

## **NORTH YORKSHIRE COUNTY COUNCIL**

### **YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE**

Minutes of the meeting held on 1 December 2006 at County Hall, Northallerton.

#### **PRESENT:-**

County Councillor Heather Garnett in the Chair.

County Councillors Andrew Backhouse, John Blackburn, Elizabeth Casling, Tony Hall, Les Parkes (as substitute for David Heather), Christopher Pearson, Caroline Seymour, Brian Simpson, Jim Snowball and Melva Steckles.

Members other than County Councillors:- Michael Barrie (Parent Governor), Mrs Helen F Suckling (Parent Governor) and Judith Bromfield (Voluntary Sector).

In attendance – County Councillors Robert Heseltine and Graham Gatman.

Executive Members County Councillors:- Caroline Patmore and John Watson.

Present by Invitation: Drew Anderson (Special Heads Forum).

Officers:- Stephanie Bratcher (Scrutiny Support Officer), John Bell, Maggie Bennett, Andrew Terry and Cynthia Wellbourn (Children and Young People's Service) and Jane Wilkinson (Committee Services).

Apologies for Absence were submitted on behalf of County Councillors Michelle Andrew and David Heather, Robert Fothergill (Non-Conformist Church Representative) and Maggie Allen (Voluntary Sector).

Seven members of the public.

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### **COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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#### **71. MINUTES**

That the Minutes of the meeting held on 20 November 2006, having been printed and circulated be taken as read and be confirmed and signed by the Chairman as a correct record subject to the inclusion of County Councillor Brian Simpson being added to the list of those present at the meeting.

#### **72. PUBLIC QUESTIONS OR STATEMENTS**

The Heads and Chairs of Governors at Forest School, Mowbray School and Woodlands School had submitted a joint statement relating to item 3 on the agenda – SEN Review, copies of which were tabled at the meeting. A Governor at Netherside Hall School and the parent of a child attending Mowbray School had also given notice of their wish to address the Committee on the same agenda item.

The Chairman indicated that as there were members of the public present also interested in that item who may also wish to make a statement or ask a question they would be able to do so during consideration of agenda item 3 SEN Review.

### **73. STATUTORY REVIEW OF SEN AND BEHAVIOUR PROVISION**

#### **CONSIDERED –**

The report of the Corporate Director – Children and Young People's Service on responses to a consultation on the future of specialist provision for Children and Young People with Special Educational Needs (SEN) and Behaviour, Emotional and Social Difficulties (BESD) in North Yorkshire. The Committee's views on the Review had been requested by the Executive and would be considered at the meeting of the Executive to be held on 5 December 2006.

County Councillor Caroline Patmore introduced the report by drawing the attention of the Committee to the background to the Review clearly set out in paragraph two of the report. She said that an extensive consultation had been undertaken with young people, parents, the Voluntary Sector, teachers, staff and Governors, of both special and mainstream schools and also with anyone who had expressed an interest in whatever way. A very high level of response had been received, all of which had been collated and analysed and which formed part of the report under paragraph 4 and Appendices 4 to 8. She said that overall the response to the review had been positive and was encouraging the Council to move forward on what they were trying to achieve. There had however also been some mixed views, and some significant concerns had been expressed which had been looked into. She recognised that the concerns expressed were serious and genuinely felt and therefore, some equally significant changes had been made to the original proposals arising from the review. Those changes involved putting in some of the County's schools more special educational needs provision, more local provision and more choice. It was recognised that as a result it would be necessary to train more specialist teachers and staff and to thoroughly monitor the outcomes in all of the schools involved. County Councillor Patmore reminded the Committee that the review was not a cost cutting exercise, as had been suggested by some people but that the Council would be spending significant sums of both capital and revenue on delivering the proposed changes over a period of 12 to 15 years. This was the Authority's response to the difficulties in rolling out proper local provision for SEN and Behavioural Problems in a large rural County. It was supported by a report from the National Autistic Society, the OFSTED report entitled "Inclusion" and other recent publications which were itemised in the report.

The Corporate Director – Children and Young People's Service drew the attention of the Committee to the summary of proposals as set out in paragraph 3 of the report and drew particular attention to paragraph 3.5 which made clear that children currently attending SEN Special Schools would remain there unless their parents wished to move them to other provision and it could meet their needs. The consultation exercise had been extensive and the report addressed the issues that had arisen from the consultation exercise and she summarised the responses received and concerns raised before outlining in detail how the proposals addressed these issues. She informed the Committee that the consultation showed that there was an appetite for change in the way in which provision was made for pupils with SEN. Reservations had been expressed, during a free consultation exercise about the proposed merger of some schools but she explained that the suggestion of continuing to keep all the existing Special Schools operating but some as primary schools and some as secondary schools was not a viable option as there would not be enough pupils with special needs to make provision at so many schools viable.

The Corporate Director – Children and Young People's Service stressed that the proposals were about major long term investment with the capital required at current prices being some £47.5m set against estimated receipts of £4m. In terms of revenue expenditure the revised proposals provided more places than the initial proposals and therefore would lead to increased costs, an estimate of £1.25m per

annum. These costs would be addressed through the Direct Schools Grant and Schools Block and the SEN/BESD review would be made an absolute priority against these funds. This approach has been approved by the Schools Forum at a meeting held the previous week.

At the invitation of the Chairman, Drew Anderson stated on behalf of the Special Heads Forum that they welcomed the review and the opportunity to engage with the LEA on implementation of the review proposals. He commented that it had been a very difficult period and that the views of the Special Heads Forum were somewhat fragmented. Whilst the Special Heads Forum endorsed the proposals they did however have concerns and questions on some operational matters. Some Heads could not see how their school could operate within current budgets with the numbers and type of children who would be attending the school. Heads could not envisage how they could provide the breadth of curriculum needed from ages 2 to 19 with the numbers of teachers that were available. He commented that Netherside Hall was not an ideal location for the site of the new BESD residential school in the west of the County and that consequently the LEA could encounter staff recruitment and retention problems in the future.

The Chairman then invited questions from the public.

County Councillor Robert Heseltine expressed his general support for the proposals, which he believed would deliver improvements especially the provisions for area based support for primary school pupils. He had some reservations regarding the effectiveness of pupil referral units (PRU's) and believed that further thought needed to be given to the choice of specific sites for future schools. He invited the Executive to reconsider the effectiveness of PRUs and site selection issues together and to satisfy themselves that the revenue and capital resources required to implement the review were secure.

Andrew Holdsworth, the parent of a child at Mowbray School made the following statement.

Although it had been claimed that parental choice would remain he referred to the decision taken by the LEA four years ago to revise statementing processes which had effectively reduced parental choice and the numbers of children directed to Special Schools and enforced main stream placements. The figures quoted in the report for the numbers of children with SEN and BESD needs are not accurate as a result of the changes made. A child with moderate learning difficulties in the future would not be able to attend a special school and enforced placement in main stream would leave them open to increased bullying and not having all of their needs met. Such children will lose their self esteem and confidence in an environment which was not inclusive. This was to be contrasted with the experience of children attending Mowbray School who prospered and flourished. He did not support the proposals contained in the review.

In response the Corporate Director – Children and Young People's Service stressed that the local authority had not stopped the issue of statements, which continued to be issued, but the County Council had decided, some years ago, to delegate funds to mainstream schools so that many children could receive help sooner without recourse to a statement. The Council's spending on both delegated SEN resources and on statements had continued to rise, showing that investment in SEN and BESD continues to grow. The Authority sought to help children early and appropriately, rather than waiting for the issue of a statement which would not, of itself, add value. There was no question of the numbers of statements being manipulated and the criteria for statements were clearly set out.

Jenny Scott a Governor at Netherside Hall School then read out the same statement made by Jim Brosnan the Chair of Governors, Netherside Hall School at the meeting of the Executive held on 21 November 2006. A copy of the statement was tabled at the meeting.

Paul Hollins a Governor at Forest School outlined to the Committee his professional qualifications and informed Members that he had previously advised nationally on DFES policy and had written extensively on the subject. He had offered his services to North Yorkshire but they were not taken up. He described the failings of the review which he did not believe followed DFES standards. The information in the report was inaccurate and had been mis-interpreted. The report made no reference to the fact that over 90% of SEN children were bullied in mainstream schools. He implored the Committee to challenge the robustness of the review proposal and referred to the joint statement of the Heads and Chairs of Governors of Forest, Mowbray and Woodlands Schools requesting that a joint feasibility study be commissioned with Local Authority Officers and Head Teachers of the schools concerned. He urged Members to defer any decision on the review until the results of the feasibility study were known.

The Chairman then invited Members of the Committee to comment. During the following discussion the following points were made:-

- Consultation process – Members accepted that stakeholders had been given an opportunity to comment on the review proposals but were anxious that all stakeholders felt that they had ownership of the model to be implemented and were involved in its design.
- Delegated resources – Members were keen that the Committee maintained its involvement in monitoring implementation of the SEN Review including the resources made available to main stream schools for new specialist provision under the commissioning arrangements proposed in the review.
- Bullying – Members were concerned that children with SEN and BESD needs attending mainstream schools were not bullied and that appropriate arrangements were put in place to ensure this did not happen.
- That the Executive be provided with a full analysis of site options, having regard to cost, pupil access and staff retention and recruitment in respect of a second BESD residential school in the west of the County.

Members expressed their support for their review and the opportunities for increased parental choice it provided and did not support the commissioning of a feasibility study as suggested by the Heads and Chairs of Governors at Forest School, Mowbray School and Woodlands School.

The Corporate Director – Children and Young People's Services said that she recognised that the views which had been expressed were strongly held and sincerely expressed but that did not make them accurate.

The Chairman of the Committee thanked everyone for their contributions to what had been an open, frank and comprehensive discussion and had provided everyone with an opportunity to express their personal views.

## **RESOLVED –**

1. That the Young People Overview and Scrutiny Committee supports and endorses in principle the proposals including the amended proposals arising from the County Council's statutory review of specialist provision for children and young people with special educational needs (SEN) and behaviour, emotional and social difficulties (BESD) in North Yorkshire.
2. That the Young People Overview and Scrutiny Committee recommends the County Council's Executive to:-
  - (a) Ensure that an appropriate risk assessment has been undertaken to secure the revenue and capital resources required for implementation of the Review proposals.
  - (b) Satisfy itself that the model for Pupil Referral Units proposed for the County will deliver effective provision for the appropriate groups of young people.
  - (c) Ensure that the further work required on the proposal for a second BESD residential school in the West of the County includes a full analysis of site options, having regard to cost, pupil access and staff supply.
  - (d) Confirm the commitment to work in detail on implementation with all stakeholders including special school heads and heads in mainstream schools where new provision is to be located.
3. That the Committee incorporate into its Forward Work Programme consideration of the monitoring arrangements for delegated resources for SEN and BESD.
4. That the Committee will maintain its involvement in monitoring implementation of the SEN Review, including the resources made available to mainstream schools for new specialist provision under the commissioning arrangements proposed in the Review.
5. That the Committee will maintain its interest in Anti-Bullying arrangements and will consider a report on this subject at its meeting in January 2007.

## **74. WORK PROGRAMME AND SCHEDULE OF MEETINGS**

### **CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance asking Members to consider the start time of future meetings, note the changes made to Committee meeting dates in 2007 and confirm, amend or add to the list of matters shown on the work programme attached as Annex A of the report.

Members requested that this item be deferred to the next meeting of the Committee.

### **RESOLVED –**

That the Work Programme report be referred to the next meeting of the Committee.

75. **COMMUNITY EDUCATION – JOINT OVERVIEW AND SCRUTINY SUB-COMMITTEE – DRAFT MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2006**

The Committee was invited to note the proceedings of the Community Education Joint Overview and Scrutiny Sub-Committee.

Members expressed disappointment and frustration at the lack of progress made by the Task Group.

**RESOLVED –**

- (i) That the Minutes of the meeting of the Community Education Joint Overview and Scrutiny Sub-Committee held on 7 September 2006 be noted.
- (ii) That the Scrutiny Support Officer organise a meeting of the Task Group.

JW/ALJ