

**COUNTY COUNCIL**

**6 SEPTEMBER 2006**

**REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

**PUTTING THE LEARNER FIRST (PLF) – CONSULTATION PROCESS**

**1. SYNOPSIS**

Based on the learning from recent Judicial Review this report seeks changes to the PLF consultation process and seeks delegated authority for any further changes.

**2. IMPLICATIONS**

**Policy** This report seeks to develop the consultation process agreed by the County Council on 19 April 2005.

**Financial** None.

**Personnel** None.

**Property** None.

**Crime and Disorder** This report has considered Section 17 (CDA) and the duty it imposes and there are no implications arising from it.

**Equalities** None.

**Customer Considerations** If accepted the recommendations in this report will result in a consultation process that allows the public to be consulted on the relative strengths and weaknesses of a 2-tier and a 3-tier system as required by the Judicial Review.

**3. CONSULTATION**

The contents of this report have been considered by the Executive Member for Children's Services, Management Board and the Legal and Administrative Services Manager.

**4. RECOMMENDATIONS**

The County Council is recommended to;

i. Agree that the consultation process set out in Section 6 is used for all further PLF consultation.

ii. Agree;

a. That power to make further changes to the format for consultation set out in section 6 below be delegated to the Executive.

b. That power to make all decisions relating to further consultation on any proposed modifications to the proposed model and/or on any alternative model arising as a result of the consultation, as set out in section 6(3)(c) below, be delegated to the Executive Member for Children's Services and

the Executive Director of Children's Services. In the absence of such agreement, the matter shall be decided by the Executive.

## **5. BACKGROUND**

On 19 April 2005 the County Council noted the outcomes of Stage 1 consultations on its Strategic Vision "Putting the Learner First". The County Council resolved that the preferred framework be adopted as the basis for further consultation at Stage 2. It also agreed the timetable for implementation in the first six partnerships and the arrangements for consultation. See Section 12 of the 19 April 2005 report, this can be found with the Background Papers. Stage 2 consultation started in the week beginning 3 May 2005.

Following the decision made by County Council on April 2005 permission to vary the consultation timetable and the dates for Executive and SOC meetings has been delegated by the Executive to the Executive Member for Children's Services in conjunction with the Executive Director of Children's Services.

During Stage 2 consultation the County Council was challenged via a Judicial Review. To comply with the Judge's Order arising from the Judicial Review, the Executive approved further consultation in Cramlington. Details of this can be found in the Executive Report of 16 June 2006. This can be found with the Background Papers.

The judgement in the Judicial Review proceedings has been helpful in clarifying a complex area of procedure. As a result, the County Council needs to make changes to the existing format for consultation to make it clear that consultees may make comments on a three-tier education system and to accommodate such comments. Experience of consultation that has taken place so far has also suggested that improvements in clarity and efficiency could be made.

## **6. PROPOSED FORMAT FOR FUTURE CONSULTATION**

It is proposed that;

1) In line with the Decision of 19 April 2005 officers will develop a proposed preferred 2-tier model. This will involve meeting with the partnership as a whole and individual school meetings. These would take the following format;

a) A Partnership meeting takes place including the head teachers and chairs of governors within the Partnership. In addition, invitations would be extended to; representatives of the Dioceses, the local Learning and Skills Council (LSC) and all local elected County Councillors as observers. Subject areas will be discussed such as travelling, catchment areas, location of schools and the school closures suggested.

b) Follow up meetings are held with individual head teachers and chairs of governors to deal with school specific concerns and issues.

c) A further whole Partnership meeting is held to review this first step.

d) Additional school and/or partnership meetings are held, if required.

2) Prior to Consultation, permission to consult will be sought from the Executive.

3) Over a 12 week period, consultation with those identified in DfES guidelines will take place. This will be made up of the following;

a) A Consultation Document will be sent out to consultees. This will detail;

- The Council's preferred model
- The reasons for proposing the model
- Details of Consultation meetings

It will invite the interested parties to provide written comments by the end of the consultation period on;

- The Council's preferred two-tier model
- Whether any particular school or the partnership as a whole should adopt a two-tier or three-tier system.

It will also make an invitation to propose any alternative models. Those sent to the Council prior to the consultation meetings will be distributed at the meetings and discussion invited.

b) Meetings will be convened at individual schools. The meetings will consider individual school responses and will allow all consultees the opportunity to put their case on the Council's proposals in relation to their own school and to suggest any alternative organisational structures or models including three-tier models.

c) If as a result of consultation it is decided to consult on any modifications to the model, further feedback may be sought during the consultation period or the consultation period may be extended. The form of this consultation and its duration would depend on the nature of the modification. It is recommended that the decision to do this and the form of the consultation should rest with The Executive Member for Children's Services and the Executive Director for Children's Services.

4) Following consultation, a decision will then be made by the Executive as to which (if any) model to progress to the issue of statutory notices.

## **7. NEXT STEPS**

If accepted this process would be used in all school partnerships including those that have commenced Stage 2 consultation i.e. Ashington, Hirst, Blyth, Seaton Valley and Alnwick. The consultation that has already occurred in these partnerships – previously described as Stage 2 (Step 1) – will be used to inform the single model developed by officers under section 6(1) above to be put forward for Executive approval under section 6(2) above. It is anticipated that this consultation is sufficient to satisfy the requirements of section 6(1), namely meeting with individual schools and the school partnership as a whole; however, if appropriate, further consultation may take place in one or more of these school partnerships before officers decide on the single model to put forward to the Executive. The need for this further consultation would be decided by the Executive Director of Children's Services. The form and content of such consultation will be suitably publicised on the Council's website.

## **8. CONTACT OFFICERS**

This report has been prepared on behalf of the Executive Director of Children's Services by Neville Gaukroger, PLF Programme Manager. For further information contact Neville Gaukroger on ext. 3684 or John Clark on ext. 3608.

## **9. BACKGROUND PAPERS AND APPENDICES**

There are no appendices to this report.

### **Background Papers**

19 April 2005 Director of Children's Services report to County Council

16 June 2006 Executive Director of Children's Services report to Executive