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## SCRUTINY BOARD (CHILDREN AND FAMILIES)

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Thursday, 14th November, 2013 at 9.45 am

*(A pre-meeting will take place for ALL Members of the Board at 9.15 a.m.)*

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### MEMBERSHIP

#### Councillors

- J Akhtar - Hyde Park and Woodhouse;
- J Chapman (Chair) - Weetwood;
- J Elliott - Morley South;
- C Gruen - Bramley and Stanningley;
- A Lamb - Wetherby;
- P Latty - Guiseley and Rawdon;
- K Mitchell - Temple Newsam;
- M Rafique - Chapel Allerton;
- K Renshaw - Ardsley and Robin Hood;
- A Sobel - Moortown;
- B Urry - Roundhay;

#### Co-opted Members (Voting)

- Mr E A Britten - Church Representative (Catholic)
- Mr A Graham - Church Representative (Church of England)
- Ms A Craven - Parent Governor Representative (Primary)
- Ms J Ward - Parent Governor Representative (Secondary)

#### Co-opted Members (Non-Voting)

- Ms C Foote - Teacher Representative
- Vacancy - Teacher Representative
- Ms S Hutchinson - Early Years Representative
- Ms J Morris-Boam - Young Lives Leeds (0-13 age group)
- Ms T Kayani - Young Lives Leeds (13-19 age group)

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified on this agenda.</b></p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p><b>MINUTES - 10 OCTOBER 2013</b></p> <p>To confirm as a correct record, the minutes of the meeting held on 10 October 2013.</p>	1 - 4
7			<p><b>CLUSTER INQUIRY - SESSION 1</b></p> <p>To consider the report of the Head of Scrutiny and Member Development providing an overview of the evidence to be presented at Session 1 of the Cluster inquiry.</p>	5 - 36
8			<p><b>THE IMPLICATIONS OF ACADEMIES FOR THE LEEDS CHILDREN'S SERVICES AND EDUCATION IN GENERAL</b></p> <p>To consider the report of the Director of Children's Services providing information requested by the Scrutiny Board in December 2012 in relation to the full implications of cost and resources on Leeds Children's Services and the development of a comprehensive Leeds position statement.</p>	37 - 82

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>RECOMMENDATION TRACKING - PRIVATE CARE HOMES AND CHILDREN'S RESIDENTIAL CHARTER</b></p> <p>To consider the report of the Head of Scrutiny and Member Development providing a progress report from the Director of Children's Services in relation to recommendation 1 on progress of the development of the Children's Residential Home Charter.</p>	83 - 92
10			<p><b>WORK SCHEDULE</b></p> <p>To consider the Scrutiny Board's work schedule for the forthcoming municipal year.</p>	93 - 116
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Thursday, 12 December 2013 at 9.45am (Pre-meeting for all Board Members at 9.15am)</p>	

# Agenda Item 6

## SCRUTINY BOARD (CHILDREN AND FAMILIES)

THURSDAY, 10TH OCTOBER, 2013

**PRESENT:** Councillor J Chapman in the Chair

Councillors J Akhtar, J Elliott, C Gruen,  
A Lamb, P Latty, K Mitchell, M Rafique,  
K Renshaw and A Sobel and B Urry

### **CO-OPTED MEMBERS (VOTING)**

Mr E A Britten – Church Representative (Catholic)

Mr A Graham – Church Representative (Church of England)

Ms A Craven – Parent Governor Representative (Primary)

### **CO-OPTED MEMBERS (NON-VOTING)**

Ms C Foote – Teacher Representative

#### **39 Late Items**

In accordance with her powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair agreed to accept the following late information:

Agenda item 9 – Review of Co-opted Membership (Minute No. 45 refers)

The above document was not available at the time of agenda despatch, but was subsequently made available on the Council's website.

#### **40 Declaration of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

#### **41 Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted by Co-opted Members, Ms J Ward and Ms S Hutchinson.

#### **42 Minutes - 19 September 2013**

**RESOLVED** – That the minutes of the meeting held on 19 September 2013 be approved as a correct record.

#### **43 An update on progress in relation to increasing the number of young people in employment, education or training**

The Director of Children's Services submitted a report providing a comprehensive update on progress in relation to increasing the number of

young people in employment, education or training. This follows the publication of the Scrutiny Board's inquiry report in March 2013.

The following information was appended to the report:

- Performance Data – Rates of Young People who are NEET, January 2012 – June 2013
- The Journey to Sustained Employment
- Progression Routes for young people on the Youth Contract
- Service Brochure – The Education Business Partnership, Products and Services 2013-2014
- Data flow into and out of the Local Authority for 16-18 year olds

The following representatives were in attendance and responded to Members' queries and comments:

- Nigel Richardson, Director of Children's Services
- Gary Milner, Lead - Skills for Life
- Sally Lowe, 14-19 Partnership Manager
- Cllr Judith Blake, Executive Member, Children's Services.

The key areas of discussion were:

- Performance data and the recent government changes in the way this is recorded to include young people who have completed GCSE's but due to progress to A Levels as NEET. This causes a peak in figures July and August and does not represent a true NEET figures.
- Rates of pay for apprentices and apprenticeship programs.
- Multi Agency and Partnerships working together to reduce NEET across the City
- Early years intervention to prevent NEET
- Lack of exposure for young people to the world of work during their education.
- Concern about the quality of Information Advice and Guidance provided, or not, in schools.

## **RESOLVED –**

The Scrutiny Board (Children and Families):

- a) Noted the progress to reduce the risk of young people not accessing appropriate employment, education or training.
- b) Requested a further progress update be provided in the next municipal year.

## **44 Terms of Reference - Cluster Inquiry**

The Head of Scrutiny and Member Development submitted the draft terms of reference for the Cluster inquiry. The Scrutiny Board had resolved to undertake this inquiry at the meeting on 28 June 2013 which would consider

Draft minutes to be approved at the meeting  
to be held on Thursday, 14th November, 2013

the role and function of Cluster Partnerships and the value they have in the delivery of localised services to children and young people.

The following representatives were in attendance and responded to Members' queries and comments:

- Nigel Richardson, Director of Children's Services
- Sandra Pentelow, Principal Scrutiny Advisor, Democratic Services
- Cllr Judith Blake, Executive Member, Children's Services.

The key areas of discussion were:

- The background information leading to the drafting of the terms of reference.
- With reference to bullet point 5 in 2.1 to replace the word 'progress' with 'enhance'.

**RESOLVED** – The Scrutiny Board (Children and Families) agreed the terms of reference for the inquiry with the amendment to bullet point 5 in paragraph 2.1.

#### **45 Review of Co-opted Membership for Scrutiny Board (Children and Families)**

The Head of Scrutiny and Member Development submitted a report which provided guidance to the Scrutiny Board in conducting its review of voting and non-voting co-opted members.

The following representatives were in attendance and responded to Members' queries and comments:

- Sandra Pentelow – Principal Scrutiny Advisor, Democratic Services

The key areas of discussion were:

- Statutory co-opted membership and the guidance for the appointment of Parent Governor Representatives
- The role of Teacher Representatives
- The range of non-voting co-opted representation the Board felt necessary.

**RESOLVED** –

The Scrutiny Board (Children and Families):

- a) Request that an additional Parent Governor position be created for Specialist Educational Needs and agreed that the Principal Scrutiny Advisor is to ensure that action is taken to facilitate the appropriate appointment.

- b) Five non –voting co-opted representation from June 2014, the next municipal year, will be as follows:
- Teacher Representative (Primary)
  - Teacher Representative (Secondary)
  - Early Years Representative
  - Young Lives Leeds Representative
  - Young People in Care/Care Leavers Representative
- c) That a request be made to change the Council constitution to allow the appointment of six non-voting co-opted member. Should this be agreed, that a sixth co-opted place be available to represent the parents and pupils of non-maintained schools. Nomination would be sought by the Principal Scrutiny Advisor
- d) Agreed that the Principal Scrutiny Advisor is to seek nominations via:  
Schools Joint Consultative Committee – Teacher Representatives,  
Young Lives Leeds – Young Lives Leeds Representative  
Early Years Forum (once established) - Early Years Representative
- e) Agreed that the Principal Scrutiny Advisor seek nomination for the Young People in Care/Care Leavers representative.
- f) That all nominations would be considered and where appropriate appointed by the Scrutiny Board (Children and Families) at the first meeting of each municipal year.

#### **46 Work Schedule**

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board's work programme for the current municipal year.

The draft Scrutiny Board (Children and Families) work schedule for 2013/2014 was appended to the report.

Sandra Pentelow, Principal Scrutiny Adviser, presented the report and responded to Members' queries and comments.

**RESOLVED** – That the contents of the report and appendices be noted.

#### **47 Date and Time of Next Meeting**

Thursday, 14<sup>th</sup> November 2013 at 9.45am in the Civic Hall, Leeds  
(Pre meeting for Board Members at 9.15am)

(The meeting concluded at 11.50am)



## Report of the Head of Scrutiny and Member Development

### Report to Scrutiny Board (Children and Families)

**Date: 14 November 2013**

### **Subject: Cluster Inquiry – Session 1**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

#### **1.0 Purpose of this report**

- 1.1 At its meeting on 28 June 2013, the Scrutiny Board (Children and Families) considered its work programme for the 2013/14 municipal year. It was acknowledged that the Board had expressed during two meetings, 14 March 2013 and 25 April 2013, a wish to conduct an inquiry which would consider the role and function of Cluster Partnerships and value they have in the delivery of localised services to children, young people and their families.
- 1.2 Terms of reference were agreed by the Scrutiny Board on the 10 October 2013.
- 1.3 The purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:
  - The lines of Cluster accountability to organisations within and external to the Local Authority.
  - Cluster governance arrangements and framework
  - Partnership engagement, representation and participation. To identify if there is good representation and participation from partner organisations at a local level across the city.
  - The performance of Clusters and the management of performance and financial information. Ensuring measures are in place which secures total accountability for resources and performance which demonstrates the difference that partnership activities are making across the City.
  - The improvement measures in place to enhance the performance of Clusters where it is required.

- The extent of collaborative and supportive working relationships between Clusters.
- Outcomes for Children and Young People as a result of Cluster intervention and operation to ensure that local investment is providing good value for money and having a positive impact on children, young people and their families.

## **2.0 Submission of evidence – November Meeting**

2.1 In accordance with the terms of reference the Scrutiny Board has requested information on the following areas:

- Overview remit and purpose of Cluster partnerships.
- The different types of cluster partnerships
- Cluster Profiles
- Membership of Cluster Partnerships
- Cluster activities - the services expected to be delivered
- Governance arrangements including lines of accountability
- Role of Local Authority with regard to governance and performance
- Role of Schools Forum with regard to Cluster funding and accountability
- Performance monitoring arrangements

2.2 A review of area working arrangements was commissioned in June 2012. Within the review, elected members identified particular concerns with area committees' links to children's clusters. Some elected members expressed the view that the clusters were working well and there were productive links through jointly funded projects and activities. In other cases, elected members felt that there was a lack of understanding of their roles and structures and relationships were less good.<sup>1</sup> These views were echoed by the Scrutiny Board at the October meeting when the board requested for further clarity on the role and voting rights of Elected Members on clusters and that this information be provided as part of the inquiry.

2.3 Evidence will be submitted to the Board as follows:

- Power point presentation outlining key points as listed in paragraph 2.1. Appended to this report are maps defining wards, clusters and area committees which will be referred to in the presentation. (Appendix A)
- Leeds Childrens Trust Board report, Cluster update – governance and performance arrangements. (Appendix B). This report reflects city level minimum requirements for cluster governance, performance and accountability arrangements. An element of this report ' Cluster performance against obsessions', referred to as appendix 2 in the report will be presented at the December meeting when the Scrutiny Board will focus specifically on cluster partnerships, performance, funding and challenges. See paragraph 2.4

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<sup>1</sup> Council Representation on Children and Young People Cluster Partnerships, 4 June 2013, Member Management Committee.

- 2.3 Information presented at the inquiry session will demonstrate a clear line of cluster accountability to the schools forum. Every authority must ensure that a schools forum is constituted in accordance with regulations 4 to 7 of The Schools Forums (England) Regulations 2012. These regulations also define the general framework for the management of meetings and the membership of the forum. Attached for information purposes as appendix C is the 'Schools Forum Guide for Schools and Academies'<sup>2</sup> and the 'Schools Forums powers and responsibilities 2013-14'<sup>3</sup> which provides the Scrutiny Board of a brief summary of the role of local school forums.
- 2.4 In accordance with the terms of reference the Scrutiny Board meeting scheduled for the 10 December will provide the opportunity for a greater focus on the following:
- Six month Cluster performance reports (April – September)
  - Cluster performance and reasoning behind differences in performance
  - Role of Local Authority in improving performance, providing intervention and providing support
  - Cluster to Cluster collaborative working, support and sharing of good practice.
  - Significant challenges including socio-economic impacts faced by specific Clusters
  - Distribution of funding and monitoring of expenditure to ensuring resources, financial or otherwise, are fully utilised and investment is made appropriately.
  - Cluster membership, partnership engagement, participation and effectiveness at a local level.
- 2.5 The Scrutiny Board have an expressed a desire to conduct an element of the inquiry in two cluster areas in order to facilitate more detailed and focused debate. This will be conducted on the 16 January 2014 and will replace the formal Scrutiny Board meeting.

### **3 Corporate Considerations**

#### **3.1 Consultation and Engagement**

The Board will undertake consultation where it is deemed appropriate in order to conduct this inquiry or gather necessary evidence.

#### **3.2 Equality and Diversity / Cohesion and Integration.**

- 3.2.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve its ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 3.2.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.

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<sup>2</sup> School Funding Agency 15 June 2013

<sup>3</sup> Department of Education

- 3.2.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.
- 3.2.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

### **3.3 Council Policies and City Priorities**

This inquiry will assist in achieving outcomes and priorities as defined in the Children and Young Peoples Plan 2011-2015 and the Child Friendly City Priority Plan.

### **3.4 Resources and Value for Money**

There is no resource or value for money implications relating to this report. At the conclusion of the inquiry any identified impact will be reported in the final inquiry report.

### **3.5 Legal Implications, Access to Information and Call In**

None

### **3.6 Risk Management**

None

### **4.7 Recommendations**

The Scrutiny Board (Children and Families) is recommended to:

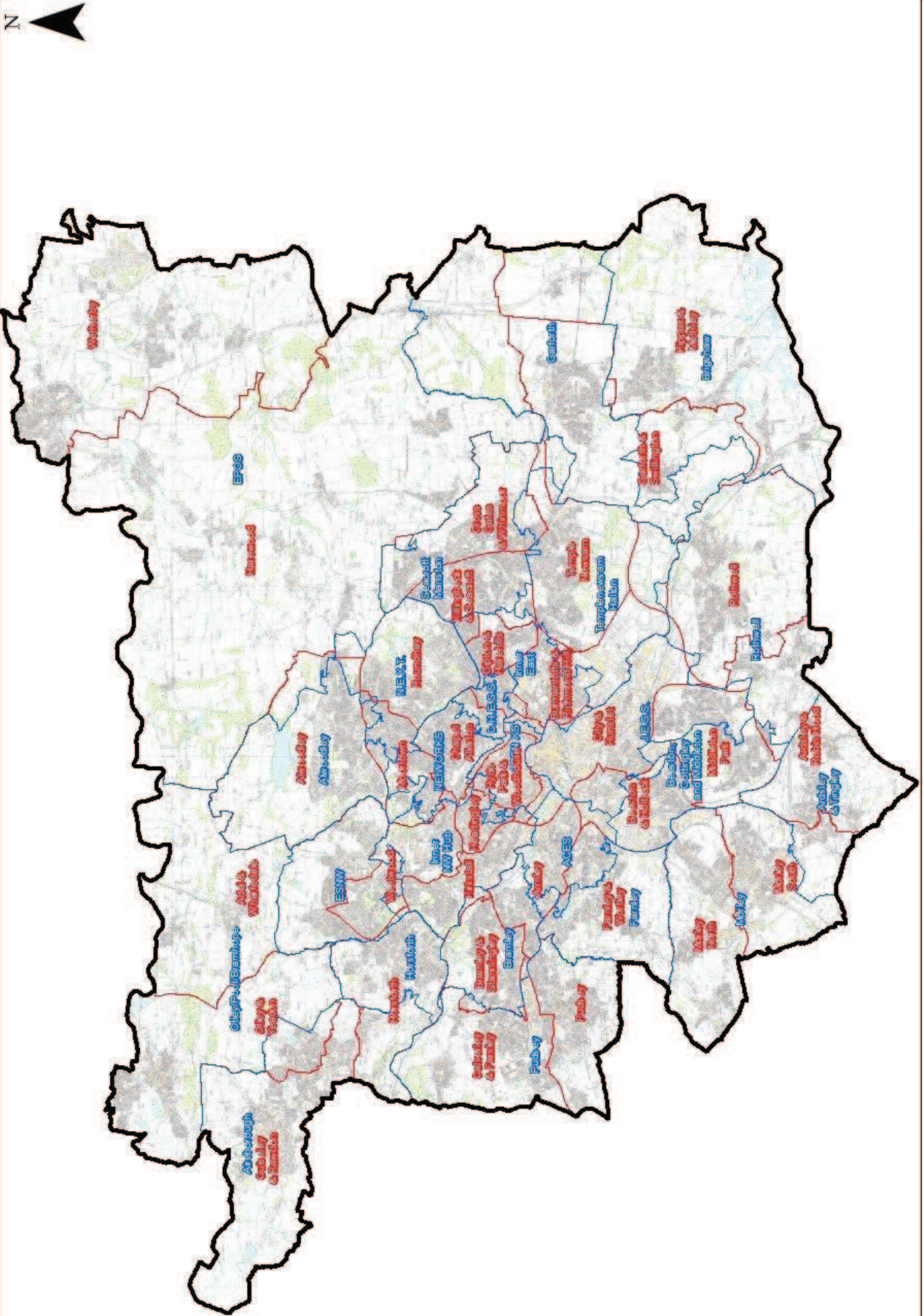
- 4.7.1 Note and consider the information contained and referenced in this report, and presented verbally to the Board on the 14 of November 2013.
- 4.7.2 Make recommendations as deemed appropriate.
- 4.7.3 Note that the terms of reference may incorporate additional information to extend the inquiry should the Children and Families Scrutiny Board identify any further scope for inquiry or request further witness or evidence during this session.

### **4.8 Background documents<sup>4</sup>**

None

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<sup>4</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



**Legend**

- Clusters
- Wards



**Leeds**  
CITY COUNCIL

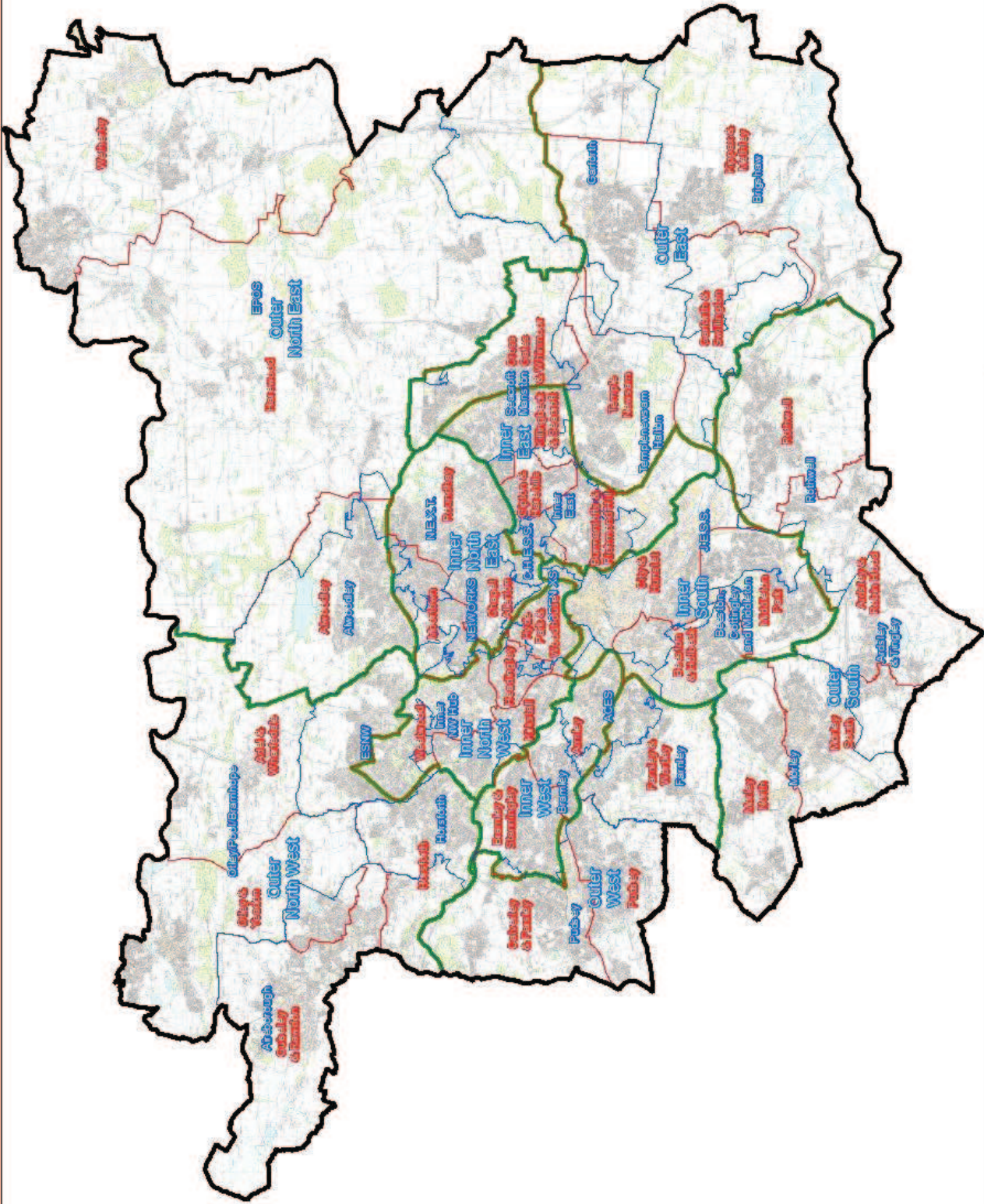
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**Comments**

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**Legend**

- Clusters
- Wards
- Area Committee



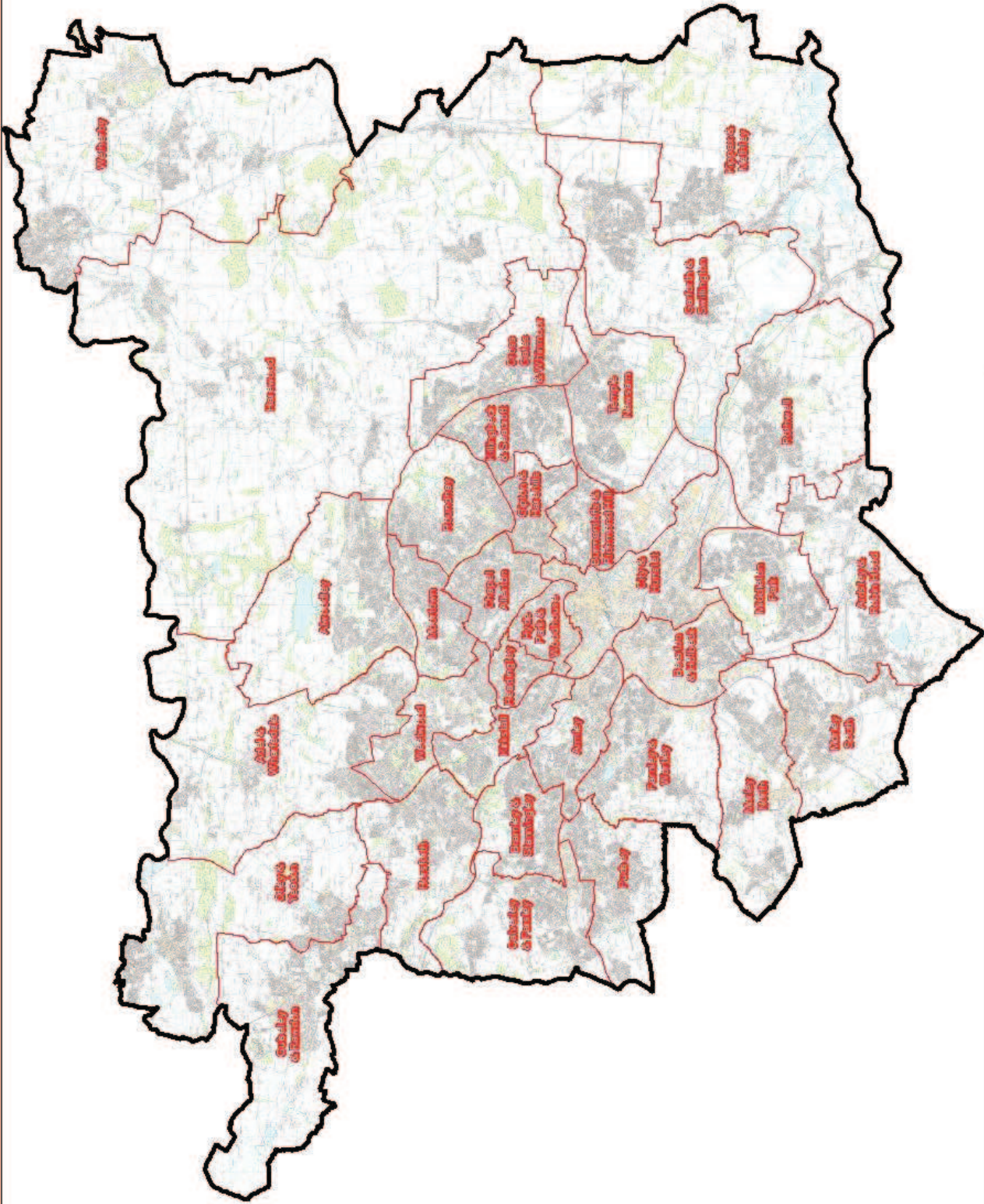
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**Comments**

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**Legend**  
 Wards



**Leeds**  
CITY COUNCIL

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**Comments**

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# Leeds Children's Trust Board



<b>Date of meeting:</b>	5 September 2013
<b>Author:</b> <b>Tel No:</b> <b>Email:</b>	Sue Rumbold 0113-224-3977 sue.rumbold@leeds.gov.uk
<b>Report title:</b>	<b>Cluster update – governance and performance arrangements</b>

## Summary:

As part of a restatement of cluster arrangements this report updates the minimum standard for cluster partnerships the Children's Trust Board adopted in April 2011 in respect to cluster governance and performance arrangements. Given the evolving nature of our partnership cluster arrangements this report revisits Children's Trust Board expectations in respect to:

- cluster governance arrangements
- cluster performance and accountability arrangements

Children's Trust Board's expectations compliment local arrangements and reflect city level minimum requirements. Accountability to Schools Forum is integral to these arrangements. The report also references a recent report to Leeds City Council Member Management Committee on Council Representation on Children and Young People Cluster Partnerships.

Information on cluster progress against the obsessions is provided and an assessment of deprivation levels by cluster.

## Recommendations:

Children's Trust Board is requested to:

- note the contents of this report, particularly the restatement of cluster arrangements, acknowledging that these were approved by Schools Forum on 11 July 2013
- support the recommended membership for cluster partnerships and accompanying efforts to engage all partners
- approve the proposed performance and accountability arrangements for clusters set out in this report
- consider the analysis of cluster performance
- support the on-going alignment of resources across the partnership to support work with children and families at the cluster level
- recommend that this contents of this paper are communicate to cluster starting with autumn term cluster chairs meetings.

## **Purpose of report**

- 1.1. As part of a restatement of cluster arrangements this report provides and update to Children's Trust Board on the minimum standard for cluster partnerships the Children's Trust Board adopted in April 2011 in respect to cluster governance and performance arrangements. A similar report has been taken to the Schools Forum with agreement on the proposals. Accountability to Schools Forum is integral to these arrangements.
- 1.2. This report also provides an overview of progress at cluster level against the children's obsessions. The restatement of cluster performance arrangements emphasises our shared commitment and desire to learn, in addition to accountability arrangements. The recommended way forward builds on previous arrangements.
- 1.3. Children's Trust Board's expectations compliment local arrangements and reflect city level minimum requirements. It identifies new proposals to ensure the on-going effectiveness of the cluster model and the integral role it has in terms of ensuring the achievement of better outcomes for children and young people within their localities.

## **2. Background information**

- 2.1. Leeds is committed to being the best city for children. Key to meeting this ambition is effective local partnerships in the form of children's clusters. These local partnerships play a central role in delivering the priorities of the Children and Young People's Plan, co-ordinating the effort at the local level to achieve the greatest impact on outcomes for children and families. Enhancing cluster and locality working is one of the key improvement strategies set out in the Children and Young People's Plan.
- 2.2. Clusters contribute by:
  - enabling local settings and services to work together effectively to improve outcomes for children, young people and their families
  - building capacity to improve the local delivery of preventative, early help and targeted services
  - creating the conditions for integrated partnership working at locality level,
  - promoting the ambition of a child friendly city across the locality
- 2.3. As key partnerships within the Children's Trust arrangements, the Children's Trust Board agrees the standard terms of reference for the cluster partnerships and in consultation agrees the geographical area of operation for the partnerships. It is recognised that Clusters across the city vary in terms of their maturity and effectiveness. Clear Children's

Trust expectations are a key component of the considerable work that is on-going to support and develop the cluster model.

### 3. Main issues

3.1. The attached paper outlines the suggested framework for clusters to follow in terms of their governance arrangements and the annual governance cycle. It is supported by the following appendices:

- **Appendix 1** acknowledges the fundamental importance of being able to demonstrate that our partnership activities are making a difference. It articulates the various processes which clusters will be required or to adopt in order to evidence the impact they are making.
  - **Appendix 1a** Expands on this looking at how we evidence impact outlining both requirements and a number of 'good practice' suggestions which should support clusters to achieve good outcomes for children and young people. This covers the support offered for undertaking this activity.
  - **Appendix 1b** Best practice guidelines for implementing the governance framework
  - **Appendix 1c** outlines recommended membership of cluster partnerships.
  - **Appendix 1d** outlines the performance information available to each cluster
- **Appendix 2** Performance data at cluster level against each of the obsessions. – ***This will be presented to the Scrutiny board at the December 2013 meeting.***

3.2. The overall aims of the framework and governance cycle are to formalise light touch minimum reporting requirements on clusters to evidence effective governance with a focus on outcomes and value for money. This will be achieved through:

- Providing evidence of local accountability by demonstrating the contribution being made to the local agenda for improved outcomes for children and young people.
- Providing evidence of joined up working across relevant agencies, sharing of expertise and good practice.
- Supporting the Children's Trust Board and Schools Forum in assessing levels of need and, the impact of actions to inform the development of the city's Children and Young People Plan and related improvement strategies.

- Giving clusters the opportunity to influence decisions made by the Children's Trust Board in relation to joint strategic planning and commissioning through a better understanding of local circumstances, including the commonalities and distinctions that exist across the city.
- Providing a platform to raise any concerns about the level of support the partnerships need from Children's Trust partners.
- Allowing Schools Forum to work with the Children's Trust to challenge outcomes and performance of clusters across the city and evidence value for money. This will be supported through a Review and Support sub-group of Schools Forum whose terms of reference will be drafted following this meeting.
- Allowing the partnerships to identify local and area based strategic priorities for the forthcoming year.

3.3. To support these aims the roles of partners are as follows:

- **Children's Trust Board** – to provide support for cluster working and through regular performance reports provide both challenge on the effectiveness of clusters and strategic support for improvement.
- **Schools Forum** – to hold the children's trust board and clusters to account for effective use of the funding allocated through the Forum. To be supported in this by the Review and Support sub-group.
- **Cluster management and leadership** – commitment to being open and honest about the progress the cluster is making and any challenges it is trying to address
- **Targeted services leader** – focusing on targeted work with children and families to look at the numbers being supported as well as the quality and impact of the support
- **Elected members** – to link cluster working with Area Committee arrangements ensuring both local democratic accountability and that cluster priorities are understood and supported.
- **Local Authority Partners** – support clusters in considering performance and quality, including self-evaluation work and preparation of the local cluster plan.
- **Children's Trust Partners** – will actively seek involvement in cluster arrangements. This relates to organisations committed to the outcomes outlined in the Children and Young People's Plan and to

working within their local communities to improve the lives of children and families.

- **Leeds Children's Safeguarding Board** – within overall role will seek reassurance and provide support to ensure that local cluster practice is keeping children safe. Asking clusters to participate in multi-agency case audits would be an example.

- 3.4. In October 2011 Leeds City Council's Member Management Committee agreed to categorise the cluster partnerships as Strategic and Key Partnerships and appointed a number of member representatives to sit on the clusters. A recent review of area working identified the need to more clearly understand the relative roles and responsibilities of area committees and other partnership bodies, including children's clusters. The member relationship between area committees and clusters is central to this. Member management committee recommended in March to strengthen local working arrangements with elected member representatives to children service clusters to be appointed by area committees, including a Children's Champions for each area committee. This establishes a formal link between Area Committees and Clusters and enables and supports the building of closer working arrangements to better support the needs children and families across the city.
- 3.5 Appendix 1c outlines the proposed membership for each cluster. Clusters and partner organisations are encouraged to work towards involving this full range of members. This should be acknowledged and accepted as a commitment and a partnership aim. It is also recognised that to be effective the relationships have to work locally and that restorative principles must underpin them. Applying the principles of outcomes based accountability to the shared outcomes and obsessions of the Children and Young People's plan provides the basis for developing ways of working together.
- 3.6 Evidence of our approach to support children and families at the local level working will be the on-going realignment of resources and services to clusters. This may involve the directing of funding, the delegation of services, the alignment of services to clusters, the enablement of services to engage at cluster level or the empowerment of local social capital. At one level this includes commitment to support the lead practitioner role or to engage in cluster partnership arrangements. Other levels will include ensuring service design allows for engagement at the cluster level. In this context the dedicated funding through schools forum to enable cluster working while significant and essential represents only a part of the potential resource available.

#### **4. Analysis of cluster performance to date**

- 4.1. Performance data at cluster level against each of the obsessions is shown at Appendix 2. A brief analysis of information demonstrates that the cluster model is having a positive impact on the Children's Trust priorities.

***More detailed information including appendix 2 will be presented to the Scrutiny Board at the December 2013 meeting.***

#### **5. Implications for governance, policy, resources, Children and Young People Plan outcomes**

- 5.1 This paper covers key aspects of the accountability and support arrangements for cluster governance and performance. It focuses implicitly on evaluating the use of resources directly in terms of Schools Forum and the funding it provides. It supports Schools Forum by ensuring accountability and value for money. There is also an accountability to the Children's Trust Board around delivery of the Children and Young People's plan and are we making a difference in terms of outcomes for children and young people.

#### **6. Relationship to other partnership activity**

- 6.1. The proposals in this paper form part of the wider partnership arrangements to evaluate and ensure the contribution clusters make to delivering improved outcomes for children and young people within their communities and families. As such the proposals in this paper form a core element of children's trust partnership arrangements.
- 6.2. Clusters have a direct accountability to Schools Forum who have committed to delegating funding through the dedicated schools grant for 3 years. Schools forum requires assurance that cluster funding is achieving value for money. Clusters will have local governance arrangements in place to support collective effort and this will include local accountability for progress.

#### **7. What can Children's Trust Board do to help?**

- 7.1. Children's Trust Board are asked to:
- note the contents of this report, particularly the restatement of cluster arrangements, acknowledging that these were approved by Schools Forum on 11 July 2013
  - support the recommended membership for cluster partnerships and accompanying efforts to engage all partners
  - approve the proposed performance and accountability arrangements for clusters set out in this report



- consider the analysis of cluster performance
- support the on-going alignment of resources across the partnership to support work with children and families at the cluster level
- recommend that this contents of this paper are communicate to cluster starting with autumn term cluster chairs meetings.

**Background documents:**

<b>Appendix 1</b>	<b>Cluster governance framework</b>
<b>Appendix 1a</b>	<b>How we evidence impact</b>
<b>Appendix 1b</b>	<b>Good practice guide</b>
<b>Appendix 1c</b>	<b>Recommended cluster membership</b>
<b>Appendix 1d</b>	<b>Performance information available to clusters</b>

## Appendix 1

### Cluster Governance Framework

Our vision for children and young people in Leeds is set out in the Children and Young People's Plan which was approved by the Children's Trust Board in May 2013. It states that:

- Our vision is for Leeds to be a child friendly city. As part of this vision we will minimise the effects of child poverty.
- Our vision contributes to the wider vision for Leeds – By 2030 Leeds will be locally and nationally recognised as the best city in the UK.

We will drive change by using restorative practice, **cluster** and locality working and by extending the voice and influence of children and young people. The child is at the centre of everything we do. We have a relentless focus on improved outcomes for children, young people and their families. The Children and Young People's Plan further states that cluster partnerships in Leeds are the local mechanisms to deliver on the statutory duty to work in partnership and the duty to co-operate placed on relevant partners to improve children and young people's well-being in the context of their communities and families

#### Internal governance processes

There are three types of cluster partnership and each cluster is required to adopt one of these.

- Joint Collaborative Committee  
Schools within an identified cluster may wish to form an extended services committee in line with the School Governance (Collaboration) (England) Regulations 2003. The schools remain as separate schools but form a joint committee, whose powers are determined through the delegation of the collaborating schools' governing bodies.
- Trust schools  
In some instances, extended services may be governed through the federation of schools or through the formation of Trust schools.
- Informal Partnership  
Partners working together to deliver the extended services provision may wish to form a partnership. However, unincorporated associations in law are not corporate bodies; they cannot employ staff, hold financial resources or enter into contracts.

The partnership would need to do these things through an accountable body, which would be one of the partners, which may be a public, charitable or private body.

Clusters must commit to an annual timetable which is based on the academic year. This is outlined below:

Monthly	Local Authority to provide performance data to each cluster.
July - Sept	Preparation and submission of business & action plans to: <ul style="list-style-type: none"> <li>• Local authority for moderation and quality assurance, and</li> <li>• Schools Forum for approval</li> </ul> <p>Good practice to share with school governing bodies in the cluster area</p>
October	Funding released by Schools Forum for 6 months on completion of business plan
December	6 month cluster performance report (April – September) prepared by Children’s Services to: <ul style="list-style-type: none"> <li>• Children’s Trust Board</li> <li>• Schools Forum</li> <li>• School Governing Bodies</li> <li>• Copied to LSCB performance management sub-group</li> </ul>
March	Cluster to provide 6 month review of business plan to local authority and Schools Forum. <p>Good practice to share with school governing bodies in the cluster area</p>
April	Release of final 6 months funding by LA following submission of 6 month review of business plan
June	Annual report to include 6 month cluster performance report (October – March) prepared by Children’s Services to: <ul style="list-style-type: none"> <li>• Children’s Trust Board</li> <li>• Schools Forum</li> <li>• School Governing Bodies</li> </ul>

The governance framework is supported by two appendices:

- **Appendix 1a** – How we evidence impact
- **Appendix 1b** – Good practice guide to implementing the framework
- **Appendix 1c** – Recommended Cluster Membership

## APPENDIX 1a

### How we evidence impact

Partnership processes and support to clusters	Expectations of clusters
<p><b>Intelligence and performance data</b> <b>(What difference are we making)</b></p> <ul style="list-style-type: none"> <li>• Monthly Children and Young People’s Plan and obsessions dashboards provide an indication of are we making a difference</li> <li>• Quarterly/termly data, additional information to aid in understanding the issues highlighted by monthly information including targeted services cluster reports on the application of the common assessment and related processes.</li> <li>• Annual cluster profiles and overviews offering a longer term and broader perspective of local need</li> </ul>	<p><b>Recommended</b></p> <ul style="list-style-type: none"> <li>• Information is used routinely to assess whether we’re making a difference, including comparison with other clusters.</li> <li>• Opportunities are taken to use the more in depth information to evaluate practice and explore questions behind the headline information.</li> <li>• Cluster profile and similar information is used to aid understanding of the local area and to identify local priorities including factors impacting on Children and Young People’s Plan priorities and obsessions.</li> </ul>
<p><b>On-going learning</b> <b>(How well are we doing it)</b></p> <ul style="list-style-type: none"> <li>• Guidance on <i>what is a good cluster</i> is used to promote shared commitment</li> <li>• Quality of engagement, leadership and governance self-assessment; to ensure a level of good practice in cluster governance</li> <li>• Assessment tool – Working together to Safeguard children – Supporting Effective Early Help Services in clusters; to ensure a level of good practice in approaches to early intervention and family support</li> <li>• Supervision guidance and case file audit</li> <li>• Participation in multi-agency LSCB led review of case management</li> </ul>	<p><b>Recommended</b></p> <ul style="list-style-type: none"> <li>• Clusters to use these tools for self-improvement through identification of strengths and weakness and prioritisation of improvement.</li> <li>• Clusters support the identification and sharing of good practice</li> <li>• Clusters support identifying areas for city-wide improvement focus.</li> </ul> <p><b>Required</b></p> <ul style="list-style-type: none"> <li>• Case file audits undertaken twice yearly and supervision policies in place</li> <li>• Participation in multi-agency case management reviews if child/young person from cluster selected</li> </ul>
<p><b>Managing performance locally</b> <b>(what and how much are we doing)</b></p> <p>In addition to use of the above:</p> <ul style="list-style-type: none"> <li>• Cluster Chair and the targeted services leader with the support of the local authority partner set local targets for supporting children and families e.g. CAF initiation</li> </ul>	<p><b>Required</b></p> <ul style="list-style-type: none"> <li>• Local plans prepared January - March. Ratified locally and shared with Children’s Trust Board each April</li> <li>• Local targets for early intervention / prevention agreed</li> <li>• Local schools and school governing bodies</li> </ul>

<p><b>Partnership processes and support to clusters</b></p> <ul style="list-style-type: none"> <li>• Clusters develop local financial year business / improvement plans (inclusive of action plans) and determine local monitoring</li> <li>• Local initiatives / projects have clear performance criteria that can determine what difference was made.</li> </ul>	<p><b>Expectations of clusters</b></p> <p>are kept informed of cluster priorities and performance</p> <p><b>Recommended</b></p> <ul style="list-style-type: none"> <li>• Regular opportunities to consider performance are timetabled</li> <li>• Cluster share local plan with governing bodies, local partners and area committees</li> </ul>
<p><b>OBA - toolkits</b></p> <ul style="list-style-type: none"> <li>• OBA approaches promote shared principles providing tools for partnership conversations that enable shared understanding and a shared commitment to improvement.</li> </ul>	<p><b>Recommended</b></p> <ul style="list-style-type: none"> <li>• Partnership activity is based on OBA principles and utilises toolkits</li> </ul>
<p><b>Children’s Trust Accountability</b></p> <p>Quarterly as part of the targeted service arrangements (including TSL service level agreements) consider performance information and report on:</p> <ul style="list-style-type: none"> <li>• Local progress against obsessions</li> <li>• Impact of targeted work (support and guidance work and families first work) and local demand for social care services</li> <li>• Overview of cluster progress</li> </ul> <p>Formal 6 month light touch cluster reports based on:</p> <ul style="list-style-type: none"> <li>• Quarterly Targeted Services report</li> <li>• Conclusion of last quality of engagement, leadership and governance self-assessment</li> <li>• Progress against business plan priorities not covered elsewhere based on what have we done, how well did we do it, was anyone better off.</li> <li>• Value for money statement</li> <li>• Highlights of lessons learnt, good practice and help needed.</li> </ul>	<p><b>Required</b></p> <ul style="list-style-type: none"> <li>• Quarterly Targeted Services Update report</li> <li>• 6 month cluster reports to required format <ul style="list-style-type: none"> <li>• End of academic year financial year submitted November for December CTB.</li> <li>• 6 month report submitted may for June CTB</li> </ul> </li> </ul> <p><b>Recommended</b></p> <ul style="list-style-type: none"> <li>• Clusters use process for their own self-evaluation including the involvement of local partners and the setting of improvement actions.</li> </ul>

<b>Partnership processes and support to clusters</b>	<b>Expectations of clusters</b>
Information will also be used as appropriate in reports to schools forum and scrutiny panel	

To support the above, the following activity is planned:

- Greater engagement of clusters in the on-going development of the processes and products outlined above. This will include opportunities for regular feedback.
- More structured and programmed support for using the materials and processes outlined above.
- Exploration of software that would facilitate the above including the development of a partnership 'extranet' to aid communication and dissemination of material.

## **Appendix 1b**

### **Best practice guidelines for implementing the governance framework**

Clusters should aim to ensure that their working arrangements reflect the following:

- A collaborative accountability structure agreed by schools, children's centres and partners where decisions are jointly made and where plans and actions are regularly discussed, agreed and progress monitored against desired and well defined outcomes.
- A collaborative approach to business planning which involves self-assessment in terms of whether desired outcomes are being achieved.
- Qualitative and quantitative data is compiled and analysed to enable local priorities to be determined using effective processes – for example Outcomes Based Accountability.
- Accountability for agreed priorities is shared by all partners with clarity on the role of the employing school, the fund holder, the role and responsibility of the chair and vice chair and line manager.
- Information sharing protocols are clear and support targeted and personalised services for children, young people and their families.
- Multi-agency meetings with key partners and local partners as appropriate, to share information and support targeted work.
- Commitment from all partners to attend planned meetings and contribute practically to the progress of the agreed cluster action plan (including task group meetings as appropriate)
- Meetings planned in advance, with at least three full partner meetings throughout the year, agendas sent a week prior to meetings to all partners with the option for partners to add items to the agenda.

## Appendix 1c

### Recommended Cluster Membership

It is intended that clusters and partners work towards having a standing membership for each cluster that includes:

- Representative from each school in the area or agreed local representation via family of schools / joint collaborative committee
- Representation from each children's centre whose reach area includes part of the cluster area or representation on behalf of these children's centres
- At least one school governor to provide strategic governor input; recommended that this is a community or parent governor and not a staff governor
- Health representative e.g. school nurse coordinator – confirm through Leeds Community Healthcare
- Police e.g. Neighbourhood police team inspector – confirmed through West Yorkshire Police
- Voluntary, community and faith sector – confirmed through and accountable to Leeds VOICE
- Local Elected Members – confirmed by the local Area Committee
- Local Authority Partner – senior manager from Children's Services to provide strategic link to Children's Services and other council functions
- Relevant local managers for Leeds City Council children's services – confirmed through Children's Service Leadership Team (e.g. children's social work service area manager/service delivery manager; targeted services area manager; school improvement advisers etc).
- Cluster Partnerships may also wish to include additional partners and to establish a broader network for partners to progress priorities and help improve local communications. This could include key contacts from: local colleges, housing, regeneration, probation, youth offending service, job centres, area management, libraries, and from voluntary, community and faith groups.



## Appendix 1d – Cluster performance information

The following performance and intelligence products are distributed to clusters on a monthly and quarterly basis to enable them to measure impact. All instances of fewer than 5 are suppressed.

Product	Frequency	Content
CYPP indicators dashboard	Monthly	<ul style="list-style-type: none"> <li>• Latest performance at city-level against all CYPP indicators, including comparison to same period in Leeds last year, latest full-year national result and latest full-year result for statistical neighbours.</li> <li>• Latest performance at cluster level for all indicators where datasets are available using this geography. Currently this is: children looked after; children subject to child protection plans; primary attendance; secondary attendance; NEET; Early Years Foundation Stage; Level 4 or above in English and maths at Key Stage 2; five or more A*-C GCSEs including English and maths; Level 3 at 19; obesity levels in Year 6; primary and secondary take-up of free school meals; alcohol-related hospital admissions for under-18s; teenage conceptions and 10-17 year old offenders.</li> <li>• A table and graphs tracking each cluster's performance over time against the obsessions and showing the most recent monthly change as well as the change in each indicator since the beginning of the CYPP in 2011.</li> </ul>
NEET dashboard	Monthly	At cluster level: number and percentage of NEET over rolling 12 month period; latest month's snapshot of young people's destinations; and number and percentage of young people who have been NEET for 3 months or more and for 6 months or more.
Children and young people are safe from harm dashboard	Monthly	<ul style="list-style-type: none"> <li>• Common assessments initiated in the year to date at city and cluster level; number of requests for service made in the year to date at city and cluster level; number of referrals made in the year to date at city and cluster level; snapshot data at city and cluster level of numbers and rates per then thousand children subject to a child protection plan and children looked after.</li> <li>• This dashboard also enables clusters to track up or down changes since the previous month, compare their position across the distribution of all clusters, track children looked after and child protection plans over a rolling 12 month period, and compare year to date ratios to full-year data for the previous year.</li> </ul>
Children and young people are safe from harm quarterly report	Quarterly	<ul style="list-style-type: none"> <li>• Requests for service at cluster level disaggregated by age and by source agent, as well as the proportion of requests for service that are converted to referrals by source agent and cluster.</li> <li>• Children who have had a repeat request for service by cluster and age group.</li> <li>• Children's centre registrations by cluster.</li> </ul>

Product	Frequency	Content
		<ul style="list-style-type: none"> <li>• Referrals at cluster level disaggregated by age, source agent, and primary referral reason.</li> <li>• Common assessments at cluster level disaggregated by age and by source agent.</li> <li>• Children subject to child protection plans at cluster level disaggregated by age.</li> <li>• Children looked after at cluster level disaggregated by age.</li> </ul>
Common assessment package of information at cluster level for all clusters	Quarterly	<ul style="list-style-type: none"> <li>• Number of common internal records or equivalent assessment for Guidance and Support meetings initiated</li> <li>• Current status of common assessments for children in the cluster</li> <li>• Common assessments known to be escalations and de-escalations to and from children’s social work services</li> <li>• Common assessments initiated by agency in the cluster and the number of CAF trained practitioners in each agency</li> <li>• Open common assessments on children living in the cluster by age range</li> <li>• Recommendations for CAF/follow-up from children’s social work services</li> </ul> <p>This data is currently produced and distributed by the Integrated Processes team. Colleagues from this team and the Children’s Performance Service are working on making this a streamlined offer to clusters.</p>

A monthly dashboard showing attendance trends at a cluster level is currently planned for the second half of the autumn term of 2013/14. Work will take place in the first half of this term to increase the coverage of school attendance data available to the local authority to enable this to be a meaningful tool; particularly coverage of secondary attendance data.



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# Schools Forum

**A guide for schools and academies on its  
role and their responsibilities**

**June 2013**

## Introduction

1. The reform and simplification of local authority formulae has raised the profile of the work of Schools Forums. There is still widespread misunderstanding about the role of forums. The aim of this note is to give schools and academies a clear understanding of the role of their local Schools Forum and how to ensure the voice of the school is heard. This note applies to both academies and maintained schools.

## The role of Schools Forum

2. Schools Forum is made up of representatives from schools and academies, but with some representation from other non-school organisations, such as nursery and 14-19<sup>1</sup> education providers. The forum acts as a consultative body on some issues and a decision making body on others.
3. The forum acts in a consultative role for:
  - Changes to the local funding formula. (The local authority is responsible for the final decision, although in some cases it may delegate the decision-making power to the Schools Forum)
  - Proposed changes to the operation of the minimum funding guarantee
  - Changes to or new contracts affecting schools (e.g. school meals)
  - Arrangements for pupils with special educational needs, in pupil referral units and in early years provision
4. The forum is responsible for decisions on:
  - How much funding may be centrally retained within the Dedicated Schools Grant (e.g. for the Admissions Service, prudential borrowing costs, additional funding available for growing schools)
  - Any proposed carry forward of deficits on central spend from one year to the next
  - Proposals to de-delegate funding from maintained primary and secondary schools (e.g. for staff supply cover, insurance, behaviour support)
  - Changes to the scheme of financial management

## Schools' representation

5. Schools and academies representatives on the forum should be roughly proportionate to the number of pupils in each sector and would generally include representatives from:
  - Maintained nursery schools
  - Maintained primary schools
  - Maintained secondary schools

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<sup>1</sup> The requirement for a 14-19 representative will be replaced by a requirement for a Post-16 representative in the autumn of 2013

- Maintained special schools
  - Maintained pupil referral units
  - Academies and free schools
6. Middle schools do not form a category of schools in their own right and should be treated in accordance with their deemed status.
  7. Where there is at least one school in a particular category, there must be at least one representative for that group on the forum.
  8. Representatives should be elected by their peer group. In the case of maintained schools, representatives should be head teachers (or their representatives) or governors, elected by their appropriate phase. Academies members should be elected by the Academy Trusts in the local authority area.

## **Responsibilities of schools and their representatives**

9. Schools can expect to have their views canvassed and to receive feedback from their representatives, who have a responsibility to represent the interests of their peer group rather than the interests of their own individual school.
10. When electing an individual to represent the interests of their respective group, schools should satisfy themselves that their chosen representative(s) is competent to act as their advocate.
11. School staff and governors should ensure that they are aware of business under discussion at Schools Forum and should provide feedback to their elected representatives to ensure that their views are considered when decisions affecting schools' finances are being made

## **Responsibilities of Local Authorities**

12. Local authorities are required to publish all papers on a publicly-available website well in advance of the meeting. Papers should contain clear recommendations and the responsible officers should attend the meeting to provide further information and advice. Local authority officers should not dominate the meeting.
13. All meetings of the Schools Forum must be open to the public. Observers do not have an automatic right to speak at the meetings, although the Chair may allow contributions if it seems appropriate.

## **Further information**

14. Further information on Schools Forums, including a simple table which shows the decision making responsibilities of the Schools Forum, can be found on our website [Schools forum guidance](#).



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TABLE 1 - SCHOOLS FORUMS: POWERS AND RESPONSIBILITIES 2013-14

	Function	Local Authority	Forum	DfE Role
1	Formula Change (Including redistributions)	Proposes and decides	Must be consulted. [Voting restricted to schools members plus PVI members]	None
2	Contracts	Propose at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view	None
3	Financial Issues relating to: arrangements for pupils with special educational needs; arrangements for use of pupil referral units and the education of children otherwise than at school; arrangements for early years provision; administration arrangements for the allocation of central govt grants.	Consult annually	Gives a view and informs the governing bodies of all consultations carried out in lines 1, 2 & 3	None
4	Minimum funding guarantee	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval
5	De-delegation for mainstream schools for: contingencies administration of free school meals insurance liabilities/subscriptions staff costs - supply cover support for minority ethnic pupils/underachieving groups behaviour support services library and museum services	Will propose	Primary and secondary school member representatives will decide for their phase.	Will adjudicate where Forum does not agree LA proposal
6	Central spend on funding for significant pre-16 pupil growth equal pay back-pay places in independent schools for non-SEN pupils early years expenditure	Proposes	Decides	Adjudicates where Forum does not agree LA proposal
7	Central spend on admissions servicing of schools forum carbon reduction commitment capital expenditure funded from revenue contribution to combined budgets schools budget centrally funded termination of employment costs schools budget funded prudential borrowing costs	Proposes up to the value committed in 2012/13 and where expenditure has already been committed	Decides for each line	Adjudicates where Forum does not agree LA proposal
8	Carry forward a deficit on central expenditure to the next year to be funded from the schools budget	Proposes	Decides	Adjudicates where Forum does not agree LA proposal
9	Scheme of financial management changes	Proposes and consults GB and Head of every School	Approves	Adjudicates where Forum does not agree LA proposal
10	Membership : length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
11	Membership: appointment of Schools and Academies Members	Appoints those elected by members of the relevant sub groups. Facilitates election where required and appoints member if there is a tie or the election does not take place by a date set by the LA.	None	None
12	Membership: Non Schools Members	Seeks nominations from the relevant bodies then appoints	None (but good practice would suggest that they gave a view)	None
13	Voting Procedures	None	Determine voting procedures	None
14	Chair of Forum	Facilitates	Elects (may not be an elected member of the council or officer)	None

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**Report of Director of Children’s Services**

**Report to Scrutiny Board (Children and Families)**

**Date: 30<sup>th</sup> October 2013**

**Subject: The implications of academies for the Leeds Children’s Services and education in general**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**1.0 Summary of main Issues**

**1.1** At the December 2012 meeting of the Scrutiny Board the board received a report that advised of Government update, the number of schools in Leeds and the proportion of those which were Academies. Discussed were the freedoms afforded to academies, funding and resources, policies and admissions including fair access and exclusions policies, land and buildings and partnership working. It was difficult to clarify at the time what impact academies (or other schools moving from being maintained) are having on attainment and in communities.

The Board agreed that further investigation was required in order to

- appreciate the full implications of costs and resources on Leeds Children’s Services
- inform the development of a comprehensive Leeds position statement on structural change that guides improvements in schools’ standards and effectiveness and meets the needs of all young people educated in Leeds.

## 1.2 Purpose of this report

- 1.2.1 The purpose of this report is to provide the information on the recommendations requested by the Scrutiny Board at the meeting in January 2013.

## 2.0 Background Information

- 2.1 An academy is a state funded independent school. There are two types of academy:

*Converter academies* are higher attaining schools that have chosen to convert to academy status.

*Sponsored academies* are usually set up to replace “under-performing schools”.

*Appendix 1* presents sponsor information on both academy types in Leeds.

- 2.2 Leeds currently has 9 academy sponsors working in the city: Diocese of Ripon and Leeds, LEAF Academy Trust (LEAF), The Co-operative, The Gorse Academies Trust (GORSE), Schools Partnership Trust Academies (SPT), Academies Enterprise Trust (AET), E-ACT, and United Learning (UL), Leeds City College.

- 2.3 Since the last report the number of academies in Leeds has increased from 17 to 29.

### 2.3.1 Summary of primary provision in Leeds

- 2 through schools (2-19 years)
- 5 Specialist Inclusive Learning Centres (2 – 19 years)
- 1 Pupil Referral Unit
- 205 primary LA maintained schools
- 13 primary academies, equating to 6% of all primary schools. Since the last report there are a further 5 primary converter academies and a further 5 primary sponsored academies.

- 2.3.2 **Primary converter academies (7):** Manston St James (LEAF), Garforth Green Lane Primary School (SPT), St Benedict's Primary (The Bishop Konstant Academy Trust), St. Peter & Paul Catholic Primary (The Bishop Wheeler Academy Trust), St. Joseph's Pudsey (The Bishop Wheeler Academy Trust), St Joseph's Otley (The Bishop Wheeler Academy Trust), St Mary's Catholic Primary Horsforth (The Bishop Wheeler Academy Trust).

- 2.3.3 **Primary sponsored academies (6):** Park View Academy (SPT), Brownhill (The Co-operative Group), Cottingley (AET), Woodlands (The Co-operative Group), Oakwood (The Co-operative Group), East Garforth (SPT)

**2.3.4** There are 2 primary sponsored conversions in process: Hillcrest Primary (GORSE), Rothwell CE Primary (LEAF).

**2.3.5 Summary of secondary provision in Leeds**

- 2 through schools (2-19years)
- 5 Specialist Inclusive Learning Centres (2 – 19 years)
- 1 Behaviour Emotional Social Difficulties provision
- 3 Pupil Referral Units
- 20 secondary LA maintained schools
- 16 secondary academies, equating to 42% of all secondary schools.  
Since the last report there are a further secondary converter and a further secondary sponsored academy.

**2.3.6 Secondary converter academies (9):** Abbey Grange Church of England Academy, Crawshaw School, Horsforth School, Garforth Academy (SPT), The Morley Academy (GORSE), Otley Prince Henry's Grammar, Rodillian School, Woodkirk, St Mary's Menston (The Bishop Wheeler Academy Trust).

**2.3.7 Secondary sponsored academies (7):** David Young Community Academy (LEAF), The Farnley Academy (GORSE), The Co-Operative Academy (the Co-operative Group), Leeds East Academy (E-ACT), Leeds West Academy (E-ACT), Leeds South Academy (SPT), Swallow Hill Academy (AET).

**2.3.8** There are 2 secondary sponsored conversions in process: John Smeaton (UL), City of Leeds (Leeds City College).

**2.3.9** Free schools are also academies, funded directly by central government. They are run on a not-for-profit basis, and can be set up by groups like: charities, universities, independent schools, community and faith groups, teachers, parents, businesses.

**3.0 Main issues**

**3.1** Funding implications resulting from schools converting to academy can be broken down into two areas:

1. direct and in-direct financial consequences for the Leeds Children's Services brought about by the re-designation of schools as Academies
2. actual costs to the Leeds Children's Services arising from processing and managing each conversion

**3.1.1 Direct loss of Education Services Grant (ESG)**

The Education Services Grant is currently paid at a rate of £131.45 per pupil per year to fund certain responsibilities the Leeds Children's Services has to maintained schools. Of this amount, £116.45 per pupil relating to responsibilities that transfer to academies is removed from the date at which a school becomes an academy. £15 per pupil continues to be paid to fund continuing responsibilities to all pupils, whether attending maintained schools or academies. For example, for a Secondary school with 1,000 pupils the grant is reduced by £116,450 per year from the date of transfer. Including the four

schools currently in the conversion process the total loss of ESG per year due to academies is £2,960,000. The loss of this funding requires reductions in the central Leeds Children’s Services functions supporting the functions that transfer. *Appendix 2* lists the functions for which the Leeds Children’s Services retains responsibility. *Appendix 3* lists those functions that transfer and for which funding is reduced.

### 3.1.2 Loss of Non Domestic Rates (NNDR)

All academies receive mandatory rates relief of 80%. Under the revised arrangements for National Non Domestic Rates (NNDR), 49% of any additional relief since localisation falls on the City Council, with 1% falling on the Fire Service precept and 50% being met by the national pool. Including the relief to the four schools currently in the conversion process the cost of additional mandatory rates relief to academies is £2,129,000. The direct impact on Leeds City Council is 49% of the relief to those schools that have converted since the local arrangements were brought in and is estimated at £850,000 per year.

### 3.1.3 Loss of funding for De-delegated Services

The Schools Forum has supported the de-delegation and continued central provision of a number of services newly delegated from April 2013. When a school transfers to academy status funding for these services must be delegated and is transferred to the individual academies. Including the four schools currently in the conversion process the total loss of de-delegated funding will be £1,513,000 per year. The following table shows a breakdown of the reduction by function

Service / Budget Area	De-delegated funding loss
School contingency fund and support for schools in financial difficulty	£311,524
Free School Meals Eligibility Checks	£57,918
Licences/ subscriptions	£19,513
Maternity and other cover	£566,749
Trades Union Facilities Time	£149,573
Suspended Staff Cover	£41,499
Support to underperforming ethnic minority groups and bilingual learners	£256,113
Behaviour support services	£33,918
Museum Service	£53,969
Library Service	£22,707
<b>Total de-delegated funding</b>	<b>£1,513,483</b>

In a number of instances this automatically results in savings. For example the largest de-delegated budgets are for the School Contingency fund and Maternity Cover that would be expected to reduce pro-rata.

In some instances academies buy-back the services. For example all academies buy back the City Council’s service to check free school meal eligibility. Where academies do not buy back services this must result in

reductions in expenditure.

## **3.2 Leeds Children's Services conversion costs**

- 3.2.1** When a maintained school converts to academy status, a number of legal documents are put in place which formally detail the transfer of land/property, assets and staff, and the corresponding liabilities and obligations that will exist between Leeds City Council and the sponsor / academy. There are 2 main documents that are required for all conversions: a 125-Year lease and a Commercial Transfer Agreement (CTA).
- 3.2.2** Under the Academies Act 2010, Leeds City Council is statutorily required to grant a 125-year lease of the applicable school site to each academy sponsor/trust at nil cost. In the case of PFI schools, the lease is subject to the restrictions and obligations with the PFI contract and the academy only becomes liable for repair, maintenance and insurance of the buildings once the PFI contract expires.
- 3.2.3** Each academy conversion has its own set of land and asset issues to be considered during conversion. Whilst there is a DEPARTMENT FOR EDUCATION model template lease which should be entered into, each lease needs to be reworked and negotiated to take into account of site specific land and asset issues which need to be considered as part of the conversion process. Examples of such issues include the use of off-site playing fields and leisure facilities, shared site usage, caretaker's properties, community leases, boundary and title discrepancies, Leeds City Council managed Children's Centres on school sites, Private Nurseries.
- 3.2.4** In the case of faith based schools, most of the land and property should have already transferred freehold to the relevant faith body (e.g. Diocese) under the School Standards and Framework Act and a lease is therefore not required, however there are a number of school sites across the Leeds Estate whereby these transfers are still being agreed. It should also be noted that where a Trust school converts to academy status, Leeds City Council would not be required to grant a lease on the basis that the freehold of the school site will already have transferred from LCC to the Trust under the relevant legislation.
- 3.2.5** The purpose of the Commercial Transfer Agreement is to legally document the transfer of staff, assets and contracts from LCC and the School Governing Body to the Academy Trust. Under the Academy legislation, all staff employed at the school will transfer from Leeds City Council to the Academy under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) and the CTA provides for apportionments of payment of salaries, pension contributions, etc. and indemnities from both parties in relation to employment matters. It also details the transfer of liabilities for contracts that the Governing Body have entered into and also the funds in any applicable bank accounts.
- 3.2.6** In Leeds there are 15 primary schools, 9 secondary schools, and 5 academies that have been designed, built and funded under the Private Finance Initiative (PFI) and are subsequently operated and maintained by the Private Sector for a period of at least 25 years. Of the four schools currently undergoing conversion,

one secondary school is a PFI school. As highlighted earlier in the report, Leeds City Council continues to manage the PFI contracts irrespective of whether a school has Community, Foundation/Trust or Academy status, although for the most recent (and all future) PFI Academy conversions, the Academy Trust is required to pay a fee to LCC for this service.

- 3.2.7** The level of legal costs incurred by Leeds Children's Services in relation to the drafting of leases for each particular conversion is determined by the complexity of the site issues and the subsequent extent of legal work required to resolve these complexities and issues.
- 3.2.8** To date, the academy conversion costs for the 29 converted academies and the 4 in current process, have totalled £821,683. Leeds Children's Services receive no funding from the Department for Education or the Academy Trust to cover these costs.
- 3.2.9** The major factor within the conversion costs is the PFI dimension, as on top of the costs for Legal Services and City Development, there are also costs incurred through Public Private Partnership and Procurement Unit (PPPPU) for negotiating the PFI transfer documents. In addition, PFI Funder's Advisors costs arise. In effect, this means that PFI conversions are at least five times more expensive than non-PFI conversions.
- 3.2.10** Within the total costs quoted at 3.2.8, £536,455 of the costs relate to the conversion of 6 PFI funded schools.
- 3.2.11** Further revisions are required to the documentation of a converted academy to reflect a proposed change to Multi Academy Status. Under such circumstances, the agreed stance of Leeds Children's Services is that the Academy Trust must cover Leeds City Council's legal costs on the basis that the Authority has already been required to stand its own costs during the original conversion process and that all work undertaken on behalf of an academy/non-maintained school should be on a cost recovery basis.
- 3.2.12** It should be noted that the process undertaken and financial implications arising when a school changes category to a Trust school, differ widely from those converting to Academy status. Under the Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, instead of granting a lease to the Trust (as under the Academy legislation), the freehold of all land held or used by the Council immediately before the implementation date of the Trust for the purposes of the school, will transfer to (at nil consideration) and vest in the Trust to be held for the purposes of the new school.
- 3.2.13** Normally this will include the school's buildings, hard and soft play areas, all-weather sports areas, games courts, playing fields, habitat areas, roads, paths and car parks. There is a presumption that all land held by the school immediately before it publishes proposals to change category will transfer: Any exceptions to this that will be agreed between Council and Trust, or failing agreement, determined by the Schools Adjudicator.

### 3.3 Financial implications summary

3.3.1 The financial consequences for Leeds City Council brought about by the re-designation of schools are a loss of £5,323,000 per year. This is a recurring annual loss of funding, summarised as follows:

<b>Direct and in-direct financial consequences</b>	<b>Value of Loss</b>
Direct loss of Education Services Grant	£2,960,000
Direct impact of the loss of relief on Non Domestic Rates	£850,000
Loss of funding for De-Delegated Services	£1,513,000
<b>Total Funding reduction</b>	<b>£5,323,000</b>

3.3.2 Actual costs incurred by the Leeds Children’s Services arising from processing and managing each conversion to total £821,683. This is a one-off cost but one which will increase at each subsequent conversion.

### 3.4 Expectations of local authorities in relation to academies

3.4.1 Leeds has an ambition to become a child friendly city, working with all partners with the child at the heart of everything we do. The publication of ‘The framework for the inspection of Leeds Children’s Services arrangements for supporting school improvement’ sets out clearly the responsibility on local authorities to support improvement in all schools, regardless of their governance arrangements. This is in line with the way Leeds has already been working since the last report, to re-define our role and relationship with schools and academies.

3.4.2 For a city as large and diverse as Leeds in particular, it means embedding a genuinely effective model of local partnership working. In Leeds, schools and academies have signed up to a way of working – 25 local clusters of secondary and primary schools and academies working with the other key services for children in their local area so that the child is at the heart of everything.

3.4.3 For our academies in particular this means a clear offer and clear expectations. We expect our academies to be fully engaged with and to benefit from the range of innovative practice that we have introduced for all our children across Leeds. We ask that our academies engage with us by sharing data and information about children, supporting these and other initiatives, participating in their cluster and crucially by being at the table for the conversations that make a difference to children’s lives.

3.4.4 The new model that is being built within children’s services, and across the whole Leeds Children’s Services reflects this: one that blurs traditional barriers by emphasising:

- civic enterprise across the city - making public services more enterprising and the private sector more socially responsible.

- A new social contract with our citizens - where support comes with responsibility and participation.
- And a restorative approach – where our work with families and partners, including schools, is based on just that, doing things with them, rather than to them or for them.

**3.4.5** Wherever the child or young person is being educated, the Leeds Children’s Services has a statutory requirement to ensure that the Section 13A duties are carried through. The White Paper ‘The Importance of Teaching’ also emphasized this. Working together with all our schools and academies is the only way we can do it. This is set out clearly in the Learning Improvement Strategy (*appendix 4*), written in partnership with headteachers, that was sent to schools last term.

**3.4.6** When a school converts to an academy they open as a new school and the maintain school is closed. Of the schools that have converted to academy 7 secondary academies have received an Ofsted inspection. One academy has been judged ‘outstanding’, four have been judged as ‘good’ and two have been judged as having ‘serious weaknesses’.

## **4.0 Corporate Considerations**

### **4.1 Consultation and Engagement**

**4.1.1** Further collaboration is required across Children and Young People’s Services, Corporate Governance, Resources and City Planning to establish a greater understanding of the implications of structural change of Leeds schools.

### **4.2 Equality and Diversity / Cohesion and Integration**

**4.2.1** The issue of how to ensure that all children receive equal opportunities of the same highest standards of provision across all Leeds schools needs to be further addressed.

**4.2.2** The issue of how all Leeds schools work together to ensure the benefits of community cohesion and social integration needs to be further addressed.

### **4.3 Council policies and City Priorities**

**4.3.1** As mentioned above, through the vision for Leeds to become the best UK city and within this, the best city for children and young people to grow up in, we have outlined an ambition to become a child friendly city. This is one of the key objectives of the council plan. Realising this ambition requires a co-ordinated partnership approach across the city where all organisations, including schools, that are working with and for children and young people contribute to each other’s efforts and successes. As such, academies are an important part of our



city-wide approach and it is crucial that, in line with the model outlined in this report, they both support and complement other local services that work with children and families, as well as being able to benefit from those services.

#### **4.4 Resources and value for money**

- 4.4.1 Service/Officer costs, recovery costs of past conversions, new trading implications, demonstration of school improvement data, land transfer (assets maintenance).

#### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 Land transfer (assets maintenance).

#### **4.6 Risk Management**

- 4.6.1 Land transfer issues, PFI indemnities, checking maintenance of leased buildings, communications on safeguarding information, exclusions, admissions, SEN duties, equal opportunities.

#### **5.0 Conclusions**

##### **5.1 Financial implications summary**

The financial consequences for the Leeds Children's Services brought about by the re-designation of schools are a loss of £5,323,000 per year.

Actual costs incurred by the Leeds Children's Services arising from processing and managing each conversion to total £821,683.

- 5.2 Although the number of academies in Leeds has increased since the last report, the number of academies in process has slowed dramatically. Leeds is now looking more actively at local solutions for schools to drive improvement.

#### **6.0 Recommendations**

- 6.1 The Scrutiny Board are recommended to note to the contents of this report and make comment on the report.

#### **7.0 References**

The School Finance (England) Regulations 2011

## **8.0 Appendices**

Appendix 1 Academy list

Appendix 2 Appendix 2 List of Continuing Responsibilities for all Schools funded from ESG

Appendix 3 Services / Duties to Leeds maintained Schools funded from ESG

Appendix 4 Leeds Learning Improvement Strategy

School	Primary/Secondary/Free	Current School Status	Converter/Sponsor	Conversion Date	Name of Sponsor
Abbey Grange CE	Secondary	Academy	Converter	August 2011	
Crawshaw School	Secondary	Academy	Converter	July 2012	
Garforth Academy	Secondary	Academy	Converter	November 2010	School Partnership Trust (SPT)
Horsforth School	Secondary	Academy	Converter	January 2012	
Morley Academy (The)	Secondary	Academy	Converter	January 2011	
Prince Henry's Grammar School Specialist	Secondary	Academy	Converter	December 2011	
Rodillian School	Secondary	Academy	Converter	July 2012	
St Mary's Catholic High School	Secondary	Academy	Converter	1 March 2013	The Bishop Wheeler Academy Trust
Woodkirk Academy	Secondary	Academy	Converter	September 2011	
Garforth Green Lane Primary School	Primary	Academy	Converter	November 2010	School Partnership Trust (SPT)
Manston St James Church of England Primary	Primary	Academy	Converter	September 2012	LEAF
SS St Peter and Paul Catholic Primary School	Primary	Academy	Converter	1 April 2013	The Bishop Wheeler Academy Trust
St Benedict's Catholic Primary School	Primary	Academy	Converter	November 2012	The Bishop Konstant Academy Trust
St Joseph's Catholic Primary School Otley	Primary	Academy	Converter	1 March 2013	The Bishop Wheeler Academy Trust
St Joseph's Catholic Primary School Pudsey	Primary	Academy	Converter	1 March 2013	The Bishop Wheeler Academy Trust
St Mary's Catholic Primary School Horsforth	Primary	Academy	Converter	1 March 2013	The Bishop Wheeler Academy Trust
Co-Operative Academy (The) (formerly Primrose	Secondary	Academy	Sponsor	September 2012	The Co-operative
David Young Community Academy	Secondary	Academy	Sponsor	2006	LEAF
E-ACT Leeds East Academy (Formerly Parkland	Secondary	Academy	Sponsor	September 2011	E-ACT
Farnley Academy (The)	Secondary	Academy	Sponsor	February 2012	GORSE Academies Trust
Leeds West Academy	Secondary	Academy	Sponsor	2009	E-ACT
South Leeds Academy	Secondary	Academy	Sponsor	2009	School Partnership Trust (SPT)
Swallow Hill Community College	Secondary	Academy	Sponsor	1 July 2013	AET
Brownhill Primary School	Primary	Academy	Sponsor	December 2012	The Co-operative Group
Cottingley Primary Academy	Primary	Academy	Sponsor	December 2012	AET
East Garforth Primary School	Primary	Academy	Sponsor		SPT
Oakwood Primary School	Primary	Academy	Sponsor	1 September 2013	The Co-operative Group
Park View Academy	Primary	Academy	Sponsor	September 2012	School Partnership Trust (SPT)
Woodlands Primary School	Primary	Academy	Sponsor	December 2012	The Co-operative Group
City of Leeds School	Secondary	Proposed	Sponsor	1 April 2014	Leeds City College
John Smeaton Community College	Secondary	Proposed	Sponsor	1 November 2013	United Learning Trust
Hillcrest Primary School	Primary	Proposed	Sponsor	1 January 2014	GORSE Academies Trust
Rothwell Church of England Voluntary Controlled	Primary	Proposed	Sponsor	1 January 2014	LEAF

## Appendix 1 – Converter and Sponsored academies in Leeds October 2013

## **Appendix 2 List of continuing responsibilities for all schools and academies funded from ESG**

### **Education welfare services**

- Prosecutions for non attendance
- Tracking children missing from education
- Other statutory duties – for example, expenditure in connection with powers and duties performed under Part 2 of the Children and Young Persons Act 1933 (Enforcement of, and power to make bylaws in relation to, restrictions on the employment of children).

### **Asset management**

- Strategic capital programme planning
- Management of BSF schemes and PFI contracts
- Functions in relation to Academy leases
- expenditure in relation to the management of the authority's capital programme, preparation and review of an asset management plan, negotiation and management of private finance transactions and contracts (including Academies which have converted since the contracts were signed), landlord premises functions for relevant academy leases

### **Statutory and regulatory duties**

- Strategic planning of education services including the education element of the Director of Children's Services and other statutory/regulatory duties relating to both maintained schools and Academies
- Planning for education services on an area-wide basis
- Finance, HR and legal functions relating to central services that do not transfer to Academies
- Maintenance and development of local school funding formula
- Expenditure in connection with the authority's functions in relation to the standing advisory council on religious education constituted by the authority under [section 390 of the 1996 Act](#) or in the reconsideration and preparation of an agreed syllabus of religious education in accordance with [schedule 31 to the 1996 Act](#);

## **Appendix 3 Leeds Children's Services functions to Leeds maintained Schools funded from ESG**

### **Therapies and other health related services**

Costs associated with the provision or purchase of speech, physiotherapy and occupational therapies. Include any expenditure on the provision of special medical support for individual pupils which is not met by a Primary Care Trust, National Health Service Trust or Local Health Board.

### **Central support services**

Includes expenditure on:

- pupil support: provision and administration of clothing grants and board and lodging grants, where such expenditure is not supported by grant.
- music services: expenditure on the provision of music tuition or other activities which provide opportunities for pupils to enhance their experience of music.
- Visual and performing arts (other than music): expenditure which enables pupils to enhance their experience of the visual, creative and performing arts other than music.
- Outdoor education including environmental and field studies (not sports): expenditure on outdoor education centres – field study and environmental studies etc. – but not including centres wholly or mainly for the provision of organised games, swimming or athletics.

### **Education welfare service**

Education Welfare Service and other expenditure arising from the LA's school attendance functions. Excludes expenditure where Education Welfare Officers are directly involved in issues related to [The Children Act 1989](#) and duties in *appendix 2* above.

### **School Improvement**

Expenditure incurred by a Leeds Children's Services in respect of action to support the improvement of standards in the authority's schools, in particular expenditure incurred in connection with functions under the following sections of the [2006 Act](#):

- (a) section 60 (performance standards and safety warning notice),
- (b) section 60A (teachers' pay and conditions warning notice),
- (c) section 63 (power of Leeds Children's Services to require governing bodies of schools eligible for intervention to enter into arrangements),
- (d) section 64 (power of Leeds Children's Services to appoint additional governors),
- (e) section 65 (power of Leeds Children's Services to provide for governing bodies to consist of interim executive members) and Schedule 6; and
- (f) section 66 (power of Leeds Children's Services to suspend right to delegated budget).

### **Asset management**

Education health and safety and other landlord premises functions for community schools.

### **Statutory/ Regulatory Duties**

Expenditure on education functions related to:

- functions of the authority under [Part 1 of the Local Government Act 1999](#) (Best Value) and also the provision of advice to assist governing bodies in procuring goods and services with a view to securing continuous improvement in the way the functions of those governing bodies are exercised, having regard to a combination of economy, efficiency and effectiveness;

- revenue budget preparation; the preparation of information on income and expenditure relating to education, for incorporation into the authority's annual statement of accounts; and the external audit of grant claims and returns relating to education;
- administration of grants to the authority (including preparation of applications), functions imposed by or under [Chapter 4 of Part 2 of the 1998 Act](#) and, where it is the authority's duty to do so, ensuring payments are made in respect of taxation, national insurance and superannuation contributions;
- authorisation and monitoring of:
  - (i) expenditure which is not met from schools' budget shares; and
  - (ii) expenditure in respect of schools which do not have delegated budgets, and all financial administration relating thereto;
- the authority's monitoring of compliance with the requirements of their financial scheme prepared under section 48 of the 1998 Act, and any other requirements in relation to the provision of community facilities by governing bodies under section 27 of the 2002 Act;
- internal audit and other tasks necessary for the discharge of the authority's chief finance officer's responsibilities under section 151 of the Local Government Act 1972;
- the authority's functions under regulations made under [section 44 of the 2002 Act](#);
- recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services carried out in relation to those of the authority's functions and services which are referred to in other paragraphs of Schedule 1 to the School and Early Years Finance (England) Regulations 2012. This relates to staff centrally funded and whose work falls within the scope of the LA Budget;
- investigations which the authority carry out of employees or potential employees of the authority or of governing bodies of schools, or of persons otherwise engaged or to be engaged with or without remuneration to work at or for schools;
- functions of the authority in relation to local government superannuation which it is not reasonably practicable for another person to carry out and functions of the authority in relation to the administration of teachers' pensions;
- retrospective membership of pension schemes and retrospective elections made in respect of pensions where it would not be appropriate to expect the governing body of a school to meet the cost from the school's budget share;
- advice, in accordance with the authority's statutory functions, to governing bodies in relation to staff paid, or to be paid, to work at a school, and advice in relation to the management of all such staff collectively at any individual school ("the school workforce"), including in particular advice with reference to alterations in remuneration, conditions of service and the collective composition and organisation of such school workforce;
- determination of conditions of service for non-teaching staff and advice to schools on the grading of such staff;
- the authority's functions regarding the appointment or dismissal of employees;
- consultation and functions preparatory to consultation with or by governing bodies, pupils and persons employed at schools or their representatives, or with other interested bodies;
- compliance with the authority's duties under the [Health and Safety at Work etc. Act 1974](#) and the relevant statutory provisions as defined in section 53(1) of that Act in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and where necessary the giving of advice to them;

- the investigation and resolution of complaints;
- legal services relating to the statutory functions of the authority;
- the preparation and review of plans involving collaboration with other Leeds Children's Services services or with public or voluntary bodies;
- provision of information to or at the request of the Crown and the provision of other information which the authority are under a duty to make available;
- Expenditure incurred in connection with the authority's functions pursuant to regulations made under [section 12 of the 2002 Act](#) (supervising authorities of companies formed by governing bodies);
- Expenditure incurred in connection with the authority's functions under the discrimination provisions of the Equality Act 2010 in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and where necessary the giving of advice to them;
- Expenditure on establishing, and maintaining electronic computer systems, including data storage, in so far as they link, or facilitate the linkage of, the authority to schools which they maintain, such schools to each other or such schools to other persons or institutions.
- Expenditure in respect of a teacher's emoluments under [section 19\(9\) of the Teaching and Higher Education Act 1998](#) except such expenditure which falls to be met from a school's budget share;
- Expenditure on the appointment of governors, the making of instruments of government, the payment of expenses to which governors are entitled and which are not payable from a school's budget share and the provision of information to governors.
- Expenditure on making pension payments other than in respect of schools.

**Premature retirement costs / Redundancy costs (new provisions)**

any budget for payments to be made by the local education authority in respect of the dismissal, or for the purpose of securing the resignation, of any member of the staff of the school, after 1<sup>st</sup> April 2013 under [section 37, Education Act 2002](#).

**Monitoring national curriculum assessment**

Expenditure on monitoring National Curriculum assessment arrangements required by orders made under [section 87 of the 2002 Act](#).

**Summary:**

<b><u>Direct and in-direct financial consequences</u></b>	<b><u>Value of Loss</u></b>
Direct loss of Education Services Grant	£2,960,000
Direct impact of the additional relief	£850,000
Loss of funding for De-Delegated Services	£1,513,000
<b>Total Financial Loss</b>	<b>£5,323,000</b>

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***Leeds4Learning***  
**A Strategy for Learning Improvement**  
**June 2013**



**For heads, by heads, with heads**



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# Foreword

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The Leeds strategy for learning improvement lies at the heart of our work which is based on trust, partnership and teamwork. It is a key element of the Leeds Education Challenge and will help to ensure Leeds develops further as a Child Friendly City. Together with schools and our partners we are building strong, dynamic and creative provision which has high expectations of learners and learning teams. We want all our provision to be good, improving and inclusive. We want to ensure that every child and young person is happy, succeeds and flourishes. It is intended that the strategy will make a major contribution to tackling our 'obsessions', in particular improving attendance and reducing the number of young people not in education, employment or training.

This strategy continues to support schools in their search for excellence. It is built on self-evaluation and the need for all schools, all leadership teams and all colleagues to be reflective and self-critical. It aims to celebrate, network, collaborate and share practice. It aims to develop a culture to support everyone on their journey to excellent practice.

Learning Improvement is about making sure that pupils' consistent experience is high quality learning. Schools are responsible for school improvement; Leeds Learning Improvement Service, in partnership with other teams across Children's Services, is the team that fulfils the Council's statutory school improvement duties. These include:

- promoting early action to tackle school underperformance so that it does not become entrenched and lead to formal school failure;
- ensuring that effective support and challenge is provided when an unacceptable standard of education is identified, so that improvements can be made quickly;
- decisive action if a school in special measures fails to make sufficient improvements, so that the education and life chances of pupils are protected.

This strategy is aligned with the current OfSTED framework and Department for Education agenda and designed to draw on the best practice in order to secure continuous improvement and strong partnerships for all schools in Leeds. We hope you find this strategy helpful and constructive. We welcome your comments and feedback on this work in progress.



**Nigel Richardson**  
Director of Children's  
Services



**Councillor Judith Blake**  
Executive Member for  
Children's Services

# Introduction

Effective leadership and governance are critical to securing successful settings and schools. This strategy recognises settings and schools as autonomous and self-governing and also reinforces the role of the Local Authority in knowing their settings and schools well enabling it to monitor the provision of education; to challenge settings and schools to be the best they can be in all aspects of their work for children; to support settings and schools to improve and intervening in settings and schools where there are exceptional concerns.

Our vision is based on the belief that improving schools and an improved education for all will ensure that Leeds has a successful future. Reducing inequalities and narrowing the gap between vulnerable and disadvantaged children and young people and their peers is key to the success of the local authority's strategy and the success of settings and schools and academies.

This strategy promotes strong partnerships and collaborative working and commits Leeds to work with its schools and partners on a transformational agenda. This will involve agreeing collaborative projects that draw on the creativity and expertise of all partners to create professional learning communities. The Learning Improvement Service has the key responsibility within the LSUS Directorate for monitoring, evaluating and reporting on the quality of education and standards of attainment for all children and young people in Leeds.

The Learning Improvement Service's ability to work with a wide range of school data and contextual information at every level from across the school year will support early identification of a school's strength and vulnerability. The structure of this strategy enables greater clarity in identifying areas for concern, coordinating and monitoring the impact of LA interventions, enabling the Headteacher and School Improvement Advisor to broker support from internal partners such as HR and Finance, as well as external providers.

For those schools requiring the most intensive support, the Learning Improvement Service is committed to using Teaching Schools, system leaders, such as interim or executive Headteachers, Local and National Leaders in Education (LLEs and NLEs) associate leaders and consultants to work in partnership with identified schools. These arrangements will be brokered using various forms of collaboration and federation available from within the authority and beyond.



**Paul Brennan**  
Deputy Director  
Learning, Skills and Universal Services



**Gail Webb**  
Head of Learning Improvement

## Section A1: National Context

The strategic role of the local authority was redefined by the Education and Inspections Act in 2006. It clearly defined the school improvement process and the new relationship between the local authority and its schools. The Act sets out the LA's strategic role:

- as 'champion' of the needs of children and young people and their families; in the planning, commissioning and quality assurance of educational services; and in challenging schools and where appropriate, to commission support and if necessary, to intervene in the management and governance of the school.

The Act requires local authorities to respond to parental concerns about the quality of local schools and grants new powers to intervene earlier where performance is poor. Part 4 of the Act sets out measures for tackling school underperformance. It does this by:

- enabling early action to tackle school underperformance so that it does not become entrenched and lead to formal school failure;
- ensuring that effective support and challenge is provided immediately when unacceptable standards are identified, so that improvements can be made quickly; and
- securing decisive action if a school in Special Measures fails to make sufficient progress, so that the education and life chances of pupils are safeguarded.

The Act differentiates between absolute low attainment (below floor targets) and relative under-performance where there may be declining or static performance by children and young people, under-performance by specific groups, or in specific subject areas. In all cases, early intervention is seen as important to prevent formal school failure. To this end, the Act gives revised powers to the local authority to intervene in low attaining or under performing schools.

- In September 2011, the DCSF published amended guidance on Schools Causing Concern. This guidance relates to Part 4 of the Education and Inspections Act 2006 and builds on existing statutory powers and good practice, such as the Code of Practice on LEA-School Relations (2001), to ensure that every child is provided with the education and opportunities they deserve.
- From May 2013 the OFSTED inspection is to be introduced and will use this power to inspect how well the local authority is fulfilling its general duty to promote high standards and fulfilment by every child of their educational potential as set in in section 13A of the Education Act 1996.

## Section A2: Learning Improvement Service

Settings and schools in Leeds will be categorised (See Appendix 1) according to identified strengths and the level of support and challenge required in order to bring about improvements in outcomes. This process is led by the school's own self-evaluation (See Appendix B2) which will be discussed and ratified by a quality assurance conversation with the school's allocated School Improvement Advisor, under the learning improvement entitlement. The level of this core entitlement (free to all schools) will be determined by the outcomes of this discussion.

### Learning Improvement Core Entitlement

To clarify and supplement the Ofsted 2012 categorisation criteria, the Learning Improvement Service have identified the following LA categories to frame the learning improvement core entitlement:

- 'Good/Outstanding' schools will receive a 1 x ½ day visit
- 'Good/Outstanding schools that are vulnerable' will receive 3 x ½ day visits
- 'At risk' schools will receive at least 4 x ½ day visits
- 'Schools causing concern' will receive up to 6 x ½ day visits
- 'Schools in category' will receive a maximum of 12 x ½ day visits

## Section A3: Shared Principles

The LA also has a strategic leadership role in challenging and intervening in schools to raise standards; the responsibility for school improvement ultimately rests with schools as self managing institutions. It is the school's responsibility for making the best use of the challenge and support available to them.

The Leeds Learning Improvement Strategy has the outcomes of children and young people as its driving force using an evidence-based approach which will be used to determine the level and nature of support for each school.

School to school support and the development of system leadership will be at the heart of this strategy. There will be no surprises: improvement strategies will be planned in partnership with Headteachers and Chairs of Governors, securing schools' influence over LA implementation by Headteacher representation in decision-making fora.

The starting point is self evaluation (based on the 2012 OfSTED framework) by those who work with children and young people. Schools will be asked to share their self evaluation with key officers and colleagues within the Learning Improvement Service who will quality assure as part of the annual core entitlement of school visits.

In order to identify which schools and settings are performing well, which are underperforming and which are vulnerable, a range of performance and qualitative data will be used to determine appropriate categorisation. (See Appendix B3 and B4)

Area based Primary Review Groups (PRGs) and Secondary Review Groups (SRGs) will oversee the above at half-termly meetings and setting and schools will be informed, ensuring the principles of transparency and influence. Key officers and colleagues within the Learning Improvement Service will work alongside leaders of settings/schools. A particular focus will be the work to secure progress of schools causing concern.

Raising Achievement/Support Plans linked to school development/improvement plans will record expectations of improvement for schools identified by these processes, with a common template recording milestones to be achieved within appropriate timescales.

All settings/schools will be re-evaluated annually and the half-termly Area PRG and SRG process will ensure that good practice is shared and that no school is left unsupported, or categorised inappropriately and improvements are acknowledged and celebrated.

# SECTION A4: Working in partnership

## Roles and Responsibilities – Different but Complementary

Working in partnership is critical to the success of this strategy and there needs to be clear expectations (See Appendix 5), an overview of the roles and responsibilities are detailed below.

### School to School Support

- School to school support and the development of system leadership will be at the heart of the strategy
- Schools will continue to celebrate, network, collaborate and share good practice
- Headteachers will work alongside key officers and colleagues within the Learning Improvement Service in brokering effective partnerships

### Learning Improvement Service

Responsible for:

- Annual categorisation of all schools in order to monitor and challenge the work of schools effectively;
- Reports to Governors, the Head of Learning Improvement and the Deputy Director of Learning Skills and Universal Services;
- Accurate assessment of the performance of all schools;
- In-depth assessment of the performance of vulnerable and underperforming schools with reference to their school improvement plans leading to appropriate challenge and intervention
- Planning appropriate actions to support learning improvement;
- Brokering relevant school-to-school partnership and support;
- School Review through Area PRGs and SRG;
- OfSTED inspection support;
- Delivery of the 0-19 improvement plans.

### Seconded Headteachers

The Local Authority currently works with 8 seconded Leeds headteachers on a part-time basis to enable them to work in partnership with the Local Authority Learning Improvement Service to help accelerate the rate of improvement across the city. They are a key element in the LA's keenness to promote the further development of school led improvement systems. There are currently four primary headteachers (working within the 0-11 phase), two secondary headteachers (working within the 11-19 phase) and two SILC principals (cross-phase). These are on a fixed term basis so personnel within the team will gradually change over time. Key objectives of their work across the LA are to enhance communications between schools across the city and the LA, to promote the sharing of good practice in many different ways, inform on the appropriate actions in relation to challenge and intervention as well as facilitating collaborative working.



## Teaching Schools

Teaching Schools are part of the government's drive to give schools more freedom and take increasing responsibility for school improvement at a local level. Any outstanding school (with a grade 1 for teaching and learning) can apply to become a Teaching School and work with a group of other schools in a Teaching School Alliance. As well as offering training and support within their alliance, teaching schools will identify and co-ordinate expertise from their alliance, using the best leaders and teachers to:

- play a greater role in the recruitment and training of new entrants to the profession;
- lead peer-to-peer professional and leadership development;
- identify and develop leadership potential;
- provide support for other schools leading the steering group in partnership with the LA;
- designate and broker Specialist Leaders of Education (SLEs);
- engage in research and development.

## National/Local/Specialist Leaders of Education (NLEs/LLEs/SLEs)

### National/Local Leaders of Education:

- provide support and challenge for Headteachers to assist in securing improvement or in developing a fresh perspective on issues presenting considerable challenge;
- contribute to the support and challenge for the Headteachers of vulnerable and underperforming schools in relation to school improvement plans with a particular focus on raising achievement;
- act as professional partners (mentors) for new Headteachers to assist during the transition period.

They are accountable to:

- their governing bodies;
- partner schools;
- Leeds City Council; Head of Learning Improvement Service.
- The National College

**Specialist Leaders of Education (SLEs)** are outstanding middle and senior leaders who have the skills to support individuals or teams in similar positions in other schools. They understand what outstanding leadership practice in their area of expertise looks like and are skilled in helping other leaders to achieve it in their own context.

### National Leaders of Governance (NLGs)

National leaders of governance are highly effective chairs of governors, who use their skills and experience to support chairs of governors in other schools and academies. Examples of circumstances where National Leaders of Governance might be deployed are where:

- a school has an Ofsted or Local Authority category, or is at risk of going into one;
  - schools are in a newly formed federation or trust;
  - attainment is below floor standards;
  - a school is in its transition to academy status;
  - two schools face amalgamation;
  - the Chair of Governors is new in a school in challenging circumstances;
- working practices for a chair, Headteacher or leadership group need developing

# SECTION 5: Support, advice and guidance

## School to School Support

Over the next few years the aim of the Leeds Learning Improvement Service will be to build on existing models of partnership working and strengthen, extend and formalise current arrangements. The intention in doing so will be to improve the performance of low achieving schools and to support good and improving schools to become great. Our National and Local Leaders are our outstanding and good Headteachers and they already add significant capacity to the improvement work in our schools across the city. The NLE/LLE programmes are being further developed in Leeds and all good and outstanding Headteachers will be encouraged to participate. They will be regularly alerted to the recent recruitment round for NLEs/LLEs and encouraged to apply. The LA will also broker in NLEs, if necessary, from across the country to support vulnerable schools, particularly those where progress has halted.

A school to school support network is starting to be developed through the work of the seconded headteachers.

The LA is building a strong partnership with Teaching Schools in the brokering of support for vulnerable schools, for example where the support of Specialist Leaders of Education (SLEs) is needed. Partnerships with our Teaching Schools are developing well across the city, providing professional development programmes and opportunities. Schools will also be encouraged to identify staff to participate in the range of CPD programmes that will be provided by Teaching Schools and other leading schools. These will include the Improving and Outstanding Teaching Programmes (ITP and OTP) and middle and senior leadership development programmes (for example NPQH). Partnership working with other LAs will also be developed, particularly those with schools in similar contexts.

## SECTION A6: Differentiated Monitoring, Challenge and Review

As stated previously, the Local Authority will undertake the school review process through the annual discussion, PRG and SRG meetings, to assess in a timely manner whether or not the appropriate level of support and challenge is being provided for a school. The review process is to be supported by data on each school. This is complemented by discussion and evaluation informed by a set of criteria, outlined below, which may indicate that a school requires greater than normal levels of support and challenge.

Criteria to inform the level of challenge or concern include:

- i. Ofsted or HMI have identified the school as a school requiring Special Measures or have given the school a Notice to Improve;
- ii. Ofsted have identified the school as requiring improvement.

Ofsted have identified the school as being satisfactory and highlighted aspects of the school as requiring improvement.

- iii. An Ofsted monitoring visit has identified 'inadequate progress';
- iv. The governing body of the school is subject to a formal warning notice or has had delegated powers removed;
- v. The school fails to meet national floor standards for attainment and/or progress;
- vi. The school's attainment levels are considerably lower than might be expected compared with similar schools nationally and/or there is a significantly declining attainment trend;
- vii. The value-added/pupil progress scores for the school are below average, particularly with reference to:
  - Foundation Stage to KS1, or
  - KS1 to KS2, or
  - KS2 to GCSE or equivalent
- viii. The School Improvement Adviser or other senior officer(s) report major concerns, particularly in relation to:
  - the quality of teaching and learning;
  - the behaviour of pupils;
  - leadership and management in the school;
  - safeguarding issues
  - financial management;
  - personnel issues.
- ix. Major concerns are expressed about the effectiveness of the governing body; minutes of meetings;

- x. There is a significant number of parental complaints about the school;
- xi. The exclusion rate in the school is considerably higher than for similar schools;
- xii. The pupil attendance rate in the school is considerably lower than for similar schools;
- xiii. There is a high staff sickness absence rate in the school or significant recruitment and retention issues;
- xiv. There is a significant decline in the numbers on roll and consequent negative impact on financial situation and/or ability to maintain appropriate quality or range of teaching and learning;
- xv. Vulnerable pupils are over-represented in terms of poor attainment, progress or attendance, or among those at risk of, or being, excluded.

In some instances the fragility around identified areas of concern will mean that more frequent tracking of issues and the impact of strategies to address them will be appropriate.

In assessing the level of support and challenge needed by each school, consideration will be given to the likelihood of an Ofsted/HMI inspection or monitoring visit in the near future and the school's vulnerability based on the previous judgements and current performance.

The Learning Improvement Service will continue to consider the quantitative data provided by e.g. end of Key Stage attainment and progress outcomes (Appendix B3), however it recognises that these reflect historic, rather than present trends. Recent changes in school performance often do not show up on these measures for some time, perhaps years. It is vital therefore for Learning Improvement Service to work in partnership with schools to look at current school context and information regarding school performance. This will include a discussion around term-by-term assessment of pupil progress and attainment. In addition the discussion might focus on information which may be more qualitative in nature, linked to indicators which can indicate concerns more quickly than achievement outcomes (examples might include attendance rates, data on behavioural issues etc. – see also Appendix B4).

The collation of this data and information will be used to form a firm view on any school's performance. It will provide an indicative assessment and help to provide early warning of possible emerging concerns that can be explored further to support the school's overall practice and provision.

# Section A7: Learning Improvement Core Entitlement

## Primary schools

The process of the core entitlement visits for Primary Schools will be a visit/number of visits to review successful practice and identify area for further development. The visit/s will also provide the opportunity to review the effectiveness of self-evaluation, this information will support other external and internal data which will lead to overall school categorisation. The categories are outlined in Appendix B4.

This cycle of visits will link closely to the new Ofsted framework and will focus on:

- Autumn term – Attainment and achievement;
- Spring and summer terms – ongoing discussions about achievement, including discussions on RAISE and other aspects of the Ofsted framework: Teaching and Learning; Behaviour and Safeguarding; Leadership and Management; Overall Effectiveness.

A school's category will determine how many further visits they may expect across the year. This work will complement any partnership working through clusters and school to school support. Each subsequent visit will focus on the support the school has brokered around school improvement priorities, progress and provision for all pupils, particularly vulnerable pupils and the impact of support received in the school.

## Secondary and Special Schools (Shared Review)

The Secondary and Special Schools (SILCs) Shared Review Programme will focus on school to school partnership working which is in line with the aims and objectives outlined within current education legislation.

During the academic year, LA maintained schools, academies and SILCs will participate in a cycle of partnership meetings and visits, either as a pair of schools or, ideally, as a 'triad'. These will usually involve the Headteacher but other leaders will be invited to participate as appropriate. The process will be facilitated by an adviser, either an internal SIA or one of the team of external advisers who will also be responsible for compiling the cumulative school review documentation.

The shared review process will aim to assist schools in building on successful practice and bringing about further improvements in your schools. The joint visits will also provide the opportunity to review the effectiveness of your self evaluation built up on each visit through an agreed focus built up over the yearly cycle. This information will support other external and internal data which will lead to your overall school categorisation. The categories are outlined in Appendix B1 and support the new Ofsted Framework (2012). A school's category may determine the number of termly visits as part of the core offer although this will also partly depend on the make-up of some of the partnerships.

In addition to the shared review, schools in a categories 2,3 and 4 will receive additional review visits from an adviser.

## **Cycle of visits and reporting**

This cycle of visits will link closely to the new Ofsted framework and will focus on:

- Autumn term – Achievement;
- Spring and summer terms – ongoing discussions about achievement, including discussions on RAISE and other aspects of the Ofsted framework: Teaching and Learning; Behaviour and Safeguarding; Leadership and Management; Overall Effectiveness.

Each visit will also support discussion around school improvement priorities, progress and provision for vulnerable pupils and a review of support received in the school.

Reports will be sent to the Headteacher and Chair of Governors who will then have an opportunity to check for factual accuracy. The report should then be tabled as an agenda item at appropriate governors' meetings. For schools in category 2,3 and 4 the school's adviser will attend a meeting of the governing body at an agreed point in the academic year.

## **Primary and Secondary Academies**

Leeds Children's Services takes the view that all local schools are part of the learning community in Leeds, irrespective of their governance arrangements. All schools educate our children and young people, and as such will be supported and challenged to raise achievement and eradicate the achievement gap for the most deprived children and young people. The Local Authority will promote high standards in all schools through helping to establish collaborative networks between schools, monitoring and analysing performance data and trends. To reinforce this and in line with its responsibilities towards all children and young people in the area, the authority will actively seek to work with academies in order to seek to ensure governing bodies are well-informed and advised.

The Local Authority is committed to supporting and maintaining strong working relationships with and between all schools and academies, using the Leeds Education Challenge (LEC) as a central programme to improve school standards and meet the needs of all young people educated in Leeds. The LEC academies opportunity to collaborate with neighbouring schools to share practice, hold one another to account and support the improvement of outcomes.

The Local Authority directly and in partnership with the Leeds Children's Trust Board (CTB) and the Leeds Safeguarding Children Board (LSCB) will act decisively to ensure that all children and young people are appropriately cared for, and safeguarded to secure their well-being. This will include academies to ensure that their systems recognise those vulnerable and in need of care and protection, as well as those whose wellbeing is potentially compromised. The Local Authority therefore anticipates that all academies within the area will continue to collaborate to secure the wellbeing of all children and young people.

At the beginning of each academic year a meeting with the sponsor and the principal will be offered to discuss the academies priorities for the coming year, explore any identified areas for development and agree any joint working.

## Section A8: Review Groups

The purpose of the review groups is to take responsibility for monitoring and evaluating the impact of the learning improvement strategy through

- Ensuring that there is a regular, rigorous and transparent process of monitoring
- Identification of good practice that can be shared throughout the LA
- Close monitoring of schools that are causing concern so that intervention is timely and appropriate
- Monitoring the outcomes of vulnerable groups
- Coordinating strategies that target children and young people
- Ensuring that effective strategies are in place to address issues of under performance by schools, pupils or groups
- Commission reports for debate and policy formation that address underperformance or barriers to success

The memberships of the groups will be members of the Learning Improvement Service, officers from other services, seconded headteachers and key partners according to phase. The Head of Learning Improvement will chair the meetings.

### Early Years Review Group

The remit of the group is:

- To focus early years provider's efforts to improve the quality of their EYFS provision and practice
- To provide a perspective around responsible early years pedagogy
- To provide a link between the LA, key stakeholders and early years providers
- To oversee the local categorisation of early years settings
- To evaluate the impact of support, intervention and funding on attainment and progress outcomes to ensure children have the skills to enable them to make the best start in school

### Primary Review Group (area based)

The remit of the group is:

- To provide a link between the LA, key stakeholders and seconded headteachers
- To oversee the categorisation of schools
- To evaluate the impact of support, intervention and funding on attainment and progress outcomes
- To provide a headteacher/LA perspective around interventions

## Secondary Review Group

The remit of the group is:

- To provide a link between the LA, key stakeholders and seconded headteachers
- To oversee the categorisation of schools
- To evaluate the impact of support, intervention and funding on attainment and progress outcomes
- To provide a headteacher/LA perspective around interventions

## Joint Review Groups

### Remit of the JRG

A JRG is a subgroup of the governing body which is established if it felt to be an appropriate cause of action. It takes responsibility for monitoring and evaluating the impact of the senior leadership team of the school. It monitors actions identified in the School Improvement Plan or Post Ofsted Action Plan, and evaluates the impact of those actions on learner achievement and school improvement. Governors have a valuable opportunity within a JRG to develop the skills needed to be a critical friend in partnership with staff and officers jointly reviewing the effectiveness of the plan.

There are no legal requirements regarding the constitution of JRGs. The membership will normally comprise of: some members of the governing body, including the Headteacher, and additional governors as appointed by the Local Authority; other members of the school leadership team as appropriate.

The SIA will chair the meeting working with the governors to provide a model of robust challenge to the school which will inform the future work of the governing body.



## Section A9: Statutory Intervention

The Education and Inspections Act 2006 state that Local Authorities should consider using Statutory Intervention Powers in one of two circumstances:

1. The school has been placed in an OFSTED category;
2. The school has not complied with a valid warning notice (issued by the LA).

Under Section 60 (2) of the Act, a Local Authority warning notice can be triggered by any of the following circumstances:

- (a) The standards of performance (which should be understood to include the progress pupils are making at the school) are unacceptably low, and are likely to remain so unless the Local Authority exercises its statutory intervention powers;
- (b) There has been a serious breakdown in management or governance which is prejudicing, or likely to prejudice, standards of performance;
- (c) The safety of pupils or staff at the school is threatened (whether by a breakdown in discipline or otherwise).

Statutory intervention powers include:

- Requiring the school to enter into a partnership arrangement;
- Suspending the school's right to a delegated budget;
- Replacing the governing body with an Interim Executive Board (IEB).

Each of these options is both significant and radical. The need to invoke any such action would represent an enormous failure for the school and may cause significant damage to its reputation. The fact that Local Authorities are also asked to consider school closure in these circumstances highlights the enormity of the issue.

The importance of early intervention, when schools are showing the signs of underperformance, is therefore critical. The Local Authority will work with schools to accurately evaluate school performance, identify priorities for improvement and plan effective change. We will continue to further develop strategies, structures and systems which will enable us to identify and provide/commission the support schools require at an early stage. We will also work with school leaders and governing bodies to address areas of underperformance and, where necessary, take decisive action.

Whilst the Local Authority may be required to use its powers of intervention from time to time, we remain committed to local self-governance and school autonomy. We want all schools in Leeds to be self-improving and recognise that successful schools are best placed to make decisions about how to improve.

We have many good and outstanding schools in the city. We want to build on this success through a partnership which is based on honesty, integrity and a commitment to making the best possible school system for our children and young people.

Further details on LA guidance relating to schools causing concern can be found on the DfE website.

## Formal warning notices

The key principle for any intervention by the local authority is that the level and depth of intervention is in inverse proportion to a school's success and capacity to improve.

The local authority wishes to engage fully in a professional dialogue when a school is causing concern in order to address the issues of concern. However, if a school is refusing to engage constructively with the challenge provided by the SIA or the local authority commissioned support, the issuing of a warning notice will be considered. This will be done to ensure that the necessary support is brought to bear before the issues of concern result in school failure.

The Education and Inspections Act 2006 sets out the warning notice system as:

- providing local authorities with a lever to bring in support at an earlier stage, and more quickly, to a school that is not engaging constructively with the local authority under the New Relationship with Schools guidance;
- enabling local authorities to address persistent and severe underperformance; and
- ensuring that schools which fail to comply with a valid warning notice become eligible for local authority intervention.

The DCSF 'Statutory Guidance on Schools Causing Concern (2008)' sets out fully the formal provisions and legal duties in relation to the issuing of formal warning notices, including when and how they can be issued, what the school should do to respond and how the school may appeal.

In accordance with the regulations, the local authority will send any warning notice to the governing body of the school and copy the notice to the Headteacher, Her Majesty's Chief Inspector (HMCI) at OFSTED and the appropriate appointing authority for any church, foundation or voluntary schools. The notice will also be sent to the school's SIA.

A warning notice can be triggered by any of the following circumstances:

- A performance standards and safety warning notice may be given by a local authority in one of three circumstances. Where:
  - 1. the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise their powers under Part 4 of the 2006 Act; or
  - 2. there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance; or
  - 3. the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

A warning notice will generally only be used where there is evidence to justify the local authority's concerns and the school's reluctance to address them through professional dialogue within a reasonable timeframe.

The local authority will draw on suitable quantitative and qualitative data before deciding to issue a warning notice. A warning notice can be issued if pupil performance is persistently below levels expected when their prior achievement and the school's context is taken into account, even if the absolute level of attainment is apparently satisfactory.

If the notice is issued on the grounds of the relative under performance of a particular group of pupils, the minimum expectation is that the school amends its improvement plan to identify what support is needed for this group of pupils, how it will be delivered and how its impact will be measured. The local authority will then work with the school or the SIA to ensure that the plan is sufficient and to agree timescales for monitoring the effectiveness and impact.

The quantitative evidence to be used may be based on one or some of the following forms:

- the school's data set, as agreed by the school, the local authority and the SIA, if it indicates there are problems in relation to pupil progress;
- the school is in the bottom quartile nationally in one or more of the key performance indicators (i.e. CVA data, low attainment data, aggregate point scores or exclusion and absence data);
- significant underachievement by groups of pupils (usually 5% or more of the school population), or significant weakness in core subjects.

The SIA's report, particularly the commentary on the quality of the school's self evaluation and target setting, and OFSTED inspection reports are key sources of information that may be used to justify the issuing of a warning notice. In addition, some data trends may indicate a breakdown in leadership and management. For example:

- high or increasing absence or truancy rates
- high rates of staff turnover, or numbers of staff grievances
- declining school popularity, usually revealed through falling school rolls
- significant or increasing numbers of parental complaints

Once the grounds for issuing a warning notice have been established, the local authority will set out its concerns in writing to the governing body. This written notice will include:

- the reasons for issuing the warning notice including references to any evidence used in the local authority's decision;
- the action the governing body needs to take to address the concerns;
- the action being considered if the governing body does not comply satisfactorily with the warning notice, including, if appropriate which intervention power(s) the LA is considering using. Such action will be proportionate to the issues faced by the school;
- the date when the 15 working day compliance period will come to an end;

a reminder that the governing body may appeal to OFSTED within 15 working days if it is felt that the grounds for issuing the notice are not valid or that the action proposed should the school fail to comply, is disproportionate.

# Appendix B1: Local authority school categorisation and differentiated monitoring cycle

## A brief overview/summary:

<p><b>Category 1 Outstanding/Good Schools</b></p> <p>will receive a 1 x ½ day monitoring visit per year</p>	<p>Are:</p> <ul style="list-style-type: none"> <li>• Schools with a Good or Outstanding Ofsted judgement</li> <li>• All aspects of the school (leadership and management, behaviour and safety, quality of teaching, pupil achievement and overall effectiveness) are judged to be at least good, based on 2012 Ofsted criteria</li> <li>• Attainment at the end of each key stage is above the national average/national expectation and has been for at least 2 years</li> <li>• Progress rates exceed national benchmarks, taking into account pupils' starting points eg.value-added outcomes.</li> <li>• Gaps between outcomes for different, particularly vulnerable groups are significantly narrower than national and are narrowing</li> <li>• Teaching quality is judged to be 80% or above good or better and a significant amount is judged to be outstanding, with no inadequate teaching</li> <li>• Attendance is consistently above national average</li> <li>• The school works highly effectively in collaboration to improve the transition of all their young people to their next destination to minimise the number of young people who are NEET</li> <li>• All aspects of SMSC are embedded and clearly evident in the life of the school.</li> <li>• School self-evaluation is accurate and an ambitious and effective improvement plan demonstrates clear impact</li> </ul>
<p><b>Category 2 Good or Outstanding schools that are vulnerable</b></p> <p>will receive 3 x ½ day monitoring visits per year</p>	<p>Are schools that are judged Satisfactory, Good or Outstanding who are vulnerable because of;</p> <ul style="list-style-type: none"> <li>• Significant change in senior leadership</li> <li>• Key issues around, for example, governance and finance</li> <li>• Data trends over a 2 year period indicate dips in either attainment or progress outcomes at end of key stages, where some groups of children are falling below floor standards</li> <li>• Gaps between outcomes for different, particularly vulnerable, groups are significantly wider than national but appear to be narrowing</li> <li>• High levels of staff turnover/staff absence</li> <li>• High levels of pupil turnover</li> <li>• Potential merger/ structural changes</li> <li>• Basic need</li> </ul>
<p><b>Category 3 Schools that are improving and/or at risk</b></p> <p>will receive at least 4 x ½ day monitoring visits per year</p>	<p>Are:</p> <ul style="list-style-type: none"> <li>• Schools with a Requires Improvement judgement</li> <li>• Schools who are at risk of a Satisfactory judgement at the next Ofsted.</li> <li>• Leadership and management is judged to be requiring improvement (possibly with good features) based on 2012 Ofsted criteria</li> <li>• The current leadership team has limited capacity (eg inexperience, turnover, inconsistent governor support and challenge) to bring about necessary improvements</li> <li>• Data trends over a 2 year period indicate a decline in either attainment or progress outcomes at end of key stages, where some groups of children are falling below floor standards</li> </ul>

	<ul style="list-style-type: none"> <li>• Gaps between outcomes for different, particularly vulnerable, groups are significantly wider than national with minimal upward trend</li> <li>• Teaching quality is inconsistent however there is no inadequate teaching</li> <li>• Attendance is around national average</li> <li>• School self-evaluation is accurate in some areas however is not bringing about rapid school improvement</li> </ul>
<p><b>Category 4 Schools causing concern</b></p> <p>will receive up to 6 x ½ day visits per year</p>	<p>Are graded as, or at risk of being graded as, Requiring Improvement and are consistently below floor standards. Schools for which some of the following statements may apply:</p> <ul style="list-style-type: none"> <li>• Schools which may be above the floor standard but where pupil progress in English and/or Maths is below the national median, or schools where there has been little or no improvement in progression rates over the last few years.</li> <li>• Schools which have had two consecutive Requiring Improvement Ofsted judgements.</li> <li>• Schools which are not on a consistent trajectory of improvement.</li> <li>• Schools where the gaps in outcomes between vulnerable pupils and their peers are too wide compared to similar schools</li> </ul>
<p><b>Category 5 Schools in OFSTED categories of serious weaknesses or special measures</b></p> <p>Schools will receive up to 12 x ½ day monitoring visits per year</p>	<p><b>Schools in Special Measures and Serious Weaknesses.</b></p> <p>The number of monitoring visits will be detailed in local authority action plan</p>

**It is acknowledged that all schools in all categories are improving schools and therefore the word improving has not been included in any of the category headings.**

## Appendix B2: School self-evaluation

A self-evaluation summary is likely to be most effective when it is:

- concise and succinct, captures the key points and, where relevant, identifies sources of evidence or more detailed evaluative material
- evaluative rather than descriptive or repetitive, and captures succinctly the impact of the school's actions on the quality of teaching, pupils' achievement, behaviour and safety
- a working document which is regularly used to inform governors of the school's improvement activity and is updated as part of the school's self-evaluation processes
- developed by, and used to inform, leaders, including governors and middle leaders as well as senior staff
- linked to *Subsidiary guidance* where strengths and weaknesses are set out in relation to pupils' achievement, the quality of teaching, behaviour and safety, the school's provision for the pupils' spiritual, moral, social and cultural development and, where relevant the effectiveness of the sixth form, which together can then provide a picture of the school's assessment of its overall effectiveness
- linked to school improvement planning, and identifies areas for improvement
- an indicator of the success of the school's actions in tackling issues identified at the previous inspection.

The self-evaluation summary is likely to be accurate and robust if it draws together, and where possible, corroborates the outcomes of different sources of evaluative information, including for example:

- any outcomes of the analysis of lesson observations and scrutiny of pupils' work
- analyses of the progress and attainment of pupils currently on roll, including the performance of different groups of pupils such as those who attend alternative provision and those eligible for the Pupil Premium
- analysis of the pupils' past progress and attainment
- analysis of data and information related to pupils' behaviour and safety, including exclusions, rewards and sanctions, incident logs and attendance
- analysis of the effectiveness of specific interventions to improve, for example, the achievement and/or behaviour of particular groups of pupils
- the views of parents and carers as shown by Parent View
- the outcomes of any surveys carried out by the school.

## Appendix B3: Data sets

### 1. Primary Data Analysis

Section	Data Category
Analysis (possible section, depending on resource availability)	Text commentary
Context and Inclusion	NOR
	% FSM
	IMD
	IDACI
	% SEN statements
	% SEN without statements
	% EAL
	% Ethnic heritage
	LAC
	Budget
	% Surplus (deficit)
	Attendance
	Exclusions
	Racial Incidents
	OFSTED
Early Years Foundation Stage	EYFSP % reaching expected level at the end of EYFS
	EYFSP Good level of development
	EYFSP Narrowing the Gap
	EYFSP – attainment by prime and specific areas of learning
KS1	Attainment
	Attainment trends
	Contextualised KS1 Attainment
	KS1 Narrowing the Gap
KS2	KS2 Attainment
	KS2 attainment trend
	KS2 Progress
	KS2 narrowing the gap
	Pupil Level Data

## **2. Secondary Data Analysis**

Section	Data Category
Analysis	Text commentary
Context and Inclusion	NOR
	% FSM
	IMD
	IDACI
	% SEN statements
	% SEN without statements
	% EAL
	% Ethnic heritage
	No of LAC
	Budget
	% Surplus (deficit)
	Attendance
	Exclusions
	Racial Incidents
	OFSTED
Attainment on entry	KS2 prior attainment
KS3	Attainment
	Attainment trends
	KS3 Progress
	KS3 Narrowing the Gap
KS4	KS4 Attainment and trend
	KS4 Progress
	KS4 Narrowing the Gap
KS5	Attainment
	Staying on rates
Target Setting Materials	Pupil Level Data

## **3. Special Schools Data Analysis**

Section	Data Category
Context	NOR
	EAL
	Ethnicity
	FSM
	LAC
	Budget
	Attendance
	Exclusions
	OFSTED
Attainment	Attainment
	Progress
Target Setting Pack	Summary form
	Pupil level data

For academies a range of available data to the LA will be used.



## **Appendix B4: School Performance Qualitative Indicators**

Buildings

Finance

HR

Parental complaints

Governor services

Admissions

Capacity and sufficiency

Transformation e.g. to academy or extending age ranges

Behaviour and attendance

Race and hate incidents

Safequarding

Early Help

SEN

LAC

OFSTED

School performance annual data

Learning Improvement Service

EYFS

Health and safety

Early intervention e.g CAF

FoS

Clusters

AIP

Arts

Music

PE and Sports

Library

IAG

Employability

<b>Outstanding and good schools (Category 1) will receive</b>	<b>Outstanding and good schools will be expected to</b>
<p>Support for HT recruitment</p> <p>Support for/during Ofsted</p> <p>Written report of visit - providing an external evaluation for governors, Ofsted and other audiences and summarising school priorities and progress made towards them.</p> <p><u>Purpose of visits (1 x ½ day per year)</u></p> <p>Quality assure Headteacher and Senior Leadership Team (SLT) self evaluation and key priorities reflected in SDP</p> <p>To review existing partnership working with other schools and stakeholders and the impact of this partnership working</p> <p>Identify good and outstanding practice within the school and facilitate sharing of this expertise across and beyond LA.</p>	<p><i>be potential partners for schools/settings in other categories and as such:</i></p> <ul style="list-style-type: none"> <li>• <i>may have an LLE/NLE who can be deployed to schools in all categories;</i></li> <li>• <i>possibly be a teaching school or a network hub;</i></li> <li>• <i>possibly be at the centre of a cluster or other partner initiated outreach/in reach;</i></li> <li>• <i>may be working in systems leadership roles with other schools to raise standards.</i></li> </ul>

## **Appendix B5: Expectations of LA and schools**

**\*SLA – schools can broker and purchase additional SIA and/or SIC support**

<b>Good and Outstanding schools(Category 2) that are vulnerable schools will receive</b>	<b>Good and Outstanding schools that are vulnerable will be expected to</b>
<p>Support for HT recruitment</p> <p>Support for/during Ofsted</p> <p>School to school support where appropriate</p> <p>Additional LA/multi agency support to address school issues where appropriate</p> <p>Written reports - providing an external evaluation for governors, Ofsted and other audience and summarising school priorities and progress made towards them</p> <p><u>Purpose of visits (3 x ½ days per year)</u></p> <p>Quality assure Headteacher and SLT self evaluation and key priorities reflected in SDP</p> <p>Discuss SDP and agree school priorities</p>	<p><i>be potential partners for schools/settings in other categories and as such:</i></p> <ul style="list-style-type: none"> <li>• <i>may be able to offer school to school support for specific areas of strength;</i></li> <li>• <i>may be able to contribute to cluster or other initiated inreach/outreach work.</i></li> </ul>

<p>Work with school to draw up and monitor short term plan e.g. Raising Attainment Plan (RAP) or Development Plan (SDP), aimed at addressing current barriers to improvement.</p> <p>Scrutinize termly pupil progress data for all cohorts.</p> <p>Report progress to governors and senior LA staff where appropriate</p> <p>Evaluate the impact of school to school partnership work</p>	
<p><b>Schools that are improving and/or at risk (Category 3) will receive:</b></p>	<p><b>At Risk schools will be expected to:</b></p>
<p>Support for HT recruitment</p> <p>Support for/during Ofsted</p> <p>School to school support where appropriate</p> <p>Additional LA/multi- agency support for school issues where appropriate</p> <p>Written reports - summarising school priorities and progress made towards them providing an external evaluation for governors, Ofsted and other audiences</p> <p><u>Purpose of visits (at least 4 x ½ days per year)</u> Quality assure Headteacher and SLT self evaluation by carrying out joint monitoring activities with governors where appropriate</p> <p>Discuss SDP and agree school priorities</p> <p>Work with school to draw up and monitor short term e.g. via Raising Attainment Plan (RAP) aimed at addressing current barriers to improvement</p> <p>Work with school to draw up and monitor short term Support plan aimed at moving school from Grade 3 to good and scrutinize termly for all cohorts.</p> <p>Scrutinize termly pupil progress data for all cohorts.</p> <p>Report progress with plan to governors and senior LA staff where appropriate</p>	<p><i>To work in partnership with LA to raise standards across the school swiftly.</i></p>

Schools Causing Concern (Category 4) will receive:	Schools Causing Concern will be expected to:
<p>Support for HT recruitment</p> <p>Support for/during Ofsted/HMI monitoring visits</p> <p>School to school support</p> <p>Additional LA/ multi agency support for school issues where appropriate</p> <p>Written reports - providing an external evaluation for governors, Ofsted and other audiences summarising school priorities and progress made towards them</p> <p>LA review of Teaching and Learning  <u>Purpose of visits/reviews - (up to 6 x ½ day visits per year)</u></p> <p>Quality assure Headteacher and SLT self evaluation by carrying out joint monitoring activities</p> <p>A review of teaching and learning</p> <p>Work with school to draw up and monitor a one-year Raising Attainment Plan (RAP) aimed at bringing about rapid improvement in performance</p> <p>Work with school to draw up and monitor short term Support plan aimed at moving school from to Good</p> <p>Set up a JRG</p> <p>Scrutinize termly pupil progress data for all cohorts.</p> <p>Report progress against milestones in RAP to governors and senior LA staff/Department for Education (DfE)</p> <p>Put in place/broker as necessary strategies to transform the school's current capacity to make improvements (eg ASTs, NLE/LLE/executive head, IEB or additional governors, secondees to</p>	<p><i>work in partnership with LA to swiftly raise standards across the school</i></p>

SLT, school to school support) Be part of recruitment and appointment process for key staff	
--	--

<b>Schools in OFSTED categories of serious weaknesses or special measures (Category 5) will receive</b>	<b>Schools in OFSTED categories of serious weaknesses or special measures will be expected to:</b>
<p>Support for HT recruitment</p> <p>Support for/during Ofsted/HMI monitoring visits</p> <p>School to school support</p> <p>Additional LA/ multi agency support for school issues where appropriate</p> <p>Written reports - providing an external evaluation for governors, Ofsted and other audiences summarising school priorities and progress made towards them</p> <p>LA review of Teaching and Learning</p> <p>RAP/Pupil progress meeting summary reports</p> <p>Ofsted style report following LA reviews</p> <p>Reports to DCS, Team around the School, DfE and Inspectorate (HMI) as required</p> <p><b><u>Purpose of visits/reviews - a bespoke support package (at least 12 x ½ days visits)</u></b></p> <p>Work with school to draw up and monitor a one-year Raising Attainment Plan (RAP) linked to post-Ofsted action plan to effect rapid improvement</p> <p>Undertake (with colleagues) a termly review of teaching and learning, behaviour and school leadership</p> <p>Support SLT in collecting and presentation of self evaluation information for DfE/HMI</p> <p>Report progress against milestones in Plan to governors and senior LA staff/DfE/HMI</p> <p>Set up a JRB</p> <p>Put in place/broker as necessary strategies to transform the school's current capacity to make improvements (eg ASTs, NLE/LLE/executive head, IEB or additional governors, secondees to SLT, school to school support)</p> <p>Be part of recruitment and appointment process for key staff</p>	<p><i>To work in partnership with LA to raise standards across the school swiftly.</i></p>

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**Report of the Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Children and Families)**

**Date: 14 November 2013**

**Subject: Recommendation Tracking – Private Care Homes**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny review into Safeguarding Children, Private Care Homes published 8<sup>th</sup> November 2012.
2. The Scrutiny recommendation tracking system allows the Scrutiny Board to monitor progress and identify completed recommendations; those progressing to plan; and those where there is either an obstacle or progress is not adequate. The Board will then be able to take further action as appropriate.
3. This report relates specifically to recommendation 1 of the inquiry report which requests that the Director of Children's Services provides a progress report on the development of the Children's Residential Home Charter in the 2013/14 municipal year.

**Recommendations**

4. Members are asked to:
  - i. Note the information contained in this report
  - ii. Identify and agree if recommendation 1:
    - no longer requires monitoring
    - progress is unsatisfactory and determine the action the Board wishes to take as a result.
    - satisfactory progress is being made.

## **1 Purpose of this report**

- 1.1 This report sets out the progress made in responding to the recommendations arising from the previous Scrutiny review into Safeguarding Children, Private Care Homes.

## **2 Background information**

- 2.1 Leeds has an ambition to be a child friendly city by 2030. The methodology for delivering this vision is outlined in The Children and Young People's Plan which details five headline outcomes one of which is to ensure Children and Young People are safe from harm. The Child Friendly City priority plan states that in a child friendly city all children and young people would have their basic rights met by having a home, feel they have a reasonable standard of living and also be protected from harm.
- 2.2 Following this Board's inquiry into External Placement in 2011/12 the Scrutiny Board (Children and Families) was conscious that children who are looked after often encounter other significant challenges that impact on their lives.
- 2.3 Mindful of the child exploitation in Rochdale the Board resolved to undertake an inquiry looking at the regulation of Private Care Homes (homes not owned or managed by the Local Authority) and how the Local Authority engages with these homes. The Board resolved that the purpose of the inquiry would be to understand the processes in place that enable Leeds City Council to identify where and when private care homes are established and also to identify if statutory regulation at that time was robust to enough ensure children in private care homes are proactively safeguarded.
- 2.4 At the meeting in November 2012, the Scrutiny Board (Children and Families) agreed the final inquiry report summarising its observations, conclusions and making two specific recommendations. The Board's report was also issued to Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families to help inform the work of expert working groups looking into strengthening regulation and driving up quality in care homes.
- 2.5 The response of the Director of Children's Services and Director of City Development was presented to the Scrutiny Board at the meeting on the 17<sup>th</sup> of January 2013 during which a report was provided which fulfilled the requirements of recommendation 2. No further tracking is required with regard to this recommendation (see appendix 2)

## **3 Main issues**

- 3.1 A standard set of criteria has been produced to enable the Board to assess progress. These are presented in the form of a flow chart at Appendix 1. The questions in the flow chart should help to decide whether a recommendation has been completed, and if not whether further action is required.
- 3.2 With regard to recommendation 1 the Principal Scrutiny Adviser, in liaison with the Chair, has given a draft status. The Board is asked to confirm whether the assessment is appropriate or if amendment is required. Detail of progress against recommendation 1 is set out within the table at Appendix 2.
- 3.3 Leeds Children's Social Care Service, and colleagues from Children's Commissioning and Marketing have proactively been engaging with the private residential sector both



in Leeds and regionally to secure better outcomes for children and young people living in residential children's homes.

- 3.4 Leeds City Council are part of a consortium approach to work with Independent Sector providers of Children's Homes. The consortium is made up of 8 Local Authorities and has established a framework agreement which defines price and quality of placements. The framework has established an arrangement for quarterly relationship and monitoring meetings between Leeds City Council and Independent Providers. Within these relationship meetings we have articulated Leeds' ambition and vision for its Looked After Children and have identified how the independent sector have a crucial role in the delivery of these ambitions and visions. This is a fundamental change from historic purchaser / provider relationships in that there is an expectation that providers share these ambitions and understand their responsibility in the delivery of these ambitions. Providers' agreement with the following key priorities:
1. For Leeds children to be placed in Leeds so that they benefit from the Child Friendly City and the known quality of the education, health, leisure and cultural services within the city.
  2. For children wherever possible to be placed within family-based care settings.
- 3.5 To build consistency between care provided in Leeds City Council Children's Homes and Independent Sector Children's Homes a quarterly service improvement forum for Homes Managers and Service Managers for internal and external Children's Homes is being established with aims of sharing good practice, tackling difficult issues together and ensuring consistency in the care provided and opportunities available. The initial meeting is scheduled for mid-November.
- 3.6 We have been working closely with looked after children and care leavers in Leeds to develop a joint children's homes charter that reflects our aspiration for residential care to be seen as a positive choice for some children and young people who need the specialist input that residential care can provide. It is anticipated that this charter will be adopted by Leeds residential homes and the private residential homes following the first meeting of the service improvement forum in November 2013 (the draft charter is at Appendix 3).
- 3.7 There has been a delay in the development of the charter as we have been awaiting responses following the report of the expert group on the quality of children's homes presented to DfE ministers in December 2012. Also the children's homes charter survey carried out by the office of the Children's Rights director. Unfortunately both of these reports failed to make a firm recommendation about the need for a charter for children's residential care, therefore we will be progressing with the development of our own charter.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Where internal or external consultation processes have been undertaken with regard to responding to the Scrutiny Board's recommendations, details of any such consultation will be referenced against the relevant recommendation within the table at Appendix 2.

4.1.2 The Directors and Executive Board Members for Children's Services and City Development have been consulted on the recommendations and response to the recommendations.

## **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 Where consideration has been given to the impact on equality areas, as defined in the Council's Equality and Diversity Scheme, this will be referenced against the relevant recommendation within the table at Appendix 2.

## **4.3 Council Policies and City Priorities**

4.3.1 Leeds has an ambition to be a child friendly city by 2030. The methodology for delivering this vision is outlined in The Children and Young Peoples Plan which details five headline outcomes one of which is to ensure Children and Young People are safe from harm. The Child Friendly City priority plan states that in a child friendly city all children and young people would have their basic rights met by having a home, feel they have a reasonable standard of living and also be protected from harm.

## **4.4 Resources and Value for Money**

4.4.1 Details of any significant resource and financial implications linked to the Scrutiny recommendations will be referenced against the relevant recommendation within the table at Appendix 2.

## **4.5 Legal Implications, Access to Information and Call In**

4.5.1 This report does not contain any exempt or confidential information.

## **4.6 Risk Management**

4.6.1 This section is not relevant to this report.

## **5 Conclusions**

5.1 The Scrutiny recommendation tracking system allows the Board to monitor progress and identify completed recommendations. Progress in responding to those recommendations arising from the Scrutiny review into Safeguarding Children, Private Care Homes is detailed within the table at Appendix 2 for Members' consideration.

## **6 Recommendations**

6.1 Members are asked to:

- i. Note the information contained in this report
- ii. Identify and agree if the recommendation:
  - no longer requires monitoring **or**
  - progress is unsatisfactory and determine the action the Board wishes to take as a result. **or**
  - satisfactory progress is being made.

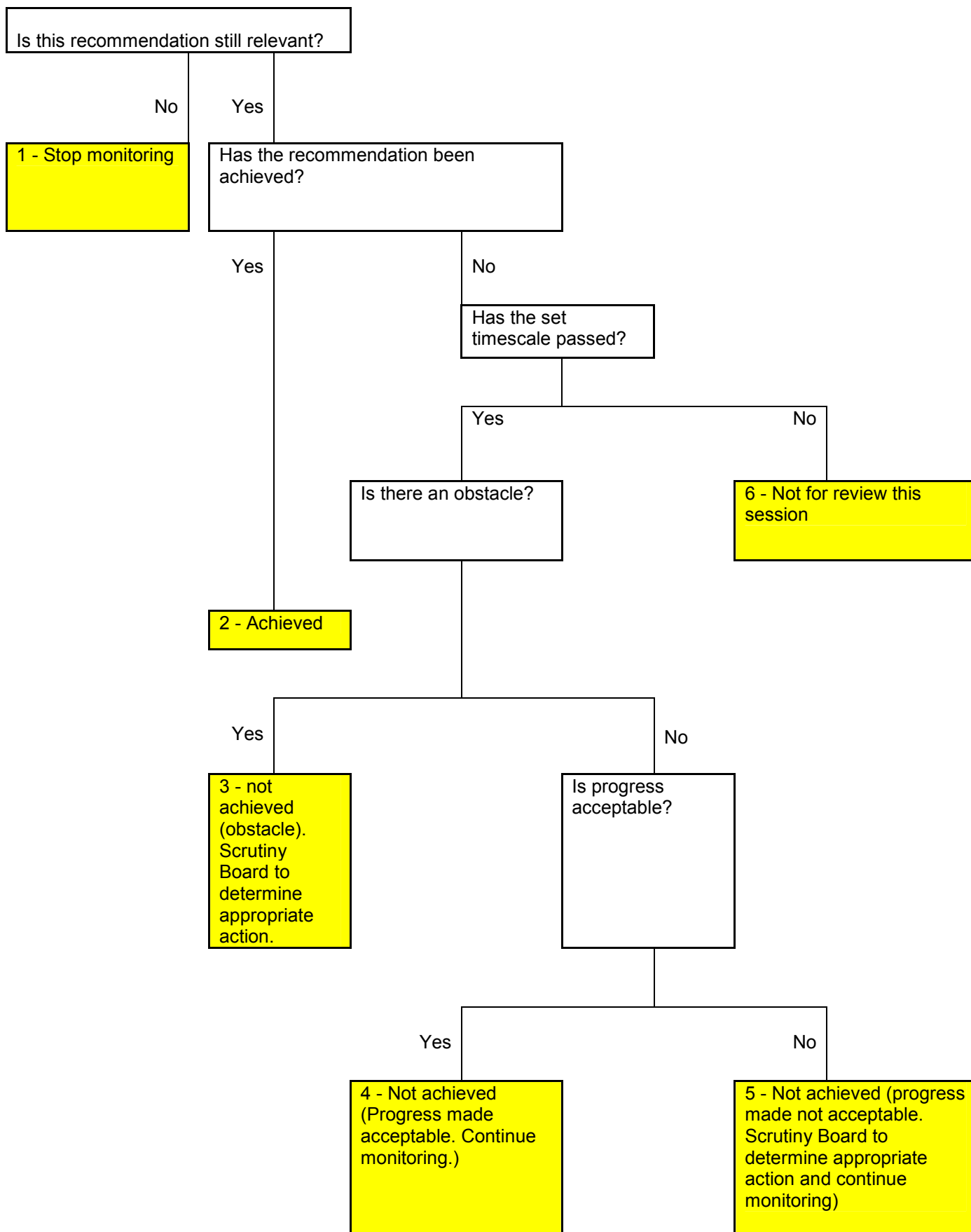
## **7 Background documents<sup>1</sup>**

- 7.1 Report of the Head of Scrutiny and Member Development to the Children and Families Scrutiny Board – Scrutiny Inquiry Final Report Safeguarding Children, Private Care Homes, 8 November 2012.
- 7.2 Report of the Director of Children’s Services and Director of City Development to the Children and Families Scrutiny Board ‘Response to Scrutiny Inquiry Final report , 17 January 2013.

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<sup>1</sup> The background documents listed in this section are available to download from the Council’s website, unless they contain confidential or exempt information. The list of background documents does not include published works.

**Recommendation tracking flowchart and classifications:**  
**Questions to be Considered by Scrutiny Boards**



## Review of Combating Child Poverty and Raising Aspirations Inquiry (June 2012)

### Categories

- 1 - Stop monitoring
- 2 - Achieved
- 3 - Not achieved (Obstacle)
- 4 - Not achieved (Progress made acceptable. Continue monitoring)
- 5 - Not achieved (Progress made not acceptable. Continue monitoring)
- 6 - Not for review this session

Recommendation for monitoring	Evidence of progress and contextual information	Status (categories 1 – 6) (to be completed by Scrutiny)	Complete
<p>Page 8</p> <p><b>Recommendation 1</b> - That the Director of Children's Services provides a progress report on the development of the Children's Residential Home Charter as part of his formal response to the Board and early in the 2013/14 municipal year.</p>	<p><b>Directors Response:</b> Children's Services have established positive relationships with local providers of private children's homes. The authority is part of the White Rose partnership which has developed a regional commissioning framework for external residential placements.</p> <p>Children's Services are working with local private children's home providers to develop a local charter for Leeds setting out how the homes and council will work together to safeguard and promote the welfare of all looked after children placed in the authority.</p> <p>The Director of Children's Service will provide an update to the Scrutiny Board (Children and Families) early in the 2013/14 municipal year on this work.</p> <p><b>Current Position:</b> To build consistency between care provided in Leeds City Council</p>	4 or 5	

	<p>Children's Homes and Independent Sector Children's Homes a quarterly service improvement forum for Homes Managers and Service Managers for internal and external Children's Homes is being established with aims of sharing good practice, tackling difficult issues together and ensuring consistency in the care provided and opportunities available. The initial meeting is scheduled for mid-November.</p> <p>We have been working closely with looked after children and care leavers in Leeds to develop a joint children's homes charter that reflects our aspiration for residential care to be seen as a positive choice for some children and young people who need the specialist input that residential care can provide. It is anticipated that this charter will be adopted by Leeds residential homes and the private residential homes following the first meeting of the service improvement forum in November 2013 (the draft charter is at Appendix 3).</p> <p>There has been a delay in the development of the charter as we have been awaiting responses following the report of the expert group on the quality of children's homes presented to DfE ministers in December 2012. Also the children's homes charter survey carried out by the office of the Children's Rights director. Unfortunately both of these reports failed to make a firm recommendation about the need for a charter for children's residential care, therefore we will be progressing with the development of our own charter.</p>		
<p><b>Recommendation 2</b> - That the Director of City Development explores the interpretation of planning regulations to identify if a different approach can be implemented which requires all private children's care homes to seek planning permission, regardless of size. The</p>	<p><b>Directors Response:</b> The Director of City Development accepted this recommendation and provided the requested report which was appended. The report determined, after further investigation, that the rules are set nationally and that the interpretation of the rules must be based on the facts of each case on their merits.</p>	2	

Director is required to report the viability and potential impact of implementing a revised interpretation in his formal response to the Scrutiny Board.

### Children's Home Charter

The Children's Homes Charter is a simple list that could help to make a children's home a really good place to live rather than somewhere that is just alright.

The list contains important things for the children and the staff to do that will make the house a better home and a better place for children and young people to live and grow up in.

- Children's homes feel and look like a home.
- Children and young people's views and wishes are listened to and make a difference to what happens in the home.
- The rules of the home are fair and clear to everyone.
- Staff are reasonable about what children and young people can and cannot do and take into account the views, ages and behaviours of children and young people when they make a decision.
- Rewards and consequences for how children and young people behave are fair and reasonable and are discussed and agreed between the children, young people and the staff so that everyone knows what should happen.
- Staff respect children and young people's privacy and do not share information about them without the young person being told who the information will be shared with and why.
- Children and young people are helped to have a safe and active social life and to take part in a range of leisure activities.
- Children and young people are helped to go to school, college or training, to do their homework or coursework and are given the support they need to do well.
- Children and young people are helped to develop the skills they will need in later life.
- Children and young people are supported to have a healthy lifestyle and are helped by health professionals when they need it.
- Staff act quickly to deal with bullying and help children and young people to learn how to stay safe.
- Children and young people are helped to learn how to take responsibility for their behaviour, according to their age and understanding.



**Report of the Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Children and Families)**

**Date: 14 November 2013**

**Subject: Work Schedule**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**1 Purpose of this report**

1.1 The purpose of this report is to consider the Scrutiny Board's work schedule for the forthcoming municipal year.

**2 Main Issues**

2.1 A draft work schedule is attached as appendix 1. The work programme has been provisionally completed pending on going discussions with the Board. The work schedule will be subject to change throughout the municipal year.

2.2 Also attached as appendix 2 is the minutes of Executive Board for 9<sup>th</sup> October 2013.

**3 Recommendations**

3.1 Members are asked to:

- a) Consider the draft work schedule and make amendments as appropriate.
- b) Note the Executive Board minutes

**4. Background papers<sup>1</sup> - None used**

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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**Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year**

Area of review	Schedule of meetings/visits during 2013/14		
	June	July	August
<b>Inquiries</b>		<u>Directors Response</u> NEET Inquiry	
<b>Annual work programme setting - Board initiated pieces of Scrutiny work (if applicable)</b>	Consider potential areas of review		
<b>Budget</b>		Budget Update 2013/14	
<b>Exec Board Request for Scrutiny – Youth Offer</b>		Working group - With Scrutiny Board, Sustainable Economy and Culture	
<b>Policy Review</b>		Public request for Scrutiny Transport Policy	
<b>Recommendation Tracking</b>		Comprehensive Progress Report – Private Fostering Inquiry, LSCB and Director of CS	
<b>Performance Monitoring</b>	Quarter 4 Performance Report	Leeds Safeguarding Children – Draft Annual Report	
<b>Working Groups</b>		<i>Youth Provision Working Group</i>	

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\*Prepared by S Pentelow

Key: SB – Scrutiny Board (Children and Families) Meeting

WG – Working Group Meeting

**Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year**

Schedule of meetings/visits during 2013/14			
Area of review	September	October	November
<b>Inquiries</b>	<u>Agree scope of review for **</u> 1) School Transport  <u>Board Agree Reports*</u> Supporting Children to achieve in Maths and English  <u>CTB Response</u> Partnership Inquiry	<u>Agree scope of review for **</u> 2) Cluster Inquiry	<u><b>Evidence Gathering</b></u> <b>2) Cluster Inquiry</b>
<b>Recommendation Tracking/Scrutiny</b>		Comprehensive Progress Report – NEET Inquiry	Private Care Homes Inquiry – Recommendation including report on the Residential Home Charter.
<b>Policy Review</b>	Basic Need – (Exec Board July)	Co-opted Membership Review*	New Government requirements for Education (Academies, Free Schools....) Ref resolution meeting Dec 12
<b>Performance Monitoring</b>			
<b>Working Groups</b>	<i>Youth Provision Joint Working Group</i>		

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\* Prepared by S Pentelow

**Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year**

Area of review	Schedule of meetings/visits during 2013/14		
	December	January	February
<b>Inquiries</b>	<b><u>Evidence Gathering</u></b> <b>2) Cluster Inquiry</b>  <u>Directors Response</u> Supporting Children to achieve in Maths and English	<b><u>Evidence Gathering</u></b> <b>2) Cluster Inquiry</b>	<u>Agree scope of review for**</u> 3) Free School Meals  <u>Board Agree Reports*</u> The Best Start – providing good foundations in early life for children to succeed.
<b>Budget</b>	Initial Budget Proposals 2014/15 and Budget Update		
<b>Policy Review</b>	Developing the Leeds Offer for Kinship Carers		
<b>Recommendation Tracking</b>			<ul style="list-style-type: none"> <li>• Child Poverty Update and Recommendation Tracking</li> <li>• Attendance Inquiry</li> <li>• Young Carers</li> </ul>
<b>Performance Monitoring</b>			Progress on Supporting Children and Families, Strengthening Social Care, 9 point plan including Social Services Care System update and impact report.
<b>Working Groups</b>	<i>Youth Provision Joint Working Group</i> <b>1) Evidence Gathering School Transport - session via working group</b>	<b>1) Evidence Gathering School Transport - session via working group</b>	<b>1) Evidence Gathering School Transport - session via working group</b>

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\*Prepared by S Pentelow

**Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year**

Area of review	Schedule of meetings/visits during 2013/14		
	March	April	May
<b>Inquiries</b>	<u>Evidence Gathering</u> <b>3) Free School Meals</b>  <u>Board Agree Reports*</u> 2) Cluster Inquiry  <u>Directors Response</u> The Best Start – providing good foundations in early life for children to succeed.	<u>Evidence Gathering</u> <b>3) Free School Meals</b>  <u>Board Agree Reports*</u> 1) School Transport	
<b>Partnership Review - Children's Trust Board</b>	Partnership Review - To review the performance of the Children's Trust Board		
<b>Budget and Policy Framework?</b>			
<b>Recommendation Tracking</b>	<ul style="list-style-type: none"> <li>• Service Redesign Inquiry</li> <li>• External Placement Inquiry</li> </ul>		
<b>Performance Monitoring</b>	Performance report		
<b>Working Groups</b>		<i>Youth Provision Joint Working Group – if required</i> <b>3) FSM – Visits/meeting young people</b>	

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Need to schedule any Ofsted inspection information

\*Prepared by S Pentelow

Last Updated - 1<sup>st</sup> November 2013

Key: SB – Scrutiny Board (Children and Families) Meeting

WG – Working Group Meeting

## Draft Scrutiny Board (Children and Families) Work Schedule for 2012/2013 Municipal Year

### **Inquires reserve list**

- 4) Staying Safe in School – Bullying – review January 2014 for possible April Session.
- 5) Voice and Influence
- 6) SILC Partnerships

### **Directors Response in next municipal year**

- 1) School Transport – July 2014
- 2) Cluster Inquiry – July 2014
- 3) Free School Meals – September 2014

### **Recommendation Tracking for early in next municipal year**

NEET Inquiry

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## EXECUTIVE BOARD

WEDNESDAY, 9TH OCTOBER, 2013

**PRESENT:** Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,  
S Golton, P Gruen, R Lewis, L Mulherin,  
A Ogilvie and L Yeadon

### 86 Exempt Information - Possible Exclusion of the Press and Public

**RESOLVED** – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix 4 to the report entitled, 'Design and Cost Report for the Improvement and Development of Visitor Services at the Arnold and Marjorie Ziff Tropical World in Roundhay Park', referred to in Minute No. 91 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information), which if disclosed to the public would, or would be likely to prejudice the commercial interests of that person or of the Council. It is therefore deemed in the public interest not to disclose this information at this time.
- (b) Appendix 1 to the report entitled, 'Funding for a New Inward Investment Service for Leeds City Region', referred to in Minute No. 99 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it is deemed to be in the public interest not to disclose the information detailed within the appendix because of reasons related to commercial confidentiality (i.e. it presents sensitive information regarding ongoing commercial negotiations between the Council and several private business interests).
- (c) Appendix 1 to the report entitled, 'Proposed Levy on Large Retail Units ("The Supermarket Levy")', referred to in Minute No. 101 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of specific companies in Leeds (including the authority holding that information). It is therefore considered that the public interest in maintaining the

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to be held on Wednesday, 6th November, 2013

content of Appendix 1 as exempt outweighs the public interest in disclosing the information.

**87 Late Items**

A late item of business entitled, 'Localised Council Tax Support Scheme' was admitted to the agenda. There was a need to consider the report as a late item of business due to the timetable for undertaking a public consultation exercise prior to the formal adoption of a support scheme. The Council was required to adopt a scheme by 31<sup>st</sup> January 2014 and, in order to allow a 6 week consultation period, approval to carry out such consultation was required in October 2013. This would enable consultation to conclude at the end of November 2013, with the analysis and outcomes from the consultation being available for the full Council meeting in January 2014. (Minute No. 98 refers).

Also, prior to the meeting, Board Members were provided with an updated version of Appendix 2 (Draft Regulation 123 List) to agenda item 17 entitled, 'The Community Infrastructure Levy: Draft Charging Schedule' for their consideration. (Minute No. 102 refers).

In addition, the Board made reference to correspondence which had been received in respect of agenda item 15 (East Leeds Extension and East Leeds Orbital Road: Outcome of Feasibility) and also agenda item 16 (Proposed Levy on Large Retail Units ("The Supermarket Levy")) (Minute Nos. 100 and 101 refer respectively).

**88 Declaration of Disclosable Pecuniary Interests**

There were no Disclosable Pecuniary Interests declared at the meeting, however:-

In relation to the item entitled, 'Funding for a New Inward Investment Service for Leeds City Region' Councillor Wakefield drew the Board's attention to his position on the Leeds City Region Local Enterprise Partnership Board. Also in relation to the same item, Councillor R Lewis drew the Board's attention to his position as a member of the Leeds and Partners Board. (Minute No. 99 referred).

Regarding the items entitled, 'Review of the Local Welfare Support Scheme' and 'Localised Council Tax Support Scheme', Councillor A Carter drew the Board's attention to the fact that a family member was in receipt of Council Tax Benefit. (Minute Nos. 97 and 98 referred respectively).

**89 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the meeting held on 4<sup>th</sup> September 2013 be approved as a correct record.

## **ENVIRONMENT**

### **90 Alternate Weekly Collections: Phase One Evaluation**

Further to Minute No. 144, 14th December 2011, the Director of Environment and Housing submitted a report assessing the early successes of Phase One of the Alternate Weekly Collections project (AWC) which were measured against the expected deliverables and objectives in both project delivery and operational implementation. In addition to measures of success, the submitted report highlighted the areas of learning from Phase One which could be adopted to progress and improve further phases.

The Board welcomed the work undertaken by the Scrutiny Board (Safer and Stronger Communities) on this issue. The observations and recommendations of the Scrutiny Board were appended to the submitted report for the Executive's consideration.

Members welcomed the achievements which had been made in respect of Phase 1 of the initiative and acknowledged the work which continued to be undertaken regarding the provision of food waste collections.

Responding to a Member's enquiry, the Board was provided with an update on, and assurances around a specific issue which had occurred in the Morley area, and also in respect of proposals regarding the roll out of the Council's 'side waste' policy.

### **RESOLVED –**

- (a) That the initial performance data be noted which indicated that the new service has increased recycling via the green bins for the AWC collection routes, reduced residual waste being sent to landfill and reduced the total waste generated.
- (b) That the refinements to, and the implementation of Phase Two of the AWC project, as detailed within the submitted report, be respectively approved and endorsed.
- (c) That approval be given for the 'no side waste policy' to be applied throughout the city where households have residual and recyclable waste collected on an alternate week basis.

### **91 Design & Cost Report for the Improvement and Development of visitor services at The Arnold and Marjorie Ziff Tropical World in Roundhay Park**

Further to Minute No. 132, 12th December 2012, the Director of Environment and Housing submitted a report providing an update on the progress that had been made with the development of plans to enhance and improve the Arnold and Marjorie Ziff Tropical World in Roundhay Park. The submitted report included a brief review of phase 1 of the initiative and detailed the progress made in respect of phase 2 improvements.

The Chair, on behalf of the Board paid tribute to and thanked the Ziff family for their continued and valued contribution towards the artistic and cultural development of the city.

A request was made for work to be undertaken into the innovative approaches which could be used to assist with the maintenance and development of other outlying attractions across the city.

Following consideration of Appendix 4 to the submitted report, designated as exempt under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That authority to spend £507,000 against capital scheme 16504 000 000 in the 2013/14 financial year in order to deliver the conservatory café extension and new toilet block, be approved.
- (b) That approval be given for a subsequent Design and Cost Report to be brought to Executive Board upon completion of the detailed design work associated with phase 2, year 2 of this scheme for further comment and approval.
- (c) That the following be noted:-
  - That the conservatory and toilet block extensions are scheduled for completion in April 2014 as per the table included within paragraph 3.1.8 of the submitted report.
  - That a subsequent report will be brought to Executive Board in June 2014 with an update on the design of Phase 2, year 2 improvements.
  - That the Chief Officer for Parks and Countryside will be responsible for the delivery of these recommendations and associated actions.

**92 Review of Parks Outdoor Bowling Provision in Leeds**

The Director of Environment and Housing submitted a report summarising the findings of the consultation exercise undertaken in respect of proposals to review service provision for outdoor bowls facilities in Leeds, and which made recommendations on the future management of Council owned and maintained bowling facilities.

The Executive Member for Environment paid tribute to and thanked the Leeds Bowling Association for the Association's contribution to and partnership approach throughout the development of the proposals detailed within the submitted report.

Members welcomed the way in which the proposals had been developed in response to the consultation and engagement which had taken place.

Emphasis was placed upon the need to ensure that the promotion of outdoor bowling as part of an active lifestyle was encouraged. In addition, it was

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requested that as part of any changes to bowling provision, a proactive approach was taken by the Council towards the maintenance of local clubs' facilities, with the role of local Ward Councillors in such matters being highlighted.

#### **RESOLVED –**

- (a) That the introduction of a charge which would mean an income recovery level of £62,000 in 2014/2015 rising to £78,000 in 2017/2018, as set out within paragraph 4.2 of the submitted report, be approved. (Based upon current membership levels, this would represent a season ticket cost of £25 in 2014/2015 rising to £31.50 in 2017/2018).
- (b) That the removal of 6 bowling greens from multiple green sites, as set out within paragraph 4.6 of the submitted report, saving £16,000 per annum, be approved.
- (c) That approval be given for bowling clubs to meet the costs associated with their own direct use of gas and electricity, saving £30,000 per annum.
- (d) That the following be noted:-
  - The season ticket cost will be implemented in March 2014 and will be applied from the 2014/15 season onwards, as highlighted within paragraph 4.3 of the submitted report.
  - That those greens identified for closure will no longer be maintained for the purpose of bowling from March 2014.
  - That where feasible, appropriate arrangements will be established in order for bowling clubs to meet the costs associated with their own direct use of gas and electricity by March 2014.
  - That the Chief Officer for Parks and Countryside will be responsible for the delivery of these recommendations and associated actions.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the matters included within this minute)

#### **LEISURE AND SKILLS**

##### **93 A Strategy for Sport and Active Lifestyles in Leeds 2013-2018**

The Director of City Development and the Director of Public Health submitted a joint report highlighting the work of Sport Leeds in developing a strategy for Sport and Active Lifestyles for the city, and providing details on the achievements which had been made by Sport Leeds.

The observations and recommendations of the Scrutiny Board (Sustainable Economy and Culture) on this issue were appended to the submitted report for Board Members' consideration.

Emphasis was placed upon the vital role played by Council officers and also by those many volunteers who provided a range of sporting opportunities throughout the city. In addition, the further role which could be played by the large sports clubs in this field was highlighted, whilst emphasis was also placed upon the need wherever possible to alter individuals' behaviour in order to encourage them to become more physically active.

Members highlighted the need to ensure that linkages were made between the Sport and Active Lifestyles Strategy and the sporting opportunities which were available to young people in schools.

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That the strategy, as appended to the submitted report, be endorsed as the city's Sport and Active Lifestyles Strategy for the period 2013 - 2018.
- (c) That it be noted that the Head of Sport and Active Lifestyles will assume responsibility for developing the Council's response to the strategic direction, as set within the proposed Sport Leeds Strategy.

**94 National Governing Body of Sport "Place Pilot"**

The Director of City Development submitted a report outlining the National Governing Body of Sport "Place Pilot" initiative and which sought approval to accept grant funding from Sport England of up to £500,000.

Members welcomed the financial support which had been offered by Sport England, enquired whether there was any potential for further investment to be obtained and requested that an evaluation exercise be undertaken at the conclusion of the project, in order to maximise the benefit which could be gained from future initiatives.

**RESOLVED –**

- (a) That the "Place Pilot" project be supported.
- (b) That Sport England's grant offer of £500,000 be accepted, subject to business case approval.
- (c) That an evaluation report be submitted to Executive Board for their consideration at the conclusion of the project.
- (d) That the stages required to implement the decision, together with the proposed timescales, as outlined within paragraph 3.3 of the submitted report, be noted.
- (e) That it be noted that the Head of Sport and Active Recreation will be responsible for the implementation of such matters.

## **LEADER OF COUNCIL'S PORTFOLIO**

### **95 Financial Health Monitoring 2013/14 - Month 5**

The Deputy Chief Executive submitted a report which presented the Council's projected financial health position for 2013/2014 after five months of the financial year.

Responding to a specific enquiry, officers undertook to provide the Member in question with further details on the Council's projected overspend figure for the comparative period in the 2012/13 financial year.

In addition, officers responded to a Member's enquiry regarding the actions being taken to reduce the budgetary overspends currently projected in some directorates.

**RESOLVED** – That the projected financial position of the authority after five months of the financial year, as detailed within the submitted report, be noted.

### **96 Medium Term Financial Strategy 2014/15 to 2015/16**

The Deputy Chief Executive submitted a report presenting the principles and assumptions underlying the Council's proposed financial strategy covering the years 2014/2015 to 2015/2016, which would provide the framework for the preparation of the 2014/2015 initial budget proposals scheduled to be presented to Executive Board in December 2013.

Members highlighted the need to ensure that the Council worked effectively with partner organisations in order to ensure that the Local Authority obtained its maximum share of all available funding streams.

Emphasis was placed upon the financial challenges which the Council continued to face, and it was highlighted that the proactive work to address such challenges was ongoing.

Having considered the issues around the West Yorkshire Transport Fund and the current position in respect of potentially establishing a Transport Fund levy, it was requested that a report in respect of such matters be submitted to a future meeting of the Board.

#### **RESOLVED –**

- (a) That the Medium Term Financial Strategy 2014/2015 to 2015/2016 be approved, and that it be noted that this will form the basis for the detailed preparation of the Initial Budget Proposals for 2014/2015.
- (b) That a report relating to the West Yorkshire Transport Fund and the current position in respect of potentially establishing a Transport Fund levy be submitted to a future meeting of the Board.

## **97 Review of the Local Welfare Support Scheme**

Further to Minute No. 211, 13th March 2013, the Assistant Chief Executive (Citizens and Communities) submitted a report providing an update on the progress made in respect of the Local Welfare Support Scheme and which also outlined proposals on how the scheme could be adapted to effectively assist the most vulnerable in Leeds from the impact of benefit changes and falling incomes.

As part of the introduction to the report, the Chief Officer (Welfare and Benefits) highlighted that actions would be taken to ensure that all Elected Members were made more aware of the scheme.

The Board discussed the need to ensure that people in need of welfare support were aware of the existence of the scheme and officers undertook to look into ways awareness could be improved.

### **RESOLVED –**

- (a) That approval be given for the Local Welfare Support Scheme to continue in 2013/14 to meet the cost of household goods and emergency provision, and that approval be given for the scheme to be extended to include people faced with emergency need as a result of Jobcentre Plus sanctions on condition that the person has re-engaged with Jobcentre Plus.
- (b) That sums from the Local Welfare Support Scheme fund be allocated to an exceptional hardship fund in order to assist people affected by the changes to the Local Council Tax Support scheme, and that the Assistant Chief Executive (Citizens and Communities) be given the necessary delegated authority to determine awards and manage the scheme.
- (c) That sums from the Local Welfare Support Scheme be used to increase the Discretionary Housing Payments budget in order to extend the scheme to tenants facing exceptional hardship, but who do not fall within the priority groups already agreed.
- (d) That a scheme be developed for 2014/15 which brings together emergency and hardship funding streams across the Council to provide a single hardship fund that supports the delivery of wrap around services to help tackle financial hardship, and that proposals for the 2014/15 scheme be presented to Executive Board in the next few months.

## **98 Localised Council Tax Support Scheme**

The Assistant Chief Executive (Citizens and Communities) submitted a report which sought approval to undertake a public consultation exercise regarding a change to the current local Council Tax Support scheme which could see the percentage reduction for those 'non-protected' groups increased to reflect the possibility of a Council Tax increase in 2014/2015.



The report and appendices relating to this matter were circulated to Board Members prior to the meeting for their consideration.

**RESOLVED –**

- (a) That approval be given to undertake a consultation exercise on a Localised Council Tax Support Scheme which:
- a. keeps costs within current budgeted spending levels;
  - b. continues to provide full protection for the same groups that are currently fully protected; but
  - c. potentially changes the percentage reduction in Council Tax Support for non-protected groups to reflect the possibility of a Council Tax increase both for 2014/2015 and in future years.
- (b) That a report be submitted to the December 2013 meeting of the Board providing the outcomes of the consultation exercise, so that a recommendation can be made by the Board to full Council on the scheme to be adopted for 2014/2015.

**99 Funding for a new Inward Investment Service for Leeds City Region**

The Deputy Chief Executive submitted a report providing an update on the development of a new, proactive inward investment service for Leeds City Region (LCR), capable of significantly increasing the City Region's share of new direct business investment from elsewhere in the UK (particularly London and the South East) and overseas. In addition, the report sought approval to provide advanced funding of up to £1,720,000 for the new service over a three-year period (2013/14 to 2015/16) to be funded through the Council's general fund reserves. The requested advance funding would be reimbursed to the Council's general fund reserves via future business rates receipts to be generated as more businesses located or expanded onto the Aire Valley Leeds Enterprise Zone (AVL EZ).

Following consideration of Appendix 1 to the submitted report, designated as exempt under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the advance funding of up to £1,720,000 over three years (2013/14 to 2015/16) to be provided from the Council's general fund reserves in order to support delivery of a new, proactive inward investment service for Leeds City Region be approved. (The requested funding will be reimbursed to the Council's general fund reserves via future business rates receipts as more business investment is made in AVL EZ. It is expected that the full £1,720,000 will be repaid to the Council by mid-2018/19).
- (b) That the following be noted:-
- the options appraisal for the requested funding model, as set out within paragraphs 3.7 and 3.8 of the submitted report;

- that the new service will be delivered by Leeds and Partners from October 2013 (subject to the outcome of ongoing negotiations and commissioning) and that it is expected to secure a minimum of 60 new direct business investments and up to 1,500 new jobs (subject to ongoing negotiations);
- that the responsible officer for implementing the decision is the Project Manager within the Leeds City Region Secretariat.

## **DEVELOPMENT AND THE ECONOMY**

### **100 East Leeds Extension and East Leeds Orbital Road - Outcome of Feasibility**

Further to Minute No. 152, 9th January 2013, the Director of City Development submitted a report providing details of work undertaken on the Council's behalf to set out an approach towards the design and delivery of a new East Leeds Orbital Road as part of a wider transport strategy to support the development of land for new housing in the East Leeds Extension. In addition, the report also set out the proposed next steps for Executive Board to consider how the Council could take forward further design and specification of the road and play a further role in the co-ordinated provision of infrastructure and development across the area.

As part of the introduction to the submitted report, the Executive Member for Development and the Economy made reference to correspondence which had been received prior to the meeting in respect of this matter.

Members highlighted the significant need for infrastructure provision in this area, and in response to Members' comments and concerns, officers provided further details on the projected cost of the scheme, together with its associated timescales.

The Board received further detail on the various funding streams which were being pursued in respect of the development and considered what further actions could be taken to maximise such funding, such as via the lobbying of Government or contributions by landowners.

#### **RESOLVED –**

- (a) That the work to establish an East Leeds Transport Strategy embracing the needs of pedestrians, cyclists, public transport and cars, which is being led by the Chief Officer Highways & Transportation (as set out within paragraphs 3.7 - 3.11 of the submitted report), be noted and supported.
- (b) That the outcome of the East Leeds Orbital Road feasibility study, as set out within the submitted report and at appendices 2 – 6, be noted.
- (c) That approval be given for the Chief Asset Management & Regeneration Officer to undertake communications and consultation on the indicative alignment of the East Leeds Orbital Road with land

owners, local residents and stakeholders by the end of 2013 (as set out within paragraph 4.1.7 of the submitted report).

- (d) That the submission by the Chief Officer Highways & Transportation, on behalf of the Council, of a mandate for £1,310,000 of project development resources through the West Yorkshire Transport Fund be noted and supported, which would move the scheme from feasibility through validation and scoping stages, incorporating consideration of a practical and deliverable phasing for construction that meets strategic highways objectives and supports the viable delivery of residential development, with a view to being in a position to submit a planning application (as set out within paragraph 3.78 of the submitted report).
- (e) That approval be given for an injection by the Chief Officer Highways & Transportation of £1,310,000 into the Capital Programme and that authority to spend £1,160,000 on the further feasibility, validation and scoping work, as set out within paragraph 3.77 of the submitted report be approved, subject to approval by METRO of the mandate for West Yorkshire Transport Funding, with further reports being submitted to Executive Board on this work.
- (f) That in parallel with resolution (d) above, it be requested that the Chief Planning Officer continues work to establish funding for ELOR, including the exploration of a suitable means of establishing appropriate contributions from developers (as set out within paragraph 3.65 of the submitted report).

#### **101 Proposed Levy on Large Retail Units ("The Supermarket Levy")**

The Director of City Development submitted a report responding to a resolution of Council from the meeting held on 1<sup>st</sup> July 2013. Specifically, the report set out the need for the Council to have a considered approach towards a proposal by the 'Local Works' campaign group to introduce an additional levy on large retail units.

The Executive Member for Development and the Economy made reference to correspondence which had been received prior to the meeting in respect of this matter.

Members noted the work which had been undertaken on this issue and requested that this matter be kept under review.

Specific reference was made to the potentially significant impact that supermarkets could have in respect of local regeneration and employment opportunities in communities, and it was requested that further details be provided to the Board illustrating the extent of the impact made by supermarkets in such areas.

Following consideration of Appendix 1 to the submitted report, designated as exempt under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

## **RESOLVED –**

- (a) That it be agreed that the proposal in its present form, is not a feasible measure at this time and could affect the viability of important development and regeneration projects that would create jobs, but that the matter should be kept under review by officers.
- (b) That the position of Leeds City Council be noted, which is to seek significant contributions from large format retailers in the form of business rates and planning contributions, which, in the future will be under the Community Infrastructure Levy, whilst not impairing the viability of important development and regeneration projects that are anchored by large retailers.
- (c) That the position of planning policy in Leeds and the role of the planning system in seeking to ensure supermarkets are located appropriately, meet identified needs for retail capacity, and support regeneration, employment and the vitality of existing town centres, be noted.
- (d) That the wider work of the Council in supporting town and district centres and independent retail be noted.
- (e) That officers be instructed to continue to agree with supermarkets a clear commitment to job creation and support to local residents to secure employment and apprenticeships, and contribute towards the vitality of existing town centres in Leeds.
- (f) That it be noted that the Chief Officer (Employment and Skills) is the officer responsible for the implementation of resolution (e) above.
- (g) That further details be provided to the Board illustrating the extent of the impact which has been made by supermarkets in areas such as local regeneration and employment opportunities in communities across Leeds.

## **NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES**

- 102 The Community Infrastructure Levy - Draft Charging Schedule**  
Further to Minute No. 178, 15<sup>th</sup> February 2013, the Director of City Development submitted a report explaining the changes to the CIL (Community Infrastructure Levy) Draft Charging Schedule, which were now proposed following the Preliminary Draft consultation exercise and also following reference to further background information and analysis.

The observations and recommendations of the Scrutiny Board (Sustainable Economy and Culture) on this issue were appended to the submitted report for Board Members' consideration.

Prior to the meeting, Board Members were provided with an updated version of Appendix 2 (Draft Regulation 123 List) for their consideration as part of the submitted report.

Following Members' comments, further details were provided regarding the timescales associated with future reviews of the schedule, on proposals regarding the change in charging zone for the East Leeds Extension and also in respect of the provision of education facilities.

Responding to a specific request to incorporate an area of Farsley into the North charging zone, the Board agreed to this amendment, subject to it being determined as viable following the appropriate checks being undertaken against the associated evidence base.

#### **RESOLVED –**

- (a) That the content of the Draft Charging Schedule, as appended to the submitted report, be approved in order to proceed with publication and 6 weeks of formal public consultation, subject to the inclusion of an amendment as detailed above, should this amendment be determined as viable following the appropriate checks being undertaken against the associated evidence base.
- (b) That the scope of the evidence base and associated documents supporting the setting of the CIL rates, including the Regulation 123 List, be agreed, subject to the inclusion of the amendment made to the Regulation 123 List, namely the removal of reference to 'Highways Schemes'.
- (c) That approval be given to submit the Draft Charging Schedule to the examiner after the close of the consultation period in accordance with the CIL Regulations.
- (d) That approval be given for the Council to work in partnership with local councils, Area Committees and neighbourhoods in order to explore opportunities for maximising available resources through governance and implementation of the CIL spending to best meet their local needs, with proposals being reported back to a future meeting of Executive Board.
- (e) That it be noted that the following steps will be undertaken to deliver the decisions of the Board:-
  - i. The Draft Charging Schedule and supporting documents/evidence base as provided in the appendices to the submitted report will be published for public consultation. Following the consultation, the same material will be submitted to the examiner along with any representations received. Following the examination and receipt of the inspector's report and any modifications required, there would need to be a Full Council resolution to adopt the CIL.

- ii. The timescales for the implementation of the decisions are that a 6 week consultation will run from late October, the submission for examination will be in January 2014, and subsequent progress depending on the Core Strategy progress and capacity of the Planning Inspectorate.
- iii. The Chief Planning Officer is the officer responsible for implementation.

(The matters referred to within this minute were designated as being exempt from Call In due to the fact that the decisions arising from this report were deemed as urgent and any delay would seriously prejudice the Council's interests in generating infrastructure funding. The reasons for the urgency of these decisions were detailed within paragraphs 4.5.2 to 4.5.4 of the submitted report)

### **103 Health and Safety Performance 2012/2013**

The Deputy Chief Executive submitted a report explaining how the Council managed health and safety in the current legal and political context, with the submitted report making recommendations around the priority areas for intervention during the period 2013/2014.

Officers noted the request that checks be made to ensure that health and safety data in relation to service users, particularly in respect of highways, was being incorporated into the relevant reporting mechanisms.

**RESOLVED** – That the contents of the submitted report be noted.

### **CHILDREN'S SERVICES**

### **104 Information on the Annual Admissions Round for September 2013 Entry**

The Director of Children's Services submitted a report providing statistical information on Admissions into Reception and Year 7 for September 2013. The report noted the rising birth rate in Leeds and assessed how this was affecting entry into both primary and secondary schools. In addition, the report further considered the effect upon the application process of the timing of Free Schools being approved by the Department for Education (DfE) and the interaction with the current Admission policy.

Responding to a specific request, officers undertook to provide the Member in question with further details regarding the circumstances around those children who could not be offered any of their stated preferences in terms of primary schools.

Members then discussed the current admission rates in respect of the Jewish Free School, which was given approval to open from September 2013.

**RESOLVED** – That the following be noted:-

- The percentage of successful first preferences for secondary admissions was 84% and for Reception admissions was 85%.

- The percentage of parents receiving one of their top three preferences was 94%.
- The number of appeals for Reception has decreased slightly although more have been successful.
- The timing of the confirmation of Free Schools opening has led to late adjustments to availability of places.

## **105 Children's Services Update Report**

The Director of Children's Services submitted a report providing an update on the progress achieved in important areas within Children's Services. The report particularly focussed upon safeguarding and social work, due to the importance of safeguarding for the Council, and because these services were the only area of the Council still subject to high profile, unannounced inspection. In addition, the report also set out the overall progress which had been made within Children's Services over the past year, and outlined the key challenges for the year ahead.

The Executive Member for Children's Services thanked those Elected Members who were their area's nominated representative on the Council's Corporate Carers' Group, for the significant work which they had undertaken in their respective roles and for the progress which had been made in this area.

Responding to a specific request, officers undertook to provide the Member in question with further details on the actions being taken to improve school attendance levels across the city, together with information on Leeds' relative performance when compared with the national and benchmark averages for attendance.

Members noted the progress which had been made within Children's Services, whilst a Member placed specific emphasis upon the importance of continuing to close the gaps which existed in learning.

### **RESOLVED –**

- (a) That the progress Leeds has made in improving outcomes for children and young people, balanced against the on-going challenges, particularly in the context of a new inspection framework, be noted.
- (b) That the city-wide strategy for continued improvement across Children's Services be supported.

**DATE OF PUBLICATION:** 11<sup>TH</sup> OCTOBER 2013

**LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS:** 18<sup>TH</sup> OCTOBER 2013

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 21<sup>st</sup> October 2013)

Draft minutes to be approved at the meeting  
to be held on Wednesday, 6th November, 2013