

Unconfirmed minutes – subject to approval/amendment at the next meeting of the Children and Young People’s Services Select Committee

Children and Young People’s Services Select Committee

26 September 2013 – At a meeting of the Committee held at 10.30am at County Hall, Chichester.

Present: Mr Burrett (Chairman)

Mrs Arculus	Mrs Duncton	Mr Parsons
Mr Barling	Mr High	Mrs Ryan
Mrs Bennett	Mrs Le Rossignol	Mr Smith
Mr Blunden	Mr Oppler	Mr Wickremaratchi
Mr Cloake	Mr Oxlade	

In attendance by invitation: Mr Evans (Cabinet Member for Children – Start of Life) and Mrs Phillips, representative of the Diocese of Chichester.

Declaration of Interests

40. In accordance with the Code of Conduct the following personal interests were declared: -

- Mr Burrett– Item 5 (Options for Future Delivery of Learning Services) – as a member of the Academies Conversion and Funding Task and Finish Group.
- Mrs Le Rossignol – Item 5 – as a member of the Academies Conversion and Funding Task and Finish Group.
- Mr Wickremaratchi – Item 5 – as a Director of Warden Park Academy.

Minutes

41. Resolved - That the minutes of the meeting held on 19 June 2013 be approved as a correct record and that they be signed by the Chairman.

Cabinet Member Responses

42. The Committee considered responses from the Cabinet Member to the recommendations made at its meeting of 19 June 2013 in relation to High Needs Funding Phase 3 – Alternative Provision College and the Youth Support and Development Service Bognor Area Review (copies appended to the signed minutes).

43. Resolved – That the Committee notes the responses from the Cabinet Member.

Options for Future Delivery of the Learning Service

44. The Committee considered a report by the Director of Communities Commissioning (copy appended to the signed minutes).

45. Brin Martin, Strategic Commissioner for Learning, gave a Powerpoint presentation (copy appended to the signed minutes) that summarised the options for future delivery of the Learning Service.

46. The following points were raised in discussion. Members: -

- Requested clarification regarding whether a managed contract to deliver Learning Services would be provided by multiple suppliers or a single provider. *Mr Martin advised that the preference was for a single provider to deliver a suite of services via a co-ordinated approach.*
- Queried whether there were companies with a proven track record of working in the field of delivering Learning Services. *Mr Martin confirmed that there were and that should the County Council decide to opt for a managed contract part of the evaluation of the bids would include assessing the companies' experience at delivering these types of services.*
- Highlighted concern that the model appeared to be dependent on a faster academy conversion rate than was currently being experienced.

47. A written statement that had been submitted on behalf of two unions - the National Union of Teachers and the National Association of Schoolmasters and Union of Women Teachers was circulated to the Committee (copy appended to the signed minutes).

48. Nigel Bloodworth, representing the union Aspect, addressed the Committee and highlighted the following issues: -

- There was concern amongst Aspect members that outsourcing of the service seemed to be the most likely option. Staff were anxious that this may lead to job insecurity and that although under the Transfer of Undertakings (Protection of Employment) (TUPE) they would initially be employed on the same terms and conditions, the employer could alter these soon after taking the staff on.
- There was concern that the outsourced service would not meet the needs of all children.
- It was felt that further consideration should be given to the option of a joint venture.
- There was concern that the experience of a neighbouring authority which had outsourced its Learning Service was not favourable and resulted in the authority returning to an in-house service.

49. Chris Luckin, Headteacher of Steyning C of E Primary School, Jonathan Morris, Headteacher of St Wilfrid's Catholic Comprehensive School in Crawley and Grahame Robson, Headteacher of Manor Green College in Crawley, addressed the Committee and highlighted the following issues: -

- The schools relied on the Learning Service for support and services and needed reassurance that an outsourced service could provide for their needs.
- It was important that schools were fully consulted as the proposals progressed.
- It was stressed that customer satisfaction should be a priority – not just for the staff at the schools but the pupils as well.
- There was concern at the presumption that the majority of schools would convert to academies, whereas the views of the primary and special schools in particular was that it may not be an appropriate model for them.
- The decision to initially exclude Special Educational Needs and Inclusion Services (SENI) from any procurement process was welcomed but there was concern that it would be outsourced in the future.

- It was felt important that the track record of any provider tendering be assessed by speaking to schools who were their current customers.

50. The Committee made comments and asked questions, including those that follow. Members:

- Queried whether it was likely that some staff may be at risk of losing their jobs if an outsource occurred. *Mr Martin suggested that this was very unlikely due to the staff's expertise and knowledge of the service which a new provider would value. In addition as part of the procurement process providers would be required to supply details of their intentions for the staff including any proposals for re-deploying staff elsewhere within their business.* Members cautioned that the process of transferring staff who were knowledgeable and experienced meant the authority would be losing a key asset which an external provider could potentially use for financial gain.
- Requested clarification regarding why companies would want to tender for the work when it was clear that they would be receiving diminishing funding each year from the County Council. *Mr Martin explained that the companies would view winning the contract as an opportunity as it would lead to the exploration of other opportunities for doing business within West Sussex.*
- Raised concern that there did not always appear to be a clear rationale for weighting the criteria for a successful redesign of the Learning Service as either critical or desirable and that some identified currently as desirable were considered critical. *Mr Martin explained that it was possible these weightings could change and that eventually the criteria would evolve into a tool for evaluating bids during any procurement process.*
- Stressed the importance of focussing on outcomes for children.
- Queried whether the option of creating a joint venture with the South East 7 partnership (SE7) had been explored. *Mr Martin explained that SE7 wouldn't qualify as it is not a single entity but that the option for collaborative working with authorities within the SE7 group could be explored.*
- Requested clarification regarding the expected duration of a contract. *Mr Martin explained that it was expected to be between 5-10 years; initial research had indicated that providers were also keen on this length of contract.*

51. The Cabinet Member explained that he welcomed the scrutiny by the Committee as it highlighted other elements that should be considered as part of the decision. He stressed that should the option to procure a service be progressed and it was not possible to find a provider who could deliver to the same standard or higher than the County Council then it may be necessary to think again.

52. Resolved that the Committee requests that:-

- (1) The Learning Service ensure all schools are engaged in consultation.
- (2) The service give further consideration to the criteria and how they are weighted.
- (3) The service provide a written briefing to the Committee before the New Year to update Members on progress of the options being considered.
- (4) The Cabinet Member gives consideration to the concerns of the staff including the impact of TUPE and pension entitlement, in making his decision.

- (5) The service undertake further detailed investigation into the option of forming a joint venture.
- (6) The needs and attainment of Special Schools be taken on board as solutions for delivery of the SENI service are developed.

Forward Plan of Key Decisions

53. The Committee considered the Forward Plan – October 2013 – January 2014 (copy appended to the signed minutes).

54. Resolved: that the Forward Plan be noted.

Members' Items

55. Mr Parsons queried whether, following recent media coverage of a serious case review after a child death in Coventry, the County Council was confident that its safeguarding services had robust strong working links with external partners such as schools and the Police. Mr Cloake commented that from recent meetings with senior staff within the Safeguarding service he was confident in the protocols the County Council had in place. *Mandy Shipley, Senior Advisor Democratic Services, explained that a large part of the Local Safeguarding Children's Board (LSCB) role was to assess that the safeguarding services across all responsible authorities within the County were effective. Opportunities were currently being explored for the Independent Chair of the LSCB to provide a briefing to Select Committee members on the afternoon of 27th November at which he could be invited to comment on the robustness of inter-agency safeguarding arrangements in West Sussex.*

56. The Cabinet Member explained that the Children's Access Point (CAP) was a good example of partnership working between the County Council and external partners in safeguarding. He invited all Members who had not yet had a chance to visit the CAP to contact him so that a visit could be arranged.

Date of the Next Meeting

57. The Committee noted that its next scheduled meeting will be held on 24 October 2013 at 10.30am at County Hall, Chichester.

The meeting ended at 1.40pm.

Chairman