

# **CHILDREN'S SERVICES PORTFOLIO DECISION RECORD**

7 April 2008

The meeting commenced at 10.00 a.m. at the Civic Centre, Hartlepool

**Present:**

Councillor Cath Hill (Children's Services Portfolio Holder)

Officers: Adrienne Simcock, Director of Children's Services  
Paul Briggs, Assistant Director – Resources and Support Services  
Anne Smith, Head of Information Planning and Support Services  
Ann Turner, Governor Support Officer  
Alan Kell, Project Manager  
Jo Wilson, Democratic Services Officer

## **41. Admissions to Schools 2009/10 & Co-ordinated Admissions Procedures To Primary and Secondary Schools for 2009/10** *(Director of Children's Services)*

### **Type of Decision**

Key – test ii applies

### **Purpose of Report**

To determine the admission policy for community and voluntary controlled primary and secondary schools in Hartlepool and the school year 2009/10 and the co-ordinated admissions procedures to primary and secondary schools for 2009/10 following consultation with governing bodies and other admissions authorities.

### **Issue(s) for consideration by Portfolio Holder**

The report indicated that Section 89 of the School Standards and Framework Act 1998 lays down the way in which an admissions authority must determine admission arrangements and requires it to consult with governing bodies and with other admission authorities.

A new statutory code of practice the School Admissions Code came into force on 28<sup>th</sup> February 2007, applicable to all maintained schools and academies. Admission Authorities must ensure that their determined admission arrangements comply with the mandatory provisions of the

code, details of which were provided within the report. The Children's Services Authority, as admissions authority for community and voluntary controlled schools must consult on admission arrangements for these schools each year. In September 2007 the Portfolio Holder approved consultation for 2009/10 on the basis of

- continuing the 2008/09 admission arrangements with the exception of revising the priority order for children in Local Authority care
- seeking views in moving to a partner primary model rather than admission zones as part of the oversubscription criteria for secondary schools
- seeking views on proposed admission limits
- seeking views on proposals for co-ordination of admissions from September 2009 for primary and secondary schools

The main changes affecting Hartlepool Admission Authority were related to the abolition of first preference first, changes to home to school transport and the removal of children with special educational needs where the school is named in the statement as an oversubscription criteria.

The report and Appendix 2 summarised responses to a consultation process on the 2009/10 Admissions Policy. Revised admission limits were detailed at Appendix 3. The Admissions Forum had noted the changes to the scheme which were attached at Appendix 4.

On the basis of the consultation exercise, it was proposed that the admissions policy for entry to community and voluntary controlled schools in 2009/10 be as detailed in the report.

The Portfolio Holder was further advised that owing to the previously scheduled Portfolio meeting being abandoned it would be necessary to waive the call-in procedure on this item in order to submit the co-ordinated scheme for admissions to Government by the deadline of 15<sup>th</sup> April. The Portfolio Holder indicated she was aware of this and would be happy to agree the waiver.

## **Decision**

1. That the admissions policy for 2009/10 as set out in the report be approved,
2. That the current partner primary model be adopted as part of the oversubscription criteria for secondary schools, pending the outcome of the Primary Capital Programme planning process,
3. That the previous oversubscription criteria relating to children with special educational needs be removed from both primary and secondary oversubscription criteria,
4. That the revised admission limits be agreed,
5. That the revised co-ordinated admission schemes be approved and
6. that the requirement for urgent action was such that the decision not be subject to call-in in accordance with Part 4 of the Council's

Constitution (Overview and Scrutiny Procedure Rules).

**42. 2009/09 Schools Capital Works Programme** (*Director of Children's Services*)

**Type of Decision**

Key – tests I and ii apply

**Purpose of Report**

To seek approval for the 2008/09 Capital Works Programme for Schools.

**Issue(s) for consideration**

The Authority annually receives Government funding to support, maintain and develop school buildings. This is to support major repairs or refurbishment as individual schools use their own maintenance budgets for day to day repairs. The prime motivation behind the works programme is to deliver improvements in education and raised standards of attainment. This year's programme is set against a background of major capital investment via Building Schools for the Future (BSF) and the Primary Capital Programme (PCP). The Portfolio Holder was advised that the Authority is well on track to complete its Strategy for Change for secondary education by May 2008. Acceptance of this will lead on to the Outline Business Case which will set out proposals for individual schools and an overall timetable, leaving the Authority well on course to deliver in full its BSF programme by 2011/12. Government offices had also recently confirmed that Hartlepool would receive its first allocation of PCP funding in 2009/10, to be followed by further funding in 2010/11.

Details were given of the School Capital Allocation funding confirmed by the Department for Children, Schools and Families (DCSF) and a proposed programme of works was appended to the report with estimated costs. Based on these estimates the programme was approximately 10% above the funding available. The required excess would be met from either savings on individual schemes, contributions from other sources or modification of schemes to match the budget. There would be regular reports on the Capital Programme to Cabinet and the Children's Services Portfolio Holder and no variation to the programme of work as detailed without prior approval from the Portfolio Holder, other than in response to an emergency situation or for minor price adjustments. There was also the possibility that some primary school proposals could be modified as a result of Primary Capital Programme.

**Decision**

That the identified programme of capital works for 2008/09 be approved

and the Children's Services Department be allowed dispensation and discretion to authorise building works not included in the initial programme where a significant health, safety and/or security issue is exposed, in advance of formal approval by the Portfolio Holder for Children's Services.

**43. To Approve and Make an Instrument of Government**  
(*Director of Children's Services*)

**Type of Decision**

Non key.

**Purpose of Report**

To request the Portfolio Holder for Children's Services to approve and make an Instrument of Government for a foundation secondary school in order to establish a new constitutional model for the governing body.

**Issue(s) for Consideration**

In accordance with the school Governance (Constitution) (England) Regulation 2007, the Governing Body of Dyke House School agreed an Instrument of Government and constitution to reflect their change of status from a Community School to a Foundation School at a meeting of the Governing Body held in February 2008. As a result of this the proportion of places on the Governing Body which must be reserved for different categories of governors would need to be amended, specifically the introduction of at least two Partnership Governors, a new category for the Dyke House School Governing Body. Details were appended to the report.

**Decision**

That the Instrument of Government as appended to the report be approved.

**44. Lynnfield Primary School: Play and Recreational Area**  
(*Director of Children's Services*)

**Type of Decision**

Non key.

**Purpose of Report**

To gain Portfolio Holder approval to the creation of a Play and Recreational Area on the school grounds at Lynnfield Primary School.

### **Issue(s) for Consideration**

The Project Manager gave details of the project to develop a Play and Recreational Area on the Lynnfield Primary School playing field to be available during, and out of, school hours. This would be a major scheme including a landscaped Play and Recreational Area on a strip of school field, new entrances to the area, CCTV camera coverage, development of the existing Multi Use Games Area adding fencing, goals and floodlights and newly planted trees and benches around the area. Play Rangers would be engaged to supervise site activity and carry out site checks.

The initiative had been developed by New Deal for Communities (NDC) following extensive consultation with local residents. It was expected to last 3 years at an overall cost of £343,942, the bulk of which would be capital expenditure of £290,320. NDC would be the principal funder although other organisations would also contribute, including a number of Council departments and the Durham Football Association. Details of the contributors were provided within the report.

The Council operates as an 'accountable body' in respect of regeneration partnerships such as NDC. However such partnerships are very much resident led with the role of the Council more to ensure priority and compliance with regulations rather than to take over the decision-making process itself. The NDC Steering Group does have Councillor representation but the majority of members are residents. In this case the Council needed to approve the scheme as the proposed development is on Council-owned land. Additionally there were ongoing management issues and revenue implications which the Portfolio Holder would need to consider.

The Portfolio Holder praised the proposal, particularly the aspect of controlled risk within the Play and Recreational Area. It was time to stop wrapping children in cotton wool and would also aid in tackling obesity issues.

### **Decision**

1. That the NDC sponsored project to create a Play and Recreational Area on the school grounds at Lynnfield Primary School be approved,
2. That the procedures adopted by NDC be noted as being in line with Council practice and standing orders and
3. That the longer term responsibility for the management and running of the facilities rest with the school, the Community Learning Centre and their respective governing bodies.

## **45. Children's Services Departmental Plan Quarter 3 Progress Report** *(Director of Children's Services)*

### **Type of Decision**

Non key.

### **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 31<sup>st</sup> December 2007.

### **Issue(s) for Consideration**

The report contained details of progress against actions contained in the Departmental Plan and the latest position of key performance indicators. Several key departmental achievements by the end of the third quarter of the year were also highlighted.

### **Decision**

That the progress made towards completing actions and achieving performance indicator targets during the third quarter of 2007/08 be noted.

## **46. Dyke House School: Foundation Status** *(Director of Children's Services)*

### **Type of Decision**

Non key.

### **Purpose of Report**

To inform the Portfolio Holder of the outcome of the Statutory Notice proposal in relation to Dyke House Governors' consideration of a change to Foundation Status.

### **Issue(s) for Consideration**

The Portfolio Holder had previously considered two reports in relation to Dyke House School Foundation Status, to agree a process and timescale for a response to the governors' proposal to change to Foundation status and to prepare a response to the governors' initial consultation process. Subsequently a letter had been received from the Chair of Governors on 11<sup>th</sup> February 2008 setting out the governors' decision to proceed to change the status of the school to Foundation Status. A copy of this letter was appended to the report. Dyke House School had already contacted

local authority officers to undertake the work relating to change of status.

**Decision**

That the decision of the governors of Dyke House School to change the status of the school to Foundation be noted and that the work which officers will be undertaking with the school to ensure the process for a change in status is appropriately undertaken be noted.

**48. Local Government Access to Information**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were 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 paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 49 – Children's Homes: Regulation 33/34 Reports (Para 1 – information relating to any individual

**49. Children's Homes: Regulation 33/34 Reports– *Director of Children's Services* (Para 1)**

**Type of Decision**

Non key.

**Purpose of Report**

To present the Regulation 33/34 (formerly Regulation 22) report of visit to Children's Home for Exmoor Grove.

**Issue(s) for Consideration by the Portfolio Holder**

The report covered the months of December 2007 and January 2008

**Decision**

That the report be noted.

**P DEVLIN**

**ACTING CHIEF SOLICITOR**

**PUBLICATION DATE: 10<sup>th</sup> April 2008**