

No.

LEARNING AND CULTURE SCRUTINY COMMITTEE

Minutes of a meeting held on 12th March, 2019.

Present: Councillor L. Burnett (Chairman); Councillor N.P. Hodges (Vice-Chairman);
Councillors: Ms. R.M. Birch, B.T. Gray, S.J. Griffiths, M.J.G. Morgan, K.F. McCaffer,
Mrs. J.M. Norman, Mrs. R. Nugent-Finn and Mrs. S.D. Perkes.

Co-Opted Members: Mrs. J. Lynch-Wilson (Parent Governor –Primary Sector) and
Dr. M. Price (Roman Catholic Church).

Non-Voting Observer: Mr. I. Cramb (Vale Youth Forum).

Also present: Councillors J.C. Bird, N. Moore, R.A. Penrose and J.W. Thomas.

844 APOLOGIES FOR ABSENCE –

These were received from Dr. C. Brown (Parent Governor – Secondary Sector).

845 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 12th February, 2019
be approved as a correct record.

846 ANNOUNCEMENT –

The Chairman took the opportunity to welcome Councillor K.F. McCaffer, who had
been appointed to the Committee under the Managing Director's Emergency
Powers, to her first meeting of the Scrutiny Committee.

847 DECLARATIONS OF INTEREST –

No declarations were received.

848 REVENUE AND CAPITAL MONITORING FOR THE PERIOD 1ST APRIL 2018 TO 31ST JANUARY 2019 (DLS) –

The Operational Manager for Accountancy in presenting the report, advised that the
forecast for the 2018/19 revenue budget was currently projected to be an outturn on
target, however, there were some areas of concern to highlight and there would be a
drawdown from reserves. The key issues for consideration were identified in
paragraphs 2.2 to 2.6 of the report as outlined below:

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Schools – The delegated budget relating to schools was expected to balance as any under/over spend was carried forward by schools.

Strategy, Culture, Community Learning and Resources – It was anticipated that this budget would outturn with a favourable variance of £287k. There were favourable variances of £90k on staffing, £117k on Libraries, £10k on independent nursery placement costs, £30k relating to school repairs and £29k on the reversing of a commitment from a historic grant. There would also be a favourable variance on Catering of £124k due to grant maximisation. Premiums had been increased for the Schools Long Term Supply insurance scheme in order to repay the deficits from the previous years which had resulted in a favourable variance of £90k. This was to be offset by an overspend of £133k on mainstream transport and legal fees of £70k. The transport overspend was mainly due to the increased price in certain contracts since a contractor's licence had been revoked. These routes had to be retendered and there had been a general increase in prices. There would be planned transfers from reserves of £294k. £247k would be required from the Schools Rationalisation reserve to fund one off costs in relation to the transformation of secondary schools in Barry, £22k would be transferred from the School Deferred Pension reserve to fund in year pension strain costs of early retirement and £25k would be transferred from the Schools Invest to Save reserve to fund redundancy costs in schools.

Directors Office – It was reported that the budget was anticipated to outturn with a favourable variance of £33k due to a post being held vacant to partly mitigate the overspend elsewhere in the Directorate.

Achievement for All – An overspend of £475k was being anticipated at year end before a transfer of £98k from reserves to fund the adverse variance. The complex needs Out of County placements, independent placements and Looked After Children residential placements budget was to overspend in total by £319k and there was an overspend of £104k relating to the resource bases and outreach teams and an overspend of £84k at the Pupil Referral Unit relating to staff and transport as a result of increased demand. There was also an overspend of £127k on the provision for pupils not educated at schools (EOTAS) of which £82k would be funded from the Youth Service reserve and in addition a £16k overspend on the Youth Service, due to one off restructuring costs, would also be funded from the Youth Services reserve. The adverse position would be offset by favourable variances of £120k relating to recoupment income and £55k in the Children and Youth People Services as a result of maximising grant.

School Improvement – The report identified the budget would outturn with a favourable variance of £57k due to a senior post being held vacant to partly mitigate the overspend elsewhere in the Directorate.

With regard to the savings targets for 2018/19 for the service area, it was noted that all savings were planned to be achieved in the year.

Appendix 2 to the report provided details on the progress on the Capital Programme as at 31st January, 2019 and specific reference was made to the following:

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Barry Island Primary WC – Delegated authority had been used to vire £6k from the Barry Island Primary WC scheme to the St. Richard Gwyn Boiler scheme. The Barry Island scheme had underspent and following completion of the planned works to upgrade the boiler at St. Richard Gwyn, additional works were identified when the boiler was being commissioned.

Jenner Park Primary Water Boiler – There had been a need to replace the hot water boiler at Jenner Park Primary at a cost of £14k after the boiler was condemned. It had been requested that the 2018/19 Capital Programme be increased by £14k which would be funded by a revenue contribution from Catering.

St. Joseph's Primary Windows – The school had arranged to replace five large windows in the school and it had therefore been requested that the 2018/19 Capital Programme be increased by £25k to be funded by a revenue contribution from the school.

Disabled Access Improvement – Further works under this scheme were planned for August 2019 during the summer holidays and £16k was requested to be carried into 2019/20 Capital Programme.

Childcare Offer Capital Grant – The Council had been awarded a Welsh Government grant of £1.840m for the period 2019/20 to 2020/21. The purpose of the funding was to enable support to provide sufficient childcare places to meet demand generated by the Childcare Offer. It had therefore also been requested that £1.380m be included in the 2019/20 Capital Programme and a further £460k in the 2020/21 Capital Programme.

Having noted the reserves that would be drawn down and the RAG status of Green as outlined at Appendix 1, the Approved Savings Update Report – 2018/19, the Committee subsequently

RECOMMENDED – T H A T the revenue and capital monitoring for the period 30th April, 2018 to 31st January, 2019 be noted.

Reason for recommendation

Having regard to the contents contained therein.

849 PROPOSED RECONFIGURATION OF PRIMARY PROVISION IN THE WESTERN VALE (REF) –

Cabinet had on 4th March, 2019, been advised of the outcome of the statutory notice to reconfigure primary provision in the Western Vale and the process to be followed to allow a determination to be made and had referred the report to the Scrutiny Committee for its consideration.

The Head of Service for Strategy, Community Learning and Resources, in presenting the report to the Committee made specific reference to the proposal

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advising that in determining any proposal the School Organisational Code 2013 states decision makers:

- Must consider whether there are any other related proposals;
- Must ensure that the statutory consultation has been conducted in accordance with the Code
<http://wales.gov.uk/topics/educationandskills/publications/guidance/school-organisation-code/?lang=en>
- Must ensure that the proposal has been published in accordance with the Code;
- The notice contains all the required information;
- Must consider the consultation document and consultation report;
- Must consider the objections and the objection report and any response to the notice supporting the proposals.

The School Organisation Code clearly also stated that "where a local authority's proposals have received objections, and require determination under section 53 of the Act, the local authority must not approach the determination of these proposals with a closed mind. Objections must be conscientiously considered alongside the arguments in respect of the proposals and in light of the factors set out in section 1.3 - 1.6 of this code". The factors being as follows:

- Quality and standards in education.
- Need for places and the impact and accessibility of schools.
- Resourcing of education and other financial implications.

The Head of Service advised that 102 objections had been received by the closing date of 3rd December 2018, and the objections had been outlined across 26 themes in the objection report which had been attached as an Appendix to the report.

Following the completion of the period of statutory notice, a decision was then required on whether to implement the proposal to reconfigure primary provision in the Western Vale.

The Head of Service also drew Members attention to paragraph 4.32 on the findings of the Equality Impact Assessment in which the section referred to the positive impact in relation to age, disability and gender reassignment and the neutral impact on marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation and the Welsh language.

Paragraph 4.33 referred to the fact that a key driver to all school reorganisation proposals was to improve educational outcomes for children and young people in all phases and help to narrow the inequalities in achievement between advantaged and disadvantaged groups and individuals. The specific perspectives to be taken into account in the proposals to add or remove nursery classes were referred to in paragraphs 4.35 and 4.36, and having regard to objections received, in accordance with the Act 2013, Cabinet had been required to give full consideration to such objections.

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Following careful planning and considered management, the report stated that there was no reason why the implementation of the proposal would not be able to at the very least maintain the current level of provision, however it was also anticipated that the proposal would significantly enhance the learning environments for pupils, and therefore contribute to raising standards.

The Chairman, in seeking reassurance from Committee Members that they had all read the report, having been advised that they had requested the Head of Service to take the Committee through the five themes that had been referred to as issues out of the 102 responses received which had not been raised previously. In noting that they had however been addressed in the objection report as follows:

- Issue 7 – Previous concerns not responded to satisfactorily/ ignored
- Issue 8 – travel distances incorrect
- Issue 9 – Reimburse parents that funded school hall
- Issue 11 – Abracadabra play group was not included in the consultation process
- Issue 25 – Change in the intervention rate for Band B funding.

The Head of Service commenced by advising that having regard to Issue 7, the proposals had been discussed and considered by Cabinet and the Scrutiny Committee three times and extensive consultation had also taken place with staff, pupils and members of the community. The necessary documents having also included a comprehensive Community Impact Assessment and the views expressed by Estyn with regard to the proposal.

With regard to Issue 8 – travel distances being incorrect, the Head of Service advised that the distances for the suggested routes to the transferred site in Rhoose are approximate measurements and any final routes and transport arrangements would be confirmed the term before these arrangements would take place.

Referring to Issue 9 – reimburse parents that funded the school hall, it was noted that the issue had been raised with officers and investigated a number of months previously. The school was awarded a WG grant under the class size reduction scheme some 18 years ago and wanted to use the funding to build a school hall. Additional support was provided by some parents and the wider community. Following a review of the claims it was determined that no records existed at the school nor did the Council have any records of signed agreements regarding funding or loans. The Head of Service indicated that there was no evidence that any outstanding funds due to be reimbursed to parents, and that any funds which may have been previously donated or invested into the school had been to the benefit of the pupils. There were also no statutes of limitations in place in regard to repayment of any funding following a school reorganisation.

In referring to issue 11 and the reference to the Abracadabra play group not having been included in the consultation process, it was noted a representation had been received in time for the meeting and which had been circulated prior to the meeting to Committee Members and tabled at the meeting. The play group had not been identified as a specific consultee as part of the consultation process due to the fact

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that it had not had a direct link to the school. The playgroup was located within a separate catchment area and use of this playgroup by local residents was an expression of parental preference. All prescribed consultees, including the Early Years Development and Childcare Partnership (EYDCP) had been consulted on the proposal of which Abracadabra was a member of the partnership as a registered provider.

Issue 25 – Change in the intervention rate for Band B funding, the Head of Service stated that since the beginning of the consultation process Welsh Government had changed the intervention rate for schemes within Band B of the 21st Century Schools programme. This change in intervention however did not alter the overall funding envelope for scheme, and as such there was no need to reassess all individual schemes forming part of the programme.

Having regard to the written representation that had been received for the Committees consideration in relation to the playgroup, the Chairman sought assurance from the Committee that this should also be forwarded to Cabinet for their consideration, which was subsequently agreed.

Following consideration of the report, in conclusion, the Chairman stated that the proposals had also been given a very comprehensive airing at recent meetings of the Scrutiny Committee, however noted with disappointment that the Cabinet had not taken the opportunity to further engage with the community. The Chairman stated that she however, accepted that it was a Cabinet decision and having noted that the Cabinet had taken account of the Committee's concerns, recognised that due process had been undertaken. It was subsequently

RECOMMENDED – T H A T the report detailing the implementation of the proposal to reconfigure primary provision in the Western Vale and the written representation received by the Committee be forwarded to Cabinet for their final determination.

Reason for recommendation

Having regard to the written representations received, the detail provided in the report and the explanations provided by the Head of Service at the meeting.

850 QUARTER 3 (2018-19) PERFORMANCE REPORT: AN ASPIRATIONAL AND CULTURALLY VIBRANT VALE (DLS) –

The Director of Learning and Skills, in presenting the report, outlined that overall the service area had made good progress in delivering its Corporate Plan priorities in relation to the Well-being Outcome 3 Objective of raising overall standards of achievement and valuing culture and diversity, which had contributed to an overall Amber status for the Outcome at Quarter 3.

94% of planned activities aligned to an Aspirational and Culturally Vibrant Vale had been attributed a Green performance status reflecting the exceptional progress made during the quarter. 6% of planned actions aligned to this Well-being Outcome

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had been attributed a Red status. Committee was advised that there was a need to progress the negotiations to dispose of the Eagleswell School site (Ysgol Y Ddraig), support the implementation of the Council's obligations under the Modern Slavery Act with particular reference to Welsh Government's "Code of Practice for Ethical Employment" and review the Council's compliance with Welsh Language Standards in the Shared Regulatory Services.

Of the 42 performance measures aligned to this Well-being outcome, 40 were annual measures (school academic data) and consequently these would be reported at the end of the year. Of the 19 measures where data was provided at Quarter 3, five were attributed a Green performance status, 11 an Amber performance status and three a Red performance status. There was a need to improve performance in relation to the following areas: Fixed-term exclusions in primary schools; Year 11 pupils in receipt of Free School Meals achieving the Level 2 threshold including GCSE grades A* - C in English, Welsh First Language and Mathematics; and speed of answer for calls on the Welsh language line.

The report sought Elected Members' consideration of Quarter 3 performance results as aligned to Well-being Outcome 3 and the proposed remedial actions to address areas of identified underperformance and to tackle the key challenges identified and that the Committee refers their views and recommendations to Cabinet for their consideration and approval.

A detailed report outlining the progress for the Quarter towards achieving Well-being Outcome 3 was provided at Appendix A to the report. Committee was also informed that an overview of the overall progress against the Corporate Plan Well-being Objectives and how this contributed to the National Well-being Goals was provided in the Council's Corporate Plan Summary Report.

In considering the report, the Committee noted that 40 performance measures were actual annual measures (school academic data) and that these would be reported at the end of the year. The Committee noted the progress not only in terms of impacts across the national well-being goals but also in terms of the changes and improvements made in the Council's approach to integrated planning.

Having considered the report, it was subsequently

RECOMMENDED – T H A T having regard to the contents of the Quarter 3 Performance Report: An Aspirational and Culturally Vibrant Vale, the report be noted.

Reason for recommendation

In view of the contents contained therein and in noting the overall Green RAG status attributed.

851 VALE OF GLAMORGAN WELL-BEING / IMPROVEMENT OBJECTIVES
AND IMPROVEMENT PLAN PART 1 2019/20 (DLS) –

The Director of Learning and Skills and Sponsoring Director for Well-being Outcome 3, “An Aspirational and Culturally Vibrant Vale”, commenced by advising that Appendix 1 to the report contained the Vale of Glamorgan Council’s Well-being Improvement Objectives for the period 2019/20 and referred Members to pages 25 to 31 which outlined the key challenges and planned activities for 2019/20 as aligned specifically to the two Well-being Objectives associated with Well-being Outcome 3 which fell within the remit of the Learning and Culture Scrutiny Committee. The Appendix also provided further detail on the Well-being Objectives including an identified Sponsoring Director with responsibility for ensuring progress was made in achieving the Council’s intended outcomes, a brief rationale for selection of the Well-being Objective, the key challenges in delivering the Well-being Objective and what actions the Council would take during 2019/20 to contribute to the Well-being Objective.

Appendix 2 to the report contained the Service Plans for the service areas which contributed to Well-being Outcome 3 within the Committee’s remit and Appendix 3 to the report included the contributions from all other service areas to Well-being Outcome 3.

The Director particularly drew Members’ attention to AC10 and AC12 which demonstrated the contribution to the Corporate Plan priorities around equalities and Welsh language, which were within the remit of the Scrutiny Committee.

Appendix 4 to the report outlined the proposed targets for the Learning and Culture Scrutiny Committee with targets having been set for performance indicators that were continuing into 2019/20 as appropriate. A number of indicator amendments and deletions were also proposed for 2019/20 following the review of existing Corporate Performance Measures.

Having considered the report, it was subsequently

RECOMMENDED –

- (1) T H A T the Vale of Glamorgan Well-being and Improvement Objectives and associated priority actions for 2019/20 as aligned to Well-being Outcome 3 identified within the report be endorsed.
- (2) T H A T the Strategy, Community Learning and Resources, and Achievement for All Service Plans for 2019/20 be endorsed.
- (3) T H A T the proposed service improvement targets for 2019/20 aligned to Well-being Outcome 3 priorities be endorsed.

Reasons for recommendations

- (1-3) Having regard to the contents contained therein.