

AGENDA

Meeting Education Panel

Date Thursday 18 September 2014

Time 2.00 pm

Place Committee Room 5, City Hall, The Queen's Walk, London, SE1 2AA

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Members of the Panel

Jennette Arnold OBE AM (Chair)
Tony Arbour AM
Andrew Boff AM

Andrew Dismore AM
Darren Johnson AM
Caroline Pidgeon MBE AM

A meeting of the Panel has been called by the Chair of the Panel to deal with the business listed below. This meeting will be open to the public. There is access for disabled people, and induction loops are available.

Mark Roberts, Executive Director of Secretariat
Wednesday 10 September 2014

Further Information

If you have questions, would like further information about the meeting or require special facilities please contact: David Pealing, Committee Officer; Telephone: 020 7983 5525; email: david.pealing@london.gov.uk

For media enquiries please contact London Assembly External Relations on 020 7983 4283. If you have any questions about individual reports please contact the report author whose details are at the end of each report.

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Certificate Number: FS 80233

**Agenda
Education Panel
Thursday 18 September 2014**

1 Apologies for Absence and Chair's Announcements

To receive any apologies for absence and any announcements from the Chair.

2 Declarations of Interests (Pages 1 - 4)

Report of the Executive Director of Secretariat

Contact: David Pealing, david.pealing@london.gov.uk, 020 7983 5525

The Panel is recommended to:

- (a) That the list of offices held by Assembly Members, as set out in the table at Agenda item 2, be noted as disclosable pecuniary interests;**
- (b) Note the declaration by any Member(s) of any disclosable pecuniary interests in specific items listed on the agenda and the necessary action taken by the Member(s) regarding withdrawal following such declaration(s); and**
- (c) Note the declaration by any Member(s) of any other interests deemed to be relevant (including any interests arising from gifts and hospitality received which are not at the time of the meeting reflected on the Authority's register of gifts and hospitality, and noting also the advice from the GLA's Monitoring Officer set out at Agenda Item 2) and to note any necessary action taken by the Member(s) following such declaration(s).**

3 Membership of the Panel

The Panel is recommended to note the membership and chairing arrangements for the Panel as agreed by the GLA Oversight Committee on 25 June 2014, as follows:

**Jennette Arnold OBE AM (Chair)
Tony Arbour AM
Andrew Boff AM
Andrew Dismore AM
Darren Johnson AM
Caroline Pidgeon MBE AM**

4 Term of Reference

The Panel is recommended to note its term of reference:

To keep under review and investigate as appropriate the development and delivery of the Mayor's policies and strategies in relation to education and to report back to the GLA Oversight Committee as necessary.

5 Summary List of Actions (Pages 5 - 10)

Report of the Executive Director of Secretariat

Contact: David Pealing, david.pealing@london.gov.uk; 020 7983 5525

The Panel is recommended to note the completed and outstanding actions arising from previous meetings of the Panel.

6 School Places Update and the Provision of Support for Children with Special Needs (Pages 11 - 14)

Report of the Executive Director of Secretariat

Contact: Richard Derecki; richard.derecki@london.gov.uk; 020 7983 4899

The Panel is recommended to note the report, put questions to the invited experts and note the discussion.

7 Education Panel Work Programme 2014/15 (Pages 15 - 16)

Report of the Executive Director of Secretariat

Contact: Richard Derecki; richard.derecki@london.gov.uk; 020 7983 4899

The Panel is recommended to note the report and agree the topics for the November 2014 and February 2015 meetings.

8 Date of Next Meeting

The next meeting of the Panel is scheduled for 26 November 2014 at 2.00pm in Committee Room 5.

9 Any Other Business the Chair Considers Urgent

Subject: Declarations of Interests

Report to: Education Panel

Report of: Executive Director of Secretariat

Date: 18 September 2014

This report will be considered in public

1. Summary

- 1.1 This report sets out details of offices held by Assembly Members for noting as disclosable pecuniary interests and requires additional relevant declarations relating to disclosable pecuniary interests, and gifts and hospitality to be made.

2. Recommendations

- 2.1 **That the list of offices held by Assembly Members, as set out in the table below, be noted as disclosable pecuniary interests¹;**
- 2.2 **That the declaration by any Member(s) of any disclosable pecuniary interests in specific items listed on the agenda and the necessary action taken by the Member(s) regarding withdrawal following such declaration(s) be noted; and**
- 2.3 **That the declaration by any Member(s) of any other interests deemed to be relevant (including any interests arising from gifts and hospitality received which are not at the time of the meeting reflected on the Authority's register of gifts and hospitality, and noting also the advice from the GLA's Monitoring Officer set out at below) and any necessary action taken by the Member(s) following such declaration(s) be noted.**

3. Issues for Consideration

- 3.1 Relevant offices held by Assembly Members are listed in the table overleaf:

¹ The Monitoring Officer advises that: Paragraph 10 of the Code of Conduct will only preclude a Member from participating in any matter to be considered or being considered at, for example, a meeting of the Assembly, where the Member has a direct Disclosable Pecuniary Interest in that particular matter. The effect of this is that the 'matter to be considered, or being considered' must be about the Member's interest. So, by way of example, if an Assembly Member is also a councillor of London Borough X, that Assembly Member will be precluded from participating in an Assembly meeting where the Assembly is to consider a matter about the Member's role / employment as a councillor of London Borough X; the Member will not be precluded from participating in a meeting where the Assembly is to consider a matter about an activity or decision of London Borough X.

Member	Interest
Tony Arbour AM	Member, LFEPA; Member, LB Richmond
Jennette Arnold OBE AM	Committee of the Regions
Gareth Bacon AM	Member, LFEPA; Member, LB Bexley
John Biggs AM	
Andrew Boff AM	Congress of Local and Regional Authorities (Council of Europe)
Victoria Borwick AM	Member, Royal Borough of Kensington & Chelsea; Deputy Mayor
James Cleverly AM	Chairman of LFEPA; Chairman of the London Local Resilience Forum; substitute member, Local Government Association Fire Services Management Committee
Tom Copley AM	
Andrew Dismore AM	Member, LFEPA
Len Duvall AM	
Roger Evans AM	Committee of the Regions; Trust for London (Trustee)
Nicky Gavron AM	
Darren Johnson AM	Member, LFEPA
Jenny Jones AM	Member, House of Lords
Stephen Knight AM	Member, LFEPA; Member, LB Richmond
Kit Malthouse AM	Deputy Mayor for Business and Enterprise; Deputy Chair, London Enterprise Panel; Chair, Hydrogen London; Chairman, London & Partners; Board Member, TheCityUK
Joanne McCartney AM	
Steve O'Connell AM	Member, LB Croydon; MOPAC Non-Executive Adviser for Neighbourhoods
Caroline Pidgeon MBE AM	
Murad Qureshi AM	Congress of Local and Regional Authorities (Council of Europe)
Dr Onkar Sahota AM	
Navin Shah AM	
Valerie Shawcross CBE AM	Member, LFEPA
Richard Tracey AM	Chairman of the London Waste and Recycling Board; Mayor's Ambassador for River Transport
Fiona Twycross AM	Member, LFEPA

[Note: LB - London Borough; LFEPA - London Fire and Emergency Planning Authority; MOPAC – Mayor's Office for Policing and Crime]

3.2 Paragraph 10 of the GLA's Code of Conduct, which reflects the relevant provisions of the Localism Act 2011, provides that:

- where an Assembly Member has a Disclosable Pecuniary Interest in any matter to be considered or being considered or at
 - (i) a meeting of the Assembly and any of its committees or sub-committees; or
 - (ii) any formal meeting held by the Mayor in connection with the exercise of the Authority's functions
- they must disclose that interest to the meeting (or, if it is a sensitive interest, disclose the fact that they have a sensitive interest to the meeting); and

- must not (i) participate, or participate any further, in any discussion of the matter at the meeting; or (ii) participate in any vote, or further vote, taken on the matter at the meeting

UNLESS

- they have obtained a dispensation from the GLA's Monitoring Officer (in accordance with section 2 of the Procedure for registration and declarations of interests, gifts and hospitality – Appendix 5 to the Code).

- 3.3 Failure to comply with the above requirements, without reasonable excuse, is a criminal offence; as is knowingly or recklessly providing information about your interests that is false or misleading.
- 3.4 In addition, the Monitoring Officer has advised Assembly Members to continue to apply the test that was previously applied to help determine whether a pecuniary / prejudicial interest was arising - namely, that Members rely on a reasonable estimation of whether a member of the public, with knowledge of the relevant facts, could, with justification, regard the matter as so significant that it would be likely to prejudice the Member's judgement of the public interest.
- 3.5 Members should then exercise their judgement as to whether or not, in view of their interests and the interests of others close to them, they should participate in any given discussions and/or decisions business of within and by the GLA. It remains the responsibility of individual Members to make further declarations about their actual or apparent interests at formal meetings noting also that a Member's failure to disclose relevant interest(s) has become a potential criminal offence.
- 3.6 Members are also required, where considering a matter which relates to or is likely to affect a person from whom they have received a gift or hospitality with an estimated value of at least £25 within the previous three years or from the date of election to the London Assembly, whichever is the later, to disclose the existence and nature of that interest at any meeting of the Authority which they attend at which that business is considered.
- 3.7 The obligation to declare any gift or hospitality at a meeting is discharged, subject to the proviso set out below, by registering gifts and hospitality received on the Authority's on-line database. The on-line database may be viewed here:
<http://www.london.gov.uk/mayor-assembly/gifts-and-hospitality>.
- 3.8 If any gift or hospitality received by a Member is not set out on the on-line database at the time of the meeting, and under consideration is a matter which relates to or is likely to affect a person from whom a Member has received a gift or hospitality with an estimated value of at least £25, Members are asked to disclose these at the meeting, either at the declarations of interest agenda item or when the interest becomes apparent.
- 3.9 It is for Members to decide, in light of the particular circumstances, whether their receipt of a gift or hospitality, could, on a reasonable estimation of a member of the public with knowledge of the relevant facts, with justification, be regarded as so significant that it would be likely to prejudice the Member's judgement of the public interest. Where receipt of a gift or hospitality could be so regarded, the Member must exercise their judgement as to whether or not, they should participate in any given discussions and/or decisions business of within and by the GLA.

4. Legal Implications

- 4.1 The legal implications are as set out in the body of this report.

5. Financial Implications

5.1 There are no financial implications arising directly from this report.

Local Government (Access to Information) Act 1985
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List of Background Papers: None

Contact Officer: David Pealing, Committee Officer

Telephone: 020 7983 5525

E-mail: David.Pealing@london.gov.uk

Subject: Summary List of Actions

Report to: Education Panel

Report of: Executive Director of Secretariat

Date: 18 September 2014

This report will be considered in public

1. Summary

1.1 This report sets out the actions arising from previous meetings of the Education Panel.

2. Recommendation

2.1 **That the Panel notes the completed and outstanding actions arising from previous meetings of the Panel.**

Action arising from the Panel meeting on 13 February 2014

Item	Subject and action required	Status	For Action
5.	Free Schools Members requested a list of sites where the Mayor has used any powers or funds to help set up a Free School and also how the Mayor's planning guidance requires the provision of Free Schools, and how that might differ from local authority planning guidance.	Complete – a copy of the response is attached at Appendix 1.	Boris Johnson, Mayor of London
	Members requested details on the process the Education Funding Agency follow when notifying people that viable sites for Free Schools are about to come to market.	In progress.	The Education Funding Agency
	Members requested that the Department for Education clarify how it decided on the areas to be covered by their Regional Commissioners.	Complete – a copy of the response is attached at Appendix 2.	The Department for Education

List of appendices to this report:

Appendix 1 – Letter from Boris Johnson, Mayor of London, received 28 April 2014

Appendix 2 – Letter from Rt Hon Michael Gove MP, Secretary of State, received 11 April 2014

Local Government (Access to Information) Act 1985

List of Background Papers: None

Contact Officer: David Pealing, Committee Officer

Telephone: 020 7983 5525

E-mail: david.pealing@london.gov.uk

MAYOR OF LONDON**Jennette Arnold AM**City Hall
The Queen's Walk
More London
London SE1 2AA**Our ref:** MGLA140314-1628**Date:** 28 APR 2014

Dear Jennette

Thank you for your letter of 10 March about the Assembly Education Panel meeting on 13 February. I apologise for the delay in responding to you.

I was pleased to read that the Assembly has reiterated my representations to the DfE against the division of London regional school Commissioners.

On your first point requesting a list of sites where the GLA has used any powers or funds to help the setting up of a free school, in terms of powers, I called in the planning application of Southwark Free School and reversed the decision of Southwark Council. I did the same for the non-free school Holy Trinity Catholic Primary in Dalston, Hackney.

Although we do not give financial support to free schools, in terms of funds, I will be making an interim announcement after the pre-election period about the free schools which we have helped identify GLA group sites for. I will write to you with details after that.

The list of free schools due to open in 2014 and beyond is published by the DfE and is available to view at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/288587/List_of_open_free_schools_and_free_schools_opening_in_2014_and_beyond.xlsx. Those due to open in London can be found on the list and it therefore includes all the free schools the New Schools for London unit have assisted with advice and information.

On your question about planning, the revisions to the London Plan currently out on consultation include further prioritisation of schools including Free Schools. I refer you to page 119 of the draft Further Alterations to the London Plan available to view on the GLA website at:

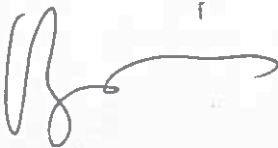
<http://www.london.gov.uk/sites/default/files/FAI.P%20chapter%203%20-%20London%27s%20people.rtf>. The London Plan is a statutory part of the planning framework.

MAYOR OF LONDON

If by 'local authority planning guidance' you mean the National Planning Policy Framework this is available for comparison on gov.uk (<https://www.gov.uk/government/policies/making-the-planning-system-work-more-efficiently-and-effectively/supporting-pages/national-planning-policy-framework>). Individual London boroughs are responsible for their own planning policies.

Thank you again for writing and for keeping me abreast of the Panel's correspondence with the DfE and the EFA which I hope proves fruitful.

Yours ever,

A handwritten signature in black ink, appearing to be 'Boris Johnson', with a long horizontal flourish extending to the right.

Boris Johnson
Mayor of London



2014/0023349POSoS

Rt Hon Michael Gove MP
Secretary of State

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

Jennette Arnold OBE AM
City Hall
Queen's Walk
London
SE1 2AA

Per Jennette,

6/1 April 2014

Thank you for your letter of 10 March about regional schools commissioners (RSCs).

I was sorry to hear of your concerns about the handling of the appointment of RSCs, and hope I can provide some reassurance about these new roles.

The eight RSCs will be civil service appointments and will make decisions on my behalf within the current departmental framework of powers. We did not, therefore, consider that a consultation was necessary. The changes are intended to bring additional expertise to bear on my department's management of the academies programme.

No new organisation, additional regulator or new powers are being created. RSCs will help officials in my department to advise me on how best to tackle academy underperformance, create new academies and ensure that the sponsor market meets local needs.

Monitoring the performance of sponsors will be an important role for RSCs. They will be responsible for helping me to tackle sponsor underperformance, including advising me on when to pause the growth of sponsors. RSCs will have overall responsibility for advising me on how many more academies a sponsor can support. Where a sponsor operates across more than one region, we expect RSCs to work together with the Schools Commissioner and ministers.

Given the wealth of expertise in the London region, the proposed RSC regional structure is designed to help spread education leadership across the country. The split of regions is not intended to create any new organisational boundaries, but rather to deliver an even split of responsibility for the eight RSCs.

Thank you for writing to me on this important matter. I hope my response is helpful to you.

M. Gove

MICHAEL GOVE

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Subject: School Places Update and the Provision of Support for Children with Complex Needs

Report to: Education Panel

Report of: Executive Director of Secretariat

Date: 18 September 2014

This report will be considered in public

1. Summary

- 1.1 This report sets out the scope for the Panel's first meeting which will focus on two separate but related topics: the demand for school places in London and the provision of support for children with complex needs.

2. Recommendation

- 2.1 **That the Panel notes the report, puts questions to the invited experts and notes the discussion.**

3. Background

School places

- 3.1 Last year the Education Panel heard about the "unprecedented pressures" facing local authorities in tackling the "desperate shortage"¹ of new school places. The situation in London remains particularly acute. According to a recent London Councils briefing paper (*Do the Maths 2014*) London needs to create 133,000 more primary and secondary school places by 2018. Two thirds of London boroughs will need to increase primary school capacity by over 10 per cent in the next six years and one third of them will have to increase secondary school capacity by over 5 per cent in the next six years.
- 3.2 The government provides basic need funding to create new pupil places by establishing new Free Schools or academies or expanding existing schools. The December 2013 Basic Need funding allocations for 2015-17 indicated that there would be an increase in the overall pot of funding available. However, London's share was down from 36 per cent of the 2013/14 Basic Need pot to 30 per cent for 2015-17.

¹ Local Government Association press release:

http://www.local.gov.uk/media-releases/-/journal_content/56/10180/5416718/NEWS

- 3.3 Furthermore, London Councils argue that because of escalating land prices in London, Department for Education (DfE) funding per school place has been inadequate and that in the 2013-15 allocations there “was a shortfall of funding per pupil of £8,500 and £2,700 in inner and outer London respectively.” The DfE recognised this shortfall in its 2015-17 allocations with a 3 per cent uplift for the capital. However it also introduced a “75 per cent rule” which assumed that local authorities will be able to create 75 per cent of the places identified in their 2013-15 predications and so the funding for these places was taken out of the funding allocations for 2015-17. According to London Councils “this arbitrary assumption penalises many local authorities in London...the assumption that 75 per cent of places have already been built is not the reality in most boroughs in London.”
- 3.4 DfE does also have a separate budget to set up free schools. Between 2010 and 2013, 50 free schools were established in London (35 per cent of the national total). The Mayor has set up a New Schools unit at the GLA to scope out the expansion of free schools in the capital and has identified ten sites across the GLA Group estate that are to be used for free schools over the course of this Mayoral term. The first of these new schools will be based at the site of the old East Dulwich Police Station which has now been sold and is to become a new Harris primary school. A list of a further eight primary or secondary schools that will be supported through the release of public land was published on 26 June 2014. Seven of the new schools will be primary schools, with one secondary and one all-through school planned. All bar one are free schools. Five of the sites freed up for use are former police stations. These new schools will provide an additional 7,000 or so places. The Mayor has also committed to provide a site for the proposed Fulham Boys School in Hammersmith and Fulham.

Children with complex needs

- 3.5 Children with special educational needs have learning difficulties or disabilities that make it harder for them to learn than most pupils of the same age. One in every five pupils has a special educational need² and in London around 4 per cent of children have a Statement of Special Educational Need – which is in line with the national average. These complex needs can include a child’s³:
- behaviour or ability to socialise, e.g. not being able to make friends;
 - reading and writing, e.g. they have dyslexia;
 - ability to understand things;
 - concentration levels, e.g. they have Attention Deficit Hyperactivity Disorder; and/or
 - physical needs or impairments.
- 3.6 A pupil has a statement of special educational needs when a formal assessment has been made. The document sets out the child’s needs and the extra help they should receive. From 1 September 2014 there will be changes to the way children and young people with special educational needs and disabilities (SEND) get support. Statements and learning difficulty assessments (LDA) will be replaced by an education, health and care (EHC) plan. An EHC plan sets out the child’s needs and how they should be met. Key changes in the new EHC plan include:

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251728/SFR42-2013Introduction.pdf

³ <https://www.gov.uk/children-with-special-educational-needs/overview>

- Encouraging multiagency work, bringing together schools, NHS and social services to work together when making changes to a child's care, this will be done through facilitating group meetings;
- It is the responsibility of the school to write the EHC plan;
- EHC is a progressive plan which can be assessed from birth and will stay with an individual to 25years old (previously 5 to 18 years old); and
- Parents will have greater control over how the funding pot is spent.

3.7 There are 13,780 children in 142 special schools in London. There is no separate funding stream for increasing special schools capacity. Research by London Councils suggests that the cost of providing special school places in London is on average £59,000 per pupil per year.

4. Issues for Consideration

4.1 The Panel will discuss the current situation in London and short and medium term steps to mitigate the lack of school places with the following experts:

- Frankie Sulke, Executive Director for Children and Young People, London Borough of Lewisham; and
- Helen Jenner, Corporate Director of Children's Services, London Borough of Barking and Dagenham.

The second session will focus on the provision of support for children with complex needs:

- Tara Flood, Chief Executive Officer, Alliance for Inclusive Education;
- Gary Redhead, Assistant Director – Schools, Planning and Resources, London Borough of Ealing;
- Holly Morgan-Smith, Project Manager - SEND Reforms, London Borough of Ealing;
- A representative from the London Borough of Wandsworth;
- A representative from YoungMinds; and
- A representative from Preparing for Adulthood.

5. Legal Implications

5.1 The Panel has the power to do what is recommended in this report

6. Financial Implications

6.1 There are no direct financial implications arising from this report.

List of appendices to this report: None

Local Government (Access to Information) Act 1985

List of Background Papers: "Do the Maths 2014", London Councils, July 2014

Contact Officer:	Richard Derecki, Senior Manager
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E-mail:	richard.derecki@london.gov.uk

Subject: Education Panel Work Programme 2014/15

Report to: Education Panel

Report of: Executive Director of Secretariat

Date: 18 September 2014

This report will be considered in public

1. Summary

- 1.1 This report sets out the proposed work programme for the Panel during the Assembly Year 2014/15.

2. Recommendation

- 2.1 **That the Panel notes the report and agrees the topics for the November 2014 and February 2015 meetings.**

3. Background

- 3.1 The Education Panel was established as a working group with the following term of reference:

To keep under review and investigate as appropriate the development and delivery of the Mayor's policies and strategies in relation to education and to report back to the GLA Oversight Committee as necessary.

4. Issues for Consideration

- 4.1 The Chair is proposing that the Panel should address the following topics in its future meetings:

26 November 2014: The role of the Mayor in supporting alternative provision (AP)

- 4.2 The Mayor's Education Inquiry made its final report in October 2012. The Mayor broadly accepted its 12 recommendations. Amongst the points for action the Mayor committed to establish with the London Pupil Referral Unit Network a programme to support PRU leadership development and strengthen subject knowledge in English and maths. However, in the latest Education Programme delivery plan the level of support has been reduced instead to "scope two strands of the London Schools Gold Club tailored for Alternative Provision and Special Schools." The Panel will hear from alternative provision about the challenges they face and to hear about the kinds of support they

want from the Mayor and GLA to support schools working with some of London's most vulnerable and troubled young people.

11 February 2015: The Mayor's Education Inquiry – update

- 4.3 The Education Panel has previously questioned the Deputy Mayor for Education and Culture about progress with the implementation of recommendations from the Mayor's Education Inquiry. Members have previously expressed concerns about the value added of the Gold Club and also about the range of partnership bodies and organisations that have been able to access funding from the London Schools Excellence Fund. This meeting will provide Members with an opportunity to hear from officers about progress made to date.
- 4.4 The Mayor has decided to introduce a further ambition for his work namely to foster engagement and build resilience among London's young people; therefore it will be timely to create a greater awareness as to what the Mayor will be doing to develop this area of work further. Areas of work that seek to support young people into work, by assisting London schools, colleges, post-16 training providers, employers and universities in the development of 14-19 transitional programmes and in terms of the regional support to deliver careers education and work experience in London schools remain under-developed in the most recent version of the delivery plan. Likewise there is a need for further detail about the work that is being done to support children in care and to improve links between schools in disadvantaged areas and the Russell/1994 Group universities.

5. Legal Implications

- 5.1 The Panel has the power to do what is recommended in this report.

6. Financial Implications

- 6.1 There are no direct GLA financial implications arising from this report. Financial implications arising from the Panel's investigations will be dealt with separately in reports to the Panel's parent committee, the GLA Oversight Committee, as and when relevant decisions are required.

List of appendices to this report:

None

Local Government (Access to Information) Act 1985
List of Background Papers: None
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