

PLEASE NOTE VENUE

CHILDREN'S SERVICES PORTFOLIO DECISION SCHEDULE



Tuesday 18th December 2007

at 10.00 am

in Training Room 2,
Belle Vue Community Sports and Youth Centre,
Kendal Road, Hartlepool

Councillor Hill, Cabinet Member responsible for Children's Services will consider the following items.

1. **KEY DECISIONS**

No items

2. **OTHER ITEMS REQUIRING DECISION**

- 2.1 Revised Costings for Children's Centres Capital Works 2006-08 – *Director of Children's Services*
- 2.2 Children's Services Departmental Plan Quarter 2 Progress Report – *Director of Children's Services*
- 2.3 Appointment Of Local Authority Representatives To Serve On School Governing Bodies – *Director of Children's Services*
- 2.4 High Tunstall College Of Science And Dyke House School: Foundation Status Consultation Response – *Director of Children's Services*
- 2.5 Review Of Placement Strategy For Looked After Children – *Director of Children's Services*

3. **ITEMS FOR DISCUSSION / INFORMATION**

No items

4. **REPORTS FROM OVERVIEW OF SCRUTINY FORUMS**

No items

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs

PLEASE NOTE VENUE

referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

5. ITEMS FOR DISCUSSION / INFORMATION

5.1 Children's Homes: Regulation 33/34 Reports – *Director of Children's Services*

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder
18th December 2007



Report of: Director of Children's Services

Subject: REVISED COSTINGS FOR CHILDREN'S
CENTRES CAPITAL WORKS 2006-08

SUMMARY

1. PURPOSE OF REPORT

To seek approval for the revised costings for Children's Centres Capital Works 06/08.

2. SUMMARY OF CONTENTS

The report provides details of the revised costs for capital works for Children's Centres for 2006-08.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder has responsibility for Children's Services issues.

4. TYPE OF DECISION

Non key decision.

5. DECISION MAKING ROUTE

Children's Services Portfolio Holder meeting 18th December 2007

6. DECISION(S) REQUIRED

To approve the revised costings for Children's Centres Capital works 2006-08.

Report of: Director of Children's Services

Subject: REVISED COSTINGS FOR CHILDREN'S CENTRES CAPITAL WORKS 2006-08

1. PURPOSE OF REPORT

To seek approval for the revised costings for Children's Centres Capital Works 2006/2008.

2. BACKGROUND

On 6th October 2007 the Portfolio Holder for Children's Services approved a programme of capital works for Children's Centres and Extended Schools 2006-2008. The capital works were in line with the approval given by Cabinet on 19th June 2006 for the progression of the Children's Centres and Extended Schools Strategy.

3. REVISED COSTS FOR CHILDREN'S CENTRE CAPITAL WORKS

On 6th October 2007 the Portfolio Holder approved the capital works at Kingsley Primary School for £301,050. Following this approval tenders were sought for this project. The Contract Scrutiny Panel opened the tenders and the lowest amount was £375,950. This is therefore £74,900 over the approved costs for the project. In order for the contract to be awarded the Contract Scrutiny Panel need approval from the Portfolio Holder for the additional costs.

The difference in the tender price and the projected costings produced by our HBC Quantity Surveyor have been analysed and the actual costs of the build are the same. The additional costs (£74,900) included in the tender are preliminaries which we have no control over and include profit margin.

This was the lowest tender and therefore in order to ensure the capital works are completed to achieve the Department for Children, Schools and Families target for designated Children's Centres approval is needed on this increased amount.

4. FINANCIAL CONSIDERATIONS

Funding to support these capital works programmes is provided entirely through the central government grant for children's centres, extended schools and nursery education capital (£718,190 over 2 years).

5. EQUALITY AND DIVERSITY CONSIDERATIONS

All capital works must be undertaken in line with the Disability Discrimination Act requirements to ensure that all children's centres are fully accessible with special needs and disabilities.

6. SECTION 17

The development of children's centres supports early intervention to those families who are disadvantaged and in need in order to support them in parenting and supporting successful outcomes for their children.

7. RECOMMENDATIONS

The Portfolio Holder is asked to approve the revised costings for capital works for children's centres 2006-08.

8. CONTACT OFFICER

Danielle Swainston (Sure Start, Extended Services and Early Years Manager) 523671

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder
18th December 2007



Report of: Director of Children's Services

Subject: CHILDREN'S SERVICES DEPARTMENTAL
PLAN QUARTER 2 PROGRESS REPORT

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the progress made towards achieving Children's Services Departmental Plan actions and performance indicators (PIs) for the period to 30th September 2007.

2. SUMMARY OF CONTENTS

The report summarises progress over the second quarter of 2007/08 on the actions and performance indicators within the Children's Services Departmental Plan 2007/08 - 2009/10.

3. RELEVANCE TO PORTFOLIO MEMBER

The report provides the Children's Services Portfolio Holder with information about progress in meeting the work targets set for the Children's Services Department in 2007/08.

4. TYPE OF DECISION

Non key.

5. DECISION MAKING ROUTE

Children's Services Portfolio Holder's meeting 18th December 2007.

6. DECISION(S) REQUIRED

To note the progress made towards completing actions and achieving performance indicator targets during the second quarter of 2007/08.

Report of: Director of Children's Services

Subject: CHILDREN'S SERVICES DEPARTMENTAL
PLAN QUARTER 2 PROGRESS REPORT

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the progress made towards achieving Children's Services Departmental Plan actions and performance indicators (PIs) for the period to 30th September 2007.

2. BACKGROUND

The Children's Services Departmental Plan 2007/08 – 2009/10 was formally approved by the Portfolio holder on 27th April 2007.

The plan sets out the vision for Children's Services and was produced in line with the Corporate Planning process. Underneath the broad strategic aims there are a range of detailed actions and related performance indicators.

This report provides a summary on progress towards meeting the milestones associated with these actions and PIs.

3. SUMMARY PERFORMANCE AND PROGRESS ON ACTIONS AND PIs IN THE DEPARTMENTAL PLAN

The departmental plan 2007/08 identified actions and PIs for 2007/08. The progress is recorded by traffic lights as follows:

- **Red:** do not expect to achieve action/target by milestone date;
- **Amber:** expecting to complete action/target by milestone date;
- **Green:** action/target has now been completed or met.

Departmental Plan Actions

Table 1 summarises the progress made towards achieving the 19 key actions within the Departmental Plan.

Table 1 – Progress on Actions

Portfolio/division/section	Actions by Traffic Light					
	Red		Amber		Green	
	No.	%	No.	%	No.	%
Children's Services	1	5.3	16	84.2	2	10.5
Total 19						

One action is identified as red:

Work with partner agencies, young people, schools and families to reduce under 18 conception rate by 55%.

This target was reported as red at the end of quarter 1. The target date for achieving this reduction is January 2010. The National Support Team for Teenage Pregnancy has indicated that they will visit Hartlepool in spring 2008. The Joint Area Review in 2006 and the recent Annual Performance Assessment both commented positively on the teenage pregnancy strategy which is in place. Analysis of the data suggests that better progress has been made in reducing the level of conceptions for under 16 year olds which is now generally in line with comparator councils. Further analysis is taking place to assist in targeting the most vulnerable young people.

Performance Indicators

A significant number of performance indicators within the Children's Services Departmental Plan are reported annually, although not all at the same time during the yearly planning cycle. Annual figures are now available for 11 of the 32 key performance indicators.

Progress on Key Performance Indicators

Portfolio/division/section	PIs by Traffic Light					
	Red		Amber		Green	
	No.	%	No.	%	No.	%
Children's Services	6	18.8	4	12.5	1	3.1
Reported annually 21 (65.6%)						
Total 32						

Six of the performance indicators (PIs) are recorded as red. Five of these relate to performance of pupils at Key Stage 2 and Key Stage 3. The Key Stage 3 PIs are as follows:

- Percentage of pupils achieving level 5 or above in Key Stage 3 results – English.
- Percentage of pupils achieving level 5 or above in Key Stage 3 results – maths.

- Percentage of pupils achieving level 5 or above in Key Stage 3 results – science.
- Percentage of pupils achieving level 5 or above in Key Stage 3 results – ICT assessment.

This data is provisional and will be confirmed when the DCSF releases its performance tables in January. The data for English shows that performance has improved and is likely to be in line with national averages although the ambitious target originally set has not been achieved. For maths, the provisional data shows that performance has improved and is likely to be above national averages but again, an ambitious target will not have been achieved. For science, the provisional data shows a slight decline in performance which is likely to remain below national averages and the target will not have been achieved. For ICT the provisional data suggests that performance has improved but is likely to remain below the national average and an ambitious target will not be achieved.

One of the Performance Indicators that has been recorded as red related to Key Stage 2 results:

- Percentage of pupils achieving level 4 or above in Key Stage 2 maths

This provisional figure will be confirmed when the DCSF performance tables are released in December. Provisional data suggests that 81% of pupils in Hartlepool achieved level 4+ and this is likely to be 4% above the national figure however, the ambitious target of 87% is unlikely to be achieved. The red ratings are related to targets which were set by DCSF not being met rather than lack of progress in outcomes.

The School Improvement team continues to offer support and challenge to schools in Hartlepool to secure continuous improvement through:

- The implementation of the School Improvement Partner services as part of the New Relationship with Schools.
- A rigorous School Improvement Strategy which targets underperforming schools.
- An increased focus on improving boys' achievement especially in literacy and English across all Key Stages.
- More targeted support for vulnerable and underachieving children and young people through the implementation of the National Strategies, regeneration projects etc.

The sixth red indicator relates to early years:

- Improve children's communication, social and emotional development so that by 2008, children reach a good level of development at the end of the Foundation Stage.

The high levels of deprivation experienced by many families in Hartlepool have a direct impact on the early development of children. A target of 45%

was negotiated with DCSF but has not been achieved and the recorded figure is 37.3%. Significant work is being undertaken through Children's Centres to address this issue and additional speech and language therapy capacity is being commissioned through the localities:

- The Children's Services Department is working with the charity ICAN to provide support for all early years practitioners to develop children's communication skills;
- the Early Years Manager is working closely with the Parenting Commissioner to ensure a wide range of parental support is available;
- the Department's Early Years consultants are analysing data so that resources can be targeted where there is most need.

Despite the fact that this indicator is red in relation to the overall target for Hartlepool, another indicator relating to the same issue has been recorded as green:

- Early years – improve children's communication, social and emotional development so the gap between NRS and Hartlepool is reduced for a good level of development at the end of the Foundation Stage.

The target was to narrow the gap to 8% and the recorded outturn is 5.1%. Thus, although overall the target has not been achieved for improving good levels of development in this area the gap between the most deprived areas and the Hartlepool overall figure has been reduced.

4. OTHER AREAS OF ACTIVITY

In addition to progress monitoring on the activities and key performance indicators within the Corporate and Departmental Plans, a half year review has been undertaken of progress on all the separate activities within the operational team plans which lie beneath this. There are 420 separate activities identified within the operational team plans across the whole of the Children's Services Department. The half year review indicates that 92.4% of these are recorded as amber (38.8%) or green (53.6%). A relatively small percentage, 7.6% have been recorded as red. These have been referred back to individual Assistant Directors so that they can address these within their division and to take action as appropriate.

The Annual Performance Assessment (APA) process for Hartlepool for 2007 has recently been completed, following the visit of Ofsted inspectors on 27th September 2007. The overall effectiveness of Children's Services has been rated as grade 3 (Good) and the 5 Every Child Matters outcomes (Be Healthy, Stay Safe, Enjoy and Achieve, Make a Positive Contribution and Achieve Economic Well-being) all received Grade 3 ratings. The APA commented on the good progress made since the Joint Area Review which took place in 2006 and the APA letter reported specifically on progress made against each of the recommendations made within the JAR report.

The action plan which was completed following the Joint Area Review has been monitored regularly and illustrates the progress that has been made against all of the recommendations. A report on this progress will be going to the Children's Services Scrutiny Forum early in 2008.

5. PERFORMANCE UPDATE FOR THE PERIOD ENDING SEPTEMBER 2007

Within the Children's Services Department there are 19 actions identified within the Corporate structure for monitoring progress. At the end of the second quarter, 94.7% of these actions were identified as being on target, which shows no change from the end of quarter 1.

Annually reported information has now become available for a number of key performance indicators and 6 of these (18.8%) have been recorded as red. Five of the 6 relate to school attainment where particularly ambitious targets were set and although improvements have been made and some of the indicators are in line with or above national averages, the original, ambitious targets have not been met.

6. RECOMMENDATIONS

The Portfolio Holder is requested to note the progress made towards completing actions and performance indicator targets during the second quarter of 2007/08. Further reports on annual progress will be given quarterly in line with corporate requirements.

7. CONTACT OFFICER – Sue Johnson, Assistant Director Planning & Service Integration, telephone 523773

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder

18th December 2007



Report of: Director of Children's Services

Subject: APPOINTMENT OF LOCAL AUTHORITY
REPRESENTATIVES TO SERVE ON SCHOOL
GOVERNING BODIES

SUMMARY

1 PURPOSE OF REPORT

To request the Portfolio Holder for Children's Services consideration and approval of the recommendations of the General Purposes Committee in respect of the appointment of Local Authority representative Governors to serve on school governing bodies where vacancies currently exist.

2 SUMMARY OF CONTENTS

The report summarises the process for inviting applications for representative governors and the criteria for their selection.

3. RELEVANCE TO PORTFOLIO MEMBER

It is the responsibility of the Portfolio Holder to decide the appointment of Local Authority representative school governors following advice from the General Purposes Sub Committee.

4 TYPE OF DECISION

Non-key decision.

5 DECISION MAKING ROUTE

Portfolio Holder's meeting on 18th December 2007.

6 DECISION(S) REQUIRED

Approval by the Portfolio Holder of the recommendations of the General Purposes Committee, in respect of the appointment of representative Governors to serve on school governing bodies where vacancies exist.

Report of: Director of Children's Services

Subject: APPOINTMENT OF LOCAL AUTHORITY
REPRESENTATIVES TO SERVE ON SCHOOL
GOVERNING BODIES

1. PURPOSE OF REPORT

To request the Portfolio Holder for Children's Services consideration and approval of the recommendations of the General Purposes Committee in respect of the appointment of Local Authority representative governors to serve on school governing bodies where vacancies currently exist.

2. BACKGROUND

Applications are invited from members of the general public, elected members and those governors whose term of office is about to expire or have expired who are interested in serving or wish to continue serving as a Local Authority representative governor on school governing bodies.

The following criteria were agreed by the Borough Council for the recruitment of Local Authority representative governors in 2000. Local Authority governors should be able to show:

- demonstrable interest in and commitment to education;
- a desire to support the school concerned;
- a commitment to attend regular meetings of the governing body (and committees as appropriate) and school functions generally;
- good communication/interpersonal skills;
- ability to work as part of a team;
- a clearly expressed willingness to participate in the governor training programme.

A schedule setting out details of vacancies together with applications received in respect of the vacancies was considered by members of the General Purposes Sub Committee at their meeting held on 30th October 2007 (**Appendix 1**).

3. RECOMMENDATIONS

The Portfolio Holder for Children's Services approve recommendations of the General Purposes Committee in respect of the appointment of Local Authority representative governors to serve on school Governing Bodies. A schedule outlining recommendations of the General Purposes Sub Committee is attached at **Appendix 1**.



**VACANCIES FOR
LOCAL AUTHORITY REPRESENTATIVES
SEPTEMBER, 2007**

**Contact Officer: Ann Turner
Tel. 523766**

Children's Services Department – Every Child Matters

VACANCIES FOR LOCAL AUTHORITY REPRESENTATIVES ON GOVERNING BODIES

SCHOOL INCLUDING LA GOVERNORS	VACANCIES	POSSIBLE INTEREST	RECOMMENDED FOR APPOINTMENT
Barnard Grove Primary School			
Mrs. D. Stonehouse	One vacancy	No interest expressed	No recommendation
Mr. J. M. Kay			
Brierton Community School			
Councillor Ms. M. James	One vacancy	No interest expressed	No recommendation
Councillor Mrs. A. Lilley			
Brougham Primary School			
Mrs. J. Thompson	Two vacancies	No interest expressed	No recommendation
Catcote School			
Dr. M. Banim	Two vacancies	No interest expressed	No recommendation
Clavering Primary School			
Councillor Mrs. S. Griffin	One vacancy	Councillor T. Fleming	Councillor T. Fleming
Councillor R. Cook			
Elwick Hall C.E Primary School			
Councillor J. Coward	One vacancy Vice	No interest expressed	No recommendation
	Councillor Coward w.e.f. 16.11.07		
	Does not wish to be reconsidered		
Golden Flatts Primary School			
Councillor Mrs. C. Hill	One vacancy	No interest expressed	No recommendation
Councillor M. W. Turner			
Mrs. J. Liston			

SCHOOL INCLUDING LA GOVERNORS	VACANCIES	POSSIBLE INTEREST	RECOMMENDED FOR APPOINTMENT
Grange Primary School			
Mr. H. D. Smith	One vacancy	No interest expressed	No recommendation
Councillor R. Flintoff			
Jesmond Road Primary School			
Mr. K. Gardner	One vacancy	No interest expressed	No recommendation
Mrs. D. Adamson			
Mr. M. H. Ward			
Lynnfield Primary School			
Councillor C. Richardson	One vacancy	No interest expressed	No recommendation
Mr. A. Armstrong			
Councillor V. Tumilty			
Owton Manor Primary School			
Mrs. J. Thompson	One vacancy	Mrs S. Hayes	Mrs S. Hayes
Mrs. P. Rayner			
Mr. J. Vale			
Rift House Primary School			
Councillor D. Young	Two vacancies	Councillor S. Akers-Belcher	Councillor S. Akers-Belcher
Springwell School			
Mrs. E. Parkinson	One vacancy	Mr. C. G. Robson	Mr. C. G. Robson
St. Teresa's R.C. Primary School			
		Mrs. S. A. Vokes	
	One vacancy	Councillor S. Cook	Councillor S Cook
Throston Primary School			
Mrs. J. Norman	One vacancy	No interest expressed	No recommendation
Councillor H. Clouth			

SCHOOL INCLUDING LA GOVERNORS	VACANCIES	POSSIBLE INTEREST	RECOMMENDED FOR APPOINTMENT
Ward Jackson Primary School			
P. C. M. Hetherington	One vacancy	No interest expressed	No recommendation
Councillor J. Brash			
West Park Primary School			
Mr. M. W. Ward	Two vacancies	No interest expressed	No recommendation
West View Primary School			
Mr. G. Morley	One vacancy	Councillor Mrs S Griffin	Councillor Mrs S Griffin
Mr. D. Wise			

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder
18th December 2007



Report of: Director of Children's Services

Subject: HIGH TUNSTALL COLLEGE OF SCIENCE
AND DYKE HOUSE SCHOOL: FOUNDATION
STATUS CONSULTATION RESPONSE

SUMMARY

1. PURPOSE OF REPORT

To note the response submitted to High Tunstall College of Science and Dyke House School Governors in relation to their wish to investigate the possibility of seeking Foundation Status.

2. SUMMARY OF CONTENTS

The report summarises the process followed in relation to correspondence from High Tunstall College of Science and Dyke House School, sets out key aspects of Foundation Status and provides a response to High Tunstall College of Science's and Dyke House School's consultation process.

3. RELEVANCE TO PORTFOLIO MEMBER

The matter relates to the future status of High Tunstall College of Science and Dyke House School and has potential impact for children and young people.

4. TYPE OF DECISION

Non-key decision.

5. DECISION MAKING ROUTE

Children's Services Portfolio meeting on 18th December 2007.

6. DECISION(S) REQUIRED

To note the response submitted to High Tunstall College of Science and Dyke House School Governors in relation to their wish to investigate the possibility of seeking Foundation Status.

Report of: Director of Children's Services

Subject: HIGH TUNSTALL COLLEGE OF SCIENCE
AND DYKE HOUSE SCHOOL: FOUNDATION
STATUS CONSULTATION RESPONSE

1. PURPOSE OF REPORT

To note the response submitted to High Tunstall College of Science and Dyke House School Governors in relation to their wish to investigate the possibility of seeking Foundation Status.

2. BACKGROUND

On 1st November 2007, the Director of Children's Services received a letter from the Chair of Governors at High Tunstall College of Science indicating that the Governors had decided to investigate the possibility of seeking Foundation Status for the College. They were undertaking a period of consultation ending on 3rd December 2007 with a view to a vote being taken on 19th December.

A copy of this letter is attached as **Appendix A**. This letter indicated that the consultation period would end at 5 p.m. on 3rd December 2007 and that the Governors would also be holding a "Surgery" on 16th November 2007 between the times 3.30 p.m. to 6.30 p.m. when representations could be made in person. The letter has been circulated to all Councillors.

The Governing Body has identified a list of the consultees to whom this letter has been sent. This is attached at **Appendix B**.

On 19th November 2007, the Director of Children's Services received a letter from the Chair of Governors at Dyke House School indicating that the Governors had decided to investigate the possibility of seeking Foundation Status for the College. They were undertaking a period of consultation ending at 5 p.m. on 14th December 2007 with a view to a vote being taken on 20th December.

A copy of this letter is attached as **Appendix C**. This letter indicated that the consultation period would end at 8 p.m. on 19th December 2007 and that the Governors would also be holding a "Surgery" on 16th November 2007 between the times 3.30 p.m. to 6.30 p.m. when representations could be made in person. The letter has been circulated to all Councillors.

The Governing Body has identified a list of the consultees to whom this letter has been sent. This is attached at **Appendix D**.

3. PREPARATION OF RESPONSE BY PORTFOLIO HOLDER

The Portfolio Holder considered a process and timescale for the submission of comments to High Tunstall College of Science and Dyke House School Governors and agreed that the Director of Children's Services be asked to draft a response to High Tunstall College of Science and Dyke House Governors for consideration and approval by the Portfolio Holder. It was agreed that the response should:

- be similar to that sent to Manor College of Technology's governing body when it went through the same process in 2006;
- be approved by the Portfolio Holder and reported to the next meeting.

As the consultation period for High Tunstall expired on 3rd December 2007 and for Dyke House School expired on 14th December, the responses have been brought to this meeting (**Appendices E and F**).

4. CONSULTATION RESPONSE

At the Portfolio Holder meeting on 27th October 2006, at the time of the consultation in relation to a change to Foundation Status of Manor College of Technology, it was suggested that a consultation response should cover the following areas:

- The Council's wish for strong collaboration between schools for Hartlepool, as expressed in its minute of 13th April 2006;
- The potential impact of the move to Foundation Status on outcomes for children, not just in the school which is wishing to change status, but in the Hartlepool community of schools;
- The potential risks for staff at the school in relation to Health and Safety and liabilities;
- The potential costs to the school in respect of undertaking its new responsibilities;
- The potential impact on relationships within the town;
- The need for the school to ensure that there has been a full and balanced consideration of the issues involved in moving to foundation status, a full and proper consultation process and engagement with an appropriate range of stakeholders.

It is felt that these issues are still current and should be included in the responses to High Tunstall and Dyke House governors.

The responses, set out in this format, are attached as **Appendices E and F**. The Portfolio Holder approved these responses on 30th November 2007.

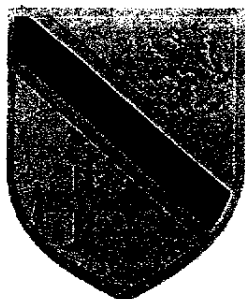
5. RECOMMENDATIONS

The Portfolio Holder is asked to note:

- The submission of a response to High Tunstall College of Science Governors which was sent in order to meet their deadline of 3rd December 2007.
- The submission of a response to Dyke House School Governors which was sent in order to meet their deadline of 14th December 2007.

6. CONTACT OFFICER

John Collings, Assistant Director of Children's Services
Telephone (01429) 523736



HIGH TUNSTALL COLLEGE of SCIENCE

Headteacher: M. B. Bühler-Willey

Elwick Road, West Park, Hartlepool TS26 0LQ

Tel: (01429) 261446 • Fax: (01429) 222856 • E-mail: admin.hightunstall@school.hartlepool.gov.uk

30 October 2007

01 NOV 2007

Hartlepool Borough Council
The Children Services Department
Civic Centre Victoria Road
Hartlepool
TS24 8AY

For the attention of Ms A Simcock

Dear Ms Simcock

Re: Change of Status from Community School to Foundation School

The Governing Body of High Tunstall College of Science is considering a change of status from a Community School to a Foundation School. This is in line with the Government's plans for a modernised role for Local Authorities supporting a reformed system of strong, autonomous schools. From the latest Education Bill it is clear that the Government sees greater autonomy for schools as the next stage in the development of the education service and wants schools to be more proactive in developing their individual strengths in response to the needs of the local community.

A Foundation School has formal ownership of the assets (land and buildings). The Governing Body is the direct employer of all staff and is the admission authority. It also has the power to publish statutory proposals for other changes.

There is an expectation from Government that schools take a lead in delivering the Every Child Matters agenda and the vision of Extended Schools. The additional freedom open to us as a Foundation School, along with our commitment to co-operation will, we believe, be an important component in High Tunstall's further development of these initiatives.

High Tunstall College of Science is committed to exercising this autonomy within the framework of fair funding and fair admissions. Our relationship and collaborative work with Partner Primary Schools, the Education Improvement Partnership (EIP) and other links will continue in the same way. We believe that the Governing Body have the experience and expertise to use the additional autonomies of Foundation Status to continue the development of the college and raise standards.



This letter is part of our informal consultation. We welcome any comments you might wish to make in writing or by e-mail using the address at the top of this letter. If you would like to find out more about what it means to become a Foundation School the Governors will be holding a 'Surgery' on 16th November 2007 between 3.30pm and 6.30pm when any representations you might want to make in person are welcome. It would assist with the organisation of this event if you could inform the college by phone or e-mail if you are proposing to attend.

The consultation period will end at 5.00pm on 3rd December 2007. The Governing Body will meet on 19th December 2007 to consider all responses and make a decision on whether or not to proceed. We will inform you of the outcome in due course.

On behalf of the Governing Body of High Tunstall College of Science

Yours sincerely,

Miriam Bühler-Willey

Mrs M. Bühler-Willey
Headteacher

He SL L L

Mr K. Shepherd
Chairman of Governors

High Tunstall College of Science Foundation Status Consultation

List of Consultees

- Director of Children's Services
- Headteachers of all Hartlepool schools (secondary, primary and special)
- Chairs of Governors of all Hartlepool schools (secondary, primary and special)
- Principals and Chairs of Governors of all Hartlepool post-16 institutions
 - Sixth Form College
 - College of Art & Design
 - College of Further Education
- Church of England Diocesan Board
- RC Diocesan Board
- Chief Executive of Tees Valley Learning & Skills Council
- Chief Executive of Connexions Tees Valley (A4E)
- Iain Wright, MP
- The Mayor of Hartlepool
- Staff of High Tunstall College of Science (associate and teaching staff)
- National Secretaries of:
 - NASUWT
 - NUT
 - ASCL
 - AHT
 - UNISON
 - AMICUS
- Parents/carers of students – 1 per family
- University links – Durham, Northumbria, Teesside, Sunderland
- Customers
- Specialist Schools Trust



Dyke House School
Mapleton Road
Hartlepool
TS24 8NQ



*Awarded
for excellence*

Phone 01429 266377
Fax 01429 866404
Email admin@dykehouse.hartlepool.sch.uk

15th November 2007

Dear

Re: Change of status from Community School to Foundation School

The Governing Body of Dyke House School Specialist College of Technology is considering a change of status from a Community School to a Foundation School. This is in line with the Government's plans for a modernised role for Local Authorities supporting a reformed system of strong autonomous schools. The Government is encouraging schools to be more proactive in developing their individual strengths in response to the needs of the local community within a partnership arrangement with other local schools and the Local Authority.

A Foundation School has formal ownership of the assets (land and buildings). The Governing Body is the direct employer of all staff and is the admission authority for the school. It also has the power to publish statutory proposals for other changes.

There is an expectation from Government that schools take a lead in delivering the "Every Child Matters" agenda and the vision of Extended Schools working with their communities. The additional freedom open to us as a Foundation School, along with our commitment to co-operation will, we believe, be an important component in Dyke House School's vision of further development of these initiatives where we believe we have already been successful.

Dyke House School is committed to exercising this autonomy within the framework of fair funding and fair admissions. Our relationship and collaborative work with our Partner Primary Schools, the Hartlepool Education Improvement Partnership and other links will continue in the same way. Our work on the Extended Schools agenda through the Avondale Centre will continue to develop and grow. We believe that the Governing Body have the experience and expertise to use the additional autonomies of Foundation Status to continue the development of the school and continue to raise standards.

This letter is part of our informal consultation. We welcome any comments you might wish to make in writing or by email using the address at the top of this letter. If you would like to find out more about what it means to become a Foundation School we are holding a "surgery" on Monday 3rd December 2007 between 3pm and 6pm when any representations you wish to make in person are welcome. It would assist with the organisation of this event if you could inform the school by phone, letter or email if you are proposing to attend.

The consultation period will end at 5pm on Friday 14th December 2007. The Governing Body will meet on Thursday 20th December 2007 to consider all responses and make a decision on whether or not to proceed. We will inform you of the outcome early in 2008.

On behalf of the Governing Body of Dyke House School,

Yours sincerely,

Mr W E Jordon CBE
Headteacher

Mr A Armstrong
Chairman of Governing Body

Dyke House School Foundation Status Consultation

List of Consultees

- Director of Children's Services
- The Mayor of Hartlepool
- Iain Wright, MP
- Learning and Skills Council
- Parents/carers of pupils currently at the school
- All staff employed at the school
- Headteachers and Chairs of Governing Bodies of all Hartlepool secondary, special and primary schools
- Parents of children attending Dyke House partner primary schools
- Trades Union representatives of staff working at Dyke House School
- Church of England Diocesan Director of Education
- Roman Catholic Diocesan Director of Education
- Avondale Centre users
- Cleveland Police
- PrimaryCare Trust
- PATCH
- Also producing a version for use in school with pupils so that the School Council has an opportunity to respond

RESPONSE BY CHILDREN'S SERVICES PORTFOLIO HOLDER TO HIGH TUNSTALL COLLEGE OF SCIENCE'S CONSULTATION ON BECOMING A FOUNDATION SCHOOL

As Children's Services Portfolio Holder, I wish to respond on behalf of Hartlepool Borough Council to the governing body of High Tunstall College of Science as part of its consideration of a change of status to become a Foundation School. I am very keen to continue to build on the strength of the current educational partnership in the town and any concerns I have centre around that a move to Foundation Status may present potential risks to that partnership.

Hartlepool Borough Council has a very strong commitment to partnership working within the town and on 13th April 2006, Hartlepool Borough Council passed the following resolution:

"Whereas the Council recognises and welcomes the substantial increase in funding for schools and colleges since 1997, it believes that the existence of a strong and vibrant partnership at all levels within the authority has been, and is, the key to driving up standards for all learners; it considers the creation of City Academies or Foundation Schools within Hartlepool to be detrimental to the interests of the community as a whole and inappropriate for a self-contained authority having proven good provision both pre and post-16; it resolves to build upon the strong existing educational partnerships; and considers that co-operation among institutions and investments in the existing infrastructure in delivering agreed partnership goals will be the key to the successful delivery of rising standards and the Government's reform agenda."

This resolution specifically mentions Academies and Foundation Schools but our experience so far has allayed many people's fears about the threat a change of status can bring to partnership working. For example, earlier this year Manor College of Technology became a Foundation School committing itself wholeheartedly to continuing to work in partnership with other schools and the local authority. This has re-assured many, including myself, who feared that a move to Foundation Status for that school would jeopardise partnership working in the town. The response below emphasises the importance I continue to attach to partnership working with all schools in Hartlepool, the Council's commitment to continuing to raise standards for all children and my hope that a move to Foundation Status if it were to happen will strengthen rather than weaken High Tunstall's contribution to both.

1. THE COUNCIL'S WISH FOR STRONG COLLABORATION BETWEEN SCHOOLS

During the period since Hartlepool became a unitary authority in 1996, it has demonstrated a strong commitment to all of the schools in the town. It immediately identified education as a high priority for the town and over a number of years built up the funding for education to the formula funding share level. It also ensured that all of the money which was identified for schools through the government's formula funding was passported through to schools and invested significant funding to ensure that the full range of standards funds available to the authority could be drawn down by building into the budget the required matched funding levels. It has worked consistently with schools since its inception to develop a fair formula funding process for the authority to distribute the available funds between schools and has consulted with all schools as part of that process, as well as with the Schools Forum. The Council has also been very successful in attracting additional funding for targeted education projects such as NRF, NDC and National Lottery from which all schools have benefited. All of this demonstrates that the Council has a clear commitment to the future of the children in the town and a strong commitment to giving them the best possible education.

The Council was keen to establish a very strong Education Department to work with schools and indeed Hartlepool's School Improvement Service is extremely well-regarded nationally by the DCSF and by OfSTED. Similarly, partnership working in the town has been praised both as part of Local Education Authority inspections, regular DCSF reviews, through reviews of the operation of the Hartlepool Partnership and the education elements within the Community Strategy and in the Joint Area Review of Children's Services. Since 1996, Hartlepool, which is the 14th most disadvantaged local authority in England, has moved to at or above national average on nearly all statutory indicators for pupil performance and has improved faster than national averages. Clearly, the front line work with children is done at school level and High Tunstall has a good record of raising achievement and working in partnership. For example, when High Tunstall was identified as a cause for concern in 2005, it responded quickly and worked in partnership with other schools, the local authority and other agencies to address areas of weakness. Indeed, Hartlepool has developed a shared community and collegiate approach amongst its schools which has emphasised the need for schools to work together, to take joint responsibility for issues within Hartlepool and to gain strength from working together on local challenges. For secondary schools, this has been particularly strengthened through working arrangements such as the Excellence in Cities Partnership which has recently developed in to a more formal Education Improvement Partnership. It is important that a change of status does not jeopardise the continued success of the partnership working which has been a key feature of our success to date.

The Council is very proud of the town's strong and successful record of both partnership and achievement. There are concerns that if schools move to develop Foundation Status, then there is the risk that through admissions policies or through the ability to take control of premises and issue statutory notices, an increasingly competitive rather than a collaborative climate might be developed. It is not felt that this is in the interest of children in Hartlepool, and there is a risk that structures rather than outcomes become the focus of attention. It may become difficult to maintain a strong feeling of collaboration in a climate in which schools are seeking greater individual autonomy and relative independence. This could place at risk the system which works well at the present time and which has delivered significantly improved outcomes for children and young people. However committed the existing headteachers and governors are to continuing to work in collaboration, they cannot determine how future headteachers and governors will choose to operate.

2. THE POTENTIAL IMPACT OF THE MOVE TO FOUNDATION STATUS ON OUTCOMES FOR CHILDREN

The letter from the Governing Body does not give a clear indication as to how Foundation Status will benefit outcomes for children. Although it indicates that the College believes it has the experience and expertise to use the additional autonomies of Foundation Status to continue the development of the college and to raise standards, there is no indication as to what freedoms or flexibilities exist within Foundation Status that will enable it to make improvements which would not be possible as a community school. My concern is that the current outcomes for children in High Tunstall College, neighbouring primary schools and indeed across Hartlepool, have been built upon very strong partnership and collaborative work between schools and that if the move to Foundation Status generates additional competition between schools on issues such as admissions and the development of premises, then outcomes to children might suffer rather than improve. Whatever the good intentions of the current headteacher and governing body, once Foundation Status is established for a school, then there is currently no legal route to return to being a community school. While the current governing body may well wish to continue to work in collaboration, the move to Foundation Status does not tie the hands of future headteachers or governing bodies in this respect. A future regime at the school could potentially choose to consider the publication of statutory notices to expand or change the age range to the school, provided they can raise the necessary funding. This does open

the doors for potential expansion, which could impact negatively on other schools and which in turn can only limit the progress on outcomes for children.

3. THE POTENTIAL RISK FOR STAFF AT THE SCHOOL

Staff employed by the local authority at the school at the time of potential transfer to Foundation Status would be subject to TUPE arrangements and would become employed by the governors. Contracts of employment of staff must be transferred from the Local Authority to the Governing Body. Under TUPE all rights and liabilities apart from criminal liability and some pension rights would transfer from the Local Authority to the Governing Body. For example, the college would inherit all civil liberties and obligations, including:

- Liability for personal injury claims against the Local Authority;
- Liability for any breach of contract;
- All statutory rights and liabilities, eg unfair dismissal claims.

There could also be financial risks to the Governors in relation to staffing and Health and Safety issues as any liabilities and costs in relation to Employment Tribunal cases or Health and Safety investigations would potentially fall wholly to the Governors and the college's budget in terms of employer liabilities. This could, in some cases, involve very significant costs.

4. THE POTENTIAL COSTS TO HIGH TUNSTALL COLLEGE IN RESPECT OF UNDERTAKING ITS NEW RESPONSIBILITIES

If it moved to Foundation Status, High Tunstall College would run greater risks in terms of costs relating to employer issues and Health and Safety Issues. Any costs incurred arising from their health and safety and employer responsibilities, including the legal fees, would be a cost to the college's budget. I am concerned that this could present a risk to the college, which could potentially result in less funding being made available at the front line to its students. It could be argued that risks to the college are increasing, without any real benefits being delivered.

5. THE POTENTIAL IMPACT ON RELATIONSHIPS WITHIN THE TOWN

Collaboration between schools and other stakeholders will be the key to the future development of all children's services across the town in future. The Education and Inspections Act 2006 placed a new duty for schools to co-operate with local authorities to improve the wellbeing of children and young people. OfSTED has been asked to report on how far schools are meeting this requirement. It will, therefore, be more important than ever for schools to work together and with other partners to ensure that children's wellbeing is promoted. This involves schools in working in partnership across all five outcomes for children: Be Healthy, Stay Safe, Enjoy and Achieve, Make a Positive Contribution and Achieve Economic Wellbeing.

One mechanism for achieving this collaboration will be through the Children's Centres and Extended Schools Strategy which is intended to provide a locality-based commissioning framework for the development of a range of children and young people's services, through a locality-based planning model. This makes it even more important than ever that all schools are fully prepared to collaborate in this process, which was the subject of extensive town-wide consultation. An emphasis on autonomy and/or independence, rather than a lack of willingness to enter debate, discussion and negotiation with partners could potentially be detrimental to this process.

6. THE CONSULTATION PROCESS

I am concerned that High Tunstall College of Science should ensure that there has been a full and balanced consideration of the issues involved in moving to Foundation Status as part of a full and proper consultation process and engagement with an appropriate range of stakeholders. It is my view that the letter which was sent to the Director of Children's Services is an inadequate document on which to mount a public consultation, as many stakeholders will have no clear knowledge of what school structures are or what the alternatives might be to Foundation Status: nor does the letter explain what the current status of the school is. For all stakeholders, a proper explanation of the status quo, the key issues arising from the possible change in status, and the advantages and disadvantages should have been included as a minimum if stakeholders were to be given a proper understanding of the issues being considered. It is also not clear what arrangements are in place for consulting with parents, prospective parents and children and young people. If the Governors believe that the move to Foundation Status is in the interests of the children and young people of the town, then a clear case demonstrating this should have been set out for the benefit of all stakeholders.

7. CONCLUSION

In conclusion, I wish to reassert the Council's commitment to the existing strong partnerships and its desire to continue to promote co-operation among institutions, including High Tunstall College of Science, and to continue to promote the outcomes for children and young people. I believe strongly that greater collaboration by all institutions, rather than increased autonomy, is the key to future success and improved outcomes for children, building on the strong success which has already been demonstrated across the town. I trust that High Tunstall College of Science's Governing Body will feel able to sign up to this future and commit to continue working towards agreed partnership goals irrespective of the schools' status.

Councillor Cath Hill
Children's Services Portfolio Holder

RESPONSE BY CHILDREN'S SERVICES PORTFOLIO HOLDER TO DYKE HOUSE SCHOOL'S CONSULTATION ON BECOMING A FOUNDATION SCHOOL

As Children's Services Portfolio Holder, I wish to respond on behalf of Hartlepool Borough Council to the governing body of Dyke House School as part of its consideration of a change of status to become a Foundation School. I am very keen to continue to build on the strength of the current educational partnership in the town and any concerns I have centre around that a move to Foundation Status may present potential risks to that partnership.

Hartlepool Borough Council has a very strong commitment to partnership working within the town and on 13th April 2006, Hartlepool Borough Council passed the following resolution:

"Whereas the Council recognises and welcomes the substantial increase in funding for schools and colleges since 1997, it believes that the existence of a strong and vibrant partnership at all levels within the authority has been, and is, the key to driving up standards for all learners; it considers the creation of City Academies or Foundation Schools within Hartlepool to be detrimental to the interests of the community as a whole and inappropriate for a self-contained authority having proven good provision both pre and post-16; it resolves to build upon the strong existing educational partnerships; and considers that co-operation among institutions and investments in the existing infrastructure in delivering agreed partnership goals will be the key to the successful delivery of rising standards and the Government's reform agenda."

This resolution specifically mentions Academies and Foundation Schools but our experience so far has allayed many people's fears about the threat a change of status can bring to partnership working. For example, earlier this year Manor College of Technology became a Foundation School committing itself wholeheartedly to continuing to work in partnership with other schools and the local authority. This has re-assured many, including myself, who feared that a move to Foundation Status for that school would jeopardise partnership working in the town. The response below emphasises the importance I continue to attach to partnership working with all schools in Hartlepool, the Council's commitment to continuing to raise standards for all children and my hope that a move to Foundation Status if it were to happen will strengthen rather than weaken Dyke House's contribution to both.

1. THE COUNCIL'S WISH FOR STRONG COLLABORATION BETWEEN SCHOOLS

During the period since Hartlepool became a unitary authority in 1996, it has demonstrated a strong commitment to all of the schools in the town. It immediately identified education as a high priority for the town and over a number of years built up the funding for education to the formula funding share level. It also ensured that all of the money which was identified for schools through the government's formula funding was passported through to schools and invested significant funding to ensure that the full range of standards funds available to the authority could be drawn down by building into the budget the required matched funding levels. It has worked consistently with schools since its inception to develop a fair formula funding process for the authority to distribute the available funds between schools and has consulted with all schools as part of that process, as well as with the Schools Forum. The Council has also been very successful in attracting additional funding for targeted education projects such as NRF, NDC and National Lottery from which all schools have benefited. All of this demonstrates that the Council has a clear commitment to the future of the children in the town and a strong commitment to giving them the best possible education.

The Council was keen to establish a very strong Education Department to work with schools and indeed Hartlepool's School Improvement Service is extremely well-regarded nationally by the DCSF and by OfSTED. Similarly, partnership working in the town has been praised both as part of Local Education Authority inspections, regular DCSF reviews, through reviews of the operation of the Hartlepool Partnership and the education elements within the Community Strategy and in the Joint Area Review of Children's Services. Since 1996, Hartlepool, which is the 14th most disadvantaged local authority in England, has moved to at or above national average on nearly all statutory indicators for pupil performance and has improved faster than national averages. Clearly, the front line work with children is done at school level and Dyke House has an excellent record of raising achievement and working in partnership. For example, Dyke House has taken a leading role in bringing support to underperforming schools and has worked in partnership with all schools, the local authority and other agencies in the interests of the community it serves. Hartlepool has developed a shared community and collegiate approach amongst its schools which has emphasised the need for schools to work together, to take joint responsibility for issues within Hartlepool and to gain strength from working together on local challenges. For secondary schools, this has been particularly strengthened through working arrangements such as the Excellence in Cities Partnership which has recently developed in to a more formal Education Improvement Partnership. It is important that a change of status does not jeopardise the continued success of the partnership working which has been a key feature of our success to date.

The Council is very proud of the town's strong and successful record of both partnership and achievement. There are concerns that if schools move to develop Foundation Status, then there is the risk that through admissions policies or through the ability to take control of premises and issue statutory notices, an increasingly competitive rather than a collaborative climate might be developed. It is not felt that this is in the interest of children in Hartlepool, and there is a risk that structures rather than outcomes become the focus of attention. It may become difficult to maintain a strong feeling of collaboration in a climate in which schools are seeking greater individual autonomy and relative independence. This could place at risk the system which works well at the present time and which has delivered significantly improved outcomes for children and young people. However committed the existing headteachers and governors are to continuing to work in collaboration, they cannot determine how future headteachers and governors will choose to operate.

2. THE POTENTIAL IMPACT OF THE MOVE TO FOUNDATION STATUS ON OUTCOMES FOR CHILDREN

The letter from the Governing Body does not give a clear indication as to how Foundation Status will benefit outcomes for children. Although it indicates that the School believes it has the experience and expertise to use the additional autonomies of Foundation Status to continue the development of the school and to raise standards, there is no indication as to what freedoms or flexibilities exist within Foundation Status that will enable it to make improvements which would not be possible as a community school. My concern is that the current outcomes for children in Dyke House School, neighbouring primary schools and indeed across Hartlepool, have been built upon very strong partnership and collaborative work between schools and that if the move to Foundation Status generates additional competition between schools on issues such as admissions and the development of premises, then outcomes to children might suffer rather than improve. Whatever the good intentions of the current headteacher and governing body, once Foundation Status is established for a school, then there is currently no legal route to return to being a community school. While the current governing body may well wish to continue to work in collaboration, the move to Foundation Status does not tie the hands of future headteachers or governing bodies in this respect. A future regime at the school could potentially choose to consider the publication of statutory notices to expand or change the age range to the school, provided they can raise the necessary funding. This does open

the doors for potential expansion, which could impact negatively on other schools and which in turn can only limit the progress on outcomes for children.

3. THE POTENTIAL RISK FOR STAFF AT THE SCHOOL

Staff employed by the local authority at the school at the time of potential transfer to Foundation Status would be subject to TUPE arrangements and would become employed by the governors. Contracts of employment of staff must be transferred from the Local Authority to the Governing Body. Under TUPE all rights and liabilities apart from criminal liability and some pension rights would transfer from the Local Authority to the Governing Body. For example, the school would inherit all civil liberties and obligations, including:

- Liability for personal injury claims against the Local Authority;
- Liability for any breach of contract;
- All statutory rights and liabilities, eg unfair dismissal claims.

There could also be financial risks to the Governors in relation to staffing and Health and Safety issues as any liabilities and costs in relation to Employment Tribunal cases or Health and Safety investigations would potentially fall wholly to the Governors and the school's budget in terms of employer liabilities. This could, in some cases, involve very significant costs.

4. THE POTENTIAL COSTS TO DYKE HOUSE SCHOOL IN RESPECT OF UNDERTAKING ITS NEW RESPONSIBILITIES

If it moved to Foundation Status, Dyke House School would run greater risks in terms of costs relating to employer issues and Health and Safety Issues. Any costs incurred arising from their health and safety and employer responsibilities, including the legal fees, would be a cost to the school's budget. I am concerned that this could present a risk to the school, which could potentially result in less funding being made available at the front line to its students. It could be argued that risks to the school are increasing, without any real benefits being delivered.

5. THE POTENTIAL IMPACT ON RELATIONSHIPS WITHIN THE TOWN

Collaboration between schools and other stakeholders will be the key to the future development of all children's services across the town in future. The Education and Inspections Act 2006 placed a new duty for schools to co-operate with local authorities to improve the wellbeing of children and young people. OfSTED has been asked to report on how far schools are meeting this requirement. It will, therefore, be more important than ever for schools to work together and with other partners to ensure that children's wellbeing is promoted. This involves schools in working in partnership across all five outcomes for children: Be Healthy, Stay Safe, Enjoy and Achieve, Make a Positive Contribution and Achieve Economic Wellbeing.

One mechanism for achieving this collaboration will be through the Children's Centres and Extended Schools Strategy which is intended to provide a locality-based commissioning framework for the development of a range of children and young people's services, through a locality-based planning model. This makes it even more important than ever that all schools are fully prepared to collaborate in this process, which was the subject of extensive town-wide consultation. Dyke House has been a key player in developing extended services over a number of years and has been at the very heart of the town's achievements in this area. I am concerned that an emphasis on autonomy and/or

independence, rather than a lack of willingness to enter debate, discussion and negotiation with partners could potentially be detrimental to the emerging model.

6. THE CONSULTATION PROCESS

I am concerned that Dyke House School should ensure that there has been a full and balanced consideration of the issues involved in moving to Foundation Status as part of a full and proper consultation process and engagement with an appropriate range of stakeholders. It is my view that the letter which was sent to the Director of Children's Services is an inadequate document on which to mount a public consultation, as many stakeholders will have no clear knowledge of what school structures are or what the alternatives might be to Foundation Status: nor does the letter explain what the current status of the school is. For all stakeholders, a proper explanation of the status quo, the key issues arising from the possible change in status, and the advantages and disadvantages should have been included as a minimum if stakeholders were to be given a proper understanding of the issues being considered. It is also not clear what arrangements are in place for consulting with parents, prospective parents and children and young people. If the Governors believe that the move to Foundation Status is in the interests of the children and young people of the town, then a clear case demonstrating this should have been set out for the benefit of all stakeholders.

7. CONCLUSION

In conclusion, I wish to reassert the Council's commitment to the existing strong partnerships and its desire to continue to promote co-operation among institutions, including Dyke House School, and to continue to promote the outcomes for children and young people. I believe strongly that greater collaboration by all institutions, rather than increased autonomy, is the key to future success and improved outcomes for children, building on the strong success which has already been demonstrated across the town. I trust that Dyke House School's Governing Body will feel able to sign up to this future and commit to continue to working towards agreed partnership goals irrespective of the school's status.

Councillor Cath Hill
Children's Services Portfolio Holder

Report of: Director of Children's Services

Subject: REVIEW OF PLACEMENT STRATEGY FOR
LOOKED AFTER CHILDREN

SUMMARY

1. PURPOSE OF REPORT

This report is being presented to inform and update the Portfolio Holder on the ongoing work relating to the review of the placement strategy for looked after children. The purpose of this report is:

- To inform the Portfolio Holder of the results of initial consultation and market testing exercises undertaken with key stakeholders;
- To provide information on various options that have been evaluated relating to possible future strategies for the provision of foster placements;
- To seek Portfolio Holder support for a bid that has been made to Cabinet as part of the department's 2008/09 budget proposals for additional revenue funding in the region of £133,000 and capital funding of £40,000 to enhance internal capacity in the department's placement team;
- To seek authorisation to consult more widely with all key stakeholders on the development of a partnership with selected providers to obtain improved value for money in the future procurement of children's social care placements.

2. SUMMARY OF CONTENTS

This report summarises the consultation that has been undertaken with key stakeholders in relation to reviewing the existing placement strategy for looked after children. This includes the market testing that has been undertaken with Independent Fostering Agencies to date. Following on from this engagement, this report presents the Portfolio Holder with details of options that have been considered on how the Placement Strategy for looked after children could be further developed. This includes proposals to enhance internal capacity which will require the allocation of additional resources.

3. RELEVANCE TO PORTFOLIO MEMBER

The local authority holds corporate parenting responsibilities in relation to the children and young people in its care. The Portfolio Holder has a responsibility to ensure that the individual potential of each looked after

child is maximised and that services are configured to meet this broad objective. This report concerns the future delivery of foster care placements and is therefore presented for the consideration of the Children's Services Portfolio Holder.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Children's Services Portfolio Holder meeting 18 December 2007.

6. DECISION(S) REQUIRED

- a) To note the feedback from the initial consultation processes undertaken to date;
- b) To note the evaluation of options undertaken relating to the placement strategy and grant authorisation to consult further with key stakeholders;
- c) To agree to receive a further report detailing the outcome of this detailed consultation;
- d) To support the bid in the region of £133,000 (revenue) and £40,000 (capital) funding submitted as part of the Department's 2008/09 budget proposals

Report of: Director of Children's Services

Subject: REVIEW OF PLACEMENT STRATEGY

1. PURPOSE OF REPORT

This report is being presented to inform and update the Portfolio Holder on the ongoing work relating to the review of the Placement Strategy for Looked After Children. The purpose of this report is to:

- To inform the Portfolio Holder of the results of initial consultation and market testing exercises undertaken with key stakeholders;
- To provide information on various options that have been evaluated relating to possible future strategies for the provision of foster placements;
- To seek Portfolio Holder support for a bid that has been made to Cabinet as part of the departments 2008/09 budget proposals for additional revenue funding in the region of £133,000 and capital funding in the region of £40,000 to enhance internal capacity in the department's placement team;
- To seek authorisation to consult more widely with all key stakeholders on the development of a partnership with selected providers to obtain improved value for money in the future procurement of children's social care placements.

2. BACKGROUND

On the 27th April 2007 the Portfolio Holder granted authorisation to consult with key stakeholders, including independent fostering agencies, on developing a strategy for the long-term provision of fostering placements for children and young people looked after by Hartlepool Borough Council. Since this date there has been an extensive process of consultation and market engagement, and following this, various options have been considered. The advantages and disadvantages of each option are presented in this report as Appendix A.

As reported to Cabinet this year, the department is facing extreme budget pressures arising from the placement costs of an increased number of Looked After Children. The following table summarises current and projected departmental spending specifically on existing placement costs:

Placement Type	2007/08 Budget £000	2007/08 Projections £000	2008/09 Projections £000
In house Fostering	883.5	944.7	973.0
Independent Fostering	700.5	1,056.9	1,217.0
Residential Placements	238.6	311.8	327.4
Adoption Allowances	126.3	197.5	207.4
Sub Total	1,948.9	2,510.9	2,724.8
Projected Overspending		+ 562.0	+ 775.9

Due to the capacity constraints of the in-house service there is little choice but to place children with independent carers at present which is substantially more expensive.

3. REASONS FOR REVIEWING THE PLACEMENT STRATEGY

As detailed in the previous report to the Portfolio Holder on 27 April 2007 an analysis of need highlighted gaps in existing service provision. One of these is insufficient placement choice for looked after children and young people. The review of the strategy will seek to address this and provide more placement choice.

There are also capacity issues within the Placement Team that need to be considered in a review of the existing strategy. There has been an increase in the local looked after population in line with a rising national trend. As of October 2007 there were 153 children and young people looked after by the local authority. This is the highest this figure has ever been and, although now stable, had been rising since January 2007. The following are thought to be contributory factors in this increase:

- There has been an increased amount of court based work which is both labour intensive and time-consuming. This may mean that children are staying in care for longer than was previously the case;
- The existing decision making arrangements that govern the admissions of looked after children may also need to be considered;
- There has been a shift in managerial approach with a focus on parallel planning and permanency as opposed to family reconciliation;
- Earlier intervention by other agencies working with children and young people across the town

The department is undertaking further work to analyse those factors contributing to a rising looked after children's population.

The service implications are that the Placement Team are now operating at capacity as placements need to be found for an increasing number of looked after children. The current position is not sustainable and investment is required now to mitigate against significant financial problems occurring in the future. Social workers are already carrying caseloads higher than those recommended by the national *Fostering Network*. If current trends are maintained the demand for children's

foster placements will outstrip internal supply. This will result in the local authority being forced to increase the spot-purchase of placements from the independent sector. Not only does this incur considerable expenditure but spot-purchasing makes market management difficult as it is a reactionary process. The Joint Area Review (March 2007) highlighted the need for the department to develop more robust commissioning arrangements and this work is underway and feeding in to this review of the placement strategy. The creation of a departmental commissioning infrastructure will allow the development of mechanisms to more strategically manage the volatile market for children's social care placements.

The Placement Team was subject to an OFSTED inspection in September 2007. Feedback was extremely positive, but if these high standards are to be maintained, and the needs of an increasing number of vulnerable children are to be met, then it is suggested that the capacity of the service needs to be strengthened.

4. CONSULTATION AND MARKET TESTING ON PLACEMENT STRATEGY OPTIONS

Consultation on the reviewing of the Placement Strategy has involved the following stakeholders:

- Looked After Children;
- Foster Carers;
- Internal staff working in the Placement Team;
- Independent Fostering Agencies.

LOOKED AFTER CHILDREN

In line with the vision statements expressed within the town-wide Participation Strategy, looked after children have been consulted to ascertain their views on the review of the Placement Strategy. The children and young people raised the following points:

- There is currently insufficient choice for them when a foster care placement is identified;
- All placements should be made in, or as near as possible to, Hartlepool;
- Placement rules on issues such as pocket money allowances and sleepovers should be consistent regardless of whether the placement is provided internally or commissioned externally by an independent provider;
- The quality of the individual placement is more important than who provides the support to the carers;

FOSTER CARERS

Meetings were held with two separate groups of foster carers on 4 June 2007 and 18 June 2007. These meetings provided an opportunity to gauge the opinion of those carers present on the existing levels of service they receive whilst exploring ways in which such services could be developed and improved. Foster Carers drew reference to the services provided by the Star Centre, and it is proposed that more detailed internal evaluation and analysis will be undertaken in relation to this particular resource.

MARKET TESTING WITH INDEPENDENT PROVIDERS

All independent fostering providers in the North East region were invited to a seminar hosted by the local authority on 5 June 2007. A presentation was given by Senior Officers on the background to the current strategy and how the local authority wished to consult further with independent providers with a view to including them in the development of this strategy. The seminar was both well attended and well received. Eighteen independent agencies were represented at the event and their collective feedback reflected that they found the local authority's approach refreshing and were pleased to be involved at the very outset of informal market testing. Following this seminar, as anticipated, a number of independent agencies contacted the local authority to establish further contact and debate. These subsequent meetings proved to be extremely beneficial and provided a useful platform for the exchange of ideas between the local authority as a commissioning agency and its (potential) supplier(s).

INTERNAL STAFF

A meeting was held with the Placement Team staff on 11 May 2007. The purpose of this meeting was to ascertain the views of staff on methods of current service delivery and begin to explore their thoughts on how the existing placement strategy could be reviewed and improved. This was a very useful session with operational staff contributing extremely positively to the wider strategic debate on future methods of service delivery. The Placement Team members agreed that the existing Placement Strategy needed to be reviewed and further developed.

The Head of Business Unit (Young Persons) facilitated a consultation session with staff from the Star Centre on 12 September 2007.

5. STRATEGIC OPTIONS FOR THE FUTURE PROVISION OF FOSTER PLACEMENTS

Following the consultation and supplier engagement outlined in the previous section of this report, and the content of previous Portfolio reports, the following strategic options have been considered and are

reported to the Portfolio Holder for information. The advantages and disadvantages of each option are contained in Appendix A. The options initially considered were:

- a) The local authority develops a strategic partnership with an independent fostering agency;**
- b) The internal fostering service is allocated additional resources to facilitate expansion;**
- c) The local authority develops a preferred provider partnership including a contractual cost and volume agreement with three independent providers;**

6. EVALUATION OF OPTIONS

Option A - The local authority develops a strategic partnership with an independent fostering agency;

In order to effectively manage a fluctuating market for foster care placements, the local authority explored the feasibility of creating a strategic partnership with an independent provider. This would permit the local authority to develop a long term strategy for the provision of foster placements and procure the market expertise of an independent provider. This option would mean that the local authority could establish a “mixed market” approach to future service delivery; enabling it to derive the benefits from the independent sector whilst retaining the provision of foster care services as the core business of the local authority. The partnership would develop the following characteristics:

- Shared risk and reward;
- Common objectives;
- A pooling of resources and expertise;
- Partnership will be proactive rather than reactive.

This option has not proven to be viable as none of the existing providers appeared willing to enter into a partnership, possibly due to resource implications which would have led to prohibitively high costs to the department.

Option B - The Placement Team is allocated additional resources to facilitate expansion;

This option means that additional financial resources would need to be allocated to the Placement Team with effect from 2008/09, subject to Council approval, to allow it to meet the additional workload stemming from the rising looked after population highlighted earlier in this report. There are also other factors that support the expansion of the Placement Team:

- An emphasis on securing permanent placements for children and young people;
- New requirements on the training and preparation of foster carers;
- The need to recruit additional foster carers;
- Maintaining the high standards recently identified in the OFSTED inspection of September 2007.

This option would mean that the following 3.5 additional posts are created within the Placement Team. These are a Team Manager, Principal practitioner, Social Worker and a 0.5 administrative post. This would allow additional resources to be invested in both the adoption and fostering services and mean that the adoption workers will have additional capacity to undertake tasks previously carried out by the child's social worker. The implementation of this option would, therefore, change current practice.

This internal expansion would mean that the Placement Team would be required to move from their existing accommodation at Bevan House, and the costs of this accommodation move have been highlighted as a budget pressure for 2008 / 09. This option could mean that the Leaving Care Team be co-located with the Connexions service in a more accessible town centre location. This move would free office accommodation at the Young Person's Service meaning that the Adoption or Fostering Team could be located there.

Option C - The local authority develops a preferred provider partnership with a contractual cost and volume agreement;

This option would mean that the local authority develops a preferred provider and a cost and volume agreement with key market players within the independent sector. This option would see the local authority create a preferred provider partnership with three independent fostering agencies and negotiate costs based on the volume of placements.

Selection for preferred providers would be through a formal tendering process. The service specification would require agencies to:

- Have placements within a twenty mile radius of Hartlepool;
- Be willing to negotiate cost reductions based on volume of placements;
- Be willing to eradicate blanket costing policies and develop a menu of costs from which the local authority could commission services that are best suited to meet the needs of the individual children placed. This menu of services would ensure consistency of service for all looked after children, including those in internal placements.

This option would also mean that preferred providers would be:

- The first agencies approached when an independent placement was required. Only when they could not provide a placement would the local authority commission another agency;
- The only suppliers of independent foster placements within a two year timescale. This would allow agencies to recruit and develop services in Hartlepool;

In 2006 / 07 the local authority placed 33 looked after children with six Independent Fostering Agencies at significant cost. Sixteen of these looked after children were in placements that spanned the entire financial year. Of the total expenditure 60% was spent with three agencies. This option would allow the local authority to develop this purchasing power within the independent sector and begin to re-negotiate costs based on the preferred provider model outlined above.

Whilst more detailed discussion would be required with independent providers, it is projected that savings could be generated if this model were implemented. The department's projected spend with the Independent foster sector in 2008/09 is currently estimated at £1.2m.

This option would also mean that further savings could be realised via the economies of scale of having all children placed with our preferred providers, however it is stressed that children would only be moved from existing independent placements as part of a planned natural move documented in their care plan and not purely to accelerate the generation of any financial savings that such a placement move may bring. Given the guarantees of preferred provider status those agencies would be better positioned to invest in services in Hartlepool and this would allow them to develop services to plug identified gaps in provision. (Supported Lodgings scheme and remand foster carers). It would also better position the authority to increase placement choice for looked after children.

This proposed option fits neatly with the department's drive to build robust commissioning and contracting arrangements. The proposed "streamlining" of independent providers into a preferred provider partnership would make effective contract management and monitoring easier.

It is proposed that a future report is presented to Portfolio Holder detailing the departmental strategy for procuring residential placements for children and young people.

Summary of Options

Option A would mean the creation of a strategic partnership with one independent fostering agency, however market analysis has concluded that this option is not viable as the risks and costs to the local authority are too high and there was insufficient interest within the market place.

Option B details the need to expand the Council's in-house provision to cope with a rise in the number of looked after children and to ensure that sufficient resource is available to reduce this. An expansion of internal resource is essential to ensure that more permanent placements can be identified and maintained for some of the Town's most vulnerable children and young people.

Option C would mean that as well as the required expansion to in-house provision, the Council would benefit from improved commissioning arrangements with independent providers. This option presents the potential benefits of creating a preferred provider partnership with independent providers.

In summary, the Portfolio Holder is being asked to support a twin-track approach: The in-house expansion of services (Option B), as well as authorising specific consultation on the creation of a preferred provider partnership with independent providers (Option C).

7. LEGAL ISSUES

Some of the proposals contained within this report evaluate the creation of a partnership model. It is worth noting that the national minimum standards for fostering services are issued by the Secretary of State under sections 23 and 49 of the Care Standards Act 2000. Any partnership arrangements as proposed in this report would be subject to the same standards and inspection regime as mandated by this legislation. Whilst the local authority is permitted to delegate functions to an independent agency the same legislative framework applies.

8. RECOMMENDATIONS

The Portfolio Holder is recommended to:

- a) Support option B as presented in this report which, subject to cabinet approval, will provide additional funding in the region of £170,000 in 2008/09 to facilitate the internal expansion of the Placement Team;
- b) Authorise consultation with independent providers and other key stakeholders on the formation of a preferred provider arrangement;
- c) Agree to receive a further report that details the outcome of this consultation and formation of a new placement strategy.

9. BACKGROUND PAPERS

"Excellence in Care" - A strategy for the provision of services to looked after children in Hartlepool – November 2004.

“Review of Placement Strategy” – Children's Services Portfolio Holder
Report of 27 April 2007

10. CONTACT OFFICER

Margo McIntosh
Interim Assistant Director – Safeguarding and Specialist Services
Children's Services Department
Tel – 01429 523 732
e-mail – Margo.McIntosh@hartlepool.gov.uk

APPENDIX A

ADVANTAGES AND DISADVANTAGES OF OPTIONS PRESENTED IN THIS REPORT

Option A:

Advantages	Disadvantages
Local authority would benefit from the acumen and market expertise of an independent provider;	Costs of creating and maintaining a partnership are high;
The Partnership would be a long term strategy - not a "short term" fix;	There is a danger that the local authority is trapped by sub-optimisation; (Over-specialisation)
Benefits of partnership could be made apparent to neighbouring authorities leading to potential sub-regional developments;	No other local authority has chosen to do this. No benchmark;
Shared economic benefits of recruiting, assessing, preparing and training carers	Risks could outweigh the potential benefits
	Given very positive OFSTED inspection why outsource elements of a high performing service?
	Lack of interest from within the market place
	Different terms and conditions for partnership staff
	Blurring of role that may be picked up by external inspection
	Matrix Management could be confusing

Option B:

Advantages	Disadvantages
<p>Expansion would allow the Placement Team to absorb the additional workload of rising LAC population;</p> <p>The creation of a Team Manager post would strengthen the adoption service and better place the local authority to deal with increased permanency focussed work – Adoptions and Special Guardianship Orders;</p> <p>The current team manager would now have additional capacity to focus on the strategic development of the service;</p> <p>Unlike the previous model the local authority would retain dedicated staff who contributed to positive inspections;</p> <p>Continue with the standard of service</p> <p>Higher capacity to recruit foster carers</p> <p>Increased capacity will allow specialisation in adoption service to develop</p> <p>Leaving Care Team could develop further by being co-located with a servicesharing similar objectives.</p> <p>Young People are more likely to access the Leaving Care service from a town centre location than the existing location.</p>	<p>Placement Team would need to be re-located</p> <p>Additional costs of expansion</p> <p>Improvements to the standards of the service may be limited</p>

Option C

Advantages	Disadvantages
<p>Plug existing gaps in service delivery and increase placement choice for LAC;</p> <p>Generation of cashable savings;</p> <p>Effective mechanism of market management without losing high performing service;</p> <p>Menu of costs will deliver a consistency of service to all looked after children;</p> <p>All looked after children will ultimately be placed within a 20 mile radius of the town;</p> <p>Will make contract monitoring and management easier;</p> <p>Less risk than strategic partnership option as more than one provider</p> <p>In line with the North East Regional Commissioning Units vision of closer collaboration between local authorities and independent agencies.</p>	<p>Hartlepool does not generate the volume of independent placements that other authorities do. This impacts on the level of savings the Department can generate.</p> <p>Lack of internal expansion</p> <p>Less likely to maintain and improve the current standard of service</p>