

# **Council**

**Thursday, 11 April 2013**

## **Additional Information**

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### (AGENDA ITEM 9(D) – FOR INFORMATION ONLY)

#### CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 27 MARCH 2013

PRESENT:- Councillors Nick Martin (Vice-Chair), Andrew Bennett, Emma Faramarzi, Fay Howard, Colin Lovell, Cindy Matthews, Maureen Penny, James Robbins, Nadine Watts, Steve Weisinger, Alan Bishop and Des Moffatt.

Co-opted Representatives: - Andrew Wild (Church of England Diocese) and Mr Paul Sunners (Standing Advisory Council on Religious Education).

Apologies for absence were received from Councillors David Wood, Rex Barnett, Rochelle Russell and David Renard.

#### **42. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

Councillor Nick Martin made a personal and non-prejudicial declaration of interest in respect of Agenda item 5 (Review into Opening and Closing Schools) as he was a school governor at Lydiard Park Academy.

Councillor Andrew Bennett made a personal and non-prejudicial declaration of interest in respect of Agenda item 5 (Review into Opening and Closing Schools) as he was Chair of the Advisory Board at the Children's Centre at Croft.

Councillor Colin Lovell made a personal and non-prejudicial declaration of interest in respect of Agenda item 5 (Review into Opening and Closing Schools) as he was a school governor at St Luke's School.

Councillor Cindy Matthews made a personal and non-prejudicial declaration of interest in respect of Agenda item 5 (Review into Opening and Closing Schools) as she was a school governor at Oliver Tomkins Primary School.

Councillor James Robbins made a personal and non-prejudicial declaration of interest in respect of Agenda item 5 (Review into Opening and Closing Schools) as he was employed by Churchfields Academy.

#### **43. Minutes**

Resolved: That the minutes of the meeting held on 6<sup>th</sup> March be confirmed and signed as a correct record.

#### **44. Public Question Time**

Mrs Kareen Boyd, Hesketh Crescent, Old Town, enquired as to the

procedural processes to be undertaken at the meeting and raised a series of questions relating to the report submitted by the Review Group on the procedures into the opening and closing of schools within the Borough and as to the Review groups' impartiality in the process and on the subsequent implementation of the recommendations. The Chair thanked Mrs Boyd for her questions and comments, and stated that a written response would be sent to her.

Mrs Bouverie-Brine, Old Town, asked further questions on the Review into the opening and closing of schools within the Borough in particular regarding the drop-in sessions during the consultation process and on a complaint submitted to the Standards Committee.

The Chair thanked Mrs Bouverie-Brine for her questions and comments. He stated that he did not consider it appropriate to discuss a complaint that had been considered by the Council's Standards Committee who had found that there had been no breach of the Councillors Code of Conduct. The Chair agreed to provide Mrs Bouverie-Brine with a fuller written response in respect of her questions.

Mrs Carole Bent, Old Town, asked questions on the Review Group's findings relating to the Croft School, in particular to the openness and transparency of the consultation processes. She asked further questions on the report submitted by the Review group and requested she be able to submit questions by Mr Colin Doubleday.

The Chair thanked Mrs Bent for her questions and comments. The Chair referred to the Review Group's summary of conclusions indicating that there were no failures by the Local Authority and that statutory processes had been followed when opening and closing schools at Croft and Northview. The Chair agreed to provide Mr Doubleday with a written response to his questions.

Mr Boyd, Hesketh Crescent, Old Town, enquired on the timeframe for drafting the report. Mr Keith Carby, Chair of the Review Group, referred to the series of drafts undertaken to ensure submissions made by members of the public were included for their consideration. The Chair agreed to submit a written response indicating the schedule of meetings and timeframe for the collation of the report.

#### **45. Review into Opening and Closing Schools**

The Chair introduced the report on the review of opening and closing of schools and welcomed Mr Keith Carby, Chair of the Review Group and Mr David Wilkie to the Committee.

Mr Keith Carby, Chair of the Review Group, apologised for the late presentation of the report and advised that this was due to a number of factors including the availability of people, and the late submission of information regarding Northview School. He further reiterated the independence, impartiality and integrity of the Review Group who carried out this work in an unpaid capacity and undertook it as a civic duty. The Committee noted Mr Carby's assurance that the report was compiled by the Review Group without assistance by any outside parties and Mr Keith Carby confirmed that the Review Group's remit was solely concerned with reviewing the overall procedures for opening and closing schools in Swindon and

did not relate to the merits as to where a particular school should be built.

Mr Keith Carby summarised the report and in conclusion confirmed that all statutory processes were correctly followed and no Council failures were identified but the report did identify ways in which the consultation process could be improved. He referred to communication during the process and advised that whilst responses to questions from groups and individuals were good, overall communication with the community was identified as an issue.

The Committee welcomed the report and commented on the following points:

- The validity of the Review Group's Terms of Reference.
- The choice of Croft over other areas in the Central Area.
- Issues with traffic access to Croft.
- Public consultation over the Croft site.

Mr Keith Carby responded by confirming the remit had been agreed by the Committee (Minute 6 refers, Work Programme 2012/13) and that this remit did not include location choices and site traffic issues.

The Committee agreed with the Review Group's findings and noted the need for full, transparent and documented consultation processes to be undertaken in any future consultations relating to the opening and closing of schools within the Borough.

Resolved – (1) That the report on the review into the opening and closing of schools within the Borough of Swindon, be noted and its recommendations be endorsed.

(2) That the Committee refers the Review to the Cabinet member for Children's Services and the Board Director of Commissioning to ensure that the following recommendations set out in the Review are fully taken into account in any future opening or closing of schools:

- a. When the prospect of a school being opened or closed occurs in the future all the Members and Officers directly involved should receive a paper from the Director of Law and Democratic Services reminding them of the Authority's obligations to the public, especially to residents and parents in the locality of the school(s) that might be affected. This paper should make crystal clear why, how and when the public will be asked to get involved. In particular, the advice to all Members and Officers should be explicit and plain regarding the nature of any "consultation". The public needs to know which matters they can influence and which are already decided.
- b. Once the process is underway, the Director of Law and Democratic Services should send out reminders and updates at all key points in the process and as dictated by events.
- c. A fully trained Communications Officer/Team should be nominated for all School openings and closings. The nomination should be made as early as possible in the process. This Officer, leading his/her Team, should be made accountable and responsible for all consultation and the associated communications. This should include coordinating responses to all complaints. This will ensure consistency of approach and ensure information is correctly attributed and distributed and complaints are, wherever possible, resolved.
- d. A Communications Plan should be drawn up for such projects and should include sufficient time to deal with complaints and residents' concerns. The

Plan should feature the timelines for all aspects of the Communications process. Engagement with the public should begin as early in the process as possible when considering opening or closing a school so that the views of stakeholders can be taken into account – and be seen to be taken into account. At all times and stages, the nature of, and motive for consultation should be made explicit. Timeframes for the consultation should be proportionate and realistic to allow stakeholders sufficient time to provide a considered response. These matters should be decided on a case by case basis depending on the specific circumstances surrounding a school opening or closing.

- e. Prior to any consultation with the public, a document should be created detailing the reasons for the decision to open or close a school. The process used to arrive at the decision and the people and bodies involved should be made clear. That document should be publicised as the first step in any consultation exercise. The key questions being asked should also be set out simply and clearly. Consultation Meetings should be formally recorded and minuted to try and avoid the disputes of “who said what to whom”.
- f. When commissioning research and the resulting Feasibility Studies in the future, Swindon Borough Council should use a standard document or template that sets out the minimum requirements for such work. This will not only provide the public with knowledge of what the Council always asks external consultants to deliver in these circumstances, but will allow, over time, interested parties to better contribute to any debates over what was taken into account and to have a greater appreciation of how and why the eventual decision was made. Such an approach would also maximise the chances that the new learning gained in every instance of a School opening or closing could be captured and assimilated.
- g. The Standards Committee should be asked to consider whether guidance should be given to Members regarding the specific matter of making comments on any instances of School openings or closures.

(3) That Mr Keith Carby, Mr David Wilkie and Ms Wendy Hall, Members of the Review Group, be thanked for their hard work in conducting this Review.