

Time commenced – 6.15pm
Time finished – 7.40pm

EDUCATION COMMISSION 6 OCTOBER 2003

Present: Councillor Wynn (in the Chair)
Councillors Chera, J Hickson, MacDonald and Winter

Co-opted Members: Mr Ian Samways

Apologies for Absence

Apologies for absence were received from Councillors Ahern, Hird, Latham, Mr David Edwards, Mr Thomas Johnston and Mr Balwant Bubber.

Late Items Introduced by the Chair

There were no late items.

Declarations of Interest

Name	Type of interest	Reason
Mr BR Bubber	Personal	Governor – Peartree Infant School Trustee at the Hindu temple
Councillor Chera	Personal Personal Personal	Governor – Sinfin Secondary Community School Member of UNISON Member of the Sikh temple
Councillor J Hickson	Personal	Governor – Etwall Primary School
Mr J Honey	Personal	Headteacher and Governor – St George's Catholic Primary School
Councillor Latham	Personal and prejudicial	In all matters connected to the Education PFI Grouped Schools bid, by virtue of her husband's professional interest.

Councillor MacDonald	Personal	Governor – Lees Brook Community Sports College
	Personal	Member of National Union of Teachers
Councillor Wynn	Personal	Governor – Beckett School Governor – Bemrose School Governor – High View School
	Personal	Wife a teacher employed by the LEA
Mr T Johnston	Personal	Governor – Murray Park School
		Governor – St. Clare's School

27/03 Minutes of the Previous Meeting

The minutes of the meeting of the Education Commission held on 1 September 2003 were accepted as a true record, subject to the following amendments:

Minute 23/03 - The Commission noted that their evidence gathering on primary sector issues would be completed by September 2003, including responses to the Commission's questionnaire. The Commission agreed to hold a meeting on Monday 20 October at 6pm, to draft recommendations for the topic review report, concentrating on primary sector issues. This meeting was for Commission members and observers only. It was agreed that another meeting for topic review planning group members would then follow immediately after this meeting, to plan the timetable needed to complete the secondary issues phase of the school place planning topic review.

28/03 Service Area Budget Review 2003/04

The Commission received a report and presentation from Keith Howkins Head of Finance and Contracts and Rita Silvester Head of School Inclusion on the service area budget review chosen by the Commission: high cost additional provision within the Schools' Budget, the Pupil Referral Unit and aspects of special educational needs. The Commission particularly wanted to look at how changing circumstances could affect the service and to examine the impact of new rules from the Department for Education and Skills / the impact of government funding mechanisms on the central budgets within the School Budget. This would mainly concern the Pupil Referral Unit and aspects of special educational needs. Andrew Flack, Director of Education was also present to receive questions from the Commission.

The presentation gave details on the background to this budget, and the context of the budgets. In Derby delegated and devolved funding, was around £103 million and the centrally funded elements of the schools' budget accounted for around £10 million. Of this, £2.2 million related to the Pupil Referral Unit and £2 million to independent special school fees. Other main items within the centrally funded part of the schools budgets were payments to private and voluntary providers for the education of 3 and 4 year olds, insurance, other special needs budgets and capital funded from revenue. It was noted that Derby was already a high spender on SEN budgets and that there would be difficulty in funding pressures in the future, particularly for the Pupil Referral Unit, because of issues such as the impact of new DfES regulations; the regulations meant that any budget pressures in this area would have to be contained within the percentage increase of the total schools budget much of which would be accounted for by inflationary costs.

A change in Government legislation had also imposed a requirement to provide 100% timetable for excluded pupils at the PRU. The Pupil Referral Unit provides education for excluded pupils for all ages between Key Stage 1 and Key Stage 4. The intention was to facilitate the pupils' return to mainstream schooling. There were also shared placements between schools and the PRU. The PRU population included:

- excluded pupils
- pupils who returned to the city from secure accommodation
- pupils who arrived in the city having been educated at another PRU
- pupils who were placed after school breakdown
- pupils who returned to the city from out of authority schools.

The age range at the PRU was currently 4 pupils at Key Stage 1, 23 pupils from Key Stage 2, 78 pupils from Key Stage 3 and 115 pupils from Key Stage 4. It was noted that there was not a separate school for pupils with emotional and behavioural difficulties within the city. There was also no separate budget or management responsibility for the PRU as this was part of the wider SENSS provision. There was 100% delegation of learning and behaviour support services.

An EBD strategy would be considered by Council Cabinet at its meeting on 7 October 2003. There was to be a review of the Pupil Retention Grants, the management and structure of SENSS, a fair shares agreement with secondary head teachers and the development of nurture groups. In relation to independent and non-maintained special schools, it was noted that there was no similar specialist provision within the city and it was not economically viable to create such provision. The way forward was to develop Key Stage 1 provision for pupils with challenging behaviour and autism, negotiations for similar Key Stage 2 provision at a local junior school and, age phasing at St Andrew's School.

Councillor Wynn noted that Key Stage 3 had a large increase in numbers and that there were no effective penalties for schools which excluded pupils to the PRU. He was advised that there were currently no financial penalties

for schools which excluded pupils. However, regarding Ofsted inspections, self evaluation data based on fixed term and permanent exclusions had to be submitted. Resources were given to schools to prevent exclusion.

Councillor J Hickson questioned whether there would be a knock on effect from financial penalties as this could cause problems if pupils were kept in classrooms rather than being excluded. She was advised that resources needed to be looked at holistically. The DfES model for the learning support unit helped to prevent behavioural difficulties. The next strand was the Key Stage 3 strategy and how to manage lower level behavioural problems. Councillor J Hickson was concerned that problems were not being solved early on as numbers of children in the PRU increased with each key stage. Councillor Wynn also stressed the need to focus on Early Years and Nurture groups. Andrew Flack reported that greater sums of money were put into the early stages at education.

Councillor Winter asked about the issue of schools being fined when a pupil was excluded. It was explained that there needed to be a balance between schools being able to give more priority to in house provision and a transfer of resources with a particular child when they went into the PRU. Mr Samways was concerned that exclusion should be a final sanction for schools and other things should be considered before the final sanction of exclusion. Councillor Wynn suggested that there needed to be investment in Key Stage 3 PRU and the EBD strategy. He also asked if the amount invested in the status quo could be capped and if 100% timetable provision was needed at the PRU. Rita Silvester advised that 100% timetable provision was a legislative requirement and that it should also be borne in mind that only a small percentage of children with emotional or behavioural difficulties were referred to the PRU. Schools had internal behaviour and code of conduct policies. It was possible to exclude groups of young people for a specific significant incident. Part of the role of the PRU was to provide opportunities for pupils to reintegrate back into mainstream schooling. Putting lots of children together who displayed bad behaviour did not promote good behaviour.

Councillor Wynn referred to the high cost relating to the Key Stage 3 PRU, particularly in relation to security, child protection and the high burnout of staff. He asked if there was a realistic way to lever in additional funding from the DfES or other sources. He was advised that a bid had been put in for capital build for a 45-place PRU provision and a smaller provision for EBD. Councillor Wynn was concerned that external placement was very expensive and asked if there were any ways of getting cross-authority agreements on provision, rather than being reliant on the private sector. He was advised that this was at an early stage of development and that there were regional SEN partnerships who were looking into this. The HMI from Ofsted had talked about the development of partnership in relation to economic viability, it was noted that small numbers of children were in highly specialist provision settings and this was the only option available currently.

With regard to rising costs at independent special schools, local education authorities had been advised not to use schools who had not signed up to

the NASS contract. Mr Samways referred to services, which had been inherited from the County Council and hoped that services could be improved, if supplied by the City Council. He was advised that there was a provision at Brackensdale Infant School, which cost in the region of £70,000 for 8 children. Previously, two of the children who attended would have cost £40,000 each per year. Councillor Wynn was concerned about costs escalating above inflation and pressure on the schools budget. He was advised that there was a requirement for the delegated fund to rise faster than the central fund. Information should be issued shortly relating to the submission to the secretary of state. The Chair thanked Keith Howkins and Rita Silvester for their comprehensive presentation.

Resolved

- 1 To acknowledge the importance of work within schools to address behaviour and special needs as early and effectively as possible.**
- 2 To recognise the rights to a full curriculum and an appropriate environment for excluded pupils.**
- 3 To support the transfer of funding, where pupils were excluded, recognising that this would be part of the annual formula consultation.**
- 4 To support work to develop provision by LEAs on a regional basis to achieve more effective educational provision and Best Value.**
- 5 To ensure appropriate core funding for the PRU given the long term needs for such provision and the very challenging work facing its staff.**

29/03 Sports in School

The Commission received a presentation from Suzanne Meehan on Sports in Schools. She gave details that Leesbrook School had become a specialist sports college and a hub of one of the city's two School Sport Co-ordination Partnerships. Achievements included £250,000 matched NOF funding as well as sportsmark and activemark. Special schools had been working together for the first time and over 60 schools had attended the launch. There had been a Girls' Get Active day for secondary schools, 8 new links with sports clubs, 28 coaches working in schools, 20 additional sports festivals, 81 OSHL sports clubs and 73 children achieved Junior Sport Leader Award and Community Sports Leader Award. There was continuing professional development and the national PE and school sports strategy. It was noted that the DfES would continue to support the strategy once the lottery funding had ceased. The city was aiming for Derby Moor School to become a specialist sports college as well.

Resolved

- 1 To note the details of the presentation.**
- 2 To thank Suzanne Meehan for a very informative presentation.**
- 3 To set up a topic review planning group which would meet once the Commission's topic review on school place planning has been completed.**

30/03 Update on School Place Planning Topic Review

The Commission received an update from Lynn Senior, Overview and Scrutiny Co-ordination Officer, on the progress of the topic review on school place planning. It was reported that all members and observers would receive interview notes and an analysis of the Commission's questionnaire. A meeting would take place on 20 October 2003 at 6pm – later changed to 6.30pm for members to draft recommendations for the topic review report. Any members who were unable to attend that meeting, could still send recommendations to this meeting. A draft of the report would be circulated to all members for comments. It was noted that 63 responses to the questionnaire had been received out of 214 sent to Headteachers and Chairs of Governors. This was about a 30% response rate. Of the 63 received, approximately 56 were from head teachers. Response rates from secondary headteachers were particularly good. The Chair thanked the heads and governors who had returned questionnaires.

Resolved to note the report on primary sector issues would be drafted after the meeting on 20 October.

31/03 Forward Plan – October 2003

Resolved to request the report on the EBD strategy to be brought to a future meeting of the Commission.

Chair of the next ensuing meeting
at which these minutes were signed