

SCRUTINY CO-ORDINATION COMMITTEE

4th April 2012

Scrutiny Co-ordination

Committee Members Present: Councillor Blundell
Councillor Foster
Councillor Lakha
Councillor Lancaster
Councillor Mrs Lucas (Chair)
Councillor M. Mutton
Councillor Ruane
Councillor Sawdon
Councillor Welsh
Councillor Walsh (substitute for Councillor McNicholas)

Co-opted Members Present: Mrs S. Hanson

Other Members Present: Councillor Duggins
Councillor Kelly (Cabinet Member (Education))
Councillor Nellist

Employees Present: H. Abraham (Customer & Workforce Services Directorate)
E. Atkins (Finance & Legal Services)
V. Castree (Chief Executive's Directorate)
C. Green (Children & Young People Directorate)
D. Haley (Children, Learning & Young People)
G. Holmes (Chief Executive's Directorate)
R. Lickfold (Children & Young People Directorate)
J. Parry (Assistant Chief Executive)
M. Salmon (Customer & Workforce Services Directorate)
M. Simpson (Children, Learning & Young People Directorate)
C. Steele (Chief Executive's Directorate)

Apology: Councillor McNicholas
Councillor Taylor

Public Business

117. Declarations of Interest

Councillor Lancaster declared a personal interest in the matter the subject of minute 118/11 below headed " Consideration of Decision Called-in to Scrutiny - Call-in Stage 2 - Determination of the Statutory Notice for the Proposal to Change Corley Centre from Day/Residential Community Special School to Day Community Special School" in so far as it referred to the short breaks service available at Broad Park House at which her husband had been an employee. In accordance with Paragraph 5.1.9 of the City Council's Constitution, she disclosed the interest and remained in the meeting for consideration of the matter.

Councillor Kelly referred to her role as a Local Authority appointed Governor at Castle Wood Special School and was advised by Legal Services that her declaration of interest on this matter had been recorded at the Cabinet meeting on 13th March 2012.

118. Consideration of Call-in Stage 2 – Determination of the Statutory Notice for the Proposal to Change Corley Centre from Day/Residential Community Special School to Day Community Special School

The Committee received a report of the Director of Children, Learning and Young People that had been considered and approved by Cabinet (their minute 127/11 referred) and had been Called-in by Councillors Blundell, Foster and Sawdon.

The Cabinet report sought approval for the proposal to change Corley Centre Community Secondary Special School (Corley Centre) from a day and residential community secondary special school to a day community secondary special school and end the residential provision from September 2012.

A public consultation on the proposals ran for 7 weeks, from 3 October to 20 November 2011 inclusive. The Cabinet Member (Education) considered the outcome of the consultation and approved the publication of the Statutory Notice on the proposals (her minute 41/11 referred). The decision of the Cabinet Member was Called-in to Scrutiny and was considered by Scrutiny Co-ordination Committee who decided to concur with the Cabinet Member (Education) decision (their minute 81/11 referred).

The Statutory Notice was published, following the method of publication as set out in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, on 12 January 2012. The representation period ran for 6 weeks from this date until 23 February 2012. A copy of the complete proposal and Statutory Notice was sent to the Department of Education (DfE) on the day of publication. The documentation included details of the consultation that had taken place prior to publication of the Statutory Notice and confirmation that the Local Authority had complied with legislation and guidelines regarding consultation. The DfE acknowledged receipt of the documentation and made no comments.

After the Statutory Notice representation period had closed, a report detailing the views of those who had made representations was submitted to the Cabinet Advisory Panel - School Organisation (their minute 4/11 referred). The Panel were required to consider any objections received to school organisation proposals and make recommendations to Cabinet on the determination of those proposals. Cabinet Advisory Panel - School Organisation agreed the proposal with one specific recommendation directed to Cabinet; the Advisory Panel recommended that Cabinet seek to satisfy themselves that every parent/carer of a student at Corley Centre is made aware of, and given the opportunity to request, an assessment to determine the appropriateness of short break provision (in keeping with the right of all Coventry parents/carers of a disabled child). The agenda and documents for the meeting of the Cabinet Advisory Panel – School Organisation were sent to Members of the Advisory Panel and made available on the City Council's website five working days before the meeting, to comply with legal requirements for the publication of this documentation. The recommendation of the Advisory panel was submitted to Cabinet for consideration.

The report detailing the views of those who had made representations to the Statutory Notice and the proposals, together with the recommendations of the Cabinet Advisory Panel – School Organisation, were submitted to Cabinet for them to decide on the proposal (their minute 127/11 referred). A copy of the complete proposal and Statutory Notice was appended to the Cabinet report and was available on the Coventry City Council website through the "Have Your Say" link. The agenda and documents for the Cabinet meeting were sent to the Members of Cabinet and made available on the City Council's website five working days before the meeting, to comply with legal requirements for the publication of this documentation.

None of the students at Corley Centre had a Statement of Special Educational Needs (SEN) indicating a requirement for residential education and none were foreseen because the needs of the students attending the School had changed. The funding for Corley Centre's residential educational provision was based on 27 places; this amounted to approximately £384,000 in 2010/11. The actual use of the budget was no longer in line with its original purpose as it is now used to provide social and independence training through a combination of extended day provision as well as some overnight stays.

Changing the designation of the Corley Centre from day and residential to day secondary special school would release sufficient funding to support the implementation of the Special Educational Needs and Inclusion Strategy to the benefit of children and young people with special educational needs and disability across the City.

The Cabinet were requested by the Cabinet Advisory Panel – School Organisation, to satisfy themselves that every parent/carer of a student at Corley Centre would be made aware of and given the opportunity to request an assessment to determine the appropriateness of short break provision, in keeping with the rights of all Coventry parents/carers of a disabled child. The Cabinet Member (Education) confirmed to the Cabinet that all parents/carers of students at Corley Centre would be made aware of the procedures for applying for an assessment for short break provision.

The Cabinet, having therefore satisfied themselves regarding the opportunity for parents/carers to access short break provision, agreed to:

1. Note the comments made by the Cabinet Advisory Panel (School Organisation)
2. Determine the Statutory Notice for the Proposal to Change Corley Centre from Day/Residential Community Special School to Day Community Special School

The reasons for the Call-in were:

1. To further explore how the Decision Makers Guidance has been complied with, in arriving at this decision.
2. How objections on this basis were considered as part of the decision.
3. To understand how this decision would impact on inclusion of residential provision in future Statements of Special Educational Need.
4. To seek further clarification for the legal basis of this decision given references to potential judicial review.

The Call-in item 1 above had been deemed valid by the Chair of the Scrutiny Co-ordination Committee on advice from the Assistant Director (Democratic Services), in conjunction with the Council Solicitor/Assistant Director (Legal Services), the Call-in reason having met the requirements of the Council's Constitution Scrutiny Rules on the Call-in Procedure and the criteria decided by the Scrutiny Co-ordination Committee.

Councillor Blundell, Foster and Sawdon, Members of Scrutiny Co-ordination Committee and the Call-in supporter, were in attendance at the meeting and spoke in support of the Call-in, their comments and questions included:

- The need to understand how the Local Authority had complied with the Decision Makers Guidance?
- How the proposals would improve existing arrangements across the Authority?
- How the Special Needs assessments were being carried out?
- How any amendment to a Statement of Special Educational Needs indicating a requirement for residential education would be dealt with?
- What would be available to satisfy the need for residential education if identified for students attending the school in the future?

The Cabinet Member (Education), who attended the meeting, informed the Committee that in taking the decisions she had taken on the matter, she was satisfied that officers from the Children, Learning and Young People Directorate had provided her with the correct advice and that the Local Authority had followed all processes which included the Decision Makers Guidance in compiling evidence for submission and consideration by Cabinet. She confirmed that the proposals would not reduce the provision of education at Corley School but would contribute to a greater and more appropriate range of provision across the Authority to benefit all children with special educational needs.

The Committee questioned officers on aspects of the report and received the following information:

- The City Council were committed to supporting the Corley Centre provision as a day community secondary special school.
- Only the residential element of the Corley Centre provision was being removed as no pupil at Corley had a statement of Special Educational Needs indicating a need for residential provision and none were foreseen in the future because the needs of children attending the school had changed. If a pupil was to have a need for residential education, identified through a statement of educational need or following annual review, that special educational need would be met through an appropriate provision outside Coventry.
- Short breaks were available through the Children's Disability Team for young people with a disability and their families. The short breaks could include activity sessions and overnight stays, with social and independence training built into activities to compliment the programme offered by the Corley Centre as part of its core curriculum.
- Department for Education statutory and non-statutory Guidance (Decisions Makers Guidance 2010, and Planning and Delivering Special Educational Provision) had been followed and details of how this had been achieved were set out in the Cabinet report.
- Public expenditure on the current provision didn't represent value for money and the released funding would be used to invest in more effective provision across the City.

- The school had continued to receive funding for 27 weekly boarding places. The actual use of the funding was no longer in line with its original purpose with only some use of the funding being made for some students staying overnight, usually one or two nights per week, to supplement their social and independence training.
- The residential facility was utilised, through an informal arrangement with the School, because it was available, not because there was any pupil at Corley who had an identified need for educational residential provision in place.
- All parents of students at Corley Centre would be contacted for individual transition arrangements to be made. The Short Breaks Service, the Local Authority and the Corley Centre would work on developing a Plan for each child.
- Every parent/carer of a student at Corley Centre had been made aware of, and given the opportunity to request, an assessment to determine the appropriateness of short break provision (in keeping with the rights of all Coventry parents/carers of a disabled child).
- Parental preference had to take account of efficiency of educational provision and the efficient use of resources.
- The Local Authority had the discretion to select the operating model 'appropriate' to circumstances to cater for the majority and to provide alternative provision for the minority.
- No children would be displaced from the Corley Centre as a result of the removal of the residential provision, as the needs of the pupils at Corley could continue to be met through the day curriculum provision.

The Committee considered the Call-in, the comments of the Elected Members supporting the Call-in, the response by the Cabinet Member (Education) and the information provided by Officers, following a show of hands, decided to concur with the Cabinet decision.

RESOLVED that the Scrutiny Co-ordination Committee concurs with the decision of Cabinet who:

- (1) Noted the comments made by the Cabinet Advisory Panel - School Organisation.**
- (2) Approved the Statutory Notice for the Proposal to Change Corley Centre from Day/Residential Community Special School to Day Community Special School.**

119. Sub Regional Resilience 1 Year on.....Progress Report on the Coventry, Solihull and Warwickshire Resilience Team

The Committee received a report of the Assistant Chief Executive, that had been considered by Cabinet Member (Policy, Leadership and Governance) (his minute 30/11 referred), that provided a 12 month update on the progress implementing the Coventry, Solihull and Warwickshire Resilience Team over the last 12 months, together with successes and realised opportunities. The Team had undertaken a significant change programme, whilst learning new arrangements, maintaining existing arrangements, responding to incidents/developments and managing the significant resilience challenges associated with the Olympic Games, including regional planning activities. The structure of the Team was attached as an appendix to the report.

The report highlighted the key activities undertaken and advantages of the shared service and referred to the Carodoc Hall incident as an example of sub-regional resilience. The report outlined the benefits and continuous opportunities of a joint resilience team, the increased capability, capacity and flexibility brought to the partnership, and the utilisation of the National Resilience Extranet to electronically access and share documents that were normally classified as “restricted”.

Some examples of developments from the improved joint arrangements were:

New Joint Plans and Arrangements:

- Coventry & Warwickshire Temporary Mortuary Plan;
- Coventry & Solihull Humanitarian Assistance Centres Plan;
- Industrial Action Plans (Part of Business Continuity);
- Stronger Internal Business Continuity Process;
- Sub-regional Fuel Shortage Plan;
- Duty Officer Standard Operating Procedures.

New Capabilities:

- Harwell Document recovery;
- WRVS /Red Cross Agreements;
- Telephone conferencing for incidents;
- Mass text messaging alert system;
- Emergency Facilities via Community Resilience.

Financial Savings:

- Single Kenyon’s Contract (Same Cover (Joint) + 45% saving);
- Harwell Critical User Subscription (Additional Area and + 25% saving);
- National Satellite Telephone subscription (Same cover + 25% saving);
- WRVS Service Level Agreement (additional area + 30% saving)
- The joint team provided modest, rechargeable support, to other local agencies (neighbouring district/borough authorities), the income for which supported the partnership activities.

The rapid creation of (from shared templates or from a single concept) local plans or exercises, that could apply and benefit each agency:

- Multi-Agency Flood Plan(s);
- “Active Shooter” exercise;
- Elected Members Role in Emergencies training;
- Joint communications team emergency training;
- Corporate Business Continuity Plan.

Participation in groups:

- First Mortuary imaging scanner test;
- Health Meetings;
- Warwickshire and West Midlands Local Resilience Forum meetings;
- Town Centre Evacuation Meetings;
- Safety Advisory Groups;
- Olympic Meetings.

Working across and linking the three authorities enabled stronger working between other disciplines in the authority, allowing the sharing of documents and ideas that could help normal business activity:

- Flood Risk Managers Group
- Communications Teams exercise

The draft 4 work priorities being considered for the team in 2012/13 were:

- The Olympics;
- Development of new Emergency Plan(s);
- Development and implementation of new Business Continuity processes;
- The integration of the new health responsibilities within the resilience arrangements for Public Health's return on the 1st April 2013.

The Committee outlined their support for the shared service arrangements and:

- Recognising previous success, requested that officers explore increasing staff support to personal resilience training, giving consideration to volunteers for the role.
- After the Olympics, requested that a report be submitted to the relevant Cabinet Member/Scrutiny Board, if appropriate.
- Requested that officers explore the inclusion of an Elected Member on the membership of the Events Safety Group.
- Requested that 'cross border' working be monitored and the information included in the next progress report.

Resolved that the Scrutiny Co-ordination Committee:

- (1) Noted the progress made during the first year of operation of the Coventry, Solihull and Warwickshire Resilience Team.**
- (2) Supported the continuation of the sub-regional approach to resilience planning.**
- (3) Requested that officers explore increasing staff support to personal resilience training.**
- (4) Requested that a further report be submitted to the relevant Cabinet Member/Scrutiny Board after the Olympics, if appropriate.**
- (5) Requested that officers explore the inclusion of an Elected Member on the Events Safety Group.**
- (6) Requested that 'cross border' working be monitored and the information included in the next progress report.**

120. Scrutiny Co-ordination Committee Work Programme 2011/2012

The Committee noted the Work Programmes undertaken by Scrutiny Co-ordination Committee and the five Scrutiny Boards for the Municipal Year 2011/2012.

RESOLVED that, the Scrutiny Co-ordination Committee requested that:

- (1) The Strategic Community Safety Report be added to the Scrutiny Co-ordination Committee Work Programme for 2012/2013.**
- (2) An abc Briefing on Transport be arranged for all Elected Members.**

121. Outstanding Issues

There were no outstanding issues.

122. Meeting Evaluation

The Committee concluded that the meeting had been well chaired.

123. Any Other Business – Corinne Steele, Scrutiny Co-ordinator

The Chair informed the Committee that Corinne Steele, Scrutiny Co-ordinator in the Chief Executive's Directorate, was retiring from the City Council on 27th April 2012 after almost 40 years service and that this was the last Scrutiny Co-ordination Committee meeting she would attend. The Chair spoke of her high regard for Corinne and of the valued support she had given to Scrutiny. The Chair placed on record her thanks for Corinne's hard work and the Committee wished her a long, healthy and happy retirement.

(Meeting closed at: 11.20 a.m.)