

**COUNCIL**  
**13 FEBRUARY 2020****REPORT OF CABINET - SUMMARY OF DECISIONS TAKEN**

---

**Scrutiny Report: Quality Assurance of Care and Nursing Homes**

1. The Cabinet has considered a Scrutiny Report on Quality Assurance of Care and Nursing Homes. The scrutiny review was proposed by the Overview and Scrutiny Performance Board (OSPB) to seek reassurance about the effectiveness of the Council's quality assurance systems of residential care and nursing homes. In planning its approach to the scrutiny, the Task Group established to consider the scrutiny learned that there were a number of different organisations involved in inspecting providers of care and nursing homes. Therefore, whilst the remit of the scrutiny was on the role of the Council's Quality Assurance Team, the Task Group also met with other organisations involved and visited a number of care and nursing homes across Worcestershire. The terms of reference of the scrutiny were *"to investigate how the Council carries out and monitors quality assurance of care homes in Worcestershire."*

2. The OSPB fully endorsed the recommendations in the Scrutiny Report at its meeting on 10 December 2019. The Cabinet has received the Scrutiny Report on quality assurance of care and nursing homes together with the response of the Cabinet Member with Responsibility for Adult Social Care. It has noted the Scrutiny Report's findings and recommendations and agreed to adopt the response of the Cabinet Member as the way forward.

**Annual Update to the School Organisation Plan 2019**

3. In December 2018 the Cabinet approved the five-year strategic School Organisation Plan "Good education places for all Worcestershire children". The Plan is a static one designed to provide an overview of school place planning from 2019 to 2024. The Plan is revised annually by updating the four sufficiency reports that provide the operational direction for the overall strategy. The forecasts from the reports are used to plan for education provision requirements, shared with schools and other education settings, and form the basis of the School Capacity Report to the DfE that is used to allocate basic need grant. The 2019 updates for mainstream and Special Educational Needs and Disability (SEND) sufficiency show that there is a sufficiency of places to meet the Council's statutory responsibilities. However, there is pressure on SEND provision and in terms of early years a need for more flexible childcare to support working parents. The post-16 update recognises a sufficiency of provision at this time but that provision will come under pressure as numbers in secondary schools rise.

4. The Cabinet has noted the updated annual sufficiency information for all areas of education, added to the five-year School Organisation Plan 2019-24. It has also noted the pressure on mainstream and SEND places, the need for more flexible childcare and the work being undertaken to support post-16 provision, highlighted in the reports. The Cabinet has approved the 2019 update of place sufficiency information as part of the

School Organisation Plan. The Cabinet will receive an annual report to approve further iterations of the School Organisation Plan including place sufficiency information.

### **School Admission Arrangements for Community and Voluntary Controlled Schools for 2021/22, Co-ordinated Admissions Schemes 2021/22 and Fair Access Protocol for Worcestershire Schools**

5. The Cabinet has approved the Admissions Policy for Community and Voluntary Controlled Schools 2021/22 and the scheme for Co-ordinated Admissions for Primary/Middle and Secondary Schools for 2021/22. It has also approved the PANs for Community and Voluntary Controlled primary/middle and secondary schools for the academic year 2021/22. This includes PAN reductions for the Grove Primary School and Nursery, Feckenham CE First School and St Anne's Primary School.

6. The Fair Access Protocol currently in place within Worcestershire has been under discussion with schools over the last year. Overwhelming feedback has been that it needed to be reviewed to provide a clearer, transparent system. A revised Protocol has therefore been prepared based on feedback from schools and with regard to best practice from neighbouring local authority areas. Following consultation on the new Protocol responses showed that it had been well received. The Cabinet has approved the Fair Access Protocol for Worcestershire schools. The Protocol will come into effect with In-Year co-ordination of applications. The Council will also be conducting a separate piece of work in relation to creating a Managed Move Protocol for Worcestershire schools.

7. The Cabinet has also confirmed the authorisation to the Cabinet Member with Responsibility for Education and Skills to approve the Council's annual Admission Arrangements, in consultation with the Director of Children's Services. This includes the annual Schools Admissions Policy for Community and Voluntary Controlled schools, Schemes for Co-ordinated Admissions and the Fair Access Protocol where no significant changes are proposed to them and approving school PANs (other than for prescribed alterations to maintained schools through increase in physical capacity and without prejudice to their separate delegation).

### **Responding to Change of Age Range requests from Maintained Community Schools or Change of Age Range Consultations from other types of Schools**

8. The Council has a set of criteria which should be considered if a maintained community school makes a request to publish a statutory public notice on proposals for the school to change its age range or when responding to consultations on change of age range from other types of school. Guidance issued by the DfE in 2018 has now created greater leniency for academies in terms of change of age range requests. This has meant that maintained schools are subject to comparably more stringent criteria. In order to ensure fairness and allow maintained schools to remain flexible and adapt to changing environments on par with academy schools, revision of the Council's policy had been proposed. A non-statutory consultation on proposals to amend the change of age range policy for maintained community schools was carried out. All the proposed changes received support from nearly two thirds of the respondents. The policy was further refined to address some of the issues raised in the consultation where there was less support.

9. The Cabinet has noted the results of the consultation and that further amendments have been made to it in the light of responses to the consultation. It has approved the revised Council policy on responding to change of age requests or consultations. The Cabinet has authorised the Director of Children's Services to both respond to change of age range consultations where the Local Authority is not the decision-making body, in line with the revised policy, and to continue to respond to change of age range consultations from all other types of schools where the Local Authority is not the decision-making body, in line with the revised Council policy, in consultation with the Cabinet Member with Responsibility for Education and Skills. Where the Local Authority is the decision-making body, delegated decision-making will continue to be exercised in accordance with current procedures.

### **New Primary School Alternative Provision for Kidderminster**

10. Alternative Provision is used by local authorities to fulfil their specific duty to make arrangements for children who by reason of permanent exclusion, illness or other circumstances would not receive a suitable education. As part of the process for the Council's expression of interest in a new Alternative Provision (AP) free school, a bid was prepared to identify the rationale for the provision, the need for numbers, financial information and site location. The expression of interest was submitted to the DfE in November 2018 under the wave 2 process for special provision. In 2019 the DfE announced that the Council had been successful to enter into the process to open a new primary AP free school in Kidderminster. For wave 2 the Council is responsible for identifying the specification for the new school and appropriate revenue funding but the DfE is responsible for the majority of the capital costs of the new school. A specification for the new school had identified a need for 45 primary school places. The Council is committed to commissioning five places at the new school. Funding for this will come from Dedicated Schools Grant High Needs Block. The Council has also identified the former Sladen Middle School site, Kidderminster as a potential site for the school.

11. The Council is not the proposer for the new school and so the preferred provider will be responsible for carrying out consultation on proposals to open a new school. The Council, following a selection process involving the DfE, has recommended a preferred proposer to the Secretary of State for Education. If the Secretary of State approves a proposer the project will enter the pre-opening phase which would last one and a half years and be managed by the DfE. This phase allows for final confirmation of the site, affordability of capital costs and for the chosen provider to develop their admission arrangements, curriculum and governance. During this phase the trust/proposer would carry out its statutory obligation to consult under Section 10 of the Academies Act 2010 about their free school proposal. If no proposer is approved, the project will cease.

12. The Cabinet has endorsed the work undertaken by Worcestershire Children First and the DfE in respect of the wave 2 process for establishing a primary AP free school in the Wyre Forest area of Worcestershire and has noted that the final decision on the choice of proposer for the new school rests with the Secretary of State and is due to be announced in Spring 2020. It has also approved the proposed location and site of the new school on part of the former and vacant Sladen Middle School site and agreed that the required land would be leased to the new free school on a 125-year lease. The Strategic Director of Commercial and Change would settle the details of the lease. The Cabinet has also approved the revenue funding for the primary places with the intention for the new school to open from September 2021 subject to the signing of the funding agreement between the Secretary of State and the trust. It has noted that the statutory

consultation under Section 10 of the Academies Act 2010 to enter into an agreement with the Secretary of State to set up a free school rests with the chosen trust as part of the pre-opening phase.

### **Review of Delivery Model for Medical Education Provision**

13. The Council has a duty to ensure arrangements are made for pupils who are unable to attend school because of their medical needs. The service is currently accessed through three bases across the county in Kidderminster, Redditch and Worcester and/or for some children and young people home tuition. The service offers education hours of core subject teaching, dependent upon key stage. The current service model is for the Medical Education Team (MET) to deliver support for children who have an assessed medical need and cannot attend school. The children's needs are regularly reviewed in conjunction with relevant medical professionals to ensure timely reintegration to school. If a student's needs cannot be met through school-based support a referral can be made to the MET service.

14. In 2018 an external peer review of the MET was commissioned. The review's report set out the strengths of the service and also identified service areas for development. In 2018/19 measures and actions were taken to improve the physical environment of individual bases. The review and further redesign would seek to identify and address suitable accommodation for an improved and appropriate teaching environment. Any new delivery model should improve the experience and outcomes for children who cannot attend school due to a medical condition. It should also incorporate access to services that will prevent the escalation of health conditions.

15. The Cabinet has noted the issues identified regarding the existing Medical Education Service delivery and approved a proposed timetable for the development of a new delivery model for provision. It has also approved the proposals for a new model for MET provision to be co-produced with families, parents/carers, schools and health partners. It will receive a further report later in the year to consider proposals for the new delivery model following design and co-production work.

### **Rural Connected Communities – West Mercia 5G Project**

16. Following its success in bidding for Government funding to test and explore fifth generation (5G) mobile technologies within the areas of Industry 4.0, Advanced Manufacturing and Security applications in Spring 2018, the Worcestershire 5G Consortium secured additional funding and a 12-month extension of the project to deliver additional outcomes. In August 2019, the Department for Digital, Culture, Media and Sport (DCMS) announced a '5G Rural Connected Communities' funding round across the UK. The Council applied to the DCMS as the lead partner of a 'West Mercia 5G' bid to include other public and private partners on a 2-year project to commence on 1 April 2020. The application focused on innovative ways to deploy 5G networks in rural areas. If successful, in Worcestershire the area covered is expected to be around Tenbury and the 'use cases' anticipated to primarily focus on 'health and social care applications'.

17. The Cabinet has noted the success to date by the Worcestershire Local Enterprise Partnership, the County Council and project partners in delivery of the DCMS's Phase One of the 5G Testbed and Trials project and ongoing extension to March 2020. It has endorsed the application of the separate 'West Mercia 5G' project

into DCMS's Rural Connected Communities fund, to support a 2-year research and design project in 5G in rural areas. Should the application be successful, the Cabinet has noted both the award of an initial grant from DCMS would be up to £3.3m and the role of the County Council as the lead partner, managing the project, assuring and financing partners' claims and drawing down funding. It has noted and accepted both the potential opportunities and risks of the project and authorised the Strategic Director of Economy and Infrastructure, in consultation with the Chief Finance Officer and the Cabinet Member with Responsibility for Economy and Infrastructure, to finalise and agree the necessary agreements to progress and support the proposed project. The Strategic Director has also been authorised to take all appropriate actions to progress and support the proposed West Mercia 5G project and to continue to support the current Worcestershire 5G Consortium, including supporting investigations for alternative funding sources to potentially extend the referenced projects and wider programme.

**Mr S E Geraghty**  
**Chairman**

### **Contact Points**

#### County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

#### Specific Contact Points for this report

Nichola Garner, Committee and Appellate Officer

Tel: 01905 846626

Email: [ngarner2@worcestershire.gov.uk](mailto:ngarner2@worcestershire.gov.uk)

### **Background Papers**

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meeting of the Cabinet held on 30 January 2020