

EDUCATION, YOUTH & CULTURE OVERVIEW & SCRUTINY COMMITTEE
5 NOVEMBER 2020

Minutes of the meeting of the Education, Youth & Culture Overview & Scrutiny Committee of Flintshire County Council held as a remote attendance meeting on Thursday, 5 November 2020

PRESENT: Councillor David Healey (Chairman)

Councillors: Janet Axworthy, Sian Braun, Paul Cunningham, Joe Johnson, Tudor Jones, Dave Mackie, Ian Smith, Martin White and David Williams

CO-OPTED MEMBERS: Lynn Bartlett, David Hytch, Rebecca Stark and Wendy White

SUBSTITUTIONS: Councillors: Geoff Collett (for Gladys Healey) and Bob Connah (for Carol Ellis)

ALSO PRESENT: Councillors: Patrick Heesom and Carolyn Thomas attended as observers

Vaughan Williams, Team Inspector Estyn attended as an observer

CONTRIBUTORS: Councillor Ian Roberts (Leader and Cabinet Member for Education), Chief Executive; Chief Officer (Education & Youth), Senior Manager School Improvement Systems; Senior Manager – Integrated Youth Provision; Senior Manager – Business Change & Support; Corporate Finance Manager; Strategic Finance Manager - Schools Accounting and Finance

Liam Evans-Ford, Executive Director Theatr Clwyd for minute number 18

IN ATTENDANCE: Overview & Scrutiny Facilitator and Members Services Assistant

9. DECLARATIONS OF INTEREST

Councillor David Mackie declared a personal interest in Agenda Item 10 – Theatr Clwyd Transfer Proposal Report, as a member of the Theatr Clwyd Board and Theatr Clwyd Governance Board.

10. MINUTES

The minutes of the 25 September, 2020 were received.

Councillor Dave Mackie proposed that the minutes be approved as a correct record and signed by the Chairman. The proposal was seconded by Mr. David Hytch.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

11. EMERGENCY SITUATION BRIEFING (Verbal)

The Chief Executive provided a brief update on the emergency situation. He explained that the First Minister had clarified all remaining issues and regulations around coming out of the Firebreak on Monday 9 November and that the Frequently Asked Questions shown on the Welsh Government (WG) website had been updated to reflect this. A public note on the resumption of services had been circulated but if Members had any queries he asked that they contact him directly.

Members will have seen that Deeside Leisure Centre will be opened from Monday 9 November as an operational hospital for low level care and step-down patients who would usually be supported through the special care discharge service. The Chief Executive said that he was pleased to see this building being brought into use.

Members would continue to be updated weekly around incident levels and it was explained that it took between 5-7 days before a solid trend of figures would be seen.

RESOLVED:

That the verbal update be noted.

12. FORWARD WORK PROGRAMME AND ACTION TRACKING

The Facilitator presented the latest Forward Work Programme. In line with the recommendation made at the last meeting, whilst considering the Recovery Strategy, the Forward Work Programme had been populated, as shown at Appendix 1 of the report. On Action Tracking, all actions arising from the previous meeting had been completed.

Councillor Dave Mackie referred to discussions at the Social & Health Care Overview & Scrutiny Committee meeting held on 22 October, 2020 whilst discussing the Children's Transformation Project Update. He commented on the following objective which was highlighted within the report:-

- Bring health and social care staff together to provide intensive assessment and therapeutic support for young people who, don't meet the thresholds for CAMHS, but are displaying significant needs and require support.

He said that a number of questions had been raised at the meeting linking the objective to education and suggested that a further report on this area be submitted to a future meeting of the Committee. The Chief Officer (Education & Youth) suggested that feedback from the Social & Health Care Overview & Scrutiny Committee be provided to her so that she could pick this up at the regular meetings held with Social Services officers. If further engagement was needed with schools, this could be picked up with a report being provided to the Joint Social & Health Care and Education, Youth & Culture Overview & Scrutiny Committee meeting scheduled to be held on 17 June 2021.

The recommendations outlined within the report were moved by Councillor Martin White and seconded by Councillor Joe Johnson.

RESOLVED:

- (a) That the Forward Work Programme be noted;
- (b) That the Facilitator, in consultation with the Chair of the Committee, be authorised to vary the Forward Work Programme between meetings, as the need arises; and
- (c) That the progress made in completing the outstanding actions be noted.

13. BUDGET 2021/22 – STAGE 1

The Chief Executive and Corporate Finance Manager introduced the first budget stage report which detailed the forecast and the cost pressures which would make-up the total budget requirement.

A report to Cabinet in October had provided an update on the financial forecast for 2021/22 and the following two financial years. A full review of the forecast had been undertaken to build an accurate and robust baseline of cost pressure which needed to be funded. The review had taken into account the ongoing impacts of the emergency situation including the speed of recovery of income against set targets.

This report set out the limited solutions available to fund the cost pressures with the funding strategy highly dependent on sufficient national funding for local government. The details of the cost pressures for Education and Youth were included in the report.

The Chief Executive and Corporate Finance Manager gave a detailed presentation which covered the following areas:-

- Financial Forecast for 2021/22;
- The Future – What we advised back in February;
- Summary Totals of Cost Pressures;
- Three Part Solutions and Risk-Taking;
- National Position and Funding;
- Potential Funding Scenarios;
- Budget Timetable;
- Support and Challenge Today

Additional details around specific Education and Youth cost pressures were provided by the Chief Officer (Education & Youth) and Strategic Finance Manager (Schools Accounting and Finance) as part of the presentation.

Councillor Dave Mackie spoke in support of the cost pressures shown for Free School Meals and the introduction of a Primary Advisor. He commented on the cost pressures shown for Plas Derwen PRU and asked if these should be capital funding as opposed to revenue as this related to a new build. The

Strategic Finance Manager (Schools Accounting and Finance) explained that the cost pressure shown for increased capacity related to additional staffing costs and the revenue costs related to National Non-Domestic Rates (NNDR) charges which were significantly higher for a new build and also additional ground maintenance costs.

The Committee were asked to consider the recommendations detailed within the report and outlined within the presentation, which were all supported.

RESOLVED:

- (a) That the Committee support the overall budget strategy;
- (b) That the Committee re-affirm the Council's position on local taxation policy;
- (c) That the Committee support the Council's expectations of Governments, as outlined within the presentation provided; and
- (d) That no further cost efficiency areas be proposed by the Committee to be explored further.

14. SCHOOL RESERVE BALANCES YEAR ENDING 31 MARCH 2020 AND PROTOCOL FOR SCHOOLS IN FINANCIAL DIFFICULTY

The Chief Officer (Education & Youth) introduced the school reserve balances for the year ending March 2020 and the protocol for schools in financial difficulty. There continued to be pressure on school budgets demonstrated by the reducing school reserves. The analysis of reserve balances for each school in Flintshire at the end of March 2020 was shown at Appendix 1 of the report.

Secondary school budgets continued to be under significant pressure with a number of factors contributing to the current financial position as detailed in section 1.02 of the report. In previous years, primary balances had held up well despite the continuing pressure of austerity measures and this had offset the worsening position of secondary schools. Primary pupil numbers were forecast to reduce and this would create challenges for Primary Headteachers in managing their budgets in future years.

In response to the worsening financial position of some secondary schools, the Education & Youth Portfolio developed a Protocol for Schools in Financial Difficulty which was finalised and issued to schools in October 2019 and provided a framework for schools to apply to the Authority for a licenced deficit. The Protocol also provided a framework for the Council to give an appropriate level of challenge and support to help schools in financial difficulty set a balanced budget. Flintshire Internal Audit Service conducted an advisory review of the Protocol in March, 2020 and there would be a full internal audit conducted of the Licenced deficit process in 2020/21. The recommendations of the advisory review were detailed in section 1.06 of the report and work was ongoing to address the recommendations, as shown in Appendix 2 of the report.

Councillor Dave Mackie commented on the size of schools being a large factor towards them being in deficit and referred to the smaller schools who seemed to be facing the largest issues on school balances. He said that some schools had managed their budgets successfully and suggested that schools who were facing challenges liaise with each other in order to find solutions. His main concern was around small schools and the opportunity for the Council to take action to assist in reducing their deficits as part of the budget setting process and looking at wider solutions to assist in the future.

Councillor Ian Roberts, Leader of the Council and Cabinet Member for Education, thanked Councillor Mackie for his comments and commented on the challenges for smaller schools who still had to provide the curriculum and pastoral support. He assured the Committee that all options were being considered to support schools in deficit with proposals coming forward soon to address some of the issues which included structural issues which needed to be addressed. He also assured the Committee that along with the Chief Executive and the Chief Officer there had been robust challenge of those schools in deficit to better understand the challenges.

In response to concerns around licensed deficits, the Chief Officer that all schools had a responsibility to provide learners with access to a broad and balanced curriculum. There were significant levels of fixed costs which all schools had to meet and the Council were being ambitious in its school modernisation programme in order to provide better environments for learners. The Strategic Finance Manager - Schools Accounting and Finance assured the Committee that officers were working closely with secondary schools in high deficits and that poor budget management was not a factor. She outlined that there was insufficient resources and that schools with increasing pupil numbers were on track to see their deficits reducing. Work had also been undertaken to identify primary schools where their future budgets could be of concern in order to provide the necessary support and identify where changes were needed.

Councillor Tudor Jones thanked the officers for their responses and asked when future interventions were planned and whether this would be for all school or individual schools. The Chief Executive advised that there was no point in looking for solutions that did not exist. He said that secondary schools were a priority and that there had to be an increase in annual revenue budgets in secondary schools before they would be able to deal with historic deficits. He commented on the overall funding per pupil in Wales and said that the schools across Flintshire did not spend enough per pupil in Wales but this was because the Council was underfunded. It was not about just meeting additional costs around pay but ensuring a sustainable approach to school budgets going forward which formed current debates with WG. He advised the Committee that it may consider an additional recommendation to those listed in the report, that should there be sufficient funding in the Council's national settlement that the Council aims to prioritise an injection of funding into school budgets over and above inflation as a priority.

Councillor Mackie said that from the information contained within the report, he had calculated that the average amount spent per secondary school pupil was £4,527 and that the Prime Minister had stated that the average spent per secondary pupil in England last year had been £5,000. He said that this

supported the comments made by the Chief Executive around being an underfunded Council.

In response to a question around the impact of the emergency situation on school budgets, the Chief Officer explained that the impact of the emergency situation was not shown within the current report as it related to the last financial year of 2019-20. The WG had set up a hardship fund which provided financial assistance to schools if they could demonstrate that additional expenditure met the criteria set by WG. The Finance Manager advised of the process for schools claiming financial assistance through the hardship fund and said that the criteria had been unclear at times. She explained that the financial impact of the emergency situation on schools was being assessed and that it was hoped that the closure of schools over the spring/summer terms would offset some of the additional costs.

Councillor Ian Roberts commented on the budget setting process for the 2019-20 financial year and said that no proposals had been forthcoming to increase local taxation to support secondary schools in dealing with their deficit. He said that he agreed with the Chief Executive that he hoped the solutions would lie in better financial support from WG but said that options to increase local taxation to provide support rested with all Members. He said that good public services cost money and the emergency situation had shown the value of good public services.

In response to a question around the responsibility to maintain kitchen equipment, the Strategic Finance Manager explained that this responsibility sat with NEWydd as part of a service level agreement between them and the schools.

The recommendations within the report, together with the following additional recommendation were moved by Councillor Dave Mackie and seconded by Councillor Bob Connah:-

- Should the Council receive additional funding as part of the Local Government settlement, over and above the minimum requirement, the Committee support in-year revenue being provided to support schools in deficit.

RESOLVED:

- (a) That the schools reserve balances as at the 31 March, 2020, be noted;
- (b) That the changes to the Protocol for Schools in Financial Difficulty be noted; and
- (c) Should the Council receive additional funding as part of the Local Government settlement, over and above the minimum requirement, the Committee support in-year revenue being provided to support schools in deficit.

15. RECOVERY STRATEGY UPDATE

The Chief Officer (Education & Youth) introduced the update on the risk register and risk mitigation actions, shown at Appendix 1 and 2 of the report.

The Chief Officer provided an update on the recovery objectives for the service portfolio, as detailed within the report, and drew the Committees attention to risk EY33 – Inability of schools to operate safely and deliver statutory education due to reduction in staffing levels, which was a new risk added since the last meeting. Since mid-September there had been a significant rise in the number of Covid related absence in the school workforce and whilst this was a concern, no school had had to fully close as a result of staffing pressures. In order to support schools to continue to operate safely, there existed a robust support process in place between TTP and Environmental Health to quickly take action when a positive case in a school was identified.

Councillor Ian Roberts, Leader of the Council and Cabinet Member for Education, reported that he had attended a meeting with the Minister for Education earlier in the day, who had highlighted her concern around absence becoming a national issue.

Councillor Dave Mackie asked whether risk EY23 – poor outcome of Ministry of Justice Inspection due to non-compliance with National Youth Justice Standards and ineffective governance from Youth Justice Board should be closed. The Chief Officer and Senior Manager – Integrated Youth Provision both explained the need to keep the risk open at this time and the expected inspection in early 2021.

The Chairman asked whether two additional risks should be added to the risk register around blended learning and on-line bullying. He felt that it would be useful for the Committee to understand the impact blended learning was having on pupils and how well it had been working and the potential risks for students not engaging in the new arrangements. He also commented on the commitment from the Committee and all Members to take a stand against on-line bullying and asked whether the new working arrangements provided greater opportunity for on-line bullying.

The Chief Officer explained that these were school risks and not core portfolio risks and advised that a report on blended learning had been included on the Committee's forward work programme for a detailed report to be submitted to the next scheduled meeting in December. The Senior Manager – Business Change & Support provided an assurance that whilst blended learning had been a challenge, teachers and pupils had responded positively to meeting those challenges. Blended learning had provided opportunities for new ways of working which would add to the learners experience whilst moving towards the introduction of the new curriculum.

The Chief Officer also referred to the annual report on social media and internet use which would be presented to the Committee next year. She acknowledged the concern and said that it would be far more challenging for schools to manage on-line bullying and suggested that the question be raised at the next Head teacher's federation meetings in order to receive feedback on whether this was a concern.

Mrs. Rebecca Stark asked how long it took to get an SEN statutory assessment and whether referrals for statutory assessments were increasing or reducing under the revised criteria for support/intervention. The Chief Officer advised that the Senior Manager - Inclusion and Progression could provide a response to the Committee following the meeting.

The recommendation detailed within the report was moved by Councillor Paul Cunningham and seconded by Councillor Joe Johnson.

RESOLVED:

That the updated Risk Register and Risk Mitigation Actions, as outlined within the report, be noted.

16. YOUTH SERVICES

The Senior Manager – Integrated Youth Provision introduced a report which outlined the work of the Flintshire Integrated Youth Provision (FIYP) services for young people and the proposed blended service in response to the emergency situation. The proposals delivered potential annual savings of £98.6k representing a 49% saving on premises and 20% on staffing.

The FIYP services had adapted during the emergency situation, while ensuring a mix of regular open-access youth clubs and targeted provision, as detailed within the report. The FIYP service development would embed lessons from the pandemic response to realise the vision of the Youth Strategy for Wales 2019. FIYP would sustain and develop digital and remote engagement with young people and staff, safely reopen a more sustainable youth club provision and increase partnering and the third sector and schools to extend reach and impact. Key elements included:-

- Developing digital and remote engagement;
- FIYP reopening a more sustainable youth provision; and
- FIYP increase partnership with the third sector and schools.

The Chairman thanked the Senior Manager for her report and the work being undertaken in service transformation to meet the challenges of the emergency situation.

Councillor Dave Mackie spoke in support of the report and the work being undertaken to use the emergency situation to the advantage of young people. He commented on the immersion community and school youth workers and asked for further information on this role. He also questioned the potential savings for premises management, shown in the resource implication section of the report, which he had calculated differently and also asked if feedback was available from the consultation process started in October.

The Senior Manager explained the role of the immersion community and school youth workers, who were degree qualified youth workers who sat within the Youth Service but provided support within schools as needed. The potential savings detailed within the report related to the highest possible figures as it included costs for cleaning, health and safety, refurbishment, caretaker and

vandalism. The consultation which started in October was a consultation of young people to seek their views on how they would like to be consulted on the FIYP proposed blended service as presented to the Committee. They had asked to be fully consulted, and one of the benefits emerging from the emergency situation had been the opportunity to meet on-line which had resulted in young people being much more engaging.

The Chief Executive advised that the report had the support of himself and fellow officers and said that the service was visionary integrating and valuable at responding to the needs of young people. He thanked Members for their supportive comments and said that this service could become a role model for others going forward.

Councillor Joe Johnson asked whether the creation of a youth radio station could be considered as a way of communicating and sharing information with each other. The Senior Manager advised that young people were currently developing podcasts which had been welcomed by young people across the County, especially those in rural areas.

The recommendation within the report was moved by Mr. David Hytch and seconded by Councillor Janet Axworthy.

RESOLVED:

That the Flintshire Integrated Youth Provision (FIYP) consultation on developing the FIYP Plan 2021-2024, as outlined within the report, be approved.

17. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph(s) 15 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

18. THEATR CLWYD TRANSFER PROPOSAL REPORT

The Chief Executive introduced the latest position and proposed terms and timescale of the transfer to an independent charitable trust for both theatre operations and music services as detailed within the report.

The Executive Director, Theatr Clwyd outlined his support for the transfer and detailed the work currently being undertaken to meet the challenges in response to the emergency situation.

In response to a question around costs to schools for the music service, the Executive Director explained that work had been undertaken to ensure that the new model of working would reduce the cost of the music service to schools over the long term. The Chief Officer (Education & Youth) advised that the new proposals were fully supported by schools.

In response to a suggestion from Mr. David Hytch that the trade unions should have a representative on the Board, the Executive Director agreed to take this suggestion back to the Shadow Board for discussion.

It was also agreed that a copy of the Cabinet report appendices be circulated to the Committee following the meeting as they had been omitted from the Agenda.

RESOLVED:

- (a) That the Committee is assured by the progress to transfer Theatr Clwyd and the Music Service to a new charitable body on 31 March;
- (b) That the Shadow Board of the new body entering into formal agreement for transfer be supported;
- (c) That the principles of transfer, as set out in the Cabinet report shown at Appendix 1, be supported;
- (d) That the specific proposals for transfer as a framework for a service contract agreement, as set out in the Cabinet report shown at Appendix 1, be supported; and
- (e) That the feedback from the Committee be provided to Cabinet as part of the full and final report on due diligence, the resolution of any remaining service contract agreement detail and the formal proposal from the Shadow Board.

19. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 2pm and ended at 5pm)

.....
Chairman