

LIFELONG LEARNING OVERVIEW & SCRUTINY COMMITTEE
6 JUNE 2013

Minutes of the meeting of the Lifelong Learning Overview & Scrutiny Committee of Flintshire County Council, held at County Hall, Mold on Thursday, 6 June 2013.

PRESENT: Councillor I.B. Roberts (Chairman)

Councillors: M. Bateman, A.M. Bragg, A.J. Davies-Cooke, A.I. Dunbar, R.G. Hampson, S. Jones, P.R. Lightfoot, D.I. Mackie, N.M. Matthews, W. P. Shotton and N.R. Steele-Mortimer

CO-OPTED MEMBERS: Mr D Hytch, Ms. C. Burgess, Mrs. R. Price and Mrs. S. Williams

SUBSTITUTIONS: Councillors P.G. Heesom for D.T.M. Williams, M.J. Peers for C. Legg, and M.A. Reece for A. Minshull

ALSO PRESENT: Councillors J.B. Attridge, C.S. Carver, C.M. Jones, R.K. Jones, and A.P. Shotton

APOLOGIES: Mrs. R. Stark

REPRESENTING THE DECISION MAKERS: Cabinet Member for Education, Director of Lifelong Learning, Head of Development and Resources, and Head of Culture and Leisure

IN ATTENDANCE: Member Engagement Manager and Committee Officer

1. COUNCILLOR R.P. MACFARLANE

The Chairman referred to the sadness at the recent death of Councillor R.P. Macfarlane and asked all Members, officers and members of the press to stand in silent tribute to his memory.

Councillor N.R. Steele-Mortimer commented that whilst he was Executive Member of Education, Councillor Macfarlane had been the Chairman of this Committee. He expressed his sincere condolences and paid tribute to Councillor Macfarlane on behalf of the Committee.

2. DECLARATIONS OF INTEREST (including Whipping Declarations)

The Chairman advised Members of the need to declare a personal interest in school related items on the agenda if they were school or college governors.

All Members present except A. Bragg and P.R. Lightfoot (who were not school governors) declared an interest as school governors.

Councillors R.C. Bithell and N.R. Steele-Mortimer declared a personal interest as members of the Church in Wales and Mrs. R. Price and Ms. C. Burgess also declared a personal interest as diocesan representatives.

3. CONSIDERATION OF A MATTER REFERRED TO THE COMMITTEE PURSUANT TO THE CALL-IN ARRANGEMENTS

The Member Engagement Manager explained the procedure for the Call-In of a Cabinet decision.

4. HOME TO SCHOOL TRANSPORT POLICY CHANGES – DENOMINATIONAL TRANSPORT

The Chairman referred to the Call-In to the decision of the Cabinet from its meeting held on 21 May 2013 relating to Home to School Transport Policy Changes – Denominational Transport. The Call-In notice had been signed by six Members of the Council. To assist Members, the following documents had been circulated with the agenda:

- (a) A copy of the procedure for dealing with a called in item.
- (b) A copy of the report considered by Cabinet on 21 May 2013.
- (c) A copy of the Cabinet Record of Decision No.2854.
- (d) A copy of the Call In notice signed by Councillors A.J. Davies-Cooke, H.T. Isherwood, C. Legg, D.I. Mackie, N.R. Steele-Mortimer and A. Woolley.

The Member Engagement Manager outlined the procedure for dealing with a called-in item.

The Chairman invited the Call-In signatories to address the Committee. Councillor N.R. Steele-Mortimer, as spokesperson for the signatories, detailed the reasons for the Call-In. He said that a report seeking Members' views on the proposed changes to discretionary school transport policy; namely post 16 and transport to denominational schools, had been considered at a meeting of the Committee held on 14 March 2013. The Committee resolved that the Cabinet Member be asked to reconsider the proposals in view of the issues and concerns raised during the meeting and that a further report be submitted to the Committee for consideration. However, the request had not been acted on and the matter had been considered at the meeting of Cabinet on 21 May 2013. He expressed concern that the role and responsibility of Overview and Scrutiny in such matters seemed to have been ignored in this specific case.

Councillor Steele-Mortimer referred to the good response to the public consultation exercise which had been held with all stakeholders, however, there had been some misunderstandings during the process and he expressed the view that it was flawed. He said that a majority of 85% had not agreed with the proposals put forward and their views should be acted on.

Councillor Steele-Mortimer commented on the similarity between denominational transport and Welsh Language education facilities and said there was little difference between them. He emphasised that the issues raised by the signatories concerned the transport policy not the schools admissions policy. In his summary Councillor Steele-Mortimer outlined the further concerns of the signatories by stating that the proposed policy was discriminatory against those parents and guardians who wished their children to have religious based education but did not have the transport or personal means to send their children to the school.

The Chairman asked the signatories of the call in if they had any further comments or observations to make.

Councillor D.I. Mackie said he had been contacted by a number of parents who had expressed a preference to have their children educated in a faith based school. He referred to the work undertaken by a Task and Finish Group on this issue and said it had been determined that free transport to faith based schools must be non discriminatory.

Councillor H.T. Isherwood referred to the proposed implementation of changes to denominational transport from 2014 and expressed concerns around the provision for sibling groups, discrimination, and future transport arrangements. Councillor A. Woolley expressed further concerns around the introduction of the changes from September 2014 and said that there was a need for more detailed information to be made available to parents about what would happen. He also stated concern that the decision of the Committee following consideration of this matter at the meeting held on 14 March 2013 had been overlooked.

In response to the statements made by the initiators of the Call-In, the Cabinet Member for Education provided background information and emphasised that the policy review had been undertaken to produce a fair, equitable and sustainable transport policy for all. He referred to the proposed changes, the transport policies in other Local Authorities and the outcome of the consultation exercise. The Cabinet Member acknowledged that there had been a high proportion of responses which had disagreed with the proposed changes, however, the reasons for opposition had been divided. He gave a synopsis of the issues raised during consultation and the responses which had been provided.

The Director of Lifelong Learning commented on the importance of the roles of Scrutiny and Cabinet and the history around discussions relating to access and options to school transport. He advised that since denominational schools are "aided" schools they had responsibility for their own admissions and suitable evidence of adherence to the faith of the school may be requested to support an application for free transport.

The Director emphasised the value and role of faith based education and reiterated that the proposed changes were intended to produce a fair, equitable and sustainable transport policy. He referred to the current provision, the need to deliver an efficient and effective service, statutory transport provision, additional discretionary assistance, and the case for change.

The Chairman invited questions from members of the Committee.

Councillor A.I. Dunbar referred to the pressure on the Authority to make savings on its public spending and to protect essential services and commended the Cabinet Member and Officers for taking difficult but decisive action. Councillors R.G. Hampson and S. Jones repeated these sentiments.

Councillor N.M. Matthews made reference to other legislation which she felt contradicted the legislation cited by the Cabinet Member and also referred to the children of practising Anglicans in faith schools.

Mrs. R. Price, representing the Roman Catholic diocese of Wrexham, expressed a number of concerns and referred to the misconceptions driving the report and the need to revisit some of the information and history that had led to the current position. She stated that the Authority had Church school, community school and Welsh medium provision and there was a need for dual regard for that provision and the choices available for parents and guardians. She continued that the Admissions policy to schools was not always understood and could lead to the denial of real choice to faith based schools which may not be the nearest school.

In response to a query raised by Councillor A.M. Bragg concerning siblings the Cabinet Member for Education explained that the sibling rule applied to admissions but did not and never had applied to school transport. Concerning the further question from Councillor Bragg around transport provision the Cabinet Member said that if there was available space on the school bus then there would be a charge for the child.

At the end of the discussions the Chair invited the signatories to the Call-In to sum up their position. Councillor N.R. Steele-Mortimer thanked the Cabinet Member and Officers for their detailed and informative responses and reiterated the main points he had raised at the start of the meeting.

The Cabinet Member for Education referred to the responses received to the consultation questionnaire and explained that a response had been provided to the legitimate issues raised. He stressed that the provision of Welsh medium education was a statutory obligation

The Member Engagement Manager explained the Committee's options for reaching a decision. Councillor W.P. Shotton proposed Option 1 which was seconded and on being put to the vote the proposal was lost.

Councillor N.R. Steele-Mortimer proposed Option 4 which was seconded and when put to the vote the proposal was lost.

Councillor P.G. Heesom proposed Option 2 which was seconded and on being put to the vote the proposal was lost.

Councillor D.I. Mackie proposed Option 3 which was seconded and when put to the vote the proposal was carried.

RESOLVED:

That having considered the decision, the Overview and Scrutiny Committee was still concerned about it and thus referred the decision back to Cabinet.

5. DURATION OF MEETING

The meeting began at 2.00pm and ended at 3.35pm.

6. ATTENDANCE BY MEMBERS OF THE PRESS

There was one member of the press present

7. ATTENDANCE BY MEMBERS OF THE PUBLIC

There was one member of the public present.

.....
Chairman