

Minutes of the Prosperous Staffordshire Select Committee Meeting held on 24 January 2014

Present: Brian Edwards (Chairman)

George Adamson
Ann Beech
Len Bloomer
Maureen Compton
Mark Deaville
Geoff Martin

Rev. Preb. M. Metcalf
Geoff Morrison
Neil Taylor
Martyn Tittley (Vice-Chairman)
Diane Todd
Ellen Wright

Also in attendance: Ben Adams

Apologies: Rachel Kidd-Smithers

PART ONE

31. Declarations of Interest

Mr Martyn Tittley informed the Select Committee that he may need to declare an interest in minute 36 in respect of his work on flood defences.

32. Minutes of the Prosperous Staffordshire Select Committee held on 19 December 2013

RESOLVED - That the minutes of the Prosperous Staffordshire Select Committee meeting held on 19 December 2013 be confirmed and signed by the Chairman.

33. Report of the Working Group on the Ofsted Inspection of LA School Improvement Arrangements

Mr Martyn Tittley, Chairman of the Working Group, informed the Select Committee that the Working Group's investigation into Staffordshire readiness for an Ofsted inspection of their school improvement arrangements was now complete. The Working Group report was presented to Members, with the conclusion and four recommendations highlighted. A potential further piece of work to look at children missing from education was also suggested. Mr Tittley thanked his fellow Working Group Members and the officers involved in this constructive investigation.

The Cabinet Member, Learning and Skills, thanked all those who had been involved in this work and welcomed the report and its recommendations. Mr Adams told Members that he felt this work had helped to shape the documentation into something that was fit for purpose. He felt that many local authorities had been startled by Education Secretary Michael Gove's reminder that they remained responsible for school performance, even though schools were now more autonomous. The Cabinet Member felt the school improvement process was now clearer, with a good framework and robustness of intervention. He thanked the Working Group for a tremendous piece of work. Mr Adams

also asked for a meeting with Mr Tittley to clarify the recommendation on what lessons should be learnt from the Entrust Commissioning process in respect of lost expertise.

Members of the Working Group added their thanks to all those involved in this, remarking that it had been a positive process with professional and prompt responses to the concerns raised during their investigations. The relatively small School Improvement Team was an issue that members wished to keep an eye on to ensure they had the capacity to cope with their work to support school improvement.

The Data Dashboard had been highlighted as a very successful management tool for identifying areas for improvement and the Select Committee commended this.

The Cabinet Member, Learning and Skills, welcomed the proposal of further work by the Committee on children not presenting at school and suggested that this included Safeguarding issues and therefore would cross cut a number of areas.

The Select Committee Chairman added his thanks to all those involved in this work.

RESOLVED – That: a) the report and recommendations of the Working Group on the Ofsted Inspection of School Improvement arrangements be endorsed for submission to the Cabinet Member, Learning and Skills; and, b) a further working group be set up to consider young people missing out on education, to include a member of the Safe and Strong Communities Select Committee.

34. Pupil Attainment in Staffordshire

The Select Committee received a presentation from Tim Moss, County Improvement Manager, on the educational achievement in Staffordshire 2013. He reminded Members that Staffordshire had a complex and varied school system, representing every form of setting. According to the School census conducted in October 2013 Staffordshire had 119,500 pupils attending 390 schools.

In Early Years the Foundation Stage profile was based on on-going observation and assessment. The main national indicator for each child to reach was “a good level of development”, defined as achieving at least the expected level in:

- a) Personal, Social and Emotional Development; Physical Development; and Communication and Language; and
- b) Early learning goals in the specific areas of Maths and Literacy.

The Foundation Stage profile in 2013 had changed and therefore direct comparisons with previous year results was not possible.

In 2013 54% of pupils achieved a Good Level of Development. This was two percentage points above the national average (52%) and ranked Staffordshire within the second highest quartile nationally. Members received a breakdown of this attainment by district. This district level information was shared with schools at their district meetings and helped inform priorities for improvement.

At Key Stage 1 (KS1) pupils were expected to achieve at least a Level 2 across all subjects. In 2013 performance in Reading, Writing and Maths had increased and

Staffordshire out-performed the national average. 90% of Staffordshire pupils achieved at least the expected level in Reading (compared with an England average of 89%). This was an increase from the previous year and placed Staffordshire within the second highest quartile nationally. 88% of pupils achieved at least the expected level in Writing (England 85%) which placed Staffordshire within the top quartile nationally. 93% achieved at least the expected level in Maths (England 91%) placing Staffordshire within the second quartile nationally.

At KS2 pupils were expected to achieve at least a Level 4 across all subjects. Attainment for Staffordshire pupils in Writing had improved considerably over the last four years and was now ranked within the second highest quartile nationally. However there had been a reduction in the percentage of pupils achieving at least the expected level in both Reading and Maths, with Staffordshire now ranked within the third and fourth quartiles respectively. 75% of pupils achieved at least the expected level in Reading, Writing and Maths combined. This was one percentage point below the national average. Five districts recorded a rate of attainment below the national average. The percentage of pupils achieving at least the expected level of progress between KS1 and KS2 in Reading, Writing and Maths was below the national average with Staffordshire ranked within the bottom quartile for all three subjects.

The difference in attainment levels across the districts helped influence the appropriate commissioning of support to ensure greater impact on outcomes for Staffordshire pupils. It was really important to share this district level data with schools. The expertise of those outstanding Staffordshire schools could then be used to help support school improvement in schools that had identified attainment and progress issues within specific areas.

The Primary Floor Standard was where a school had fewer than 60% of pupils achieving at least the expected level of attainment in Reading, Writing and Maths combined and were below the average percentage of pupils at the end of KS2 making the expected progress in Reading and Writing and Maths. Staffordshire had 16 schools below the floor standard at KS2, which was a reduction of one school from the previous year. This represented 8% of schools in this phase, above the national average of 6% and ranking Staffordshire as 9th out of 11 statistical neighbours. Out of these 16 schools, four were in the process of transition towards academy status. The remaining 12 schools were in receipt of quality assurance visits facilitated by the School Improvement Team.

The main indicator at KS4 was the percentage of pupils attaining five or more GCSEs at grade A* to C including English and Maths, with 59.3% of Staffordshire pupils gaining this measure. This was a rise of 0.6 percentage points since 2012 and the 8th consecutive annual increase. The 2013 result was also 0.7 percentage points above the England average. 68% of pupils achieved at least the expected level of progress in English, a slight increase of 0.1 from 2012 but two percentage points below the national average. 68% of pupils achieved at least the expected level of progress in Maths, a one percentage point increase from 2012 but three percentage points below the national average. Despite improvements since 2012 Staffordshire's results across all measures at KS4 were still not high enough, with the County ranked within the 3rd quartile for attainment and progress.

Post-16 attainment indicators were based on A-Levels and equivalent qualifications, with comparisons drawn based on the average point score per student. Staffordshire's maintained schools and academies achieved an average point score per entry of 207.5 points, an increase of three points. This was still below the national average of 212.7 points, however the gap had reduced over the last six years from 15.8 to 5.2 points. As a result Staffordshire's position in the national rankings was also improving, although still ranked within the 3rd quartile.

At KS2 girls out-performed boys by almost seven percentage points, with 83% of girls achieving at least the expected level in Reading, Writing and Maths in 2013 compared with 77% of boys. The gap between boys and girls appeared to be closing over the last two years, although this was due to a reduction in the performance of girls rather than an improvement in boys' performance. At KS4 there was a gender gap of 11.2 percentage points in comparison with a national gap of 7.7 points.

At KS2 55% of pupils eligible for free school meals (FSM) achieved at least the expected level in Reading, Writing and Maths in 2013 compared with 78% of those pupils who were entitled to FSM. This was a gap of 23 percentage points compared with a gap of 19 points nationally. At KS4 34% of pupils eligible for FSM achieved five or more GCSEs at grade A*-C including English and Maths compared with almost 61% of other pupils. National figures were not currently available for 2013, although between pupils eligible for FSM and other pupils the gap had remained fairly constant at around 27 percentage points in comparison with the Staffordshire improving picture from 33 percentage points in 2010 to 26.5 points in 2013.

29% of pupils with Special Education Needs (SEN) achieved at least the expected level of attainment in Reading, Writing and Maths at KS2 compared with 86% of non SEN pupils, a gap of 56 percentage points in comparison with 52 points nationally. The percentage of pupils with SEN achieving five or more grades A*-C at GCSE including English and Maths had improved over the last four years, although the gap had not narrowed when compared with pupils who had no needs identified.

The Cabinet Member, Learning and Skills, told Members that whilst young people in Staffordshire started out well their progress stalled. A step change was needed in the level of ambition we had for our young people. Sharing data and analysing this successfully would help in identifying areas for improvement. District school meetings were analysing and questioning their data to help in this process. In each area there were good and outstanding schools and there was a need to use their expertise to help support school improvement across Staffordshire.

The Select Committee welcomed this presentation and the level of information given. In particular Members welcomed the district level data. At KS2 the expected levels of progress for Tamworth and Newcastle had been quoted and Members were informed that these were the highest and lowest measures achieved at this level within the County, being 70% in Tamworth and 80% in Newcastle. This information was used at a district level to help support schools in recognising areas for improvement and supporting development.

Members recognised the hard work teachers did and the long hours they worked and asked if they were supported adequately when there were curriculum changes.

Packages of support and training were developed by Entrust. However schools were responsible for assuring their teachers performance and the budget for teacher professional development lay with the individual school. The Local Authority had no professional training budget for schools. It was important that Governors and Head teachers understood the value of professional development, particularly to ensure any possible weaknesses were addressed.

The Select Committee asked for figures on the teacher staff turn over in comparison with the national average. This figure was not available at the meeting but could be obtained from Human Resource colleagues and forwarded to members. Members also requested information on whether there was a shortage of teachers in Staffordshire, particularly in Maths and science.

The Chairman noted that the difference between being in the bottom or top quartile was often due to a relatively small percentage change.

The Cabinet Member, Learning and Skills, informed Members that the subject choices young people made had a significant impact on their career opportunities and that the grades they achieve mattered. However the strive for a C grade had created some artificiality and it was important to support each young person in achieving their potential. Raising aspirations was key for all ability levels. Complacency was not acceptable and it was important to help support working to improve at all levels, so that the grade E became a D and the grade B became an A. It was important to strive continually to achieve better than expected levels of progress at all levels.

RESOLVED – That the presentation be received.

35. Entrust

The Select Committee received a presentation from Mr Ian H Benson, Client Side Lead, on the Entrust arrangements. He reminded members that the significant changes within education, such as the move towards academies and schools exercising their autonomy in purchasing services, had prompted consideration of a new way to deliver services. There had been an emerging market in school service providers and Staffordshire had identified an opportunity to become part of a partnership that would bring both benefits of commercial expertise and to the wider organisation through joint ownership of a commercial offer.

Capita, as the preferred bidder, had determined the value of the new company based on the initial level of business bought by the Council, potential growth, potential profits and the value of fixed and moveable assets. Based on this valuation the Council received approximately £32m to cover the cost of the assets and the “good will” generated by the Council’s commitment to purchase from Entrust.

The Council had three distinct levels of relationship with the new partnership company. The Council had a 49% share of Entrust, making it part owner. The Council also had a customer relationship with Entrust through a contractual service delivery agreement (SDA) to purchase approximately £22m of services from them. The Council was also a

supplier to Entrust through a service level agreement (SLA) to supply back office services to schools.

Ownership of Entrust was governed by the Joint Venture Shareholders Agreement (JVSA). The Council transferred approximately 4100 staff via TUPE into Entrust, as well as approximately £2m of assets. As a 49% shareholder the Council would receive a 49% share of the dividends Entrust generated.

Members received a breakdown of the areas for which the Council purchased services from Entrust through their SDA. £7.5m of this was funded through the Dedicated School Grant (DSG) or through other general grants. Although the SDA was for 20 years there was a break clause at 10 years.

The Council was a supplier to Entrust in two respects:

- a) Supplying back office services directly to the Entrust company through a three year SLA with a £3m annual income to the Council. These services included Internal Audit, Finance, ICT, Information Governance, Procurement, Pensions, Legal Services, Strategic Property and Health and Wellbeing services. Performance reporting to Entrust as a client would be coordinated through the contract office.
- b) Supplying back office services to Entrust that were then delivered to schools and academies under separate agreements between Entrust and the schools. The current value of these services was £5.37m.

Members asked for details on the number of schools currently buying services from Entrust and whether there was an increase in costs to schools. The number of schools buying services changed regularly. The current figure would be forwarded to members after the meeting. Entrust was expected to deliver best value on services and the Contract Office could challenge where they felt this was not being offered. Other market factors would have an effect on costs such as inflation.

Members asked for an example of where the Contract Office had challenged Entrust. As this was the first year of the new company most of the Contract Office work had been in stabilisation of SLAs and SDAs. However challenge where necessary was made at an operational and sub operational level with an example of challenge over a property works issue given, where the Entrust quote for property works had been challenged and subsequently changed to ensure best value.

Members asked for reassurance that no undue pressure was put on schools to purchase services from Entrust. There was no undue pressure and it was a school based decision as to where they bought their services. It was hoped that the quality of Entrust services would however make them the natural choice. The Cabinet Member, Learning and Skills, informed the Select Committee that the quality of Entrust services was fundamental to the future of the Company. Schools would not buy services that didn't deliver the outcomes they wanted. Delivering really first quality services and best value would ensure schools bought services and drove up demand, securing the Company's future. Entrust was a provider like any other. The only occasion where schools were obliged to have Entrust services was where they were in Special Measures when, in most cases, the County would be funding the extra support purchased to help drive improvement.

Members asked if Entrust was supplying services out of Staffordshire yet and were informed that there had been some early interest.

The Select Committee wanted to review Entrusts progress and asked when the most appropriate time would be to ensure performance details were available to help inform their considerations. It was anticipated that a robust set of data would be available by the end of the summer and therefore could be included on the Committee's September agenda.

RESOLVED – That:

- a) the presentation be received;
- b) the Select Committee give consideration to including an item on Entrust performance monitoring on their new work programme for September 2014.

36. Flood & Water Management Act 2010 - Update on Lead Local Flood Authority Responsibilities

The Flood and Water Management Act (FWMA) received Royal Assent on 8 April 2010, with the Act being implemented by a series of ministerial orders. The Act imposed a number of new responsibilities on the County Council under its role as Lead Local Flood Authority (LLFA) for Staffordshire. The majority of this legislation was now in place with the exception of Schedule 3, Sustainable Drainage Systems, which was expected to be enacted by April 2014.

Members received a list of the new responsibilities that had already commenced under the Act and details of progress in delivering these responsibilities.

In conjunction with Shropshire County Council work was currently ongoing with the production of the Local Strategy for Flood Risk Management. The Strategy comprised a suite of documents and assessments that would provide the overall strategic direction for the management of local flood risk in both Counties. Seven key objectives had been identified, aligned with the Environment Agency's National Strategy for Flood and Coastal Erosion Risk Management and with the corporate priorities of the County Council's strategic plan. These objectives would help inform the development of an action plan, detailing how the Local Flood Risk Management Strategy would be delivered. The Strategy would be subject to three months consultation which was expected to commence in March 2014.

Central to the improved management of local flood risk was a better understanding of the flood defence and drainage assets within the County. The age and condition of the drainage infrastructure varied greatly, from culverts originally constructed hundreds of years ago to purpose built sewers and flood defence systems. The availability of records for much of this older drainage asset was limited which, given the size of the County, presented a challenge. Consequently a risk-based approach was being taken to the collection of additional and more detailed asset information for the historic systems. Flood mapping gave a good indication of where flooding may arise, however it was recognised that flooding could occur in other locations due to blocked drainage, capacity issues or failure of drainage assets.

The Preliminary Flood Risk Assessment had been completed in April 2011 and subsequently endorsed by the Environment Agency. Five Surface Water Management Plans had been produced in conjunction with District Council partner organisations to assist with the development site allocation decisions.

Arrangements for carrying out investigations into flood events were being shared with Technical Review Officers within Highway Operations. The summer floods in 2012 that affected parts of Staffordshire had led to a considerable number of locations where survey work and hydraulic analysis had been required in order to understand the root cause of the problem. This had led to bids being made to Defra in order to secure funds for the design and construction of flood alleviation projects.

On 6 April 2012 the County Council had taken over the regulation of ordinary watercourses within Staffordshire, a function that had previously been administered by the Environment Agency. The regulation process was in two parts and members received details of these processes.

As part of the review of the 2007 floods it had been identified that certain structures or features had the ability to affect flood risk. Historically there had been no legal means through which to influence their retention. To address this Schedule 1 of the Act introduced new powers that enabled the Council to formally designate structures or features that could affect flood risk, therefore requiring the Council's consent to remove or alter the structure.

Shropshire Council and Staffordshire County Council had agreed to work collaboratively towards flood risk management for their geographical areas. This approach provided opportunities for efficiencies through sharing resources and joint procurement of services as well as pooling of specialist flood risk management skills.

Schedule 3 of the Act was still to be enacted. This related to Sustainable Drainage Systems (SuDS) which Defra hoped to implement by April 2014. Once enacted this would give the Council responsibility for approving drainage applications in relation to new developments.

The Select Committee asked whether new roads by the Highways Agency would have to comply with SuDS. Although SuDS would not apply to the Highways Agency, any new road would have to comply with sustainable drainage regulations.

Members asked if the latest flood mapping could be made generally available to help individuals identify flood risks. The maps were available on the Geographical Information Systems (GIS) and therefore Councillors would be able to access this information. However the maps were predictive and whilst they were a useful management tool they might cause undue alarm if shared more widely.

Members raised concerns at the lack of funding for flood prevention and in particular the suggestion that future funding was currently being used to support the flooding issues in the South West, resulting in less funding being available for the rest of the Country over coming years. Whilst Members acknowledged the need for funding to address the current flooding in the South West this should not be to the disadvantage of future funding.

Members were informed that most large flood risk schemes were funded through Defra grants. Members asked how long a process applications for such grants took and were informed that it was normally a lengthy process. Currently schemes in the following areas had be allocated grant funding:

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|--------------------------|---------|
| a) Lower Tean | £86 000 |
| b) Perton | £65 000 |
| c) Huntington | |
| d) Rolleston on Dove | £35 000 |
| e) Barton under Needwood | £13 000 |
| f) Kinver | |
| g) Moreton | |
| h) Stretton | £30 000 |

The Select Committee asked if the Shropshire/Staffordshire Flood Risk Management Board would include councillors in its membership. Councillors would be included on this Board.

Members remained concerned at the low levels of funding for what was an important issue. They wished to raise their continued concerns with the appropriate Cabinet Member. They also suggested raising their concerns with Defra over the channelling of future funding to address current flood issues in the South West.

RESOLVED – That:

- a) the progress with regard to the implementation of the Flood and Water management Act and the County Councils progress on their new responsibilities as the Lead Local Flood Authority for Staffordshire be noted;
- b) the Cabinet Member be informed of the Select Committees concerns at the low level of funding for flood risk; and
- c) the Select Committee raise their concerns with Defra over the channelling of future flood risk funding to address the current flood issues in the South West.

37. SACRE Annual Report

The SACRE Chairman, Rev Preb Michael Metcalf, presented the SACRE Annual report 2012/13 to the Select Committee. The Annual report had previously been circulated to Members. The Report highlighted the work of the Staffordshire SACRE.

SACRE were currently undertaking a review of the Staffordshire Agreed Syllabus for RE, having received the authority to undertake this review from the Cabinet Member, Learning and Skills.

RESOLVED – That the SACRE Annual Report 2012/13 be received.

38. Work Programme

The Select Committee received an update from the Scrutiny and Support Manager on their work programme. She noted the following amendments:

- a) Members suggested moving some items intended for the March meeting to make this agenda more manageable;

- b) an extra item on Household Waste Recycling would be included to consider the consultation exercise; and
- c) the working group considering children missing out on education be set up, with the following membership: Mr Adamson, Mrs Compton, Mr Deaville, Rev Preb Metcalf, Mr Tittley and one member from the Safe and Strong Communities Select Committee.

RESOLVED – That the update on the Work Programme be noted.

Chairman

Documents referred to in these minutes as Schedules are not appended, but will be attached to the signed copy of the Minutes of the meeting. Copies, or specific information contained in them, may be available on request.