

## Education and Local Economy Scrutiny Commission

MINUTES of the OPEN section of the Education and Local Economy Scrutiny Commission held on Tuesday 30 January 2024 at 7.00 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Chloe Tomlinson (Chair)  
Councillor Rachel Bentley (Vice-Chair)  
Councillor Jason Ochere  
Councillor John Batterson  
Councillor Renata Hamvas  
Councillor Irina Von Wiese  
Martin Brecknell (Co-opted Member)  
Jonathan Clay (Co-opted Member)  
Marcin Jagodzinski (Co-opted Member)

**OTHER MEMBERS PRESENT:** Councillor Martin Seaton

**OFFICER SUPPORT:** Amit Alva, Scrutiny Officer

### 1. APOLOGIES

Apologies for absence were received from Councillor Joseph Vambe.

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

The Chair informed the commission that the urgent item on the proposed amalgamation of St. Jude's and Charlotte Sharman primary schools has been withdrawn due an on-going consultation on the merger. This item will be looked at substantively at a future meeting and hear from both schools.

The Chair has also informed the commission that she will be giving a brief update on Kintore Way (KW) nursery school which has been circulated at the meeting. (Attached to minutes appendix.1)

There will be an update on St. Mary's Magdalene School (SMMS) at future meetings.

### **3. DISCLOSURE OF INTERESTS AND DISPENSATIONS.**

There were no disclosures of interests and dispensations.

### **4. MINUTES**

The Minutes of the meeting held on 5 December 2023 and 19 October 2023 were approved as a correct record.

### **5. PROPOSED AMALGAMATION OF ST. JUDE'S AND CHARLOTTE SHARMAN PRIMARY SCHOOLS**

This item was withdrawn as mentioned in notification of any items which the chair deems urgent.

### **6. IMPACT OF SCHOOL CLOSURES AND AMALGAMATIONS - HUMAN RESOURCES DATA (Pages 12 - 13)**

Chair's update on KW nursery school (attached appendix 1.)

- Thirteen staff redundancies took place on 31 December 2023, significant impact on children especially with regards to Special Needs and Educational Disabilities (SEND) provision
- Need for early years strategy for SEND provision, however positive signs, council's acknowledgement of the work needed in this area.
- Overall national issue with funding for nurseries and SEND provision in nurseries; next meeting agenda would include these topics.
- Currently creating a budget deficit recovery plan over a 5 year period

The commission then received a report from Alasdair Smith, Director of Children & Families, Children's and Adults' Services and Shereen Moussa, Head of Schools Human Resources, Children's and Adults' Services on the impact of school closures and amalgamations (HR schools data) covering the following points

- Report pt. 5 lists types of schools maintained by Local Authority (LA) with the exclusion of academies and free schools
- Multi-layered legal framework (education law) for educational operation in schools in addition to equalities, employment law and data protection etc.
- Schools have day to day responsibility for data protection management, LA having very little control

- Data provided is a combination of schools works census data and HR schools advisory service which schools can opt in to, 60 schools have opted in; Data provided anonymously to protect confidentiality
- Section 23 provides the impact of school closures and amalgamation, and council's 'Keeping Education Strong' strategy to mitigate the impact
- Only protected characteristics data (pt. 26-31) of age, gender, ethnicity and disability are collected by schools
- The exercise as a result of this report has led to changes in data collection forms for schools.
- Varying levels of redundancies in different schools; varying levels in ethnicity data; gypsy, roma, white British, white- Irish and non-white ethnic groups
- Gender data suggests women proportionately more represented than men in schools
- Disabilities data vary from 6% in one school to no disabilities in other schools and some people opting preferring not to say
- Mitigating impact on support staff jobs- admin, catering, cleaners, supervisors and also other full time jobs such as teaching assistants.
- Influencing and supporting schools and governing boards in minimising the impact of redundancies by helping staff find alternative employment through HR workshops (job hunting and upskilling) with Job Centre plus.
- Working with schools, trade unions and external service providers for finding jobs for redundant staff; advertising jobs from schools outside the borough like Kent
- Schools independently manage day to day HR processes with regards to disciplinary to avoid it turning into a formal hearing; 4 out of 5 disciplinary cases listed in the report are Black British which is a cause for concern, underpinning data shows varying levels of ethnicity
- Efforts being made to ensure Governance panels and council's HR business partners are from diverse backgrounds; also ensuring all necessary steps are taken prior to any formal hearing for dismissal
- Managing and mitigating issues linked to women of a certain age (menopausal) with regards to behaviour and performance; working with trade unions and Department Level Committee (DLC) issuing menopausal guidance
- Working with schools to identify training needs linked to disciplinary cases and ensuring such issues are managed in a diverse way
- Flexible working (pt. 102 -104) legislation dictates a minimum period of 26 weeks prior to applying for a flexible working request, one request a year; New legislation coming into force allows employees to make a request from day one and shortens the employer response time to 2 months to 3 months previously; and also employee not asked to reflect on what the impact would be on the employer; two applications a year are now allowed
- Governance in schools; no equalities data for governance in schools, on-going work with governing boards and anti-racist training to be delivered to governors as a part of Southwark Stands Together in governing boards.
- Senior Leadership - As a part of Southwark Stands Together (SST) professional curriculum group working with Senior Education Adviser David Brumfield, teachers and LA officers to increase representation of Black leaders.

- Working with trade unions to create a strategy to reduce inequalities by sharing their best practices; Southwark council endorsed UNISON Race Charter; action plan for next steps with senior leaders

The commission then asked questions on the following themes

- Main issue/s that could be resolved by looking at systems, processes and service strategically; also looking at governing bodies and senior leadership
- Redeployment for recent redundancies at KW school; Possible red flags in the report; safeguarding complaints and processes for written response
- Strategic issues and priorities within the report; and steps taken to manage them; 100 % ethnic group data not adding up in report; pt. 8 School staffing population, Governance board for appointed, management and dismissal of staff seeming to be operational and not strategic

Shereen explained to the commission that the HR schools team within the council is diverse and always discussing better ways to solve issues by learning from past experiences. The main challenge is mitigating the impact of the uncertainty around school closures and amalgamation on school staff, ensuring there is a framework for staff support and clear communication. Partnership working within the professional curriculum group is core to resolving issues at governance and senior leadership levels.

The commission noted that 19.4% of school staff are Black-British and 80% of disciplinary is Black-British in the past year. Officer agreed to provide data for the past 3-4 years at future meetings.

The Chair explained to the commission that the data on Black members of staff corroborates with the information and experiences heard from teachers and school staff; that Black members of staff have been disproportionately affected by disciplinary; this raises questions of in-equalities and it's important that safeguarding controls are put in place to avoid such occurrences. The Chair also requested that officers provide all redundancy data going back 3-4 years on all LA maintained schools.

Shereen informed the commission that Council have worked with schools to manage the redundancy processes, however there were staff who took voluntary redundancy; which is a different process. As part of the consultation, staff have had 1 to 1's, where they could consider redeployment.

The commission learnt from Shereen that disciplinary data has been biggest concern in the report, the council are making efforts to communicate with schools on the overall management of staff prior to such disciplinary issues reaching the formal stages. Safeguarding complaints and action taken depends on the severity of the issues and are decided by the governing panel; also present are management and Union representatives, most severe cases could result in immediate dismissal. Efforts are made to ensure that governance panels are diverse, and any decision that governors make are based on investigations and facts.

The Chair explained to the commission that from her past experiences that interpersonal relationships have an impact on informal disciplinary which could evolve in to formal disciplinary; and also that it's important, governor panels and decision making bodies are diverse.

Alasdair explained to the commission that since he has been in post as Director of Education since September 2023, and his main concern is the limited influence that LA has with influencing HR processes in schools, LA is only responsible in appointing the Governor of a school, the report only mirrors primary schools and we don't have the complete picture as only 2 out of 20 secondary schools are LA maintained and even they don't use the HR traded service with the LA. There is on-going work with ISOS (research and advisory company) in developing the 'Keeping Education Strong' strategy in Southwark.

The Chair and the commission noted that there is a need to ensure the governors and governance panels are diverse and representative of the schools' demographic.

Shereen explained to the commission that in LA maintained schools, decisions are delegated to governing boards through the delegation scheme; the governing body might choose to delegate the appointment of staff to Head teachers and senior leaders. In foundation and voluntary schools, the governing board being the sole employer is responsible for hiring and dismissals of staff. In community schools, the staff are employed through a council contract, however, the director would need to issue a letter on behalf of the governing board for disengaging a service; but ultimately the responsibility lies with the governing board.

## **7. AN UPDATE ON EAST STREET MARKET RENOVATION PROJECT**

The commission then heard from Lindon on the East Street Market renovation project

- Team formed of local communities, traders and shop owners in September 2023; funding received from 'Thriving High Street funds' through the council
- Part of team consists of members of the local residents mainly Black and African communities from various occupations such as urban architects, planners and Chief officers working with young people- anti-knife gangs and young entrepreneurs
- Working and engaging with traders in regular meetings; market traders and shop owners to work together and pooling their resources
- Capacity building workshops and skill building for traders and shop owners to self-manage and have equity in this initiative; public meetings with community and traders to discuss progress
- Mystery shopping exercise including professional researchers to assess trading processes; traders and shop owners accepted the issues brought to

light and are working together to take steps to take the market forward

- Survey of footfall in the market with the help of young people including gender and ethnic demographics; 80% of customers Afro-Caribbean customers however only 15 stores to cater to their needs.
- Housing redevelopment has created an influx of new customers who are not keen on visiting the market; meetings with marketing director of Lendlease revealed a need for attracting new customers by having new food offers, having night markets, weekday markets and family friendly markets.
- Local churches have allowed spaces for crèche providing a safe place for kids while residents shop and providing teas and coffees for older residents
- Lack of seating and toilets for elderly residents to be addressed with the help of churches.
- Running an exercise in redesigning the market for benches, pedestrianising the market, permanent stores in place of parasols and gazebos; and introducing Wi-Fi and card machines for payments.

The commission then asked questions on the following themes

- Previously lack of support for the market; findings of mystery shoppers; Borough and Bankside movement from produce to street food causing overcrowding and causing local customers to go elsewhere;
- Negative impacts of zoning market according to products; diversity of offers such as meat vans are not there anymore; plans to develop market; taxing process from council; need for standards agency working with traders; way –finding from other streets and updating frontages of shops

Lindon informed the commission that current funding from Thriving High Streets Fund amounts to £12,800, however just under £4800 has been received for this initial stage which is quite less than needed. This initial work is being undertaken to assess where the market is and where it needs to be in the future. Mystery shopper found cleanliness issues, issue with displaying licenses for returns, not all food vendors are displaying health hygiene ratings. With the help of our urban designers and planners, zoning the market is being considered, keeping in mind customer journey through the market. Pricing and negotiations by customers and traders is also being looked at; traders are going for cheaper products for higher prices to increase profits.

Lindon explained to the commission that the zoning of the market is a pilot scheme based on trial and error methods in having products and produce along a customer's journey through the market. There is on-going work with Chartered accountants in educating and training traders with taxation processes to cover themselves legally. There are on-going plans for the market charter with regards to standards and rules which would be accompanied by rewards.

Recent efforts by the team, has led to 100 of the 120 traders engaging in meetings; bringing them together with the constitution of the body and working to the

progress the market in the right direction. There is need for council funding and it is understood that funds are limited, however council resources in kind would help in developing the East Street market renovation project. The issue with standards is due to barter practice by customers which leads to traders buying cheaper products. Further work needs to be done in educating customers on pricing and quality of products. There are options to liven up the market by having music, events and activities; another option would be to have partner system where traders pool their money together to buy products in wholesale.

The commission also noted that traders at East Street are still struggling with higher rents, there has been some progress in council support through the High Street Funds however more needs to be done. Increase in footfall at the market is yet to be assessed.

## **8. CABINET MEMBER INTERVIEW- JOBS SKILLS AND BUSINESS ( LOCAL ECONOMY)**

The commission then heard from Councillor Martin Seaton and Danny Edwards on the following points of discussion

- Programme support for businesses; High Growth and Low Emissions economy; Investment and Growth stream, Green Economy stream; Thriving High Street funding stream; Inclusive neighbourhood; Extending local ownership
- Encourage and promote Southwark Youth Deal; Encouraging young people to take leadership positions; ensuring there is good quality work through working with trade unions; Flexible working for mothers with young children; better accessibility to work for disabled people; Opportunities for people 50 years or older
- Southwark is the best place to invest; forward thinking and prepared to work with industries of the future; Green Jobs target from last year of 2000 new green jobs currently at 1299 jobs as of last quarter, working with London South Bank University (LSBU) and Green hub, Southwark Colleges to identify green skills required to pipeline these jobs from schools and colleges
- Apprenticeships, recent launch of Health and Innovation District in 2023 named SE1, consisting of health and life sciences, projecting 15,000 new jobs; mainly in big digital, technology and pharmaceutical companies who are centred here for research and product development jobs meant for local people. This consists of Guys and St Thomas, Kings College, South London and Maudsley hospitals developing clinical trials

The commission then asked questions on the following topics

- Delivery plan of 2022-2026, target of getting 2500 Southwark residents into work; which are the growth sectors of jobs to meet these targets

- Support for business like Plush who have been displaced in the south of the borough; Response to previous scrutiny recommendations, P33 policy, businesses relocation strategy for providing relocation to businesses displaced due to redevelopment; relocation options not being viable for businesses and council steps if a developer is not able to provide viable relocation and its effect on planning permission for the development.
- Developers providing affordable work spaces at 10% and they can divert the 10% to communal spaces; Benchmarking apprenticeships in Southwark when compared to other boroughs in Southwark and relatively low number of internship (250) targets

Councillor Seaton explained to the commission that the growth sectors of jobs are mostly to the north of borough and efforts are being made to bring it to the south; mainly digital, retail and hospitality sectors which will be an evolution over-time towards the south of the borough.

The commission learnt from Councillor Seaton that there is some sensitive information that he is not at liberty to share; on support for businesses like Plush that have been displaced. The planning directorate did not grant the planning permission given by the council planning committee on the basis that the business and developer were unable to agree a financial compensation or viable relocation. Furthermore, the business lease on the property had expired for the past two years, the free holder then took direct action. Southwark planning policy does ensure that businesses in-situ for 10 or more years are protected for financial compensation due to redevelopment or relocation of business. Southwark Council has a policy to protect Small and Medium Enterprises (SMEs) including micro businesses as it benefits the local people. Small businesses in such circumstances should present themselves at planning committee meetings to voice their concerns and issues. It is critical for such businesses to make the Chair and commission members of a planning committee aware of their circumstances.

Councillor Seaton informed the commission as the ex-chair of the planning committee at Southwark Council and now a cabinet member, suitable offers of relocation or financial compensation were made to businesses such as Plush. Cllr Seaton has been in contact with the owner of Plush and they are now concentrating on having multiple businesses across the borough.

The commission heard from Cllr Seaton that the council actively looks to benefit local community with investment from developments as a part of Community Wealth Building program. Planning policies in Southwark do not allow developers to allocate affordable work spaces to communal spaces, however Cllr Seaton said he would be ask the same question to the Lead Member for planning committee.

The commission noted that there is a link between local economy and affordable housing, however affordable housing falls under the remit of a different Cabinet member.

Danny informed the commission that there has been some data on apprenticeships and Southwark fairs well in this regard when compared to other



boroughs. This also involves direct recruitment of apprentices, through supply chain and through projects like employment services. 25% of all apprenticeships in 32 London Boroughs are created by Southwark. Danny would provide latest figures at a future date to the commission.

The commission also requested breakdown of data by beneficiaries through the Thriving High Street Funds and Southwark Pioneer's Fund (SPF).

The commission then asked further questions on the following themes

- Partnership with Lambeth on the Green Skills Centre (figures); Update on Community Asset Model and Local Access Partnership (LAP)
- SE1 prioritising of apprenticeships and internships for local people

Councillor Seaton explained to the commission that the 1299 green jobs created of a target of 2000 green jobs, is in partnership with LSBU, Passmore Centre. Southwark Council has a commitment of investing £50m in this area over time. Benchmarking of green jobs created can be provided at a later date. Passmore centre is focused on creation of green jobs and skills required, and they also offer a broad range of courses that would contribute to reducing our carbon footprint as a borough.

Danny informed the commission that the council delivery plan targets 250 internships based on existing resources and the commission could possibly make a recommendation on internships target to the Cabinet. The Green Skills Hub is a virtual hub of partnership between LSBU, Lambeth Council, Southwark Construction Skills Centre and other partners. A breakdown of green jobs according to organisations and partners can be provided to the commission at a future date.

The commission heard from Councillor Seaton that SE1 and the Health Innovation District in partnership with Lambeth Council will be prioritising job opportunities for local people. It is important to note that success of this initiative is reliant on Broader Skills strategy, internship strategy and the Green Strategy.

Danny explained to the commission that the community asset model in partnership with LAP, has made progress since its inception and is delivered through partnerships. Delivering £6m investment through partner organisations for social and community enterprises is complex. LAP and the council are currently in negotiations with delivery partners and results will be announced soon. Southwark Land commission have made recommendations to develop a social purpose framework to deliver community land assets for social and community enterprises.

The commission then discussed possible recommendations on

- Thorough monitoring of all HR Schools Data- disciplinary, redundancy, governor demographic data
- Working with schools and trade unions to develop a strategy to address any inequalities in HR Schools data

- Monitoring progress of East Street Market renovation project; Council proactively supporting businesses such as Plush.

The chair explained to the commission that more information is need to establish whether the internship target of 250 is ambitious enough.

## **9. WORK PROGRAMME 2023-2024**

The commission noted that the next meeting on 22 February 2024 would have Cabinet Member Interview, Children, Education and Refugees which would include closure and amalgamation of nurseries.

The commission noted the changes in meeting dates

22 Feb 2024 7.00 pm (additional)

14 Mar 2024 7.00 pm (additional)

1 May 2024 7.00 pm (provisional)

Meeting ended at 9:25 pm

**CHAIR:**

**DATED:**

**29<sup>th</sup> January 2024**

### **Report for Scrutiny Committee**

#### **Redundancies and staffing**

- Thirteen staff redundancies took place on 31<sup>st</sup> December.
- Two staff members left and were not replaced.
- One staff member was offered a post in the structure but resigned.
- One staff member's redundancy has been delayed as they have taken up a maternity cover post at The Grove Nursery School.
- We have reduced the staff team by sixteen posts.
- We have initially reduced our pupil numbers and closed two classrooms.
- We have reduced the 3-5's places from 60 children per session per room to 39 children per session per room. This is a manageable number of children to have in the space.

Our capacity to support children with SEN/D has been greatly reduced. At the moment we are transitioning into the new structure, and have needed to be very cautious regarding January admissions. This is because we have identified that starting new children in January whilst getting used to a new staffing structure has risks around safety. There are a number of families who really want to attend Kintore Way who are dissatisfied that a place has not yet been offered.

#### **SEN/D- intentions and actions to date**

There has been acknowledgement from officers that Southwark need to develop an Early Years Strategy for children with SEND. A SEND Early Years and Inclusion Planning Group has been created and two meetings have been held. At the initial meeting there was a discussion about the need to plan ahead for children who have been identified by health as having additional needs.

Anna Chiva, Assistant Director for SEN/D visited Kintore Way in December and a further meeting was held online. We looked at the children with high levels of need currently at Kintore Way and also the waiting list for places. Anna saw evidence of professionals recommending Kintore Way to parents/carers as well as an example of a primary school advising a parent that Kintore Way would be a better learning environment for their child.

A proposal for additional funding was made after the identification of a number of children with complex needs who would require an Education Health and Care plan in the future. This

funding is to enable us to put provision in place for children with complex needs, as part of high quality early intervention. We were unable to take further action until we received written confirmation of this funding offer. This is due to previous experience where the school lost out due to inconsistent communication around funding conditions and amounts. A written agreement was received on 23<sup>rd</sup> January and a discussion to finalise the agreement took place on 29<sup>th</sup> January. We are now in a position to make arrangements to provide additional support for identified children.

We have a waiting list for children with SEN/D and the key question is- 'If children cannot attend Kintore Way then where do the children go to access their entitlement?' There does not appear to be any alternative. The school are receiving supportive letters from Health Visitors acting on behalf of parents who put forward the case that Kintore Way is the best place for a particular child to attend. As a result, it is personally and professionally, very difficult to tell families that the school cannot offer their child a place.

The Early Years Inclusion Planning Group is covering a number of issues raised and one of those is to look at sufficiency planning and I hope that this will help ensure that there are nursery places for children identified by health professionals as requiring additional support. The group is also looking at funding.

#### Budget Update

We have received a cash advance to help cover redundancy costs and be able to pay staff salaries.

We are currently trying to create a deficit recovery plan to show that we can come out of deficit and pay back the money we owe over a 5 year period. The DFE have provided Southwark with additional funding to support schools in deficit. If we can demonstrate that this is achievable then we can access additional funding that has been provided by the LA. We have to submit a deficit recovery plan by 31<sup>st</sup> Jan, and if successful we will receive a payment of £175,774 on 21<sup>st</sup> February 2024.

I do feel that there has been a real recognition of the work that needs to be done and that there is a positive view that better systems can be in place in the future that will benefit nursery aged children with additional needs