

Scrutiny Report

The circumstances and process by which the situation concerning surplus school places in Redditch has been handled

**Report of the Scrutiny Steering Group
January 2005**

Chairman's Foreword

I am pleased to present the Scrutiny Steering Group's report on the circumstances and processes by which the situation concerning surplus school places in Redditch has been handled.

When the Scrutiny Steering Group was asked by the Cabinet to investigate this issue, my first reaction was that this would be simply resolved by examining a paper trail of memos, letters, minutes and other written evidence. Unfortunately this was not the case and instead the scrutiny was an in depth investigation, involving discussions with a number of members, officers, headteachers and governors and going back to the latter part of 2002.

I would like to thank all those who have been involved, including Councillor Mary Drinkwater for her hard work on the initial background research, and my colleagues on the Scrutiny Steering Group for helping to make our discussions with members and officers particularly effective. Our two formal sessions were a model for how well scrutiny in "select committee" mode can work.

I particularly want to thank all those who gave us written information or who met with us. This is a very sensitive subject and it was encouraging that people felt able to be open with us.

It is hoped this report will be seen as a constructive attempt to bring about urgent changes to the way we record discussions and involve the Cabinet, and scrutiny, in sensitive issues. I believe our conclusions and recommendations make a significant step towards ensuring that emerging policies are developed in a more open and inclusive way.

John Buckley
Chairman of the Scrutiny Steering Group
December 2004

Scrutiny Steering Group Membership

Mr J W Buckley* (Chairman)
Mr H J Martin*(Vice Chairman)
Mr R A A Bullock*
Mrs M Drinkwater*
Mr P H Fallows
Mr W P Gretton*
Mr C G Holt
Mrs J M Davy*
Mr J R Webb*
Mrs M C G Wills
Mr J Witherspoon
Mr M M G Oborski*
Mr P Carter* (substitute for Mr P Fallows)

*** Members participating in the Scrutiny**

Scrutiny Steering Group Sub Group (for preliminary investigation)

Mr J W Buckley
Mrs M Drinkwater

Scrutiny Support Team

Suzanne O'Leary (Overview and Scrutiny Manager)
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Contributions

Ravens Bank First School
Marfield Farm First School
Dingleside Middle School
Ridgeway Middle School
Staff from the Educational Services Directorate, Worcestershire County Council
Mrs D Thomas, Councillor for Church Hill, Redditch
Head of Member and Administrative Services

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Scrutiny Steering Group

THE CIRCUMSTANCES AND PROCESS BY WHICH THE SITUATION CONCERNING SURPLUS SCHOOL PLACES IN REDDITCH HAS BEEN HANDLED

EXECUTIVE SUMMARY

The Scrutiny Steering Group examined the circumstances and process by which the situation concerning surplus school places in Redditch has been handled. The following terms of reference were agreed:

- *To examine the circumstances and processes by which the situation concerning surplus school places in Redditch has been handled.*
- *To examine what discussions and decisions have been taken, and if any, the process by which the Council should deal with surplus places.*

Initial scrutiny investigations were carried out by John Buckley and Mary Drinkwater. They met Headteachers, Governors, Educational Services staff, and Councillors and reviewed correspondence and press reports. The Cabinet Member with Responsibility for Education and Lifelong Learning, the Director of Educational Services, the Head of Policy Development (Education) and Mrs D Thomas, Councillor for Redditch – Church Hill then met with the Scrutiny Steering Group to answer their questions.

From our investigations, we found that there was a perception in the local community, and among Headteachers and Governing Bodies that proposals to deal with surplus places had been agreed and required rubber stamping by the Cabinet.

Conclusion:

During the course of the Scrutiny Steering Group's work it became evident that the Cabinet had not taken any decision to close any schools in Redditch, and no breach of officer delegated authorities had taken place; officers were acting within what they considered to be their remit.

However, we have concluded that actions taken by officers and some members helped create a perception that there was a preferred way forward, although Cabinet had not agreed such a way forward.

No individual or single event caused the disquiet about the way in which the process has been handled in relation to surplus school places in Redditch. It was in fact the combination of many different factors giving the perception to the public and members alike that decisions had been taken without proper public consultation.

We believe that if the recommendations as set out in this report are implemented, the chances of this situation reoccurring will be greatly reduced.

Recommendation 1 – Officer Delegation

We recommend that the Director of Educational Services should develop a more structured officer delegation scheme within his Directorate. (p12)

Recommendation 2 – Involvement of Cabinet Member

We recommend that the Director of Educational Services ensures that the existing guidance on the extent to which officers should consult with councillors, including CMRs, is followed in his Directorate. We also suggest that the Director of Corporate Services takes this opportunity to consider whether the guidance could be further clarified. (p13)

Recommendation 3 – Paper Trail

We strongly recommend that, in the interests of accountability, the Director of Educational Services keep clear unambiguous records of:

- a) formal Cabinet Member briefings; and
- b) actions taken to commence officers' preliminary investigations into emerging issues. (p13)

Recommendations 4 & 5 – Involving the whole Cabinet

We recommend that, in order to end the uncertainty in Redditch, the Cabinet consider whether to take action to deal with surplus places in Redditch (thus giving officers clear authority to carry out background investigations into the best way forward).

We also recommend that officers keep the whole Cabinet informed of emerging issues when it is clearly evident that the issue is of major public concern and likely to be sensitive and contentious or any one or combination of these factors. (p14)

Recommendations 6 & 7 – Involving Local Members

We recommend that local members are involved in as early stage as possible in any discussions about the future of schools in their area.

We recommend that the Chief Officers Management Board reminds officers, and Group Leaders remind members, of duties under the Code of Conduct regarding confidentiality. This could be included in any overall approach to member development. (p15)

Recommendation 8 – Dealing with sensitive issues

We recommend that, in the interests of openness and fairness, consideration should be given to involving key stakeholders at an early stage even when issues are difficult. (p16)

Scrutiny Steering Group

THE CIRCUMSTANCES AND PROCESS BY WHICH THE SITUATION CONCERNING SURPLUS SCHOOL PLACES IN REDDITCH HAS BEEN HANDLED

1. INTRODUCTION

- 1.1. In 1997/98 Worcestershire County Council carried out a large scale review of Redditch Schools with extensive public consultation and final decision being taken by the Council in early 1999. Changes were implemented in 2001.
- 1.2. Following a number of events during 2003 and early 2004, which are described later in this report, on 13 May 2004 the Cabinet were asked to determine a Notice of Motion opposing further school closures in Redditch. The Cabinet resolved that:
 - (a) in the light of the need for further evaluation and analysis, the situation concerning surplus school places in Redditch be considered in Autumn 2004; and
 - (b) the Scrutiny Steering Group be asked to arrange for a scrutiny to be carried out of the circumstances and process by which the situation concerning surplus school places in Redditch has been handled.
- 1.3. The following terms of reference were subsequently agreed by the Scrutiny Steering Group at its meeting on 17 June 2004:
 - (a) To examine the circumstances and processes by which the situation concerning surplus school places in Redditch has been handled.
 - (b) To examine what discussions and decisions have been taken, and if any, the process by which the Council should deal with surplus places.
- 1.4. The Scrutiny Steering Group is acutely aware of the sensitivity around any discussions about the future of schools. This scrutiny process has been conducted with the utmost care and we are grateful to all those who contributed to it. We want to make clear that our remit was not to consider what action should be taken to deal with surplus places in Redditch and we make no recommendations about this.

2. THE SCRUTINY PROCESS

- 2.1. The Scrutiny Steering Group agreed to form a sub group, which consisted of Councillors John Buckley and Mary Drinkwater, to gather background evidence and make preliminary enquiries with a view to determining if the matter could be easily resolved by examining correspondence and supporting evidence.

- 2.2. Between June 2004 and October 2004 the sub-group met Headteachers, Governors, Educational Services' staff, including link inspectors, and members, including Councillor Russ Clayton, Chairman Education Scrutiny Panel. It also reviewed press reports, Educational Services' correspondence and Chief Executive's correspondence.
- 2.3. It became apparent that there were a number of issues to explore and the Scrutiny Steering Group agreed to meet key people to discuss. The Cabinet Member with Responsibility for Education and Lifelong Learning, the Director of Educational Services, the Head of Policy Development (Education) and Mrs Thomas, Councillor for Church Hill, Redditch attended the Scrutiny Steering Group on either 22 October 2004 or 15 November 2004 or both to answer questions from members.

3. SEQUENCE OF EVENTS

- 3.1. Due to the nature of this scrutiny, it is helpful to set out the sequence of events from 2003 to spring 2004.
- 3.2. Following the Redditch Review, concerns began to emerge that there were continuing surplus places in Redditch. The schools involved were Ravens Bank First School, Marfield Farm First School, Dingleside Middle School and Ridgeway Middle School. The Scrutiny Steering Group heard from headteachers and governors that during 2003 there was a great deal of hearsay and local rumour and an expectation in the local community that surplus places in Redditch could not be sustained indefinitely and 'something' needed to happen.
- 3.3. In early 2003 the Educational Services Directorate wrote to Redditch Headteachers and Governors to obtain feedback on the review process in view of the impending Wyre Forest Review. The outcome of this evaluation was to be discussed at Cabinet in autumn 2003. This item was deferred when the Education Scrutiny Panel began its scrutiny, and subsequently withdrawn in March 2004. We asked the Head of Policy Development why the item had been withdrawn. He considered that a period of reflection was needed before any further paper was put forward.
- 3.4. In November 2003 the Education Scrutiny Panel began a scrutiny into the lessons learned from the Redditch Review. The Head of Policy Development had been asked to suggest issues for possible scrutiny and had been keen for the Scrutiny Panel to take this work forward.
- 3.5. At the Council meeting on 15 January 2004, Councillor Diane Thomas, Local Member for Redditch – Church Hill, questioned the Cabinet Member with Responsibility for Education and Lifelong Learning about paragraph 17 of her report. Mrs Thomas reported to us that the Cabinet Member reassured her that there was no hidden agenda to close schools and that the only action to be taken would be to tweak catchment areas.

- 3.6. The Education Scrutiny Panel's final report was discussed in March 2004 and their recommendations reported to the Cabinet on 19 April 2004. One of the recommendations was that, whilst over 2,000 places were removed as a result of the original review, the continuing demographic decline in Redditch required further action to be taken to reduce excessive spare places in first and middle schools.
- 3.7. In March 2004, Ravens Bank First School and Marfield Farm First School were briefed on possible proposals by their Link Inspectors. In an attempt to quell rumours, the Headteachers following the Directorate's advice, subsequently sent a letter on 17 March 2004 to parents to inform them of the "proposals" (letter attached as Appendix 3). Unfortunately, in one case the letter to parents seemed to imply that decisions had already been taken, which was not the case
- 3.8. In March 2004 there was press speculation about "proposed closures" of schools.
- 3.9. The local MP, Jacqui Smith, had produced a leaflet in March 2004 that reported a proposal to merge two schools. The Director stressed that this leaflet had been unhelpful and he had discussed it with the MP.
- 3.10. On 23 March 2004 Jacqui Smith MP carried out a petition among parents against closure outside some schools.
- 3.11. On 13 May 2004, the Cabinet were asked to determine the following Notice of Motion opposing further school closures in Redditch:

"This Council opposes further school closures in Redditch. The Redditch Review was a painful and protracted process which caused disruption, uncertainty and anxiety amongst pupils, parents, teachers and Governors. Redditch schools cannot face another period of educational upheaval so soon. They need a period of stability to drive up standards. This Council should resolve the surplus place issue in Redditch without rushing to school closures".

4. WHAT CAUSED THESE RUMOURS?

- 4.1. The Steering Group were keen to establish how this situation had escalated and why there were such concerns locally that decisions had apparently been made to close certain schools without proper public consultation.
- 4.2. A number of points emerged that we believe contributed to these rumours.
- 4.3. We found that during 2003, the Governors of Ravens Bank, Marfield Farm First Schools, Ridgeway and Dingleside Middle School were all advised by their respective Link Inspectors Head of Policy Development to recruit temporary, rather than permanent, headteachers.

- 4.4. The School Review Group had agreed to look at the issue because of concerns raised about falling rolls by some headteachers.
- 4.5. It also became apparent that during 2003 some planned building works for the year 5 block of Ridgeway Middle School were put on hold and feasibility studies were carried out by officers of Property Services at Dingleside and Ridgeway Middle Schools. We asked Property Services Officers how this would come about. They confirmed that they received specific instructions, post the Redditch Review, from the Head of Policy Development to give advice on feasibility at Dingleside Middle School. These plans would not be discussed with the school until an idea became an actual proposal.
- 4.6. It was evident from our discussions with the link inspectors that there was quite an open dialogue between officers in Educational Services about the Redditch surplus place issue and that proposals had been discussed in an open way. Some headteachers and chairs of governors told us they had been approached by the Education Directorate about possible options for the future of schools, others that they had heard about plans “on the grapevine” from other headteachers.
- 4.7. Information on the numbers of surplus places were provided to the Education Scrutiny Panel during the winter of 2003 and early 2004. This information, which detailed the extent of the problem, was therefore put into the public domain. In addition, the Panel’s draft scrutiny report was circulated in March 2004. Although this made no recommendations about what should be done to deal with surplus places in Redditch, it did highlight the issue.

Leaks to the Press

- 4.8. In addition to rumours being caused by the above, there was also a suggestion that a member had briefed the press in March 2004 following discussions with officers. Members were particularly concerned to clarify this point and therefore the Scrutiny Steering Group met Councillor Diane Thomas. She confirmed that she had been briefed by the Head of Policy Development (Education) on 11 March 2004 on suggested proposals which he anticipated would be discussed at the April 2004 Cabinet. Mrs Thomas was advised that the Headteachers would be briefed accordingly. The suggested options discussed were:
 - (a) to close Marfield Farm First School and Ravens Bank First School and merge the schools on the Marfield Farm First School site; or
 - (b) close Ravens Bank First School.
- 4.9. Councillor Thomas told us she felt this briefing was in total contradiction of the reassurances given at Council in January. She had therefore advised the Head of Policy Development (Education) that she could not support such proposals. The Head of Policy Development considered that Councillor Thomas had spoken to the press after he briefed her, as press reports after 11 March 2004 contained information he had shared with her.

- 4.10. Mrs Thomas categorically denied that she made a statement to the press at this stage, although she did advise her Group Leader of the situation. She explained that she had talked to the press after the Education Scrutiny Panel meeting on 17 March 2004 when she considered the information was already in the public domain, as this was after the schools had been briefed and letters had been sent to parents by the schools.
- 4.11. The Steering Group has no grounds to dispute Councillor Thomas' description of events from the information that was put before us.

Conclusion

- 4.12. The Scrutiny Steering Group has found that a number of factors contributed to the rumours about the future of schools, not the least the existence of surplus places.

5. KEY ISSUES

- 5.1. These events do raise a number of questions and the Steering Group wanted to examine whether there was any substance to the view that decisions had been made "behind the scenes" about the future of some schools.

Officer delegation

- 5.2. We wondered under what authority officers were acting when they advised governors not to recruit permanent headteachers and when they instigated feasibility studies of sites and put building work on hold.
- 5.3. The officer scheme of delegation does allow officers to carry out work in order to advise members of an appropriate course of action. In the Head of Policy Development's words officers "prepare the ground without pre-empting the decision". We accept that this is an appropriate role for officers. The Director considered that dialogue with headteachers and governors formed part of such preparation and he also stressed it was officers' role to avoid wastage if a review was imminent, for example by avoiding excessive maintenance costs or delaying building works on a building which may later be released.
- 5.4. However it became clear in our discussions with the Director of Educational Services that at an operational level there were no detailed guidelines for who should deal with issues at every level. He relied on officers' judgement and had every confidence in his Deputy Directors. We are concerned that any lack of guidance may cause difficulties for officers in assessing whether an action is over-stepping the mark.
- 5.5. Although officers have not technically breached the constitution, we consider they have not acted in its spirit by taking such detailed action before a Cabinet decision.

- 5.6. We believe this is one reason why there was a perception that a decision had been pre-empted. Certainly our investigation has found that as early as spring 2003 officers were developing a “preferred” option for Cabinet to consider. Although we must stress that constitutionally no decision has been taken.

Recommendation 1

We therefore recommend that the Director of Educational Services should develop a more structured officer delegation scheme within his Directorate.

Involvement of the Cabinet Member with Responsibility

- 5.7. The Scrutiny Steering Group wanted to find out from the Cabinet Member with Responsibility (CMR) at what stage she had been involved in preliminary discussions being undertaken by officers; whether she had been aware of the options being discussed; and crucially whether she considered she had been involved at an appropriate stage.
- 5.8. The Cabinet Member confirmed that she had become aware shortly after becoming CMR that Dingleside had problems with falling rolls. It also became apparent that, due to changes in demography, there were still surplus places in Redditch. She had asked to be involved in discussions as early as possible and she had asked about the implications of the various options.
- 5.9. The Director explained that surplus places trends were monitored by the EMG and he would alert the CMR if issues were becoming significant or structural. She would then be briefed by the Head of Policy Development and make a judgement whether the issue should be taken forward. The Director stressed that the Cabinet Member was regularly briefed on strategic matters, but not necessarily on the operational detail. The CMR confirmed that she would not have been aware of the operational details of the work officers were doing in preparing the ground during 2003.
- 5.10. It is concerning to note that, at the time of her report to Council in January 2004, the CMR appeared unaware – despite these regular briefings on strategic matters – of the proposals which were being developed by officers for consideration by Cabinet in April 2004. It is impossible to tell if this was an oversight on the part of the CMR or if she had not been informed. However, she did report that she had only fully realised the extent of the surplus place problem when the Education Scrutiny Panel published its report in March 2004. She also noted that she was currently investigating the possibility of federated schools, and this was possibly one of the ways forward in Redditch.
- 5.11. Members did ask when the Cabinet Member would normally become aware of the content of papers being put to Cabinet. She confirmed that she would be aware if an item was intended to go to Cabinet as it would be on the Forward Plan, although she would not necessarily see the final

papers for Cabinet until close to the meeting date, for example sometimes she would see the final version of the report a few days before the Cabinet Member briefing.

- 5.12. The Steering Group is particularly concerned that there appears to have been a breakdown in communication between the Cabinet Member and senior officers. This is a vital relationship and we consider it needs to be supported by effective and transparent systems.
- 5.13. The CMR noted that she received a great deal of information and would welcome a better system of identifying for her the main issues she needed to be aware of. We agree that such a system would be useful. We also recognise that the officer scheme of delegation does contain guidance on the extent to which officers should consult with councillors, including CMRs. We are not convinced that sufficient account has been taken of this existing guidance.

Recommendation 2

We recommend that the Director of Educational Services ensures that the Cabinet Member with Responsibility is fully informed, and that the existing guidance on the extent to which officers should consult with councillors is followed in his Directorate. We also strongly suggest that the Director of Corporate Services takes this opportunity to consider whether the guidance could be further clarified.

Paper trail

- 5.14. It would have been very much easier to assess whether the Cabinet Member had been involved in discussions at an appropriate stage, and on what basis officers were acting, if there had been a clear record of any informal decisions taken. However, the sub group found it extremely difficult to follow a paper trail of events and actions due to a lack of records, particularly a lack of notes of the briefing meetings between the Chief Officer and CMR.
- 5.15. The Director explained that informal notes are taken, although the CMR had asked for sensitive issues not to be minuted. We accept that Chief Officers and Cabinet Members with Responsibility are entitled to hold unminuted discussions. However when the Chairman reviewed the evidence, he concluded that existing informal notes were vague and it was difficult to conclude whether they dealt specifically with CMR briefings. It is vital that the audit trail is clear, especially given the imminent requirements of the Freedom of Information Act, which comes into effect in January 2005.

Recommendation 3

We strongly recommend that, in the interests of accountability, the Director of Educational Services keep clear unambiguous records of:
a) formal Cabinet Member briefings; and

- b) **actions taken to commence officers' preliminary investigations into emerging issues.**

Involvement of the whole Cabinet

- 5.16. Although clearly issues need to be discussed between the Cabinet Member with Responsibility and senior officers, the decision making body is the whole Cabinet. The Steering Group wanted to explore to what extent it should have been involved in this issue and at what stage.
- 5.17. The Steering Group asked whether the Cabinet had been given an opportunity to decide if action should be taken to deal with the surplus places, as it appeared that officers were working on the assumption that something would have to be done. The Director explained that part of the role of the Head of Policy Development (Education) was to monitor the outcome of reviews on an ongoing basis and, as part of this, officers were doing preparatory work so that members could consider various options. The CMR told us that politically a second review was considered unacceptable, and therefore it had been accepted that any further changes should be approached very carefully.
- 5.18. Members asked whether the Cabinet should have been made aware of the issues. The CMR considered that there had been no decision to take. It would be wrong for them to take a decision before the whole process had been properly investigated.
- 5.19. We believe that it appeared to the local community that, because the Cabinet had decided not to conduct another Redditch Review, further changes were being brought in by the back door. This could have been avoided if the Cabinet had been given an opportunity to openly discuss whether further action needed to be taken in Redditch.

Recommendation 4

We recommend that, in order to end the uncertainty in Redditch, the Cabinet consider whether to take action to deal with surplus places in Redditch (thus giving officers clear authority to carry out background investigations into the best way forward).

Recommendation 5

We also recommend that officers keep the whole Cabinet informed of emerging issues when it is clearly evident that the issue is of major public concern and likely to be sensitive and contentious or any one or combination of these factors.

Involvement of local members

- 5.20. The Steering Group asked when local members would have been involved in the discussions. One member had approached the Educational Services Directorate directly with concerns (about Dingleside and Ridgeway Middle Schools) in 2003 and another local member had

been briefed (about Ravensbank and Marlfield First Schools) in March 2004. There did not appear to be proper procedures in place to keep all local members involved.

- 5.21. We consider that it is difficult for members if they were unaware of work being done by officers and that involvement of the Local Member is key to dealing with any emerging issue. Their involvement should come at an early stage of discussion to allow local knowledge to be utilised.
- 5.22. The CMR agreed that it was important that officers were rigorous in keeping local members informed. However she considered that, sometimes, local members were told things in confidence and, unfortunately, occasionally, that information was misused.
- 5.23. The Head of Policy development told the Steering Group that he wanted to be able to give members as much information as possible about the work officers were doing about the Redditch surplus places. The Director commented that it was normal practice to treat sensitive issues confidentially. He felt that officers had to make a judgement when briefing members and this judgement may sometimes be wrong.
- 5.24. The Steering Group recognises that in this instance the rumours and press coverage had been detrimental to the morale of school staff, and had caused a great deal of concern for parents and pupils. We are not convinced that these rumours were caused solely by the actions of local members. However, we accept that for officers to have confidence in working with members, members must take responsibility for adhering to the code of conduct, which clearly states that if members are asked to treat information confidentially they should do so.

Recommendation 6

We recommend that local members are involved in as early stage as possible in any discussions about the future of schools in their area.

Recommendation 7

We recommend that the Chief Officers Management Board reminds officers, and Group Leaders remind members, of duties under the Code of Conduct regarding confidentiality. This could be included in any overall approach to member development.

Dealing with sensitive issues

- 5.25. It is clear that rumours will spread if people are kept in the dark about what is happening, particularly with an issue as sensitive as the future of a school. The Director explained that key local members would be briefed and he considered it was important that people remained calm until members were ready to make a decision.
- 5.26. However the Steering Group considers that at the heart of the problems in spring 2004 was the fact that discussions about various options were

taking place informally, without a clear political mandate. We consider that the Directorate should perhaps have anticipated that these discussions would not remain completely private and this led to the impression that decisions had been taken behind closed doors, without proper consultation. Headteachers told us that they would prefer any discussions about possible proposals to be either completely watertight or open and transparent. Although this would have been a highly sensitive and possibly contentious debate, the Steering Group has concluded that proper openness would have helped avoid the ill feeling that developed.

Recommendation 8

We recommend that, in the interests of openness and fairness, consideration should be given to involving key stakeholders at an early stage even when issues are difficult.

6. CONCLUSION

- 6.1. During the course of the Scrutiny Steering Group's work it became evident that the Cabinet had not taken any decision to close any schools in Redditch and no breach of officer delegated authorities had taken place; officers were acting within what they considered to be their remit.
- 6.2. However, we have concluded that actions taken by officers and some members helped create a perception that there was a preferred way forward, although Cabinet had not agreed such a way forward.
- 6.3. No individual or single event caused the disquiet about the way in which the process has been handled in relation to surplus school places in Redditch. It was in fact the combination of many different factors giving the perception to the public and members alike that decisions had been taken without proper public consultation.
- 6.4. We believe that if the recommendations as set out in this report are implemented, the chances of this situation reoccurring will be greatly reduced. We also consider that, to prevent similar problems occurring in other parts of the County, the opportunity should be taken by Cabinet to consider whether action is needed to deal with surplus places elsewhere.

Schedule of Activity

29 June 2004	Meeting of the Sub-Group and the Overview & Scrutiny Officer to review Chief Executive's Correspondence and agree the way forward
6 July 2004	J Buckley, M Drinkwater and the Overview & Scrutiny Officer reviewed Head of Policy Development Redditch 8 and 9 files
12 July 2004	Meeting between J Buckley, the Headteacher's of Marlfield Farm First School and Ravens Bank First School and the Overview & Scrutiny Officer
12 July 2004	Meeting between J Buckley, the Headteacher, Parent Governor of Ridgeway Middle School the Overview & Scrutiny Officer
13 July 2004	Meeting between J Buckley, M Drinkwater, the Headteacher, Chair of Governors of Dingleside Middle School and the Overview & Scrutiny Officer
19 July 2004	Meeting between J Buckley, the Link Inspector for Ravens Bank First School and Marlfield Farm First School and the Overview & Scrutiny Officer
20 July 2004	Meeting with J Buckley, M Drinkwater, the Link Inspector for Dingleside Middle School and Ridgeway Middle School and the Overview & Scrutiny Officer
20 July 2004	Meeting with J Buckley, M Drinkwater, the Link Inspector for Marlfield Farm First School w.e.f. September 2003 and the Overview & Scrutiny Officer
27 July 2004	Meeting between J Buckley, M Drinkwater, the Head of Quality and the Overview & Scrutiny Officer
29 July 2004	Meeting with J Buckley, M Drinkwater, Property Services Officers and the Overview & Scrutiny Officer
29 July 2004	Meeting with J Buckley and M Drinkwater and Director of Educational Services
1 September 2004	Meeting with J Buckley, M Drinkwater, the Overview & Scrutiny Manager and the Overview & Scrutiny Officer to agree next steps
7 September 2004	Meeting with J Buckley and M Drinkwater and D Thomas (Local member for Redditch – Church Hill)

7 September 2004	Meeting with J Buckley and M Drinkwater and R Clayton (Chair of Education Scrutiny Panel)
22 October 2004	Meeting with Scrutiny Steering Group to interview key witnesses – Head of Policy Development, Director of Educational Services and the Cabinet Member with Responsibility for Education and Lifelong Learning
15 November 2004	Meeting with Scrutiny Steering Group to interview key witnesses – Director of Educational Services and D Thomas, Local Member, Redditch – Church Hill

Appendix 2

Documents received by Scrutiny Steering Group Sub Group

<u>Title</u>	<u>Author</u>	<u>Date Received</u>
Chief Executive's Correspondence File	Various	28 June 2004
Press cuttings from March to May 2004	Various	6 July 2004
Redditch 9 Correspondence File belonging to Head of Policy Development (Appendix List of Documents Reviewed)	Various	6 July 2004

Further copies of this report are available from:

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Cabinet
8 February 2005**SCRUTINY REPORT ON THE CIRCUMSTANCES AND
PROCESS BY WHICH THE SITUATION CONCERNING
SURPLUS SCHOOL PLACES IN REDDITCH HAS BEEN
HANDLED****Response of Councillor Andy Roberts, Cabinet Member with Responsibility
for Education and Life-Long Learning**

- 1 I start by saying that the Panel have handled their work with tact. They have not concentrated on who was to blame for any leaks of information or the motivation for any breaches of confidence. Instead they have scrutinised the *process* that led to public concern, and considered how things might be better handled in the future.
- 2 They have dealt with the rumoured threat of closure of schools in Redditch, and recognised the difficulties of those who have to 'prepare the ground without pre-empting decisions', which they agreed is an 'acceptable role for officers'.
- 3 The recommendations are taken in turn:

Recommendation 1

We therefore recommend that the Director of Educational Services should develop a more structured officer delegation scheme within his Directorate.

A more structured delegation scheme would be helpful – though it must be recognised that managing ambiguity is a key role of a senior officer.

At present the rule covering officers' delegated powers contains restrictions on the way officers carry out their functions and reminds officers that whilst day to day operational decisions will mainly be taken without consultation with members, there is a need in certain circumstances to consult with relevant members before deciding whether to exercise delegated powers.

Recommendation 2

We recognise that the Director of Educational Services ensures that the Cabinet Member with Responsibility is fully informed, and that

the existing guidance on the extent to which officers should consult with councillors is followed in his Directorate. We also strongly suggest that the Director of Corporate Services takes this opportunity to consider whether the guidance could be further clarified.

I agree that Directors should continuously review their relationship with elected members and recognise that such relationships change. Crucial to any relationship must be the recognition of roles and the divide between strategic and operational issues.

Recommendation 3

We strongly recommend that, in the interest of accountability, the director of Educational Services keep clear unambiguous records of:

(a) formal Cabinet Member briefings;

It is agreed that adequate records should be kept, which is within the modern spirit of public accountability.

(b) actions taken to commence officers' preliminary investigations into emerging issues.

This recommendation is taken to mean that a record should be made if any elected member asks an officer to carry out preparatory work on his/her behalf - in which case it is endorsed.

Recommendation 4

We recommend that, in order to end the uncertainty in Redditch, the Cabinet consider whether to take action to deal with surplus places in Redditch (thus giving officers clear authority to carry out background investigations into the best way forward).

As Cabinet Member with responsibility for Education I have no immediate plans to implement any review of the educational provision in Redditch.

Recommendation 5

We also recommend that officers keep the whole Cabinet informed of emerging issues when it is clearly evident that the issue is of major public concern and likely to be sensitive and contentious or any one or combination of these factors.

This recommendation suggests significant changes in which Cabinet currently operates and in the current lines of political accountability by which a Chief Officer's line is primarily to the Cabinet Member with Responsibility. It would bring into question the clarity of the political responsibility of a Cabinet Member with Responsibility if he/she were to seek endorsement from the whole Cabinet to all "emerging issues". However, there may, in exceptional circumstances, be a need for the

Cabinet to receive reports on some issues at an earlier stage than others, but a standard approach is perhaps too restrictive – Cabinet Members with Responsibility in reviewing issues with Chief Officers would need to make considered judgements in each case.

Recommendation 6

We recommend that local members are involved in as early stage as possible in any discussion about the future of schools in their area.

This is seen as being a healthy modern approach which is reflected in our current arrangements. However it should be considered in conjunction with recommendation seven.

Recommendation 7

We recommend that the Chief Officers' Management Board reminds officers, and Group leaders remind members, of duties under the Code of Conduct regarding confidentiality. This could be included in any overall approach to member development.

This could be misread as being a rebuke aimed at individual elected members. However, it is recognised as a sound recommendation, which implies that all elected members should *learn* from this experience.

Recommendation 8

We recommend that, in the interest of openness and fairness, consideration should be given to involving key stakeholders at an early stage even when issues are difficult.

This is a brave recommendation emphasising the Panel's belief that individual stakeholders will not act in sole pursuit of their own interests. If key stakeholders expect such an approach, then they must accept responsibility for ensuring confidentiality, where necessary.

- 4 At the heart of the report is the Panel's call for clarity and openness in the decision making process of local government. This modernistic approach is applauded, and I thank the Panel for their objectivity and impartiality.

Councillor Andy Roberts
Cabinet Member with Responsibility for Education and Life-long Learning