



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Children's Services)

Date: 16 July 2010

Subject: Formal Response to Scrutiny Recommendations – School Organisation Consultations

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 In April 2010 the Scrutiny Board (Children's Services) published a report arising from its inquiry on School Organisation Consultations.
- 1.2 It is the normal practice to request a formal response to the board's recommendations, once an inquiry report has been issued. A formal response to the recommendations is attached at Appendix 1.
- 1.3 Members are asked to consider the responses provided, and to decide whether any further scrutiny involvement is required. Any recommendations where action is outstanding will be included in future quarterly recommendation tracking reports to enable the Board to continue to monitor progress.
- 1.4 In particular Members are invited to comment on Appendix 2, which sets out the proposed strategy requested in response to recommendation 2.

2.0 Recommendation

- 2.1 Members are asked to consider the responses provided and to decide whether further scrutiny involvement is required.

Background papers

None

1.0 Purpose of report

1.1 This report provides the Executive Board with details of the recommendations from the recent Children's Services Scrutiny Board inquiry into the school organisation consultation process and how the chief executive of Education Leeds proposes to respond to these recommendations.

2.0 Background Information

2.1 In July 2009 the Scrutiny Board accepted a request for scrutiny from Councillors Penny Ewens and Ralph Pryke, relating to the consultation on proposals for City of Leeds High School to become an Academy.

2.2 The Board decided to establish a working group to look at the consultation process for school organisation proposals in general, taking the current proposals for City of Leeds High School as a practical case study but not exploring the merits of the original proposal relating to the Academy.

2.3 The report makes four recommendations for action. The chief executive of Education Leeds has accepted these recommendations and actions are underway or planned to address them. The chief executive has also acknowledged the importance of continually monitoring and reviewing the consultation and engagement process, and its effectiveness in supporting the development and implementation of proposals to create a more successful, popular and sustainable network of schools and learning places in Leeds.

This scrutiny inquiry began almost 12 months ago, and there is new proposed legislation affecting school organisation and consultation and engagement. The Academy legislation implies that many of our schools will be able to make structural changes without this procedure, presenting the very real possibility that the local authority will be a consultee rather than leading the consultation.

It is vital for the board to note that the current strategies are a desired approach within the current statutory framework. The principles of openness and encouraging genuine engagement and participation in the decision-making process will remain, the details will need to be reviewed in light of new legislation.

2.4 The recommendations refer to the three-stage consultation and engagement process:

- Stage A informal information exchange and initial engagement with the schools and elected representatives
- Stage B formal public consultation
- Stage C statutory consultation process

3.0 Main Issues

3.1 Below, each of the Scrutiny Board's four recommendations is listed along with a response from the chief executive of Education Leeds.

3.2 Recommendation 1

That the Chief Executive of Education Leeds revises the school organisation consultation guidelines to automatically include the full governing body and all elected Members at the informal Stage A in the process.

Education Leeds accepts this recommendation and has already revised consultation guidelines for ongoing school organisation consultations over proposals to expand primary schools from September 2011.

Elected members will be involved along with school leaders - headteachers and governors – to consider local solutions to issues. These discussions and briefings are taking place with all elected members relevant to those schools/areas under discussion. 'Relevant' members include those

representing the wards served by those schools, and any others wards containing schools which planned changes would impact upon.

All other elected members in the city will receive a written briefing detailing the issue we are trying to address, and in the case of primary planning an overview of the situation in their ward and surrounding area.

Meetings of the full governing bodies and briefings for those relevant elected members on identified proposals will be included at stage A before any proposal moves to stage B.

3.3 Recommendation 2

That the Chief Executive of Education Leeds develops a strategy for communicating with a wider stakeholder group in circumstances where the development of school organisation proposals are at Stage A, but are also in the public domain. That the proposed strategy is brought to the Scrutiny Board for comment before it is finalised.

The Children's Services Leadership Team will assume oversight of, and will be required to regularly review, the whole consultation and engagement process.

Education Leeds is committed to good communications and an open, transparent decision-making process which engages and is accessible to all stakeholders.

At stage A, this means having a broad conversation with those people with the knowledge and capacity to develop solutions, including school leaders, ward Members and school improvement advisers. After these discussions we may decide to take no further action, to continue to monitor the issue, or to move forward with a formal proposal.

If a proposal is developed, then sharing the single proposal with the wider school community makes the whole process far more accessible for the other stakeholder groups.

By waiting for a clear proposal to be developed, we also limit the distress and instability which can be caused to a school community by prematurely sharing discussions which will not necessarily develop into a firm proposal.

Education Leeds is committed to acting to reduce the potential negative impact on school communities if issues become public before a proposal is developed.

In cases like this we would quickly communicate to the wider stakeholder group. While every case will be different, an overview of the strategy we will follow are included for scrutiny's comments is included in Appendix 2.

3.4 Recommendation 3

That the Chief Executive of Education Leeds reports back to us on the production of information to be included either within or alongside school organisation proposals at Stages B and C, explaining to the public:

a) the importance of responding at both stages of the process; and

b) the significance of providing reasons for objections and making alternative suggestions.

Education Leeds wants people to understand and participate in decision-making and consultations in order to give Executive Board all the information it needs to make decisions.

Education Leeds has produced the attached 'having your say' leaflet (Appendix 3), in conjunction with Leeds City Council's legal department, to explain the whole process and how to get involved. It

is just one of a range of measures we have taken in order to make the process more understandable and accessible.

The information explaining the importance of responding at both stages of the process and for giving reasons for the objections has also been included in other communications regarding recent school organisation proposals, including in consultation booklets, media releases and letters to consultees. Consultation material has been redesigned and written in more accessible language.

Education Leeds is also now communicating these messages to stakeholders through more channels at more stages of the decision-making process. We have also involved the parent partnership service more fully in the process, including securing the service's presence – along with community language translators – to the recent public consultation meetings over proposals to raise standards for young people at City of Leeds, Parklands Girls and Primrose High.

3.5 Recommendation 4

That the Chief Executive of Education Leeds reports back to us on how Education Leeds will ensure that engagement with stakeholders, particularly staff, will take place in circumstances where the school leadership and governing body are not engaging with school organisation proposals.

It is exceptionally rare that Education Leeds is unable to work in close partnership with our school leaders to develop and manage change within our schools. Most school leaders recognise the importance of good communications and transparency, and their duties and responsibilities to engage with the process.

Education Leeds will contact a sample of parents/carers and school staff (and trade unions) to discover if communications have been reaching key stakeholders through the preferred primary channels – ie the school's existing communications.

This feedback will be given to the school leadership to encourage closer cooperation, and if it is still not forthcoming then Education Leeds will:

- Write to the school leadership outlining the legal requirements and expectations of schools during the process, such as displaying notices advertising public meetings, statutory notices, and informing them of our intention to:
 - use Education Leeds HR and school census databases to send a personal letter and consultation booklet to all school staff and families of children in the school community explaining the proposal, the decision-making process and how they can find out more details and have their say.
 - Arrange briefings for staff and a public meeting for parents/carers at a local community facility. This will be advertised through the above letter and in all non-school existing channels, including the Leeds City Council and Education Leeds websites, the local media, GPs surgeries, local libraries, early years settings and in the consultation booklet.

In addition to the above actions, Education Leeds has carried out a thorough review of how it engages and consults with all stakeholders. It has transformed the language used and style of consultation materials and communications, and produced a simple checklist process to make sure that all stakeholders are communicated with in a timely and effective manner.

Education Leeds continues to monitor and evaluate the engagement methods, and to explore new ways to make sure Leeds City Council is planning and delivering a network of learning places which will serve their communities both now and in the future. This includes introducing new consultations as required, such as a questionnaire shortly to be introduced to assess parents' views of choice and diversity in Leeds, and exploring new ways to reach not just existing school communities but families with pre-school children (such as through GPs surgeries, early years and private nursery providers and potential partnerships with partners in the private sector).

Education Leeds places particular emphasis on developing new ways to secure engagement with key stakeholders with the planning of primary school places in the city, which have recently been under sudden and unprecedented pressure.

4.0 Implications For Council Policy And Governance

4.1 The authority currently meets the legal requirements for consultation. These measures will improve consultation and engagement in local decision-making and are compliant with existing legislation.

4.2 These strategies are a desired approach within the current statutory framework, and while the principles of openness and encouraging genuine engagement and participation in the decision-making process will remain, the details will need to be reviewed in light of new legislation.

5.0 Legal And Resource Implications

The information policy team has confirmed that there are no implications in using the school census or HR databases in this manner, providing the information is not passed on to any third parties. There is a potential issue over the future of the school census under legislation currently being prepared.

6.0 Conclusions

6.1 The Children's Services Scrutiny Board's Inquiry has identified some important insight and learning into issues around consultation and engagement with key stakeholders over school organisation proposals. The recommendations it makes and the actions taken in response will help to strengthen practice and increase engagement in and understanding of public consultation and the decision-making process.

Appendix 2

Communications activity in response to information on school organisation discussions entering the public domain before proposals have been developed.

In these circumstances, Education Leeds will work with the school leadership and local elected representatives to communicate with the school and wider community.

Objective of communications

- To have informed stakeholders who understand and are able to participate in the decision-making process.
- To limit the potential distress to a school community.

Key principles of communications

Education Leeds will

- Be open and transparent.
- Correct any factual inaccuracies.
- Clarify the exact nature of discussions and how these fit in to the decision-making process.
- Explain why details had not previously been made public.
- Reassure stakeholders where the discussions fit into the decision-making process, that no decision will be made without formal public consultation, and give a likely timescale for this if the proposals were to go forward.
- Establish a dialogue with stakeholders, providing an appropriate mechanism to gather all concerns and feedback while making clear at every opportunity why any detail about the proposals, such as transition arrangements, academy sponsor etc has not been established and when they would be addressed.
- Any questions raised by any stakeholder which can be answered, will be answered.

Communications channels

Parents and carers

- Letter to all parents and carers with 'having your say' leaflet explaining the process – through school channels if school leadership is engaged, by royal mail if not (see recommendation 4).
- Posters/information placed on school site, councillors/MPs surgeries, local library and GP surgeries.
- Offer a post-school drop-in session with parent partnership service, advertised through above channels.
- School website and other communications as directed by school

Colleagues in schools

- Staff briefing or letter to all staff, jointly fronted by school leadership and Education Leeds.
- Letter to extended services partners and external providers.
- Other communications channels as directed by schools.

Trades Unions

- Education Leeds will inform school-based staff that trade union representatives can be invited to briefing.

Children and young people

- Support school to discuss with children and young people through school councils or other channel specific to the individual school.

Local learning community

- Briefing through relevant family of schools (preferably meeting, but in writing if timescales do not fit)
- Article in 'School Matters' update to all headteachers and school governors.
- Proactive media release
- Leeds City Council and Education Leeds websites, infobase and other internal communications channels.