

APPENDIX 1

Extract of Executive Board and Executive Board Sub Committee Minutes Relevant to the Children, Young People and Family's Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 16 JUNE 2011

SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

EXB12 BSF – TITLE COMPENSATION

The Board received a report of the Strategic Director, Children and Enterprise which provided an update on the Financial Closing of the Building Schools for the Future (BSF) agreement.

The Board was advised that the BSF final business case was approved by the Executive Board based upon the Competitive Dialogue (CD) process. The

risks associated with title and price position were discussed as part of the dialogue. Although these issues were subject to discussions in the CD process, the issues were withdrawn by the consortia because it was their intention to procure title insurance to mitigate the risks. HTP advised late afternoon on Friday 10th June that they were unable to secure the appropriate insurance to satisfy the funders (Aviva) requirements, as outlined in the report.

RESOLVED: That

- 1) the revised BSF Project Agreement as specified in the report in respect of the potential risks on the titles be approved;
- 2) the Chief Executive be given Delegated Authority to take such actions as are necessary to resolve this matter, in consultation with the Leader, the Portfolio Holder for Children and Young People, the Operational Director- Legal and Democratic Services and the Operational Director –Finance; and
- 3) this decision be excluded from the call-in procedure, as immediate action was required so Financial Close could take place by week commencing 20 June 2011.

EXECUTIVE BOARD MEETING HELD ON 30 JUNE 2011

ESB19 - CHILDREN AND YOUNG PEOPLE'S PLAN 2011-14 - KEY DECISION

The Board received a report of the Strategic Director, Children and Enterprise, on the adoption of the Children and Young People's Plan (CYPP) 2011-14.

The Board was advised that the CYPP was the agreed joint strategy of the partners in the Children's Trust, detailing how they would co-operate to improve children's wellbeing. The Plan represented Halton's local vision and aspirations for children and young people in the Borough, provided strategic direction and determine how the Children's Trust Board would work together to commission services to address locally identified needs and better integrate provision.

In July 2010, the Coalition Government announced its intention to reform Children's Trusts. The proposals came into force on 31 October 2010 and the report detailed the changes. The reforms removed the requirement to produce a CYPP. However, with agreement to continue the Children's Trust arrangements, came the need for a CYPP to provide strategic direction.

The Board was further advised that, following a Children's Trust Development Day in December 2010, work began on a new CYPP, and following

further consultation, the new priorities for the Children's Trust had been agreed as:-

- Improve outcomes for children and young people through embedding integrated processes to deliver early help and support;
- Improve outcomes for children and young people through effective joint commissioning; and
- Improve outcomes for our most vulnerable children and young people by targeting services effectively.

Reason(s) For Decision

An Equality Impact Assessment undertaken on the document showed that there were no negative impacts on any individuals and groups within Halton as a result of the Plan. The Children & Young People's Plan facilitates positive action for children and young people overall in Halton and for particular groups of children and young people as appropriate.

Alternative Options Considered and Rejected

This CYPP had been developed to replace the previous Plan that expired on March 31st 2011 and took into account the agreed new priorities for the Children's Trust for the next three years. The CYPP was also aligned with the new Sustainable Community Strategy 2011-26.

Implementation Date

Not applicable.

RESOLVED: That Council be recommended to endorse and adopt the Children and Young People's Plan 2011-14.

ESB20 - SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed,

being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and

- 2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

EXB21 - TRADED SERVICES: SCHOOL IMPROVEMENT SERVICES - KEY DECISION

The Board received a report of the Strategic Director, Children and Enterprise, which provided an update on the outcome of the Competitive Dialogue process that the Directorate had, regarding the development of a Traded Schools Improvement Service Joint Venture.

The Board was advised that supporting School Improvement had always been a key focus for the Council and the Children and Enterprise Directorate had provided an in-house service to deliver those responsibilities and functions. Changes to the grant funding to local authorities ceased on 31 March 2011 and was redirected to schools in order for them to purchase their own improvement support.

The report outlined the national policy background as well as developments that had taken place in Halton. An options appraisal was carried out in December 2010 in order to identify an appropriate commercial partner. Following decisions of the Executive Boards of Halton and Warrington Borough Councils, investigations were made for the development of a joint venture, as detailed in the report.

Reason(s) For Decision

The funding for this staff group and area of service delivery was no longer available to the Council.

The rationale for preferring a Joint Venture was due to the lack of contractual control of the income, i.e. the services will be procured via the school budgets

and not the local authority budgets. In looking for this partner, the two authorities should be able to mitigate some of the redundancy liability of school improvement staff whose funding ended on 31st March 2011. This was a significant saving to the Council, but also offered the employees concerned a continuity of their employment.

The establishment of a joint venture partnership would ensure that the employment of our staff was secured and redundancy costs were mitigated.

The support made available to our schools via this model would ensure continued influence by the Council, deliver high quality personnel and generate potential income to the Council.

Alternative Options Considered And Rejected

The alternative of Joint Venture had been considered as part of the option appraisal and this model demonstrated the best solution to the Council.

Implementation Date

It was planned that the selected bidder be notified on 1st July 2011 to ensure mobilisation by the 1 September 2011.

RESOLVED: That Executive Board:

- 1) agree to appoint SERCO Ltd as the preferred bidder;
- 2) delegate responsibility to make any changes to final contract structure to the Chief Executive in consultation with the (i) the Leader of the Council and (ii) the Lead Member for Children, Young People and Families;
- 3) note that this Joint Venture can be used as a procurement vehicle into the future for additional school support services; and
- 4) to give effect to the above, the Operational Director (Legal and Democratic Services) be authorised to enter into the necessary legally binding documents on behalf of the Council.

EXB22 - THE GRANGE ALL THROUGH SCHOOL DAY CARE- KEY DECISION

The Board received a report of the Strategic Director, Children and Enterprise which informed Members of the Review of Full Day Care Provision on the Grange All Through School Site.

The Board was advised that facilities at The Grange Day Care centre were put in place following the introduction of the Neighbourhood Nursery Initiative in 2002. The intention at the time was for the full day care element to be self sustaining. An internal audit in September 2010 had found that The Grange had been run at a deficit for two years and was on track to make a further loss in 2010/11.

The Childcare Act 2006 placed a duty on local authorities to secure the provision of sufficient childcare to meet requirements of parents in their area. A recent Halton Child Care Sufficiency Assessment identified sufficient high quality child care in Runcorn and this sufficiency judgement would be unaffected by the withdrawal of full day care at this location.

Reason(s) For Decision

To control the financial risk to the Council.

Alternative Options Considered And Rejected

Tendering- out the setting to Private/Voluntary/Independent (PVI) sector: It was highly unlikely that a PVI provider could be found to take on Day Care making losses of this size. Because the staff were paid on local authority rates, TUPE regulations would mean any provider would be faced with having to pay rates that were significantly higher than the norm for the PVI sector. A nearby Local Authority had just attempted a similar exercise with one of its day care settings and had been unable to find a provider.

Implementation Date

Autumn 2011.

RESOLVED: That Full Day Care ceases to be delivered from the Grange All Through School Site.

EXECUTIVE BOARD SUB - MEETING HELD ON 30 JUNE 2011

ES10 - EXTENDING SERVICE LEVEL AGREEMENTS FOR PUPIL REFERRAL UNIT PROVISION

The Sub-Committee considered a report which sought agreement to allow for the extension of Service Level Agreements for a period of 12 months for current providers of education to KS4 Pupil Referral Unit learners in order to secure the continuity of education for these vulnerable learners.

It was noted that in April 2011 the Procurement Team supported the 14-19 Division to procure provision for the KS4 PRU from September 2011, advertising

the tender opportunity with The Chest, the Council's e-tendering facility hosted by Due North.

Following the assessment of the Pre Qualification Questionnaire (PQQ) and Invitation to Tender (ITT) Documentation, all those providers who submitted a tender failed to progress further in the process as they did not pass Gateway questions on the PQQ or failed to meet the minimum standards for information within the ITT document.

As the timescale to run a full procurement exercise again did not allow provision to be in place for September 2011, provision was required for a 12 month period so learners had the opportunity to complete qualifications with one provider during that period of time.

RESOLVED: That

1) under Procurement Standing Order 1.8.2 Standing Orders 3.1 and 3.2 be waived in respect of the current provision of education for KS4 Pupil Referral Unit (PRU) learners with the intention to extend existing contracts to August 2012 in view of the exceptional circumstances following a recent procurement process that resulted in no contracts able to be awarded. There would insufficient time to conduct a further tender exercise as provision needed to be in place before September 2011; and

2) the 14 – 19 Divisional Manager be authorised to negotiate a 12 month extension with providers where a Service Level Agreement was already in place.

ES11 - ADVANCES LEVEL PERFORMANCE SYSTEMS

The Sub-Committee considered a report which sought agreement to waive standing orders to enter into a contract with Alkemygold Limited as the only provider of the Advance Level Performance System for the analysis of results for the academic year 2010/11. The ALPS was a nationally used Level 3 A Level and BTEC Course analysis and training package for delivering quality improvement in schools and colleges. It was developed to raise standards in education on a national scale and to engage teachers and educational professionals to give them practical tools to achieve this.

Members were advised that Halton had historical ALPS value added scores for post 16 institutions and each subject area, which allowed analysis of trends over time. Continuation of the use of ALPS would allow for continued analysis of the effectiveness of Post 16 Institutions' improvement plans in raising attainment for learners compared to other institutions nationally.

It was noted that Post 16 institutions made valuable use of the target setting software to set challenging targets for learners and this was part of the strategies that had resulted in the increased Level 3 performance Halton had experienced. In 2010, 42.3% of Halton learners had achieved a Level 3 qualification by age 19. This was an 8.4% increase upon the 2009 recorded figure for this indicator and represented the second largest local authority increase. The cost of purchasing ALPS for the academic year 2010/11 was £4,000 excluding VAT, and was included in the spending plan for the 14 – 19 Division 2011/12.

RESOLVED: That

- 1) under Procurement Standing Order 1.8.2 (a) Standing Orders 4.1 and 4.2 be waived in respect of Alkemygold Limited for the Advanced Level performance System (ALPS); and
- 2) the 14 – 19 Divisional Manager be authorised to enter into a contract with Alkemygold Limited as the only provider of the ALPS for the analysis of results for the academic year 2010/11.

EXB24 - SCHOOLS CAPITAL STRATEGY BASIC NEED 2011-12 - KEY DECISION

The Board considered a report of the Strategic Director, Children and Enterprise which outlined the methodology used to prioritise the schools for basic needs funding for 2011/2012. It sought approval of Executive Board to the prioritisation process for the allocation of Basic Need Capital for 2011/2012

The Board was advised that in December 2010 the Department for Education had announced the schools capital grant allocations for 2011/12. It was reported that at the Executive Board meeting on 17th March the capital programme for 2011/2012 had been agreed with the exception of the Basic Need allocations. It was, therefore, agreed that a further report would be submitted to consider the allocation of this fund.

The Board was further advised that the model for Halton had been developed in order to objectively prioritise schools identifying those in with the strongest case for basic need support. The model was attached as Appendix 1 to the report. In addition, the three key elements of this model were as follows:-

- The total net capacity for each school had been considered in relation to the current total pupil numbers for each school;
- The future capacity had been projected to identify the number of places likely to be required for each school; and

- Priority had been given to schools with temporary mobile classrooms – the highest score had been given to schools with long term use of temporary classrooms.

It was reported that In Widnes East five schools appeared in the priority list as follows:

- Wade Deacon High School Widnes East;
- St Bede's Catholic Infant School Widnes East;
- St Bede's Catholic Junior School Widnes East;
- Fairfield Infant School Widnes East; and
- Lunts Heath Primary School Widnes East.

The report outlined the current situation in respect of each school and recommended a way forward. The Board discussed demographics, school capacities and parent's requirements in terms of a mixture of voluntary aided and community schools. It was noted that a report would be brought back to a future meeting to provide details of capital projects for each of the approved capital schemes.

Reason For Decision

To deliver and implement the basic need capital programmes.

Alternative Options Considered And Rejected

Consideration had been given to supporting capital development in more Halton schools however the level of funding available meant that this was not possible.

Implementation Date

Development of the detailed capital programme will need to commence in July 2011.

RESOLVED: That

- (1) the prioritisation process outlined within the report be agreed;
- (2) the capital projects can be developed to address basic need at Windmill Hill Primary School, Weston Primary School, St Bede's Catholic Infant and Junior Schools and Lunts Heath Primary Schools; and
- (3) a further report detailing the capital projects for each of the approved capital schemes be presented to the Board.