

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 10 FEBRUARY 2011

EXB92 APPROVAL OF THE BUILDING SCHOOLS FOR THE FUTURE BUSINESS CASE – KEY DECISION

The Board received a report of the Strategic Director, Children and Young People on the approval of the Building Schools for the Future (BSF) Final Business Case (FBC).

The Board were reminded that Halton had previously submitted successful BSF business cases, as outlined in the report. Along with the formal approval of the Outline Business Case on 22 October 2009, came the permission to commence the procurement of a Local Education Partnership (LEP). The report outlined the details of the process for Members' consideration.

Reason(s) For Decision

The report sought to gain the approval of the Board to submit the final business case to the Department for Education (DfE) for the Halton BSF Programme. It also sought approval to delegate the responsibility to make changes to the FBC to the Chief Executive.

The report also sought to gain approval for the establishment of the LEP in line with the guidance contained in the report and to authorise the Operational Director for Legal and Democratic Services to enter into the legal bidding documents as listed in the report, on behalf of the Council.

By approving the FBC, establishment of the LEP and the authorisation of the legal documents, the programme team would be able to work with the LEP up to financial close in April 2011 and then to commence work on The Grange School and Wade Deacon High School shortly afterwards.

Alternative Options Considered And Rejected

The alternative of not proceeding with submitting the FBC or bringing any changes to the document had been considered and rejected as it was strongly believed that a delay to submission would lead to a loss or significant reduction in the capital funds being made available to Halton for these projects.

The alternative of bringing all legal documents to the Executive Board had also been considered and rejected as this would also lead to delays and a risk to the funding of the projects.

Implementation Date

The FBC would be submitted to the DfE for approval on 10th February 2011.

The Board wished to place on record their thanks and appreciation for the work carried out by officers in compiling the business case.

RESOLVED: That

- 1) the Final Business Case be approved;
- 2) responsibility to make any changes to the BSF Final Business Case be delegated to the Chief Executive in consultation with the Leader of the Council, Lead Member for Children and Young People, Operational Director Finance and the Operational Director Legal and Democratic Services;
- 3) the Strategic Director for Children and Young People be authorised to submit the Final Outline Business Case and all supporting documentation to the Department for Education in the form agreed by the Chief Executive, in consultation with the Leader of the Council, Lead Member for Children and Young People, Operational Director Finance and the Operational Director Legal and Democratic Services;
- 4) the supporting information provided in Appendix B regarding the establishment of the Local Education Partnership (LEP) be noted and authorised and the extent that the LEP could be used as a procurement vehicle into the future be noted;
- 5) the Operational Director, Legal and Democratic Services be authorised to enter into the legal bidding documents on behalf of the Council listed in Clause 6.2;
- 6) a full report on the outcome of the Department for Education assessment of the Final Business Case, Financial Close arrangements and the Local Education Partnership establishment be presented to the Executive Board in June / July 2011; and
- 7) the Chief Executive, in consultation with the Leader of the Council and the Lead Member for Children and Young People, be authorised to appoint 2 member representatives to the Local

EXB93 OFSTED AND CARE QUALITY COMMISSION INSPECTION OF CHILD PROTECTION AND CHILDREN IN LOOKED AFTER SERVICE APPROVAL OF THE BUILDING SCHOOLS FOR THE FUTURE BUSINESS CASE – KEY DECISION

The Board received a report of the Strategic Director, Children and Young People on the Ofsted and Care Quality Commission Announced Inspection of Safeguarding and Looked After Children Services.

The Board were advised that an inspection of Safeguarding (Child Protection) Services, and those for Children in Care, was undertaken by Ofsted every three years. This was a major inspection process covering the Council and statutory partners principally involving NHS Services, the Police but also involved other members of Halton's Children's Trust. The Inspection focused on evaluating outcomes for children and young people, and in particular the impact of practice and services on improving outcomes for some of the most disadvantaged children in the Borough.

The Board were reminded that the Inspection was different to other inspections of the Council in that it incorporated all agencies that contributed to Safeguarding and Children in Care. The role of Halton's Children's Trust and Halton's Safeguarding Children's Board was pivotal.

It was noted that the Inspection would take place over a 10 day period between 7 February 2011 and 18 February 2011, and would be conducted through individual interviews, case auditing, focus groups and direct feedback from children and young people.

RESOLVED: That

- 1) the Ofsted inspection of Safeguarding and Looked After Services for Children and Young People taking place between the 7th February 2011 and 18th February 2011 be noted; and
- 2) a copy of the findings of the Ofsted/Care Quality Commission inspection be presented to the Board after the 25th March 2011.

EXECUTIVE BOARD MEETING HELD ON 3 MARCH 2011

EXB101 STRATEGIC COMMISSIONING STATEMENT FOR 14-19 EDUCATION AND TRAINING

The Board received a report of the Strategic Director, Children and Young People on the Strategic Commissioning Statement for 14-19 Education and Training.

The Board was advised that the Strategic Commissioning Statement (the Statement) would enable Halton Borough Council to carry out its statutory duty, under Sections 15Z and 18A of the Education Act 1996, to secure sufficient suitable education and training opportunities to meet the reasonable needs of all young people in the Borough. The Statement provided a strategic overview of provision and needs in the area.

The Young People's Learning Agency (YPLA) published statutory guidance on 20 December 2010 on Funding Arrangements for 16-19 Education and Training. The key elements of the guidance were outlined in the report, together with details of the clear roles and responsibilities for Local Authorities. The Board was advised that the role of YPLA up to March 2012 was the funding of 16-19 education and training, funding and support for academies and financial support for young learners. There was an additional responsibility for the YPLA to contribute to the establishment of the Education Funding Agency which would operate from 1 April 2012.

The Board was reminded that the Borough Council produced a Strategic Commissioning Statement which was ratified by the 14-19 Strategic Partnership in September 2010, and the following five points were agreed:-

1. Participation in Education and Training;
2. Learning Routes;
3. NEET;
4. Close the Gap - Vulnerable and Disadvantaged (*for example Children in Care/Care Leavers, Learners with learning difficulties and /or disabilities, young offenders, young parents, young carers and those young people on free school meals*); and
5. Quality of Provision.

Following consultation, it was agreed to include activities across the 14-16 phase and demonstrate stronger links with Employment Learning and Skills to ensure that a more coherent and joined up approach between education and employment was reflected in the Statement. These had now been included in the Strategic Commissioning Statement.

RESOLVED: That

- 1) the Strategic Commissioning Statement for 2011/12 be endorsed;
and
- 2) progress to date towards meeting the five priorities in the Commissioning Statement and Halton Borough Council's statutory duty, under Section 15ZA and 18A of the Education Act 1996 (as inserted by the ASCL Act 2009), to secure sufficient suitable education and training opportunities to meet the reasonable needs of young people in Halton be noted.

EXECUTIVE BOARD SUB COMMITTEE MEETING HELD ON 3 MARCH 2011

ESB 80 PROCUREMENT OF THE LICENCE FOR THE SCHOOL INFORMATION MANAGEMENT SYSTEMS (SIMS)- KEY DECISION

The Board considered a report by the Strategic Director Children and Young People which sought a suspension of relevant standing orders in order to enter into a contract with a value less than £100,000 without conducting a tender exercise or seeking three written quotations.

A waiver to Standing Orders would allow the purchase of the software licence for the financial year 2011/12 and to allow time to conduct a full procurement exercise and if necessary transfer schools to a new Information Management System before April 2012.

Reason(s) for decision

A waiver to Standing Orders was requested to allow the renewal of the software licence for the financial year 2011/12 and to allow time to conduct a full procurement exercise and if necessary transfer the schools to a new Information Management System before April 2012

Alternative options considered and rejected

The possibility of purchasing the licence from another company had been investigated with the view to inviting quotes from a number of companies to compete for the business but it had become clear that only Capita are able to sell the licence to the Authority.

Implementation date

1st April 2011.

RESOLVED: That under Procurement SO 1.8.2 SOs 3.1 and 3.2 be waived in respect of the School Information Management System Licence (SIMs) with the intention to allow the licence to be procured from the existing supplier for financial year April 2011 to March 2012 in view of the exceptional circumstances namely that awarding the contract, on a market tested basis, would be likely to result in the contract starting after 1st April 2011 which would mean that the schools would be without an Information Management System.

EXECUTIVE BOARD MEETING HELD ON 17 MARCH 2011

EXB 106 CAPITAL PROGRAMME FOR 2011/12- KEY DECISION

The Board received a report of the Strategic Director, Children and Young People on the Capital Programme 2011/12.

The Board were advised that in December 2010, the Department for Education announced the schools capital grant allocations for 2011/12, for each type of capital funding. The report detailed the works proposed for funding from the Capital Maintenance and Revenue Allocation (CERA).

The Board noted that Basic Need capital funding was allocated to relative need for new places, based on forecast data provided by local authorities, and was provided to local authorities to provide school places where needed in their area, in all categories of taxpayer-funded schools. Capital Maintenance funding was allocated to ensure school buildings were properly maintained. Capital Maintenance for Voluntary Aided Schools element was allocated to Chester Diocese, Shrewsbury Diocese and Liverpool Archdiocese to fund condition and suitability projects at Voluntary Aided Schools.

Reason For Decision

To deliver and implement the capital programmes.

Alternative Options Considered And Rejected

Not applicable.

Implementation Date

Capital Programmes to be implemented with effect from 1 April 2011.

<1>RESOLVED: That

- 1) the capital funding available for 2011/12 be noted;
- 2) the proposals to be funded from Capital Maintenance and the position in respect of Basic Need be noted;

- 3) Council be recommended to approve the Capital Programme 2011/12; and
- 4) a further report be submitted to Executive Board to detail how the Basic Need capital funding would be spent in 2011/12.

EXB 107 CHILDCARE SUFFICIENCY ASSESSMENT

The Board received a report of the Strategic Director, Children and Young People on the statutory duty in the Childcare Act 2006, to carry out a Childcare Sufficiency Assessment in order to demonstrate that the local authority had secured sufficient childcare for all parents that need it.

The Board were reminded that the Childcare Act 2006 placed duties on English Local Authorities to improve outcomes for young children and reduce inequalities between them. Local Authorities were also required to secure sufficient childcare to enable parents to work and to provide information to parents about childcare and a wide range of other services that may be of benefit to them. In preparation for this duty, a detailed assessment of the supply of, and demand for, childcare in the local authority area was required. There was a particular emphasis to ensure childcare settings were in a position to support children with disabilities and also support parents in receipt of working tax credits.

Details of the timeframe for the 2011 Childcare Sufficiency Assessment were detailed in the report for Members' information.

<1>RESOLVED: That

- 1) the report be noted;
- 2) the Local Authority complete an annual review of its childcare provision in addition to the 3 yearly Childcare Sufficiency Assessment, thereby ensuring supply of places and demand for places be monitored and findings actioned appropriately;
- 3) the Local Authority, through its Children and Young People Directorate Officers, provide targeted support to childcare providers to ensure delivery of high quality provision and improved outcomes; and
- 4) the Strategic Director, Children and Young People, be authorised to action issues arising from the Childcare Sufficiency Assessment through an agreed action plan.

**EXB 108 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 item 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 paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972.

**EXB 109 SHARED CHILDREN & YOUNG PEOPLE'S SERVICE WITH
CHESHIRE WEST AND CHESTER COUNCIL**

The Board received a report of the Chief Executive on progress on the joint arrangements for Children and Young People's Services with Cheshire West and Chester Council (CWAC).

The Board were advised that CWAC had now formally agreed to ask Halton Borough Council to enter into a shared arrangement for Children and Young People's Services across the two Council areas. The Shared Service would see separate political accountabilities and responsibilities, separate Senior Management teams but a joint Strategic Director of Children's Services for both Council areas. The structure for the joint arrangements was attached at appendix 1 to the report for Members' consideration.

<1>RESOLVED: That

- 1) the proposal to enter into a contract with CWAC as outlined in the report be approved;
- 2) the Strategic Director Children's Services, and the Divisional Manager for Safeguarding, Quality and Review in Halton undertake the role of the Director of Children's Services and Joint Safeguarding Unit Manager in Cheshire West and Chester respectively with effect from the 21st March 2011; and
- 3) the Chief Executive, in consultation with the Leader, be authorised to conclude negotiations and approve final contract terms.

EXECUTIVE BOARD MEETING HELD ON 17 MARCH 2011

EXB 121 SCHOOL ADMISSION ARRANGEMENTS 2012 - KEY DECISION

The Board received a report of the Strategic Director, Children and Young People on the School Admission Arrangements 2012.

The report fulfilled the requirement under the School Standards & Framework Act 1998, the Education Act 2002, The Education & Inspections Act 2006, and associated regulations, to determine Halton Local Authority's (LA's) School Admissions Policy for LA maintained community and voluntary controlled schools, and coordinated admission schemes for all primary and secondary schools for September 2012 following statutory consultation.

In addition to managing the admission of children to reception class in primary school and the transfer of pupils from primary to secondary school, the Government also required Local Authorities to manage the In-Year Admissions process for children moving between schools during the academic year. Details of the consultation were published in the local press, made available on the Council's website, and issued to the head teachers and governing bodies of all nursery, infant, junior, primary and secondary schools, the four Diocesan Authorities responsible for voluntary aided schools in Halton, and neighbouring authorities; it proposed no changes to the current oversubscription criteria for admission to LA maintained community and voluntary controlled primary schools, and no change to the current oversubscription criteria for admission to LA maintained community schools.

The Board was advised that the LA, as commissioner of school places, must ensure that the admission arrangements were fair, not complex, and fully

complied with all statutory requirements. The arrangements currently in operation and proposed for continuation for the 2012/13 academic year reflected those requirements.

Reason(s) For Decision

The decision was statutorily required and any revision to the proposed arrangements may adversely affect school place planning as detailed in paragraph 7.1 of the report.

Alternative Options Considered And Rejected

Other options considered and rejected include the allocation of places through random allocation (lottery) as this method could be seen as arbitrary and random.

Implementation Date

The Policy would apply for the September 2012 academic intake and would apply for 3 years unless further central or local government changes were required.

<1>RESOLVED: That

- 1) the School Admissions Policy, Admission Arrangements and co-ordinated schemes for admission to primary and secondary schools for the 2012/13 academic year proposed by the Local Authority be approved; and
- 2) the continuation of the current In-Year Co-ordinated Admissions Scheme as statutorily required be approved.

EXB 122 THE OUTCOME OF OFSTED'S AND CARE QUALITY COMMISSION'S ANNOUNCED INSPECTION OF SAFEGUARDING AND LOOKED AFTER CHILDREN SERVICES UNDERTAKEN BETWEEN THE 7-18TH FEBRUARY 2011

The Board received a report of the Strategic Director, Children and Young People on the outcome of the Ofsted and Care Quality Commission Announced Inspection of Safeguarding and Looked After Children Services.

The report advised that the inspection took place between 7 and 18 February 2011 and was a rigorous inspection process which focused on the Council's services and those of its partners, and how they worked together to

protect children in the Borough. A summary of the main findings, together with areas for development were included in the report for Members' consideration.

The Board wished to place on record their thanks and congratulations to all staff involved in helping to achieve such a positive outcome.

RESOLVED: That Executive Board noted that Ofsted and the Care Quality Commission found:

- 1) the overall effectiveness of Safeguarding Services in Halton was good with outstanding capacity to secure further improved outcomes for children and families;
- 2) the overall effectiveness of services for Children in Care in Halton was good, with outstanding capacity for further improvement; and
- 3) that leadership and management; ambition and prioritisation; along with performance management and partnership working for children and young people was outstanding in Halton.

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.

EXB 123 CONTRACT ARRANGEMENTS FOR GREATER MERSEY CONNEXIONS- KEY DECISION

The Board received a report of the Strategic Director, Children and Young People which provided an update on the contractual negotiations between the six Greater Merseyside Local Authorities and the Greater Merseyside Connexions Partnership.

The Board had previously received a report at its meeting on 27 January 2011, which outlined the background to the award of the Connexions Contract, the contractual arrangements, the national policy direction and implications and the process for discussions with Connexions.

The report advised the Board on the details of the current proposed offer from Connexions in relation to the core contract value and the associated conditions requested. A verbal update on a revised timetable and extension of the current contract until 30 June 2011 was given at the meeting.

<1>RESOLVED: That

- 1) the current proposal to reduce the core contract value for 2011/2012, the associated conditions along with the current position in respect of the Connexions Service including contract deadlines, be noted; and
- 2) Officers be authorised to continue to negotiate with Greater Merseyside Connexions Partnership in respect of the contract and service specification for future years, together with the other five Local Authority areas in the Liverpool City Region.

EXB 124 ACADEMY UPDATE

The Board received a report of the Strategic Director, Children and Young People which provided an update on Academies.

The report advised that Halton High had converted to an Academy (Ormiston Bollingbroke) on 1 September 2010 under the previous Academy arrangements. In addition, a further two schools had formally notified the authority that they intended to convert under the new arrangements by 1 May 2011.

The Board was advised that a number of key issues would need to be addressed as a result of these proposals, which were detailed in the report for Members' consideration.

<1>RESOLVED: That

- 1) the implications to the authority of the conversion of two Halton Schools to Academies be noted;
- 2) the Council should continue to sell services to the Academies and that the costs of each service be increased by up to 20% to reflect the additional administration of such contracts and achieve "full cost" recovery be agreed; and
- 3) the decision on which services to continue to sell to each Academy and the content of each Service Level Agreement be delegated to the Director of Children's Services in conjunction with the Director of Policy and Resources.

EXECUTIVE BOARD SUB MEETING HELD ON 1 APRIL 2011

ESB97 - CONTRACTED SERVICES FOR DISABLED CHILDREN AND THEIR FAMILIES - WAIVER OF PROCUREMENT STANDING ORDERS

The Sub-Committee considered a request to waive of Standing Orders in order to extend existing voluntary sector contracts for the provision of services to disabled children, in order to ensure continuous care and support. The Aiming High for Disabled Children (AHDC) Programme was launched by DCSF and DH in 2007 to transform and prioritise services for Disabled Children and their families. Most of the additional resources to implement AHDC were dedicated to increasing the provision of Short Breaks.

Members were advised that the AHDC programme was supported with additional revenue and capital funding available in Halton for three years and this ceased in March 2011. The present Government had stated that funds to continue to deliver Short Breaks were provided within the Early Intervention Grant. However, there was less funding available than in previous years. Some of Halton's short breaks services had been provided through Core Funds and Carers Grant, which also ceased next month.

It was noted that Halton had commissioned Short Breaks services from a number of local and national organisations in addition to the direct provision available from Halton Borough Council which was delivered from Inglefield Residential Centre, Outreach, Family Based scheme and Children Centres. As

Halton was a pathfinder for AHDC the contracts with the providers had been in place for three years. These were monitored on a quarterly basis to ensure that they met their contractual requirements and delivered quality services.

The current contracted service providers had been delivering the services since 2007 and were well-established voluntary sector organisations with an extensive knowledge and understanding of Halton and the needs of its local community. The services provided had been reviewed to ensure desired outcomes continued to be achieved and the method of service delivery remained the most cost-effective option for the Council.

Although the report requested an extension for a 12 period, it was intended that the newly reconfigured services would be commissioned earlier and the Council would go to the market with a view to awarding new contracts by the end of December 2011 (with a start date of 1st April 2011). This would enable a sufficient lead in period in order to facilitate the appropriate support of children and families through the transition.

RESOLVED: That

- 1) in light of the exceptional circumstances set out in the report, for the purpose of Standing Order 1.8.2, Procurement Standing Orders 3.1 to 3.7 and 4.1 to 4.3 be waived on this occasion in order to extend existing voluntary sector contracts for the provision of services to disabled children, in order to ensure continuous care and support; and
- 2) the Strategic Director, Children and Young People be authorised, in conjunction with the portfolio holder for Children and Young People and Families to enter into contracts, listed in the report for one year from April 2011 to the end of March 2012 to enable the necessary consultation and full participation from young people and carers; including their involvement in the decision making processes for the awarding of contracts as required by the Breaks for Carers of Disabled Children Regulations (Paragraph 6(1) (c) Section 25 of the 2008 Act).