

Education and Local Economy Scrutiny Commission

MINUTES of the OPEN section of the Education and Local Economy Scrutiny Commission held on Tuesday 1 February 2022 at 7.00 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter Babudu (Chair)
Councillor William Hougbo (Vice-Chair)
Councillor Nick Johnson
Councillor Eleanor Kerslake
Councillor Michael Situ
Martin Brecknell (Co-opted member)
Lynette Murphy-O'Dwyer (Co-opted member)
Marcin Jagodzinski (Co-opted member)
Mannah Kargbo (Co-opted member)

OTHER MEMBERS PRESENT: Councillor Jasmine Ali

OFFICER SUPPORT: Amit Alva , Scrutiny Officer

1. APOLOGIES

Apologies for absence were received from Councillor Radha Burgess.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The Chair gave notice of a late Item of business which had not been listed on the main agenda, Item 6. Exclusions and Alternate Provision- Update on implementation of scrutiny recommendations has been published in the supplemental agenda no.1.

The Chair also gave notice of an urgent item of business which had not been listed

on the main agenda, Item. 9 Growing Ethnic Minority Pay Gap, to be considered after Item 5. The questions on this item were emailed across to Councillors and Officers for a response prior to the meeting.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interest and dispensations.

4. MINUTES

Minutes of the previous meeting held on 16 November 2021 are to follow.

5. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)

The Chair informed the commission that under this item, Shenice, parent of a child with Special Educational Needs and Disabilities (SEND) is not present at the meeting.

The commission then received a journey map on Education and Health Care Plan process in SEND and also response to questions from Yvonne Ely, Assistant Director, SEND, these questions were raised at the previous commission meeting on 16 November 2021.

Yvonne informed the commission that the SEND system is quite vast and complex covering a wide age range and a variety of special educational needs from mild to complex and challenging needs faced by children and their families. Local authorities endeavour to support children appropriately ensuring legislation is followed, the SEND code of practice is a 300 page document which governs the processes.

Yvonne explained further that every council has a Local Offer covering education, health and social care aspects and in the case of Southwark it's a comprehensive local offer on the council website for professionals and parents to access giving in depth-information on SEND and services provided. The journey map provided in the agenda depicts a 20 week process and assessments for children and young people who have got much more complex needs than schools can provide, at this point either parents or the schools or the educational setting can be referred to the local authority for education, health and needs assessment. The children or young people are taken through this process with co-ordination and help of families, teachers and professionals in the field.

Yvonne then briefly discussed the responses to the commission's questions raised at the 16 November 2021 meeting in the agenda pack. Yvonne then answered the commission's questions on the following topics.

- Timeline for publishing the new SEND strategy

- Capacity to meet expected level of increase in the requirements for SEND provision over the coming years

Consultation for SEND strategy will commence in March 2022 covering a very broad area which includes schools, professionals, agencies, focus groups of parents and young people. The final strategy is expected to be completed towards the end of the school year 2022 covering the next three years.

On increased levels of provisions there are 2700 children with an EHCP which is considerable amount of growth and expanding provisions will be achieved by rebuilding and expanding schools like Beormund that the council maintains and provisions of resources for mainstream schools and building specialist units for provision where buildings are available.

The commission then discussed SEND provision around the following themes

- Role of SEND co-ordinators around the EHCP
- Volume of EHCP requests and expediting EHCP process
- Influx of students from other boroughs in Southwark Special Schools
- ADHD diagnoses, cases and referrals
- Children in out of Borough independently maintained specialist schools
- EHCP appeals process
- Home schooling and examinations

The Chair and the commission agreed to prepare draft recommendations on SEND based on the following points

1. Increased acuteness of need for children with SEND.
2. More inclusion in mainstream schools (New SEND Strategy)
3. Comprehensive training plans in mainstream for SEND provision
4. Local Authority working with Health sector around diagnoses for certain types of special educational needs
5. Clarity on routes parents can take in primary or secondary schools stages without having to go through EHCP needs and assessments? Current guidance gives impression that everybody and anybody needs an EHC assessment.
6. Early stage and pre-school for parents by Health care professionals who are concerned about their children's needs who don't meet EHCP thresholds.

6. EXCLUSIONS AND ALTERNATIVE PROVISION - UPDATE ON IMPLEMENTATION OF SCRUTINY RECOMMENDATIONS

The commission then got an update on scrutiny recommendations made to Cabinet in 2020-2021 Council year from Councillor Jasmine Ali and Officer Jenny Brennan on exclusions and alternative provisions.

Councillor Ali and Jenny briefed the commission on the following points

- School Inclusion Charter to be signed off by head teachers in next few weeks which focuses on working together with partners to support children and their families
- Southwark Inclusive Learning Service (SILS) reviewed in June 2021 and received excellent feedback
- Funding from Department for Education (DfE) of £1.4m for a two year pilot for positively engaging SILS with a multi-agency approach which involves youth offending services, early years mental health and primary to secondary transition, starting from January 2022 to August 2025
- Report on exclusions from 2017-2021 where numbers are affected by the Covid-19 pandemic
- Working with NEST to gain funding for a specific project to focus on disproportionate exclusions, mainly in mixed heritage children of black, African, Caribbean and white parents.

7. PROCUREMENT: ACCESSIBILITY AND SOCIAL VALUE - UPDATE ON IMPLEMENTATION OF SCRUTINY RECOMMENDATIONS

The commission then got an update on scrutiny recommendations made to Cabinet in 2020-2021 Council year from Doreen Forrester-Brown, Director of Law and Governance, Finance and Governance, Elaine McLester, Head of Procurement, Finance and Governance and Patrick Doherty, Principal Strategy Officer, Chief Executive's on Procurement: Accessibility and Social Value

The commission was updated on the following topics within the Fairer Future Procurement Framework:

- Fairer Future Procurement Framework in line with Council policies of equality, diversion and inclusion.
- Commitments to closing the Black and Asian minority ethnic pay gap by enabling ethnic minority communities and local organisations to work together.
- Incorporating Climate Change Strategy by improving procurement to support Council's ambitions in becoming carbon neutral.
- Staff virtual training tool taking them through the procurement process where they receive a certification upon completion of the course.
- To develop a contract management toolkit where staff across the council have a consistent approach to monitoring and reporting on contracts
- The framework to incorporate the Residential Care Charter, Modern Slavery Charter and Sustainable Food Strategy
- Commissioning of Centre for Local Economic Strategies (CLES) to undertake an analysis of Southwark Council's procurement processes to maximise our purchasing power in benefiting our local communities and businesses.
- CLES analysis to provide insights into geography of suppliers and using

supplier surveys to feedback on inequalities, monitoring questions and opinions around core processes

- CLES training sessions for procurement staff on local spend supply chain, building a network of local organisations and identification of local sectors for development and support that can enable socially and locally owned businesses to successfully bid for future contracts.

Doreen then answered the commission questions on the following topics

- Basic contract monitoring progress
- Contract monitoring training and additional recruitment of staff in procurement

Doreen explained to the commission that the contract management toolkit will provide the framework for basic contract monitoring. Currently there is no centralised data however Annual Performance Reports go to Contracts Review Board.

On training and recruitment of procurement staff, salaries in some areas have been raised to £50-£55k levels and trainee grades have been introduced, however there has been only one appointment at the junior level due to a national shortage of procurement professionals with Central Government being a huge recruiter with more competitive wages. The council has put in place interim staff whilst preparing a different approach and going back to the job market.

Elaine explained to the commission that other than the salary challenge from the private sector, some of the more attractive benefits of local government around flexible working and working from home arrangements are also now mirrored in the private sector.

The commission then had discussions around the following themes

- Challenges faced around the Social Value Act and its £100k cut off point affecting smaller organisations.
- Need for more than one apprenticeship per £1m of contract value which may not be possible across all sectors, however the vision with apprenticeships needs to be more ambitious and maximise social value out of those contracts.
- The need for a Centralised Corporate Reporting Board for contract monitoring purposes.

The commission agreed to formulate a draft recommendation on apprenticeships for the next commission meeting.

8. PROPOSED WORK PROGRAMME 2021-22

The Work Programme was noted by the commission.

9. GROWING ETHNIC MINORITY PAY GAP

The commission then heard from Melanie Medley, Head of HR on growing ethnic minority pay gap. The following questions were emailed across prior to the meeting

- Why has the ethnic pay gap increased over the last year to 14.7%?
- What steps is the Council taking to ensure that the ethnic minority pay gap closes going forward, rather than growing?
- What target date does the Council have for eliminating its ethnic minority pay gap?

Melanie explained to the commission that there hasn't been enough recruitment and investment in black and ethnic minority colleagues as shown in the annual workforce report for Cabinet. There is a new strategy in place to address concerns around career progression for our black and ethnic minority colleagues and additional support to get them access to senior positions. The Council has aims to increase recruitment of black and Asian minority colleagues which is at 40% and also has increased representation at Grade 14 job roles which is around the £55k per annum level from 22% to 25%, however more work needs to be done. All departments have been tasked with delivering action plans by 31 December 2022 and progress will be monitored by the Chief Officer team.

The commission then asked questions and discussed responses along the following themes

- Interview dates for new Chief Executive and number of applicants from black, Asian and minority ethnic backgrounds
- High number of black and ethnic minority colleagues in education and social care without a pathway to senior management leading to salary stagnation.
- Retention rates, apprenticeship monies and talent management strategies

The commission then heard from Melanie that Councillor Rebecca Lury is her portfolio holder for monitoring workforce and Councillor Alice Mac Donald is responsible for equality and diversity, the responsibility to deliver is shared between these two councillors with officers also reporting to Chief Officer Team.

The commission then agreed that clarity was needed to delineate the responsibility for closing the ethnic minority pay gap and suggested that this would be best served by the Leader of the Council.

Recommendation 7 based on the topic below:

7. Delineate responsibility for closing the growing ethnic minority pay gap

Meeting ended at 9:53 pm

CHAIR:

DATED: