

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 2 April 2019.

PRESENT: Councillors J Sharrocks (Chair); Councillors Coupe, McGee and McGloin and Saunders.

ALSO IN ATTENDANCE: J Cain (Local Democracy Reporter)

OFFICERS: S. Bonner, A. Hoy, T. Parkinson and A Williams.

APOLOGIES FOR ABSENCE Councillors Dryden, Hellaoui, Higgins, L Lewis, Mawston, J A Walker and Storey..

DECLARATIONS OF INTERESTS

No interests were declared at this point in the meeting.

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The Minutes were submitted and accepted as a true record.

19/63 EDUCATION PROVISION

The Chief Executive and Director of Education presented a verbal update regarding school places. As part of that presentation the following points were made:

- There were approximately 1,936 children going into Year 7 of whom 219 applied for, and secured, secondary school placements outside of Middlesbrough. This was a normal situation as Middlesbrough tended to be an exporter of secondary pupils.
- There was a total of 1,670 Year 7 placements, and as of the 11 February 2019, a total of 108 children had not been allocated a year 7 place.
- 61 additional children were to be admitted to Year 7, of whom 25 were indigenous to Middlesbrough and 36 were international new arrivals.
- Middlesbrough had 15 fewer school places, which was a result of Outwood Acklam reducing its pupil admission numbers by 16 while Outwood Ormesby had increased its numbers by 45. This would also be an issue going forward as Nunthorpe Academy intended to reduce their places by 31.
- 35 fewer children were admitted to schools outside Middlesbrough. Consequently, whereas 219 children had applied for a school place in the academic year 2018/19 this number had previously been 254.
- An increase of 23 non-Middlesbrough resident children had secured places at Middlesbrough Schools.
- There had been a shift in more children wanting to attend schools in Middlesbrough. This could be attributed to Middlesbrough schools improving after investment in retention initiatives, while schools in the surrounding areas had worsened.
- This trend was confirmed by the regional Ofsted inspector.

The Chair queried why 23 children were prioritised over children from within Middlesbrough. It was confirmed the Council was responsible for the totality of places, but that admission policy, and how many children were admitted, was the remit of individual academies. It was commented that one of the main drivers for school allocation was based on child and parent preference.

- The need for additional secondary school places had been known for some time. This was the reason that Outwood Academy Trust submitted a bid for a new 900 place secondary school. The bid was well received but the programme had slipped due to

- other factors affecting the decision making process, such as Brexit.
- The Council had looked to the next academic year to examine the situation and it believed there would be less demand.

The Chair queried why schools were accepting fewer children, specifically in relation to Nunthorpe. It was confirmed that Nunthorpe was reducing the number of children they were able to safely and properly educate. The Director of Education also advised that Nunthorpe had concerns about the condition of the building which affected their decision to admit fewer pupils. It was also commented that Outwood Acklam reduced their intake based on a calculation used to determine the number of pupils versus the available space in the building. It was confirmed that the calculation could change depending on the requirements of the Curriculum being taught. For example, if the curriculum required an increase in design technology lessons, this would reduce the availability of general purpose classrooms, thereby affecting the calculation.

- Of the 108 children without a place, over half had expressed a preference for either Acklam Grange or Macmillan Academy, both of which had waiting lists of over 200 children. 19 children had made no preference.
- Due to several children returning to the area there were now 112 children without a place.
- With regard to the Council's response, it was recognised that in order not to face the same problem going forward Middlesbrough required an additional 220 secondary school places, but ultimately needed a new secondary school.
- The Council had met with secondary school Head Teachers and relevant trust Chief Executives. The Board was advised that the schools were doing everything they could to assist with the situation.
- 28 school places had been identified, with 16 at King's Academy and 12 at Trinity. There was potentially additional spaces to be made at Unity City Academy.
- An additional difficulty was the statutory school appeals process, as over 200 children without their first preference had the right to appeal. Consequently, schools cannot offer additional spaces as this would be in opposition to the appeals process.
- Schools were also waiting on the outcome of the appeals process before assessing if they could allocate any more spaces. It was confirmed that the schools administer their appeals process.
- The Council had been clear with schools and academy trusts that placing Middlesbrough Children out of area was to be avoided.
- Overall the current school places situation was unavoidable from the Council's perspective, as the problem was created by failings in the current system. This meant Middlesbrough had to determine pupil places in other areas before it could allocate spaces for its own children.

It was confirmed that the additional four children requiring school spaces were taking priority as they were Looked After Children. It was also confirmed this situation had not arisen in the previous year or the year before and Members queried if schools could have put building reconfiguration on hold while children were accommodated. It was clarified that schools had no choice but to re-design their buildings, albeit this was at an inopportune time. It was also clarified there was no way the Council could have planned for the lack of school places, it was a culmination of factors outside the Council's control. It was commented that there was surplus secondary school places in both Redcar and Stockton but demand for school places in Middlesbrough was very high. The Director of Education commented that advice from the Department of Education was that places had to be "reasonable" and this could mean that children were placed in different areas.

A Member queried if the Council had a strategy for better understanding where children would go to school if they were coming from outside the area. It was confirmed that should a child come into the area they would have to go through the Council's admissions process. It was also commented that, as opposed to previous years, the main shift in student placements was the rise of parental preference, and that in general it was easier to accommodate an increase

in demand for primary School places than secondary school places, due to complexities around curriculum delivery.

- The Council had written to parents twice since the information was made available and to write them again as soon as practical after 31 March.
- A discussion took place regarding how it appeared that the Council's hands had been tied regarding this issue and that systemic changes were the root cause.
- At the point the Council wrote to parents approximately 13 children had found places outside Middlesbrough, and there were rough projections about how many children would be successful with appeals. 30 places had been identified which left approximately 60 places still to find which were subject to further negotiations.

Due to the sensitive nature of continuing negotiations with schools Overview and Scrutiny Board agreed at this point in the meeting to pass a Resolution Pursuant to Section 100A (4) Part 1 of the Local Government Act 1972 excluding the press and public from the meeting during consideration of the remainder of this item on the grounds that if present there would be disclosure to them of exempt information falling within paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

19/64 **EXECUTIVE UPDATE**

It was proposed, seconded and agreed that a resolution be passed to re-open the meeting to the press and public.

AGREED that the exclusion of the press and public be lifted.

****The local press re-joined the meeting at this point****

The Democratic Services Officer submitted a report advising Members of the matters considered by the Executive at its meeting on 12 March 2019, namely:-

- Final Report of the Adult Social Care and Services Scrutiny Panel - the lesbian, gay, bisexual and transgender (LGB&T) community and elderly care., and the Service response.
- Investment prospectus ii
- Director of public health annual report 2018
- Public Health grant update and proposals for addressing future funding reductions and uncertainty
- Taking the digital cluster forward – boho next generation

ORDERED that the information provided be noted.

19/65 **EXECUTIVE FORWARD WORK PROGRAMME**

The Chief Executive submitted a report which identified the forthcoming issues to be considered by the Executive as outlined in Appendix A to the report.

The report provided the Overview and Scrutiny Board with the opportunity to consider whether any item contained within the Executive Forward Work Programme should be considered by the Board or referred to a Scrutiny Panel.

ORDERED:- That the information provided be noted.

19/66 **SCRUTINY PANEL PROGRESS REPORT**

The Chair of the Adult Social Care and Services Scrutiny Panel advised the Board that the panel's review into older carers was continuing. As part of the review it found that obligations on GPs to provide records about patients who acted as carers had waned in recent years. The panel decided to write to the Secretary of State to enquire if that obligation could be re-instated.

ORDERED: The the information presented by noted.