



EDUCATION FOR LIFE SCRUTINY COMMITTEE – 25TH SEPTEMBER 2012

SUBJECT: SCRUTINY PROPOSALS FOR THE EDUCATION ACHIEVEMENT SERVICE

REPORT BY: DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider scrutiny arrangements to support the new Education Achievement Service (EAS) for South East Wales; namely,
- a. The establishment of a Joint Scrutiny Panel to oversee the implementation and outcomes of the Education Achievement Service.
 - b. Governance arrangements for the new Joint Scrutiny Panel.
 - c. Possible subjects for inclusion into a work programme for the Education Achievement Service.
 - d. An implementation timetable.

2. LINKS TO STRATEGY

- 2.1 Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Monmouthshire County Council, Newport City Council and Torfaen County Borough Council have agreed to a collaboration model for school improvements services. With effect from September 2012 a single organisation known, as the Education Achievement Service (EAS), will be established and have responsibility for delivering a wide range of improvement services.
- 2.2 This paper proposes the scrutiny overview and governance arrangements for EAS.

3. BACKGROUND

- 3.1 The key driver for the establishment of the EAS comes from the Welsh Government's collaboration programme and the potential for a consortium approach to raising standards of attainment further and faster than previously.
- 3.2 Members from the 5 partner authorities approved a detailed business case for the EAS collaboration.

4. PROPOSAL TO ESTABLISH AN EDUCATION ACHIEVEMENT SERVICE JOINT SCRUTINY PANEL

4.1 The Project Board are asked to consider the following arrangements for a Joint Scrutiny Panel (JSP):

Format

4.2 There are many examples of collaborative arrangements being established throughout Wales. It is important that where key Council Services are delivered on this basis appropriate arrangements are established to ensure Members are able to exercise effective scrutiny challenge. The Welsh Government is paying increasing attention to developing the challenge offered by scrutiny committees in driving public service delivery improvement. Therefore, arrangements must be timely (rather than burdensome), supported by members, officers and the EAS, and agendas planned carefully to allow scrutiny to add value.

4.3 The Local Government Wales Measure 2011 contains formal powers for local authorities to establish joint scrutiny committees, however, these powers are yet to come into force. As there is no formal enabling power, it is suggested that an Education Achievement Service Joint Scrutiny Panel is established and takes the form of an informal task and finish group. A formal Joint Scrutiny Committee can replace the Panel when the legislative framework allows.

Membership

4.4 It is suggested that Membership will consist of 2 non-executive Members from each Council serving on the Scrutiny Committee with responsibility for the overview of the Education function. Partner authorities should nominate Members according to their individual political balance calculations.

4.5 It is a matter for each local authority partner to nominate or terminate the appointment of Members serving on the Joint Scrutiny Panel. The length of appointments is a matter for each local authority partner.

4.6 A standing invitation will be sent to each Director of Education and relevant Cabinet Members to attend meetings of the Joint Scrutiny Panel to answer questions from the Panel.

4.7 Views are requested on whether to invite co-opted member(s) to join the Joint Scrutiny Panel. It is good practice to co-opt key stakeholder groups to extend the combined knowledge of the scrutiny panel. As the EAS role will be assisting schools an obvious choice is to invite a primary and secondary school head teacher representative. Co-opted members would not have voting rights but could express the views and experiences of schools. To ensure fair and balanced representation appointments could be rotated between authorities every 2 years with the primary and secondary school representatives coming from different authorities. The head teachers (primary or secondary as appropriate) from the authority making the co-opted member nomination will be responsible for electing their representative.

Terms of Reference

4.8. The Joint Scrutiny Panel shall be responsible for exercising the following functions:

- a. To perform the general overview and scrutiny function for the EAS on behalf of the partnership authorities to include (but not limited to):
 - the budget monitoring,
 - the timeliness and quality of EAS' service delivery plan,
 - education attainment outcomes and improvements,
 - key performance indicators and organisational objectives,
 - consider reports made by Estyn or other statutory regulators.

- b. In partnership with the EAS, to develop and publish a forward work programme.
- c. To consider and/or make any reports and recommendations on any matter which falls within the responsibility of the EAS. A full list of EAS responsibilities needs to be collated and can be presented to the JSP in due course.

4.9 The role of the Joint Scrutiny Panel and the existing Scrutiny Committees must be complimentary and, where possible, avoid duplication of effort. That said, it is recognised that each partner authority will retain statutory responsibility for the delivery of improvement services regardless of the new collaborative arrangements. Therefore, it seems appropriate that each partner authority should continue to receive an annual report from EAS to inform members of their performance and the performance of the partner authority's schools. Given the importance of the services to be delivered by EAS, it is envisaged that individual authorities education scrutiny committees would want to retain the right to invite the EAS Director to discuss local service outcomes when there is significant variance in performance between the partner authorities. Minutes of the Joint Scrutiny Panel will be reported to partner authorities' scrutiny committees.

Quorum

4.10 A quorum of 50% (5 local authority members) of the Joint Scrutiny Panel's membership is required.

Election of a Chair

4.11 The Joint Scrutiny Panel shall elect (or re-elect) a Chair and Vice Chair in May annually. The Chair and Vice Chair shall be appointed from different authorities.

Chair to Determine Rules of Procedure

4.12 Members and the public must have regard for the Chair who will have the authority to determine on any rules of procedure during meeting(s) of the Joint Scrutiny Panel. The Chair will observe the rules of procedure relating to a meeting of a scrutiny committee operating within his or her own authority.

Members Conduct

4.13 Joint Scrutiny Panel Members will be bound by their Council's Code of Conduct.

Declarations of Interest

4.14 Members must declare any interest (and withdraw from if necessary) during meetings of the Joint Scrutiny Panel in accordance with their Council's Code of Conduct or as required by law.

Meetings

4.15 The venue for meetings will alternate between partner authority offices. It is expected that the Panel will meet on a quarterly basis. The Joint Scrutiny Panel shall decide on the timings of their meetings.

Openness and Transparency

4.16 All meetings of the Joint Scrutiny Panel will be open to the public unless it is necessary to exclude the public in accordance with Section 100A(4) of the Local Government Act 1972.

4.17 All agendas, reports and minutes of the Joint Scrutiny Panel will be made publicly available, in the normal methods used in each Council.

Recordings of Meetings

- 4.18 Anyone is permitted to make notes of meetings but recordings of meetings are not permitted

Deputations

- 4.19 It is a matter for the Chair to determine whether Members of the public or other stakeholders may participate in meetings of the Joint Scrutiny Panel.

Administration

- 4.20 Administrative support will be required to support the Joint Scrutiny Panel. It is proposed that Caerphilly County Borough Council will provide the lead scrutiny and administrative support for the Panel with committee services support being shared between the 5 partner authorities.
- 4.21 Each authority will take joint responsibility for publishing details of future Joint Scrutiny Panel meetings, agendas and reports through their usual routines.

Work Programme

- 4.22 It is suggested that the first 2 meetings the Joint Scrutiny Panel are focused on induction activities to ensure members all share the same understanding of the role and responsibilities of the EAS.

Meeting 1 (October 2012) - Induction Presentations and Workshops

- Election of Chair and Vice Chair
- Role of the Education Achievement Service and Need for Change
- Integration Process and Timetable
- Joint Scrutiny Panel Governance Arrangements

Meeting 2 (January 2013) – Induction Presentation and Discussion

- EAS Service Plans and Priorities
- Discussion to approve a Forward Work Programme. The work programme must reflect the EAS priorities. A draft work programme will be developed with the Managing Director before discussion with the JSP.

- 4.23 Further meetings can be planned for July 2013 and October 2013.

5. PERSONNEL IMPLICATIONS

- 5.1 The additional responsibilities outlined in this report can be absorbed within existing staff resources.

6. EQUALITIES

- 6.1 There are no direct equalities implications to this report therefore no Equalities Impact Assessment has been undertaken.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications arising from this report.

8. CONSULTATION

- 8.1 There are no consultation responses that have not been reflected in the recommendations of this report.

9. RECOMMENDATION

- 9.1 That the following recommendations are approved:
- a. Approve the establishment of a Joint Scrutiny Panel.
 - b. Endorse the proposed arrangements for a Joint Scrutiny Panel as outlined in paragraph 4 above.
 - c. Consider the appointment of co-opted members.
 - d. Endorse the approach to developing a forward work programme.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To introduce robust scrutiny arrangements to support and challenge the EAS.

11. STATUTORY POWERS

- 11.1 Local Government Act 2000

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