

Name of meeting: CORPORATE GOVERNANCE & AUDIT COMMITTEE
Date: 23rd JULY 2021
Title of report: RECOMMENDATIONS FOR THE COUNCIL IN RELATION TO ENSURING ITS SERVICES TO SCHOOLS ARE PROVIDED APPROPRIATELY AND EFFECTIVELY

Purpose of report.

To provide information about recommendations made following a review commissioned by the Chief Executive

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	not applicable
The Decision - Is it eligible for call in by Scrutiny?	not applicable
Date signed off by Strategic Director & name	not applicable
Is it also signed off by the Service Director for Finance IT and Transactional Services?	not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	not applicable
Cabinet member portfolio	not applicable

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public with a private appendix

The appendix to this report is recommended for consideration in private because the information contained in it is exempt information within part 1 of Schedule 12A of the Local Government Act 1972 namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and information which is likely to reveal the identity of an individual. The public interest in maintaining the exemption outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Have you considered GDPR? Yes

1. Summary

- 1.1 This report sets out the recommendations from an investigation into matters about the involvement of the council in the operation and management of a school.
- 1.2 Following a long running set of complaints being raised about the councils involvement in the operation of a particular school, the Chief Executive requested the Head of Internal Audit and Risk to carry out an investigation to identify aspects in relation to the quality of services that had been provided to that school, and to identify learning points for future service provision to all schools, with a view to ensuring that services and interventions provided were appropriate for the needs of governing bodies, school employees and to meet the local authorities role as supervisor of community and certain other categories of public sector school provision. The issues that related to the complaint were much wider than this and related principally to issues that were outside of the local authorities control or responsibility.
- 1.3 The objective of the work was to identify areas where the council services, activities and interventions could have been improved, and to make recommendations.
- 1.4 The investigation related principally to events at one school, during a period from 2013, although matters identified in the case study school had elements of applicability to other schools.
- 1.5 The councils ability to be involved in a school depends on its status; The case study school was not a community school (where the councils powers of intervention are highest), but that does not detract from the applicability of many of the recommendations in the councils dealings with any type of school.
- 1.6 The report found scope for improving services to schools in a number of areas. The recommendations are set out in the appendix to this report. In some cases, they apply to a number of schools, beyond the “case study” example. A number of these relate generally to the council operations as well. In summary they relate to
 - A. Being clear that School Governing Bodies are responsible for the direct governance of schools,
 - B. The council provides advice, support, and challenge.
 - C. The council does not agree to “investigate” matters that relate to the areas of responsibility of the governing body (other than with their specific agreement)
 - D. Being clear about the legal status of each school (e.g., the council is only the employer of staff in community schools)
 - E. Being sure, when giving HR advice that head teachers and school governing bodies realise the importance of their role and responsibilities, such as meeting timescales as a part of disciplinary processes.
 - F. Ensuring governing bodies constructively challenge operations and proposals for change.
 - G. Ensuring sound governance processes within schools, such as proper written reports, and minutes of meetings.
 - H. Keeping records of council officer involvements and interventions, in relation for example to monitoring of school performance.
 - I. Have a clear process for recommending advisors, or temporary employees,
 - J. Making sure that schools set and operate budgets appropriately and address any deficits by way of recovery plans.
 - K. Be clear about all real and potentially perceivable conflicts of interest – particularly in relation to recruitment and selection and disciplinary processes
 - L. Using a restorative approach in complaints handling, but do not overtly or inadvertently assume responsibilities which relate to the governing body (see A above).

- M. Being proportionate in investigating complaints and determining the sought outcome.
- N. Being sure that any consultant or investigator is employed on the basis of a clear project/task description
- O. Challenge inappropriate behaviours

- 1.7 The Chief Executive has accepted all the recommendations.
- 1.8 The Directors of Learning, Finance, Legal and Governance, and the Head of HR (alongside a number of other heads of service) are responsible for the implementation of recommendations.

2. **Information required to take a decision**

- 2.1 This report is for information.

3. **Implications for the Council**

- 3.1 **Working with People** – Some contents about how to behave with clients, customers and employees
- 3.2 **Working with Partners** – the report relates to how the council, as education authority, and a service provider, relates to all schools, and their governing bodies
- 3.3 **Place Based Working** – None directly
- 3.4 **Improving outcomes for children**– ultimately strong leadership and effective governance of schools, and good quality services to schools, will improve outcomes for children and their parents
- 3.5 **Climate change and air quality**- None directly
- 3.6 **Other (e.g., Legal/Financial or Human Resources)**- Some of the recommendations relate to improving schools financial management oversight and the HR advisory and business processing activities.

4. **Consultees and their opinions**

The recommendations have been discussed through the investigation process with various stakeholders, and senior officers. Senior managers have committed to implementing all of the recommendations.

5. **Next steps and timelines**

- 5.1 To consider if the committee wishes to request follow up on the implementation of the recommendations.

6. **Officer recommendations and reasons**

- 6.1 Members are asked to note the recommendations
- 6.2 Members are asked to determine if any further action is sought on any matter identified.

7. **Cabinet portfolio holder’s recommendations**

Not applicable

8. **Contact officer**

Martin Dearnley, Head of Risk & Internal Audit (01484 221133 x73672)

9. **Background Papers and History of Decisions**
A confidential appendix.
10. **Service Director responsible**
Not applicable