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Meeting	Cabinet
Date	24 June 2013
<b>Subject</b>	<b>Reference from the Business Management Overview and Scrutiny Committee: Education Strategy Overview and Scrutiny Panel</b>
Report of	Scrutiny Office
Summary	This report submits a reference from the Business Management Overview and Scrutiny Committee on the recommendations arising from the Education Strategy Overview and Scrutiny Panel

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Officer Contributors	Andrew Charlwood, Overview & Scrutiny Manager
Status (public or exempt)	Public
Wards Affected	N/A
Key Decision	No
Reason for urgency / exemption from call-in	N/A
Function of	Executive
Enclosures	Appendix 1 – Final Report of the Education Strategy Overview and Scrutiny Panel
Contact for Further Information:	Andrew Charlwood, Overview & Scrutiny Manager, 020 8359 2014, <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a>

## **1. RECOMMENDATIONS**

- 1.1 That Cabinet considers and gives its instructions with respect to the recommendations made by the Education Strategy Overview and Scrutiny Panel.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Business Management Overview and Scrutiny Sub-Committee, 18 April 2012, Decision Item 14 (Task and Finish Groups Appointments) – At the request of the Chairman, Officers tabled a Feasibility Study which proposed the establishment of an Overview and Scrutiny Panel to consider the development of an Education Strategy in Barnet. The Assistant Director Policy, Performance and Planning outlined the context of the proposed review. Following consideration of the Feasibility Study and the oral representation from the Assistant Director the Committee resolved that a politically proportioned Overview and Scrutiny Panel be convened to consider an Education Strategy for Barnet.
- 2.2 Council, 16 March 2013, Item 4.3, Report of the Constitution, Ethics and Probity Committee (28 March and 10 April 2013) – Council agreed revised Overview and Scrutiny Procedure Rules which included the establishment of an Education Overview and Scrutiny Committee.
- 2.3 Business Management Overview and Scrutiny Committee, 2 May 2013, Decision Item 10 (Task and Finish Groups / Scrutiny Panels – Recommendation Tracking) – the Committee agreed that consultation with Committee Members on the draft report of the Education Strategy Overview and Scrutiny Panel should take place via e-mail to enable the report to be considered by Cabinet on 24 June 2013.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the 2013 – 2016 Corporate Plan are: –
- Promote responsible growth, development and success across the borough.
  - Support families and individuals that need it – promoting independence, learning and well-being.
  - Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.
- 3.3 The Corporate Plan has a priority outcome 'To create better life chances for children and young people across the borough' and includes the following success measures which relate to the work of the Panel:
- Increase the percentage of children making two levels progress in English between Key Stages 1 and 2 to 93 per cent

- Barnet is among the top 10 per cent nationally for young people achieving 5 or more A\*-C (or equivalent) GCSEs including English and Maths

#### **4. RISK MANAGEMENT ISSUES**

- 4.1 None in the context of this report.

#### **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 Under the Equality Act 2010 (“the Act”), the council and all other organisations exercising public functions on its behalf must have due regard to the need to: a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; b) advance equality of opportunity between those with a protected characteristic and those without; and c) promote good relations between those with a protected characteristic and those without. The ‘protected characteristics’ referred to are: age; disability; gender reassignment; pregnancy; maternity; race; religion or belief; sex; and sexual orientation. The duty to eliminate discrimination also extends to marriage and civil partnership.
- 5.2 The report of the Education Strategy Overview and Scrutiny Panel does not raise any specific equalities considerations.
- 5.3 Equalities considerations as they relate to the Education Strategy for Barnet are addressed within the separate report to Cabinet on the overall strategy.

#### **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 Task and Finish Group reviews must take into account value for money considerations when conducting their work, including the costs and benefits (both financial and non-financial) associated with any recommendations made by the Group. The recommendations made by the Panel have no specific financial implications and delivery of these is expected to be achieved within existing budgets for the Children’s Service Delivery Unit.
- 6.2 Costs associated with administering Task and Finish Group and Scrutiny Panel reviews are primarily met from existing resources in the Governance Service. However, there is an expectation from Members that officers will allocate the resources necessary from their delivery units to support reviews undertaken by scrutiny working groups. In accordance with this requirement, officers from the Children’s Service Delivery Unit have supported and contributed to the review throughout.

#### **7. LEGAL ISSUES**

- 7.1 The Academies Act 2010 provides the statutory framework for publicly funded schools to become academies which are still publicly funded but with an increased degree of autonomy in issues such as setting teachers' wages, diverging from the National Curriculum and varying the length of terms and

school days. The Council has been required to re-evaluate its relationship with schools in light of these legislative changes resulting in the development of an Education Strategy for Barnet.

- 7.2 The report of the Overview and Scrutiny Panel commissioned by Business Management Overview and Scrutiny Committee makes recommendations with regard to the process for appointing local authority governors. Recommendation 2 of the Panel on page 9 of the attached report relates to adopting a streamlined approach to nominating local authority governors. The proposed approach is set out at page 11.

The School Governance (Constitution) (England) Regulations 2007 (2007 Regulations) and the School Governance (constitution) (England) Regulations 2012 (2012 Regulations) set out the arrangements for the constitution of governing bodies of maintained schools, including nursery schools in England. The 2012 Regulations apply to a governing body if it is constituted under an Instrument of Government that took effect on or after 1 September 2012. The 2007 Regulations continue to apply to governing bodies constituted under an instrument of government that took effect before 1 September 2012 unless the governing body or local authority decide the instrument of government should be varied pursuant to s32(2) of those Regulations.

Regulation 8 deals with the appointment of local authority governors. A local authority governor means a person who (a) is nominated by the local authority and (b) is appointed as a governor by the governing body having, in the opinion of the governing body, met any eligibility criteria that they may have set. Regulation 22 makes provision for removal of local authority governors.

- 7.3 Section 122 of the Local Government and Public Involvement in Health Act 2007 places a duty on the executive to respond to overview and scrutiny bodies where the body makes a report or recommendations to the executive.

## **8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)**

- 8.1 Council Constitution, Part 3, Responsibility for Functions, Section 3.8 provides that the following decision is reserved to the Cabinet meeting: "Considering recommendations made to them by overview and scrutiny committees."
- 8.2 Council Constitution, Executive Procedure Rules, Section 2.3 states that "At each meeting of the Executive the following business will be conducted: (vi) consideration of reports from overview and scrutiny committees."
- 8.3 Council Constitution, Responsibility for Functions, Section 3 sets out the terms of reference of the General Functions Committee which includes "Appointing representatives to School Governing Bodies." If Cabinet agree recommendation 2 made by the Panel, the Constitution will need to be amended to reflect the revised arrangements in relation to the appointment of local authority governors.

## 9. BACKGROUND INFORMATION

- 9.1 In November 2012, the Business Management Overview and Scrutiny Committee agreed to establish an Overview and Scrutiny Panel to consider the Education Strategy for Barnet and contribute to its direction. The Committee agreed that the focus of the Panel should be on developing a vision for the role of elected Members in the new education landscape, with a particular focus on championing the needs of vulnerable children and young people, parents and families and educational excellence
- 9.2 The final report on the Education Strategy Overview and Scrutiny Panel is set out in **Appendix 1**. Cabinet are requested to consider and agree the recommendations set out in Section 3.9 of the report. This Overview and Scrutiny Panel report should be considered alongside the Education Strategy for Barnet which is presented as a separate item on the agenda for this meeting.

## 10. LIST OF BACKGROUND PAPERS

- 10.1 None

<b>Cleared by Finance (Officer's initials)</b>	<b>JH</b>
<b>Cleared by Legal (Officer's initials)</b>	<b>HP</b>