9 of the report, in relation to IDPs. The Service Manager Inclusion clarified that with an Individual Development Plan in place the school would determine if it was comfortable to manage the pupil with the funding to support the pupil's needs. There may be a threshold that still needs to be defined by the Welsh Government and then reflected in regional and local practice to determine at which point was the complexity of need enough that the local authority would then take on the responsibility for that IDP. Currently local authorities were responsible for all statemented pupils and the statement, however, local authorities delegate that responsibility to the schools in terms of managing the annual review and the provision etc. The new system would still give schools the opportunity, that if a pupil had significant complex needs, to request that the pupil had a local authority IDP. There were still some issues around looking at what the threshold would be between a school IDP and a local authority IDP.

The Service Manager said that once the ALN Code of Practice was finalised he was keen to provide an opportunity for Members to have a more detailed explanation and discussion around some of the key areas such as; what is Person Centred Practice, what is an Individual Development Plan, what is the ALN post 16 transition etc. at some point in the future.

A Member raised concerns regarding a backlog of pupils waiting to be statemented and enquired if this would affect the report going forward and to be implemented in September. The Service Manager Inclusion responded that local authorities were required to carry out statutory assessment within 26 weeks. There was a backlog as the key elements to a statutory assessment were; an Educational Psychologist carried out an assessment of the pupils needs, this would need to be done within a school setting and Health provide a medical report on the pupil that requires them to attend a meeting; and due to the lockdown fulfilling and completing statutory assessments had not been possible.

However, going forward the expectation from the Welsh Government was that the majority of IDP's would be school based and would not require the input of the local authority. It would still be a statutory document that had legal entitlement to tribunal appeal. The new system was less bureaucratic without lengthy timeframes attached to it. If a school felt a pupil had additional learning needs and required additional learning provision they were in a position to establish an Individual Development Plan. The majority of IDP's would be managed by schools without requiring input from local authorities, this would speed up the process and where schools feel the local authority should adopt that IDP, that would entail taking ownership of the existing IDP. The Team were addressing the backlog as quickly as they possibly could.

In response to a Member's question regarding risks to missing the September date, the Service Manager felt that the only risk was Covid-19, he had no concerns regarding being ready in time, as fundamental key elements were in place. However, he felt that, as with all new systems there may be some teething problems at first and moving forward post September there may be a need to refine and improve some elements.

The Corporate Director of Education advised Members that the Welsh Government had advised Directors of Education across Wales that the discussion on ALN reform was planned for the last session prior to the Senedd recess. As there was currently an emergency situation, there could be national considerations regarding Covid-19 that may take precedent and therefore there could be a potential delay in Welsh Government final conversations and approvals around ALN reform.

A Member referred to capacity issues and commented that it was one of the Estyn recommendations for improvement and proposed that a paper on the new structure of the ALN service and how it would be funded be prepared and presented to a future meeting.

The Committee AGREED to recommend, subject to the foregoing, that the report be accepted and endorse Option 1; namely that

- Members agreed that Blaenau Gwent will be ALN ready for September 2021 when the ALN Act becomes operational and that appropriate preparations are taking place; and
- a paper on the new structure of the ALN service, to include details of funding, be prepared and presented to a future meeting.

No. 7

21ST CENTURY SCHOOLS BAND B PROGRESS

With regard to declarations of interests, it was noted that some Members of the Education & Learning Scrutiny Committee were also School Governors.

Consideration was given to the report of the Education Transformation Manager which was presented to provide Education and Learning Scrutiny Committee with the opportunity to scrutinise progress in line with the delivery of the Band B Programme.

The Corporate Director of Education spoke to the report and highlighted the main points contained therein.

A Member commented that an excellent job had been done in lengthening the life of Tredegar Comprehensive School by 10-15 years, however, he felt that other school buildings in the Borough would face the same problems in the future. He referred to paragraph 2.4 of the report, investment objective 3 - to establish effective management and provision of school places by having the right schools in the right places at the right time. He enquired if consideration had been given to the 70 to 100 extra pupils attending schools in Tredegar over the next 5-6 years.

The Corporate Director of Education said annual reports were prepared and presented to Scrutiny Committees to look at the management of school places. In the past a lot of work had been undertaken to reduce surplus places, the current position was now in the region of 10% surplus places in both secondary and primary sector. The availability of places, across the school estate, was being closely monitored. There were some schools now experiencing sufficiency issues and this would be considered within the Band B planning arrangements to ensure appropriate places for the demand coming through the system. The Member said the team should be congratulated on the work undertaken on the 21st Century Schools Programme.

A Member referred to the Band B funding forecast for the Welsh-medium school proposal and enquired regarding the £7.5 million funding. The Director explained this was the latest cost estimate from Technical Services, the new build would be in the region of £7.5 million, and this was 100% funded by the Welsh Government. The Directorate had raised the likely cost pressures associated with the delay due to Covid-19 with the Welsh Government and had received positive feedback around the potential for additional resources should the proposal proceed. This was not a cost pressure for the Council it was one that the Welsh Government would need to address.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the Education & Learning Scrutiny Committee considered and accepts the report as presented.

No. 8

YOUTH SERVICE PERFORMANCE REPORT 2019 – 2020

Consideration was given to the report of the Youth Services Manager which was presented to provide Members with the opportunity to scrutinise the work of the Youth Service, demonstrating how the Council meets its statutory requirements of providing a Youth Service for young people aged 11-25 and a Counselling Service for 11-18 year olds.

The Youth Services Manager spoke to the report and highlighted the main points contained therein, which included a brief update on how the service has refocussed during the Covid-19 pandemic.

The Chair congratulated the Youth Services Manager and the team on all the work that had been undertaken especially in relation to the qualifications achieved and the reduction of pupils becoming NEET's.

A Member commented that Youth Services were doing an exceptional job in the circumstances and agreed with the Chair's comments and added that it was pleasing to note the part the Youth Services played in supporting youngsters to achieve qualifications.

The Member raised concerns regarding EU funding coming to an end and enquired if consideration had been given to where to look for future funding. The Youth Services Manager said that discussions were taking place with various working groups to look at funding coming from Westminster to Wales. Discussions were being held with the Regeneration Directorate and the 10 local authorities across Wales which will look at opportunities to highlight the funding that is needed and that the Youth Services Manager was also involved in these discussions. There would be funding coming to Wales but at this point in time, how that funding would be prioritised was unclear. She felt it was important to take part in regional discussions to put forward the argument around how important this area of work was.

The Corporate Director of Education said in relation to the loss of European Social funding and EU funding across the board that was a real risk. Directors of Environment across the 10 local authority areas in line with the Cardiff Capital Regional City Deal were in dialogue with both the Welsh Government and Central Government and there was a distinct possibility that it would be a priority as part of the Shared Prosperity Fund moving forward. Although this had yet to be confirmed, the Director was aware that there was advocacy at the highest levels taking place.

The loss of EU funding featured on the Education Directorate Register as being high risk because of the implications for the Youth Service, it also featured on the Corporate Risk Register.

A Member commented that as the Youth Service had now absorbed the Leisure Trust within the Section did the Youth Services Manager have capacity to meet the demand of the extra workload. In relation to capacity within the Youth Services, the Director of Education responded that there had been a restructure, and a new post, Young People and Partnerships was endorsed that encompassed the leisure client function within Education. There would be a phase 2 restructure that would enable capacity to support the Youth Services Manager in managing her large portfolio of work, with focus on the right people with the right skill sets to be able to manage both the Youth Services and the Leisure client function.

Another Member also commented on the excellent report, and felt that the outcomes over the last year with the pandemic were incredible, not only maintaining the success but actually adding to it.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the Education & Learning Scrutiny Committee considered and accepts the report as presented.

No. 9

USE OF CONSULTANTS

Consideration was given to the report of the Corporate Director of Education which was presented to provide Members with the information requested, relating to expenditure incurred during 2018/2019 and 2019/2020 on the use of consultants to support, supplement and complement the work of Officers across the Council.

The Corporate Director of Education spoke to the report and gave a brief overview of the main points contained therein.

With regard to consultancy fees for Bryan Jeffreys a Member enquired what the consultancy fees related to. In response the Director of Education said they related to management support for two schools that were in an Estyn category and were considered schools causing concern and confirmed that the arrangement had now concluded. He clarified that some of the time did include support for the Governing Body but there were other elements of external support that the consultant supported the Education Directorate at a point in time.

A Member mentioned that it had been agreed that this item would be a briefing note for Members. The Director of Education explained that it had been agreed to share a briefing note with Members, but as the request came forward corporately, the Chief Officer Resources decided that it was appropriate to produce a report that would go to each Scrutiny Committee with the relevant expenditure for each portfolio.

The Committee AGREED to recommend that the report be accepted and endorse Option 1; namely that the report on the Use of Consultants be noted.

No. 10

FORWARD WORK PROGRAMME: 9TH MARCH 2021

Consideration was given to the report of the Chair of the Education & Learning Scrutiny Committee.

The Corporate Director of Education advised that as Key Stage 4 results were now confirmed item 4 - Final School Performance Report would be replaced with the Estyn Thematic Review Letter.

The Committee AGREED that the report be accepted and endorse Option 1; namely that the report on the Final School Performance be replaced with the Estyn Thematic Review Letter for the next meeting on 9th March, 2021.