

## **CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE**

**4 OCTOBER 2018**

### **PETITIONS**

Report from: Ian Sutherland, Director of Children and Adults Services

Author: Steve Platt, Democratic Services Officer

#### **Summary**

To advise the Committee of any petitions received by the Council which fall within the remit of this Committee including a summary of the response sent to the petition organisers by officers.

#### **1. Budget and policy framework**

- 1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.
- 1.2 The petition scheme is set out in full in the Council's Constitution at:  
<https://www.medway.gov.uk/downloads/file/2657/401 - council rules>
- 1.3 Any budget or policy framework implications will be set out in the specific petition response.

#### **2. Background**

- 2.1 The Council's Constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.

- 2.2 Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation.
- 2.3 For petitions where the petition organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

### **3. Petition referred to this Committee**

- 3.1 The following petition has been referred to this Committee because the petitioner organiser, has indicated that he is dissatisfied with the response received.

#### **3.2 Abbey Court School**

- 3.3 This petition containing 4,263 signatures was received at the Council meeting held on 19 July 2018. The petition statement stated:

“We the undersigned petition Medway Council to build the secondary education building for Abbey Court School on the Cliffe Road, Strood site.”

- 3.4 On 25 July 2018, the Director of Children and Adults Services responded as follows:

“Council Officers are currently undertaking a detailed exercise to assess the overall demand for young people with special educational need across the whole of Medway in order that a robust and affordable delivery plan can be determined to inform pupil provision from September 2020. Once this needs analysis is completed, it will be used to inform and determine any highlighted need for future places. At that time, elected members will use the analysis and detailed information to make informed decisions moving forward. As part of this work we will continue to lobby local MP’s and the ESFA, to secure the required funding to meet any highlighted need. Members are committed to ensuring that we meet the individual needs of children and young people who have complex special education needs and disabilities as was demonstrated by the delivery of the Abbey Court Primary School at a significant cost of £13m.

We are committed to work in collaboration with the head teacher and governing body at Abbey Court School in respect of transition arrangements between primary and secondary phases of the school.

The Council has a duty to look at a whole system approach of delivering school places across Medway and not just one school. It is important to note that in addition to the work to assess demand moving forward in order to inform future projects such as the one highlighted in this petition, there are currently a number of associated projects being undertaken which will contribute to improving and expanding the inclusive nature of all our schools. This can be exemplified through a number of projects aimed at either extending or creating facilities: for example, eight new secondary school places for children who have profound hearing loss at Thomas Aveling and increasing the number of secondary school places available for pupils who have Autistic Spectrum Disorder at the Hundred of Hoo Academy. In addition a substantial

piece of work is also underway to inform pupil provision from September 2019/20. The Council has £1.377m budget provision in terms of capital for special education needs projects which is significantly less than is required moving forward”.

- 3.5 On 2 August 2018, the petition organiser requested that the matter be reviewed by the relevant Overview and Scrutiny Committee. The request stated:

“I have received the response to our petition from the Director. We are grateful for his response, however we are not happy with the response that has been given. The response does not state the clear reason as to why the secondary site will not be built. The response states there’s enough provision till 2020 which is untrue, we need the secondary site built in time for 2019 children. The response also talks about other schools for children with profound hearing loss and autism, none of which are suitable or have anything to do with our petition”.

- 3.6 In response, the Director of Children and Adults Services has further commented as follows:

As stated in my original response, the Council has a duty to look at a whole system approach of delivering school places across Medway and not just one school, in this instance, Abbey Court. Young People within Medway have a range of additional needs and we have a responsibility to take a whole system approach to meeting the needs of all Young People. The additional facilities provided by the Council are suitable in supporting the needs of the young people who attend those schools.

Since the last report the Department for Education through the Education Schools Funding Agency, have released a funding opportunity specifically for SEND schools. My officers are currently reviewing this document and subject to due process, we will submit a bid. These have to be submitted by Mid October with an announcement on the successful bids by January 2019. Our work on future needs analysis and demand for places will feed into supporting this funding opportunity.

#### **4. Risk Management**

- 4.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

#### **5. Financial and Legal Implications**

- 5.1 Any financial implications arising from the issues raised by the petition are set out in the comments on the petition.
- 5.2 Overview and Scrutiny Rule 21.1 (xiv) in the Council’s Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council’s petition scheme.

## **6. Recommendation**

- 6.1 The Committee is requested to consider the petition referral request and the Director's comments at paragraph 3 of the report.

### **Lead officer contact**

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### **Appendices:**

None

### **Background papers:**

None