

Name of meeting: Council

Date: 18 September 2019

Title of report: Outcome of Call-in review into aspects of the Cabinet decision in relation to Future Options for Almondbury Community School

Purpose of report:

In accordance with constitutional requirements, this report informs Council on the outcome of the Children’s Scrutiny Panel call in review meeting into the Cabinet decision of 16 July 2019 on Future Options for Almondbury Community School. The report also sets out the decision of Cabinet on 13 August 2019 when it considered the learning points identified by the call in review.

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 <u>Council's Forward Plan (key decisions and private reports)?</u>	No
The Decision - Is it eligible for call in by Scrutiny?	Not Applicable
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer Henshall – 27.08.19
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?	Yes 06.09.19
Cabinet member <u>portfolio</u>	Councillor Carol Pattison – Learning, Aspiration and Communities / Councillor Viv Kendrick – Children

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes, there are no GDPR implications in respect of this report.

1. Summary

1.1 On 7th August 2019, the Children’s Scrutiny Panel held a call in review meeting on aspects of the Cabinet decision of 16 July 2019 on ‘Future options for Almondbury Community School – Final Decision. The scrutiny panel considered evidence from the councillors who were signatories to the Call-In, the Cabinet Member for Learning, Aspiration and Communities, the Cabinet Member for Children, senior officers from the Children’s Service, and members of the public.

1.2 The conclusion of the Children’s Scrutiny Panel was that the decision should be freed for implementation but there were a number of learning points arising from the decision making process that Cabinet was asked to consider. Cabinet considered the findings at its meeting on 13 August 2019.

2. Information

2.1 The call in review meeting focussed on three decision making principles that had been identified as part of the call in request. These were;

1. Relevant considerations	Issues connected with the capacity of secondary school places
2. Openness	Issues relating to the availability of information
3. Lawfulness and financial propriety	Clarity of the legislation relevant to the issue of the statutory notice

2.2 The findings of the Children’s Scrutiny Panel were that members understood the significant impact on pupils, parents and staff at Almondbury Community School and deliberated at length about how some of the information around the proposals was communicated with the community. It was felt that there needs to be careful thought given to the support available for children and parents. In future, better consideration needs to be given around communication, engagement and the timeliness of the sharing of information with those affected.

Having considered all the information provided, the Panel’s recommendation was that the decision should be freed for implementation, but that Cabinet must consider the learning points identified in respect of the three decision making principles the panel focussed on.

Capacity

The Panel was satisfied that all relevant factors were taken into account including the Local Plan, however, the panel felt that was not explained as clearly as it could have been in the Cabinet reports or the consultation documentation.

Whilst the Panel was reassured that there is sufficient capacity in the system, they acknowledge that if Almondbury Community School closes there will be limited choice at local schools from September 2020. It was not clear about where pupils will be allocated places in September 2020.

Openness

The panel concluded that it appeared that all relevant financial information had been taken into account, but the Panel felt that this could have been more clearly stated in the Cabinet report. It appeared that an assumption was made at the outset that the school was not viable and would fail a due diligence test for academisation. Whilst that might be right, the rationale for making that assumption was not fully explained in the Cabinet reports, for example, the fact of the school operating a £500k deficit budget only became apparent at the July Cabinet meeting. In future the Panel would like Cabinet to ensure that there is better explanation within reports.

Lawfulness

The Panel understand why signatories to the call-in raised issues given the complex nature of the decision making process. The Panel accepted that the statutory notice was correctly published and acknowledged the legal advice given.

The panel requested that regular updates on Almondbury Community School be considered by the Children's Scrutiny Panel.

2.3 Cabinet decision

The Cabinet considered the findings of the Children's Scrutiny Panel at its meeting on 13 August 2019. The decision of that meeting was as follows:

- (i) That the outcome of the Call-In Review (Children's Scrutiny Panel), held on 7 August 2019, be received and noted.
- (ii) That it be noted that, pursuant to (i) above, the determination of the Panel was that the decision of Cabinet on 16 July 2019 be freed for implementation, but that learning points relating to capacity, openness and lawfulness were highlighted.
- (iii) That it be noted that regular updates on Almondbury Community School will be considered by Children's Scrutiny Panel.

3 Implications for the Council

This report is for the information of Council and there are no additional implications.

- **Working with People**
- **Working with Partners**
- **Place Based Working**
- **Improving outcomes for children**
- **Other (eg Legal/Financial or Human Resources)**

4. Consultees and their opinions

There was no consultation in preparing this information report.

5. Next steps and timelines

n/a

6. Officer recommendations

That Council notes the outcomes of the call in review meeting on the Cabinet decision of the Future Options for Almondbury Community School – final decision

7 Cabinet Portfolio Holder's recommendations

Not applicable

8. Contact officer

Penny Bunker, Governance and Democratic Engagement Manager

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9. Background Papers and History of Decisions

The decision of the Children's Scrutiny Panel meeting on 7 August 2019.

Cabinet response to the findings of call in review meeting, Cabinet 13 August 2019.

10. Strategic Director responsible

Rachel Spencer Henshall, Director of Corporate Strategy, Commissioning and Public Health