

SCRUTINY BOARD (CHILDREN'S SERVICES)

WEDNESDAY, 8TH SEPTEMBER, 2010

PRESENT: Councillor B Lancaster in the Chair

Councillors B Chastney, P Grahame, R Grahame,
K Groves, W Hyde, A Lamb, P Latty, J Lewis, A Lowe
and K Maqsood

CO-OPTED MEMBERS (VOTING):

Mr E A Britten Church Representative (Catholic)

CO-OPTED MEMBERS (NON-VOTING):

Ms C Foote Teacher Representative

24 Appointment of Chair

RESOLVED – That Councillor Lancaster be appointed Chair of the Scrutiny Board (Children's Services) Call In meeting, as Councillor Chapman, the appointed Chair of the Scrutiny Board for the 2010/11 municipal year had submitted her apologies for absence for the meeting.

(Councillor Lancaster took the Chair)

25 Appeals Against Refusal of Inspection of Documents

Members expressed concern that Councillor J Procter (one of the signatories to the call-in) had been refused a full copy of the minutes of the July CLT meeting. It was reported that only the relevant extract from the minutes had been provided. The Scrutiny Board was advised that in accordance with the Council's Access to Information Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting, and this had not been achieved.

26 Declaration of Interests

Members declared personal interests in their capacity as governors at various primary and secondary schools. In addition, Councillor R Grahame declared a personal interest in his capacity as a Member of GMB, and Co-opted Member, Ms C Foote declared a personal interest on the basis of being a Member of one of the groups that had benefited from community use reimbursements. (Minute No. 29 refers)

27 Apologies for Absence and Notification of Substitutes

Apologies for absence had been submitted by Councillors Chapman, Coulson, Driver, Gettings, Harper and Selby and Co-opted Members, Ms Cox, Professor Gosden, Mr Wanyonyi, Ms Johnson and Ms Kayani. Notification

had been received that Councillor Chastney was to substitute for Councillor Chapman, Councillor R Grahame for Councillor Coulson, Councillor P Grahame for Councillor Driver, Councillor Lowe for Councillor Harper and Councillor Groves for Councillor Selby.

28 Call-In of Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the call-in process.

Members were advised that the options available to the Scrutiny Board in respect of this particular called-in decision were:

Option 1 – Release the decision for implementation. Having reviewed the decision, the Scrutiny Board (Children’s Services) could decide to release it for implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (Children’s Services) could recommend to the Interim Director of Children’s Services, that the decision be reconsidered. If the Scrutiny Board (Children’s Services) chose this option, a report would be submitted to the Interim Director of Children’s Services within three working days of this meeting. The officer would reconsider the decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

RESOLVED – That the report outlining the call-in procedures be noted.

29 Call-In - Review of Delegated Decision D37174 - Community Use of Schools Policy

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision D37174 of the Interim Director of Children’s Services as follows:

Review of the 1990 Community Use of Schools Policy

The Interim Director of Children’s Services approved the recommendations that:

- The central subsidy on community use of schools should cease from November 2010
- A hardship fund of £50,000 be established
- Revised policies and procedures as set out in section 5 to the report (safeguarding to follow at a future meeting)
- £10,000 be provided as an additional grant to support supplementary schools. Administration to be carried out by the Head of School Improvement, Education Leeds

- The policy set out at section 5 is applied to PFI properties, the lettings of which are administered directly by the Lettings Unit.

The decision had been called-in for review by Councillors J Procter, Campbell, Finnigan and D Blackburn on the following grounds:

'There are significant concerns around how this decision is being taken, the view being that it should be a decision by the Executive Board. In addition, there are concerns around sufficient consultation with affected groups.'

The Scrutiny Board considered the following written evidence:

- Delegated Decision Notification form – D37174
- Report of the Chief Officer Early Years and Integrated Youth Support Service to the Director of Children's Service Delegated Decision Panel – 15th July 2010 – Review of the 1990 Community Use of Schools Policy.

Councillor J Procter attended the meeting to present the request for call-in.

The following Executive Members and officers were in attendance to explain the reasons for making the decision:

- Councillor Blake, Executive Member (Children's Services)
- Councillor Dowson, Executive Member (Learning)
- Eleanor Brazil, Interim Director of Children's Services
- Sally Threlfall, Chief Officer for Early Years and Integrated Youth Support Services
- Simon Darby, Head of Service (School Funding and Initiatives), Education Leeds.

In explaining the reasons for calling in the decision, the key areas of discussion were:

- Concern about the process for assisting community groups and the financial challenges they could face in the future.
- Concern about the lack of consultation and the need for more integrated working.
- Concern about the lack of community venues in some areas.
- Concern about the lack of transparency and openness, particularly that the decision should have been taken by the Executive Board.

In explaining the reasons for making the decision, officers made the following comments:

- Clarification that schools received funding to support extended provision.
- Community groups to be consulted on alternative provision where appropriate.

- Work undertaken on potential impact, e.g. user groups and the effect on deprived communities.
- This decision was implementing a decision taken as part of the 2010/11 budget.

The Chair then invited questions and comments and the main areas of discussion were:

- Further information about the decision-making process.
- Further information about the consultation exercise, particularly in relation to developing and applying fair lettings policies.
- General support for the principles behind the revised policy.
- The need to introduce efficiencies and the role of governing bodies in ensuring that schools managed their budgets effectively.
- Concern that some groups were unaware of having benefited from subsidised rates and the effect of the proposed changes.

RESOLVED – That the report and information provided be noted.

30 Outcome of Call-In

Following consideration of the evidence presented and the options available to them, as outlined in Minute No. 28, the Board resolved that Option 2 – recommend that the decision be reconsidered was the most appropriate action.

RESOLVED – That the Scrutiny Board recommends that the Officer Delegated Decision D37174 be referred back for reconsideration in view of:

- The fact that the Scrutiny Board was not happy with the decision-making process in this instance. Members' recommend that this decision should be taken by the Executive Board, and not as an officer delegated decision, and that this should take place as soon as possible.
- The fact that the Board strongly advised of the need for further consultation and discussion with schools and user groups about the impact of the changes in charging.

(The meeting concluded at 12.15 pm.)