

Scrutiny committee

Date: Thursday, 20 October 2016

Time: 16:30

Venue: Mancroft room

City Hall, St Peters Street, Norwich, NR2 1NH

All group pre-meeting briefing – 16:00 Mancroft Room

This is for members only and is not part of the formal scrutiny meeting which will follow at 16:30.

The pre-meeting is an opportunity for the committee to make final preparations before the start of the scrutiny committee meeting. The public will not be given access to the Mancroft room before 16:30.

For further information please contact:

COMMITTEE MEMBERS:

Councillors:

Wright (chair)

Maguire (vice chair)

Bogelein

Bradford

Coleshill

Davis

Fullman

Grahame

Haynes

Malik

Manning

Packer

Peek

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website.



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

1 Apologies

To receive apologies for absence

2 Public questions/petitions

To receive questions / petitions from the public (notice to be given to committee officer in advance of the meeting in accordance with appendix 1 of the council's constitution)

3 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

4 Minutes

7 - 10

To approve the accuracy of the minutes of the meeting held on 22 September 2016

5 Scrutiny committee work programme 2016-17

11 - 24

Purpose - To note the scrutiny work programme and agree any potential topic(s) that may be tested against the TOPIC analysis for future inclusion. For the assistance of members, the cabinet forward agenda is included.

6 Update of the representative for the Norfolk Health Overview and Scrutiny Committee (verbal update)

Purpose - For the committee to note the work of the NHOSC and comment on any implication for Norwich residents for the representative to take back to the next NHOSC meeting

7 Consultation methods

25 - 42

Purpose - to note the consultation process of the council and consider specific ways of enhancing this.

8 Educational outcomes for the young people of Norwich 43 - 80

Purpose - To take evidence from key educationalists who have an impact on the provision of education to the young people in Norwich

Date of publication: **Tuesday, 18 October 2016**

- T** is this, the right **TIME** to review the issue and is there sufficient officer time and resource available?
- O** what would be the **OBJECTIVE** of the scrutiny?
- P** can **PERFORMANCE** in this area be improved by scrutiny input?
- I** what would be the public **INTEREST** in placing this topic onto the work programme?
- C** will any scrutiny activity on this matter contribute to the council's activities as agreed to in the **CORPORATE PLAN**?

Once the TOPIC analysis has been undertaken, a joint decision should then be reached as to whether a report to the scrutiny committee is required. If it is decided that a report is not required, the issue will not be pursued any further. However, if there are outstanding issues, these could be picked up by agreeing that a briefing email to members be sent, or other appropriate action by the relevant officer.

If it is agreed that the scrutiny request topic should be explored further by the scrutiny committee a short report should be written for a future meeting of the scrutiny committee, to be taken under the standing work programme item, so that members are able to consider if they should place the item on to the work programme. This report should outline a suggested approach if the committee was minded to take on the topic and outline the purpose using the outcome of the consideration of the topic via the TOPIC analysis. Also the report should provide an overview of the current position with regard to the topic under consideration.

By using the flowchart, it is hoped that members and officers will be aided when giving consideration to whether or not the item should be added to the scrutiny committee work programme. This should help to ensure that the scope and purpose will be covered by any future report. The outcome of this should further assist the committee and the officers working with the committee to be able to produce informed outcomes that are credible, influential with SMART recommendations.

Specific, Measurable, Attainable, Relevant and Time-bound

Scrutiny committee and a protocol for those attending scrutiny

- All scrutiny committee meetings will be carried out in a spirit of mutual trust and respect
- Members of the scrutiny committee will not be subject to whipping arrangements by party groups
- Scrutiny committee members will work together and will attempt to achieve evidence based consensus and recommendations
- Members of the committee will take the lead in the selection of topics for scrutiny
- The scrutiny committee operates as a critical friend and offers constructive challenge to decision makers to support improved outcomes
- Invited attendees will be advised of the time, date and location of the meeting to which they are invited to give evidence
- The invited attendee will be made aware of the reasons for the invitation and of any documents and information that the committee wish them to provide
- Reasonable notice will be given to the invited attendee of **all** of the committees requirements so that these can be provided for in full at the earliest opportunity (there should be no nasty surprises at committee)
- Whenever possible it is expected that members of the scrutiny committee will share and plan questioning with the rest of the committee in advance of the meeting
- The invited attendee will be provided with copies of **all relevant** reports, papers and background information
- Practical arrangements, such as facilities for presentations will be in place. The layout of the meeting room will be appropriate
- The chair of the committee will introduce themselves to the invited attendee before evidence is given and; all those attending will be treated with courtesy and respect. The chair of the committee will make sure that all questions put to the witness are made in a clear and orderly manner

SCRUTINY COMMITTEE**16:30 to 18:04****22 September 2016**

Present: Councillors Wright (chair), Maguire (vice chair), Bogelein, Bradford, Coleshill, Davis, Fullman, Grahame, Haynes, Malik, Packer and Peek.

1. Apologies

Apologies were received from Councillor Manning.

2. Public questions / petitions

There were no public questions or petitions.

3. Declarations of interest

There were no declarations of interest

4. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 30 June 2016

5. Scrutiny committee work programme 2016 - 2017

General discussion ensued around the work programme, where the following points were made:

- Members agreed that when any new subjects were brought forward for possible inclusion on the work programme, the TOPIC process must be properly applied every time.
- It was also agreed that the TOPIC process should also be applied retrospectively to all items on the work programme due before the scrutiny committee prior to Christmas.

- A future item was suggested for the January meeting: Flood prevention plan improvements. It was noted that this particular subject was very planning-oriented but applying the TOPIC process would see if any areas of this work were suitable for scrutiny. It was agreed that this could be fleshed-out and bought back to a future meeting.
- It was also agreed that a member briefing would be the best way for councillors to fully understand the Switch and Save process.
- A process was suggested for members to raise specific areas of interest by suggesting subjects to the scrutiny liaison officer for triage and suitable topics could then be moved on to officers to provide reports etc.

RESOLVED to:

1. review items currently on the work programme to ensure they meet the requirements set out in the TOPIC process;
2. flesh-out the subject of flood prevention plan improvements to be bought back to a future meeting; and,
3. draft a subject submission process involving the scrutiny liaison officer as a method of triaging potential new work programme items.

6. Evidence gathering – educational attainment and academies

The chair explained that part of the task of the scrutiny committee was to examine whether or not school structures influence later life achievements.

Scott Lyons, Joint Division Secretary for Norfolk NUT, introduced himself, explaining that he does work at an academy and spends four days in his NUT role. He also said that he had both at school and Academy experience.

The chair explained that the general secretary of the NUT had given an example of a free school in London where the spend per pupil was disproportionately large due to low pupil numbers.

Members expressed concerns regarding three schools; including those that had had previous debts wiped, thus allowing them to start with an advantage. One member questioned why funds used for wiping school debt could not be put into enabling a school to remain open instead of forcing it to become an academy.

Scott also echoed such concerns regarding accountability of free schools, although he did say that he hadn't dealt with many in his current role.

A member of the committee said that marketing of free schools have not lived up to expectations with many failing. He questioned whether such problems had a knock-on effect to higher schools and whether any safeguarding was in place should a free school file.

The chair pointed out the U-turn from the secretary of state regarding parent-governors, raising concerns that a local parent link had been lost when it comes to school governance and accountability.

Discussion ensued during which members made the following points:

- There was a lack of understanding as to how academies would be held accountable as it was felt that children's prospects and future livelihoods were at risk in the name of profit.
- It was considered that negotiation with national chains of academies would prove very difficult and it was not easy to understand where serious concerns could be raised.
- A greater understanding of what the city council could do to affect positive changes in this scenario was required - including a full understanding of what the current state of play with schools and academies meant for the future of Norwich as a whole.
- Greater insight would be required into the ways in which questions and concerns could be put in front of those people who made important school and academy-based decisions.
- Scott said that the media had been very helpful insofar as raising awareness that parents need to be challenging schools and academies directly.
- The idea of junior schools becoming primaries was also raised and it was felt that this had worked for a number of schools in Yarmouth particularly.
- Concerns were expressed regarding teachers fearing that if they spoke out or went on strike they would face the sack. Scott said that the NUT were aware of this scenario and had actually intervened in a number of such cases.
- Discussion took place regarding whether or not the county council could form a cooperative school as the co-op model seemed to have been successful elsewhere.

Scott said that he would be happy to answer for the questions in the future and welcome to the work of the scrutiny committee in examining schools and academies in the Norwich area.

RESOLVED to continue receive evidence at the October scrutiny committee meeting from further stakeholders.

7. Update of the representative for the Norfolk Health Overview and Scrutiny Committee (verbal update)

The representative for the Norfolk Health Overview and Scrutiny Committee reported a growth in the number of unexpected deaths under the aegis of the mental health trust. He explained that the majority of these were suicides and that this trend had

been noticed by the trust. He said that the resulting investigation examined data and carried out interviews with people but it was felt that the report was inadequate.

He went on to say that families and service users had not been directly invited to take part in producing the report and had had to demand an input.

Members agreed that a formal request to the chair of the Norfolk Health Overview and Scrutiny Committee should be submitted via the scrutiny officer. This should explain that the scrutiny committee believes that families and service users should be invited to participate in such important work.

RESOLVED for officers to provide instructions to scrutiny committee members to sign up for direct county council committee paper notifications.

CHAIR

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR, or ORGNISATION	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
30 June 2016	Market Consultation	Adrian Akester (Head of Citywide Services)	To update members on the outcomes of the consultation on Norwich Market.
30 June 2016	Grounds Maintenance Contract	Adrian Akester (Head of Citywide Services)	To gain clarification on whether efficiencies can be found in the budget regarding the Grounds Maintenance Contract.
30 June 2016	Publication of Traffic Regulation Orders	Phil Shreeve (Strategy manager)	To understand how the council will publicise information about Traffic Regulation Orders
30 June 2016	Quarter 4 Performance Review	Phil Shreeve (Strategy manager)	Identification of any causes for concern and note successes arising from this 6 monthly review of performance monitoring data
14 July 2016 MEETING CANCELLED	Communications and Consultation	Nikki Rotsos and portfolio holder (Cllr Waters)	The strategy manager circulated a briefing paper and the committee will look at this document at the meeting on 20 October.
14 July 2016 MEETING CANCELLED	Devolution	Phil Shreeve and Cllr Wright	To discuss the council's position on the proposed East Anglian devolution plan.
14 July 2016 Evidence gathering meeting	City Accessibility Tour	Andy Watt and Cllr Wright	This scrutiny committee meeting was cancelled and instead some members took part in a tour of the city looking at accessibility around the city. Access groups were also invited to attend, including RNIB and NNAB.

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR, or ORGNISATION	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
22 September 2016	Update from 21st July meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Maguire, NHOSC councillor rep	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
22 September 2016	Update from 8th September meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Maguire, NHOSC councillor rep	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
22 September 2016	Academies and education attainment	Cllr Wright, chair of scrutiny	To consider the current state of educational outcomes in Norwich with reference to changing school structures such as academies and free schools.
20 October 2016	Update from 13th October meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Maguire, NHOSC councillor rep	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
20 October 2016	Educational outcomes for the young people of Norwich	Cllr Wright, chair of scrutiny	To consider the current state of educational outcomes in Norwich with reference to changing school structures such as academies and free schools.
20 October 2016	Consultation method	Nikki Rotsos (Director of customers and culture)	That the scrutiny committee notes the consultation process of the council and considers specific ways of enhancing this.
24 November 2016	Greater Norwich Growth Board and Local Enterprise Partnership	Dave Moorcroft (Director of regeneration and development)	A briefing paper about the 'current state of play' in regard to GNGB and LEP.

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR, or ORGNISATION	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
24 November 2016	Employability and young people	Dave Moorcroft (Director of regeneration and development)	
15 December 2016	Update from 8th December meeting of the Norfolk Health Overview and Scrutiny Committee	Cllr Maguire, NHOSC councillor rep	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
15 December 2016	Corporate Plan Review	Adam Clark (Interim strategy manager)	
15 December 2016	Equality Information Report	Adam Clark (Interim strategy manager)	Pre scrutiny of the report before it goes to cabinet.
15 December 2016	Neighbourhood Model and ward councillors	Bob Cronk (Director of neighbourhoods)	Scrutinise the Neighbourhood Model to see how effective it is at delivering services to the communities.
26 January 2017	Pre scrutiny of the proposed budget	Justine Hartley (Chief finance officer)	To make suggestions to cabinet regarding the proposed budget's ability to deliver the council's overarching policy.
26 January 2017	Environmental Strategy – Yearly update on the progress statement	Richard Willson (Environmental strategy manager)	Identification of any issues to consider and note successes and progress reported in the progress statement.
26 January 2017	Update from 12th January meeting of the Norfolk Health Overview and Scrutiny Committee	Cllr Maguire, NHOSC councillor rep	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR, or ORGNISATION	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
23 February 2017	Food Poverty	Boyd Taylor (Financial inclusion manager)	For the committee to identify and address the problem around food poverty in Norwich – evidence meeting.
23 March 2017	Summary of Food Poverty meeting	Boyd Taylor (Financial inclusion manager)	Following the first food poverty meeting, this committee meeting will aim to identify solutions and resolutions to recommend to cabinet for consideration
23 March 2017	Annual Review of the Scrutiny Committee	Beth Clark and Cllr Wright	To agree the annual review of the scrutiny committee's work 2016 to 2017 and recommend it for adoption of the council

Date	Topic	Responsible Officer	Scrutiny Request	Outcomes or current position
11 June 2015	The council's consultation process	Nikki Rotsos	For a briefing paper to be circulated, for scrutiny members to gain an overview and understanding of the council's current work in this area.	This item is provisionally allocated to be reviewed by the committee on 14 July 2016
15 October 2015	Scrutiny Committee Work Programme 2015 – 2016	James Wright	Discussion of income generation led to the suggestion of involving cooperatives in this work. Idea to hold a half-day seminar for senior staff and officers to provide clarification around the way in which they work	The cooperatives item is being progressed by the strategy manager and Cllr Herries for a future scrutiny committee meeting – date tbc. It was also agreed that workshops would be held to update members.
12 November 2015	Community Space Review	Bob Cronk	It was agreed a website containing a centralised tool for room bookings across all community centres would worthwhile	A central online booking system is something that has previously been explored with the volunteer management committees/community associations that operate the council's community centres. A centralised tool would provide some positive benefits but not all of the centres use IT regularly. The new community centres website could be used as a basis for this and further development work with the centres has been proposed linking this proposal with the council's digital inclusion activity. The majority of the centres still work with a paper booking system and taking forward a web based system would require endorsement from the centres but something the council can encourage and will continue to do so, building on those centres that do use web tools.
17 December 2015	*Transformation Update	Bob Cronk	Discuss with the communications team about publishing the changes to the Housing and Planning Bill	Members can find an update on the Housing and Planning Act on the Local Government Information Unit website: http://www.lgiu.org.uk/briefing/housing-and-planning-bill-update/

Date	Topic	Responsible Officer	Scrutiny Request	Outcomes or current position
17 December 2015	Quarter 2 performance monitoring 2015 – 2016	Andy Watt	The homelessness strategy shows that Norwich is way below the average with regards to preventing homelessness by keeping people in their own homes. How does this relate to the target of preventing homelessness? Would it be worth having a new target to help increase the number of people staying in their own home?	Members can find an update on e-councillor
28 January 2016	Scrutiny Committee Work Programme 2015 – 2016	James Wright	Ask the chair to provide members with an update on the cooperatives briefing	The cooperatives item is being progressed by the strategy manager and Cllr Herries for a future scrutiny committee meeting – date tbc. It was also agreed that workshops would be held to update members.
25 February 2016	Norfolk Health and Overview Scrutiny Committee	Phil Shreeve	Ask the strategy manager to contact the chair of the CCG to see which consultations on planned changes to commissioning intentions may be able to be made available via e-councillor	A discussion has been held and further options looked at once the CCG have looked again at their consultation and engagement processes
	Council policies for the control of verge parking and A boards	Andy Watt	Contact all schools in the Norwich City Council area for a copy of their travel plan to collect data on how children travel to school	Members can find information here: <u>\\Sfil2\Shared Folders\Transport and infrastructure\Transport planning\School Travel\School Travel Plans\School Travel Plans (2016)</u>
		Andy Watt	Liaise with the communications team and place an article in Citizen magazine to promote best practise around verge parking	The communications team have confirmed that the article has been written, signed off and filed ready for the summer issue (which is circulated from June 6 th)

Date	Topic	Responsible Officer	Scrutiny Request	Outcomes or current position
17 March 2016	Push the Pedalways	Jo Deverick	Percentage of roads that are 20mph on the pink pedalway	<p>West area (around The Avenues), including North Park Avenue. 10763 metres (10.8 kilometres)</p> <p>- Britannia Road (includes part of Gurney Road and Vincent Road). 1284 metres (1.3 kilometres)</p> <p>- East area (Heartsease). 12401 metres (12.4 kilometres)</p> <p>Areas that have been approved and designed as part of the CCAG1 but will be installed as part of the CCAG2</p> <p>- City centre - the new areas of 20mph. This includes all new areas within the old city walls and a small area north of Barrack Street. 23738 metres (23.8 kilometres)</p> <p>More information about the benefits of 20 mph areas please look on Norwich City Council website under the Cabinet Committee papers section from March 9th meeting.</p>
		Jo Deverick	Members asked for verification of the width of the contraflow cycle path of Essex Street	Ongoing
		Phil Shreeve	Understand the health benefits of the pedalway scheme and benefits for 20mph zones	<p>Benefits of 20mph zones -</p> <p>http://www.britac.ac.uk/policy/health_inequalities.cfm</p>

Date	Topic	Responsible Officer	Scrutiny Request	Outcomes or current position
17 March 2016	Push the Pedalways	Phil Shreeve		Benefits of physical activity - http://www.ukactive.com/turningthetide/ https://www.gov.uk/government/publications/everybody-active-every-day-a-framework-to-embed-physical-activity-into-daily-life
26 May 2016	Setting of the Scrutiny Committee Work Programme	Phil Shreeve	Members asked for information about the publication of Traffic Regulation Orders	The service is looking at getting TROs online as soon as resource enables it to happen.
30 June 2016	Quarterly performance report	Phil Shreeve	With reference to measure PVC4 (number of new business start-ups) members requested further information, in particular what would happen if a new business were to close?	The Economic development officer – ‘The figure was gross, it measures new businesses which have started with support from local business support agencies. It is not a measure of active businesses which is a net figure i.e .new businesses + existing businesses – business closures. This measure is available from official statistics but is subject to a 2 year time lag which is why it is not used as a performance measure, it is not timely enough. The measure does not include business closures’
30 June 2016	Update on the Norwich Market Consultation	Adrian Akester	The scrutiny committee to explore the possibility of 1. for a bus route to take in the market place via Saint Peters Street; and, 2. to improve sign posting from existing bus stops to the market (particularly on Castle Meadow)	The head of city development responded, ‘1) is a matter for the county council as they are the passenger transport authority. From the knowledge I do have it is very unlikely to be viable and also a single bus route is only going to be of use for a small proportion of the population. As Scrutiny Committee notes the nearest main bus stops are at Castle Meadow. The market is already signed from Castle Meadow (at the junction with Davey Place). To

Date	Topic	Responsible Officer	Scrutiny Request	Outcomes or current position
				provide more signs as requested under 2) would be costly, however there is no budget for this, nor for future maintenance. Such provision could only therefore be justified based on well researched marketing advice of which I am unaware. Additional signs would also add to street clutter.

FORWARD AGENDA: CABINET and COUNCIL MEETINGS 2016 – 2017

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET 16 NOV 2016	Revenue budget monitoring 2016/17 period 6		Cllr Mike Stonard Justine Hartley	2 NOV	Justine Hartley	
CABINET 16 NOV 2016	Capital budget monitoring 2016/17 quarter 2		Cllr Mike Stonard Justine Hartley	2 NOV	Justine Hartley	
CABINET 16 NOV 2016	Statement of Community Involvement - adoption	To seek approval for the adoption of a revised Statement of Community Involvement.	Cllr Bremner Graham Nelson Lara Emerson	2 NOV	Dave Moorcroft	NO
CABINET 16 NOV 2016	Grant of right to buy one for one receipts KEY DECISION	To consider the granting of right to buy one for one receipts to support the provision of new homes by registered providers.	Cllr Mike Stonard Andy Watt Andrew Turnbull	2 NOV	Justine Hartley	YES (Para 3)
CABINET 16 NOV 2016	Procurement of the housing gas heating servicing and repairs contract KEY DECISION	To inform cabinet of the procurement process for the re-provision of the housing gas servicing and repairs contract; and to seek approval to award the contract.	Cllr Harris Bob Cronk	2 NOV	Bob Cronk	NO
CABINET 16 NOV 2016	Procurement of structural consultancy services for housing repairs KEY DECISION	To inform cabinet of the procurement process for structural consultancy services and to approve the placing of orders	Cllr Gail Harris Bob Cronk	2 NOV	Bob Cronk	NO
CABINET	Development sites –	To approve inclusion of site in the	Cllr Stonard	2 NOV	Dave	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
16 NOV 2016	KEY DECISION	business plan of Norwich Regeneration Ltd	Gwyn Jones		Moorcroft	
CABINET 16 NOV 2016	CIL Neighbourhood funding	To approve CIL neighbourhood funded projects for 2017-18	Cllr Stonard Gwyn Jones	2 NOV	Dave Moorcroft	NO
CABINET 16 NOV 2016	Greater Norwich Investment Plan KEY DECISION	To agree on the inclusion of projects in the 2017-18 Greater Norwich Investment Plan	Cllr Waters Dave Moorcroft	2 NOV	Dave Moorcroft	NO
CABINET 16 NOV 2016	Managing Assets	To approve the disposal of the land and property assets mentioned in this report.		2 NOV		YES (Para 3)
CABINET 16 NOV 2016	Contract settlement – NEWS – KEY DECISION	To agree costs of excess contamination delivered to NEWS vis the recycling collections	Cllr Stonard Adrian Akester	2 NOV	Bob Cronk	YES
CABINET 14 DEC 2016	Quarter 2 2016-17 Performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 2 of 2016-17	Cllr Alan Waters	30 NOV	Laura McGillivray	NO
CABINET 14 DEC 2016	City Hall clock tower	To inform cabinet of the procurement process for the repairs to City Hall clock tower and to ask for delegated approval to place the orders	Carol Marney	30 NOV		
CABINET 14 DEC 2016	Revenue budget monitoring 2016/17 period 7		Cllr Mike Stonard Justine Hartley	30 NOV	Justine Hartley	
CABINET 14 DEC 2016	Treasury management mid-year review 2016/17		Cllr Mike Stonard Justine Hartley	30 NOV	Justine Hartley	
CABINET	Municipal Bonds		Cllr Mike Stonard	30	Justine	

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
14 DEC 2016	Agency borrowing framework		Justine Hartley	NOV	Hartley	
CABINET 14 DEC 2016	Anti-fraud, whistleblowing and anti-money laundering policies		Cllr Stonard Justine Hartley	30 NOV	Justine Hartley	
CABINET 14 DEC 2016	Procurement of repairs to City Hall clock tower KEY DECISION	To inform Cabinet of the procurement process for the repairs to City Hall clock tower and to ask for delegated approval to place the orders	Cllr Stonard Andy Watt	30 NOV	Andy Watt	NO
CABINET 18 JAN 2017	Revenue budget monitoring 2016/17 period 8		Cllr Mike Stonard Justine Hartley	4 JAN	Justine Hartley	
CABINET 18 JAN 2017	Council Tax Reduction Scheme 2017/18? (post consultation)		Cllr Mike Stonard Justine Hartley	4 JAN	Justine Hartley	
CABINET 18 JAN 2017	Risk management report		Cllr Mike Stonard Justine Hartley	4 JAN	Justine Hartley	
CABINET 18 JAN 2017	Corporate plan and performance	To consider amendments to corporate performance KPIs	Cllr Waters Adam Clark	4 JAN	Laura McGillivray	NO
COUNCIL 31 JAN 2017	Member's allowances	To receive recommendations on member's allowances from the independent panel.	Cllr Stonard Anton Bull Andy Emms	20 JAN	Anton Bull	NO
COUNCIL	Council Tax Reduction		Cllr Mike Stonard	20	Justine	

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
31 JAN 2017	Scheme 2017/18		Justine Hartley	JAN	Hartley	
COUNCIL 31 JAN 2017	Municipal Bonds Agency borrowing framework		Cllr Mike Stonard Justine Hartley	20 JAN	Justine Hartley	
CABINET 17 FEB 2017	Revenue budget monitoring 2016/17 period 9		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 17 FEB 2017	Capital budget monitoring 2016/17 quarter 3		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 17 FEB 2017	General fund revenue budget 2017/18 and capital programme 2017/18 to 2021/22		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 17 FEB 2017	Housing rents and budgets 2017/18		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 17 FEB 2017	Treasury management strategy 2017/18		Cllr Mike Stonard Justine Hartley		Justine Hartley	
COUNCIL 21 FEB 2017	General fund revenue budget 2017/18 and capital programme 2017/18 to 2021/ 22		Cllr Mike Stonard Justine Hartley		Justine Hartley	
COUNCIL 21 FEB 2017	Housing rents and budget 2017/18		Cllr Mike Stonard Justine Hartley		Justine Hartley	

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Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
COUNCIL 21 FEB 2017	Treasury management strategy 2017/18		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 18 JAN 2017	Corporate plan and performance	To consider amendments to corporate performance KPIs	Cllr Waters Adam Clark		Laura McGillivray	NO
COUNCIL 21 FEB 2017	Corporate Plan update		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 15 MAR 2017	Revenue budget monitoring 2016/17 period 10		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 15 MAR 2017	Proposed right off of bad debt		Cllr Mike Stonard Justine Hartley		Justine Hartley	
CABINET 15 MAR 2017	Grant of right to buy one for one receipts		Cllr Mike Stonard Justine Hartley		Justine Hartley	

Norwich City Council
SCRUTINY COMMITTEE

Item No 7

REPORT for meeting to be held on 20 October 2016

Consultation methods

- Summary:** A briefing note was circulated to members detailing the methods of consultation used at the council and what the council uses consultation to achieve with the public and stakeholders.
- The document also explains how the public are kept informed about the consultation policy of the council and the different channels these updates are published on.
- Conclusions:** This meeting is a chance for the scrutiny committee to scrutinise the existing policy regarding the consultation process and ask the relevant officer questions and then possibly make recommendations.
- The attached is the consultation paper which was circulated to members of the scrutiny committee.
- Recommendation:** That the scrutiny committee notes the consultation process of the council and considers specific ways of enhancing this.
- Contact Officer:** Nikki Rotsos, **Director of Customers and Culture**
01603 212211 NikkiRotsos@norwich.gov.uk

Background

1. At the meeting of the scrutiny committee meeting held on 26 May 2016, members asked for a briefing paper on consultations to be circulated, to gain an overview and understanding of the council's current work in this area.
2. The briefing paper was circulated to members of the scrutiny committee and they have chosen to take this report as an item for scrutiny at this meeting.
3. Appended is the briefing paper received by members. It explains the council's most up-to-date plan regarding consultation with the public.

Consultation briefing note

The council uses consultation with the public and stakeholders to:

- help shape the services we deliver
- make informed decisions on issues and projects.
- test out proposed changes to the way we do things
- measure performance
- measure perception.
- help carry out statutory duties.

Our consultation principles

We use the following principles to guide how we determine how to consult.

Proportionate - the time and resources put into the consultation exercise should be in line with the purpose and impact.

Genuine – the results of the consultation exercise should be used to inform the decision making process

Consistent – given that different methods of consultation may be employed, it is important to ensure consistency in approach.

The Norfolk compact

The council has signed up to the Norfolk Compact This means that we are expected to consult for a period of twelve weeks on any significant consultations, for example the budget proposals. The Norfolk Compact together with its codes of practice has been agreed by all the main statutory sector organisations and over 130 of the voluntary and community sector organisations in Norfolk.

Your Voice

Norwich City Council is also part of the Your Voice a 'citizen's panel' which draws its membership from across the county and the city. It is an opportunity for people to volunteer to have a say on local services. Your Voice is open to everyone over 16 in Norfolk.

Once registered with this panel members can invited to take part in, focus groups, surveys mystery shopping or helping to design and commission services.

Statutory consultation

There are some areas of the council that have to follow statutory guidelines on consultation for all or part of their work. These, include licencing, housing, transportation, and planning. Planning has its own statement of community involvement outlining the approach to planning consultations and the relevant excerpt from this document can be found at appendix A.

Methods of consultation

The council uses different consultation methods depending on the scope and complexity of the subject; sometimes we use a number of different options for a single consultation. We use both quantitative and qualitative research methods. These include:

Questionnaires - these can be online, in print, and in person both face to face and by telephone.

Feedback forms – short questionnaires used to give views on services, for example housing repairs.

Focus groups – usually professionally facilitated and used to develop understanding of more complex issues and views.

Topic based meetings – often used with stakeholders groups, community groups or customers to get a more general view on a topic or theme.

On line interactive tools – recently used as a pilot as part of the transportation consultation in Eaton and Cringleford.

Communicating what we do

The council publishes current consultations on its website and offers the opportunity for people to have email alert to inform them as new consultations go on line. The council also publicises major consultations through the local media, social media and Citizen Magazine.

Feeding back

The results of all major consultations are fed back through the media, the Citizen Magazine and through social media.

Consultation 2016 -2017

During the year there will be a number of consultations carried out a few examples of what is planned are outlined below.

Housing repairs feedback – short feedback form. Consultation carried out throughout the year immediately after a repair has been done. The purpose of this is so both the contractor and ourselves can monitor our performance and use feedback to shape the service.

Markets Strategy – the final part of our consultation on our markets strategy. Members of the public, market traders and stakeholders will all be asked to comment on the final draft document. This will use questionnaires, face to face feedback and meetings to gather views.

The Halls and Norman Centre – feedback from groups who hire these facilities. A short questionnaire sent to everyone who hires the venue, post event so they can give views on the venue and our service helps us to improve our service and target our marketing.



2. Consultations on planning policy documents

Introduction

12. The Joint core strategy, together with the Development management policies plan, Site allocations plan, Area action plans and the policies map form the Local plan for Norwich. The Local plan¹ is the statutory development plan for Norwich which will guide the future development and use of land, services and infrastructure in Norwich up to 2026 and sets the parameters for subsequent Supplementary planning documents and Neighbourhood plans.
13. A new version of the Local plan has been produced and has been submitted to the Planning Inspectorate for examination in autumn 2013. Following examination, and if adopted, this will replace the current Replacement local plan adopted in 2004. The table in **figure 2** shows the relationship between the local plan policy documents produced by the Council. The Local development scheme (LDS) and Statement of community involvement (SCI) are procedural documents that support the production of the Local plan setting out what will be produced and explaining how people can get involved with the process.
14. The council will prepare several development plan documents which are identified in the Local development scheme (LDS). The LDS includes a timetable of when we aim to produce the development plan documents, and the various stages they must go through to be adopted. This is available on the Council's website and is reviewed and updated regularly (hard copies are available on request):
<http://www.norwich.gov.uk/Planning/documents/Localdevelopmentscheme.pdf>
15. Norwich City Council is a member of the Greater Norwich Development Partnership (GNDP). The East of England Regional Spatial Strategy² (abolished in January 2013) encouraged coordination between Norwich, Broadland and South Norfolk councils to deliver major growth envisaged for the Norwich Policy Area. The Joint Core Strategy for Broadland, Norwich and South Norfolk was produced by the GNDP, which includes the Broads Authority and Norfolk County Council working in partnership with the three districts. Other documents produced by the GNDP include the Community Infrastructure Levy (CIL) Draft Charging Schedule (for each district/authority area) which is a statutory charge on new development introduced by the CIL Regulations 2010 (as amended).

¹ The term Local development framework (LDF) is no longer used following national reforms to the planning system introduced during 2011/12. Consequently, the new Development plan documents being prepared will no longer be referred to as forming part of the LDF, but as the Local Plan.

² The RSS has been abolished under the powers under the Localism Act 2011 Section 109(3),(5) and (6) and The Regional Strategy for East of England (Revocation) Order 2012.



16. The planning policy documents prepared by the GNDP are guided by the community involvement standards as set by the partnership councils jointly.
17. The Local Plan for Norwich contains a number of development plan documents including:
 - **Local plan.** The Local plan contains a number of Development plan documents including the Joint core strategy, the Site allocations and site specific policies plan (the 'Site allocations plan'), the Development management policies plan and Area action plans. The Policies map also forms part of the Local plan and is produced alongside the Site allocations plan and the Development management policies plan.
 - **Supplementary planning documents (SPDs)** supplement the policies in the Local plan and provide more detail and explanation on these policies where necessary. Planning briefs are produced to provide development and design guidelines for major complex sites. Planning briefs are often adopted with a similar status as supplementary planning documents.
18. The planning policy documents are supported by a range of research, studies and evidence supporting documents. These documents are prepared to contribute to or justify the planning policy documents. The supporting documents could include: Sustainability appraisal, Diversity impact assessment, topic papers, and the evidence base for specific policies.

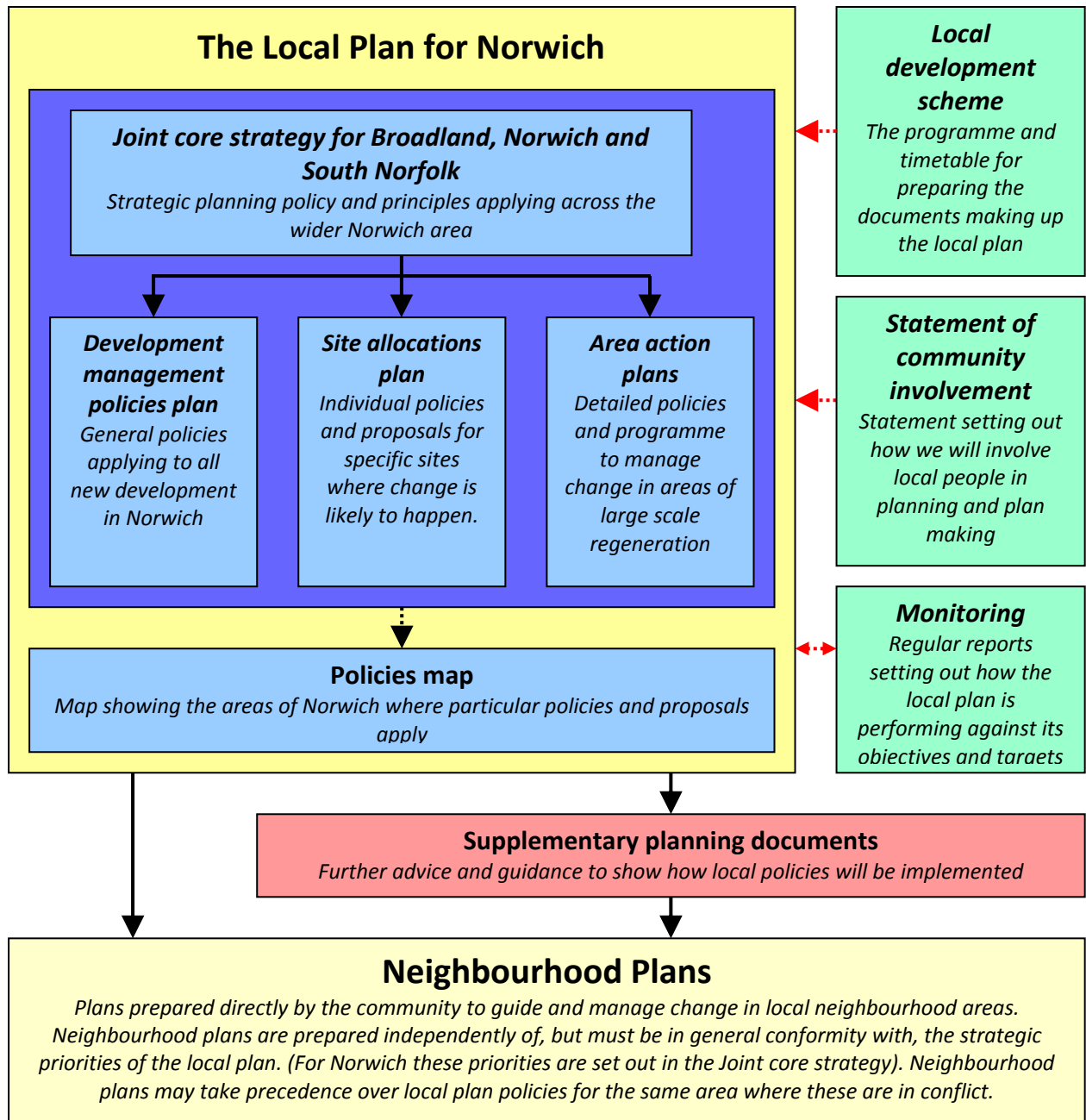


Figure 2: Documents making up the local planning framework for Norwich



Consultation Methods

19. The council has a well established procedure for involving people in planning policy documents. We will continue to develop our understanding of different consultation techniques over time and learn from what works, and what doesn't. A variety of methods have and will be used during consultations, taking into consideration issues being consulted on and the needs of the audience. These include the use of appropriate locations, and/or the use of particular presentation media for presentations to blind people, people with impaired hearing, and people with mental health issues or learning difficulties.

20. Consultation methods are evolving in the digital age. Whilst almost all the documents are made available electronically, the challenge remains as to how information can be disseminated effectively to attract a wider audience. We will endeavour in future consultations to increase the use of social media (e.g. Facebook/Twitter) where possible to help access "hard to reach" groups especially the younger population. We will also continue to use more traditional methods of consultation to include those without access to the internet or social media.

21. Based on our current success and lessons learned from previous consultations, we will endeavour to use a range of consultation approaches, as necessary, set out in the following list:

- Letters/emails to groups and individuals
- newspapers and Citizen magazine
- paper documents
- council's website
- "planning for real"³ type events
- presentations to community groups
- public meetings
- focus groups
- exhibitions
- local councillors
- social media
- local radio



22. We acknowledge that it is important to make public consultation arrangements as extensive as possible to make sure the public can get their voice heard. However, it is not always possible or appropriate to undertake consultations

³ "Planning for Real" is a nationally recognised planning process where residents take a hands-on role in registering their views, identifying priorities and suggesting solutions for development in their area using 3D models, plans and maps. Sessions are usually facilitated by an independent organisation such as Planning Aid England.



using all the methods listed above. We will endeavour to carry out consultation as appropriate to the nature of the plan/policy or proposal and the stages it involves and endeavour to ensure a non-IT method is used in all occasions. At any consultation stage the Council will comply with the minimum legal requirements for consultation.

How long will consultations last?

23. The National Compact states that local authorities should "...where it is appropriate, and enables meaningful engagement, conduct 12-week formal written consultations, with clear explanations and rationale for short time-frames or a more informal approach." In many circumstances it is considered that 12 week consultation periods are not needed to respond to emerging development plans, especially given that notice is given of forthcoming consultations via the Local Development Scheme and the forward agenda, and consultation versions of the documents are put into the public domain around four to six weeks before the formal consultation period starts.
24. It is therefore considered reasonable if the **minimum** time period for written consultations on development plan documents, minor modifications or focused changes, is set at six weeks with provision for this period to be extended in the following circumstances:
 - a) Where the consultation period overlaps with either the holiday periods of Christmas, Easter, or August. In such circumstances the consultation period shall be extended to be 8 weeks.
 - b) Where there is no indication of the intention to prepare the document in the Local Development Scheme. In such circumstances the consultation period shall be 12 weeks;
 - c) Where there has been significant additional material included within the document between first publication of draft papers and formal consultation commencing. Again in such circumstances the consultation period shall be extended to be 12 weeks; and
25. Where a 12 week consultation period (points b and c above) overlaps with any of the three holiday periods mentioned above, the consultation period will not be extended although consultation dates will be adjusted to ensure that consultations do not close on bank holidays or between Christmas and New Year.
26. With regard to supplementary planning documents and planning briefs, regulations only require four week consultation periods. As these normally only relate to small geographical areas or subjects of specialist interest it is considered that shorter consultation periods are justified, particularly as similar lead-in times



and reporting arrangements exist for these documents as they do for development plan documents.

27. It is therefore considered reasonable if the **minimum** time period for written consultations on supplementary planning documents and planning briefs is set at four weeks with provision for this period to be extended in the following circumstances:

- a) Where the consultation period overlaps with either the holiday periods of Christmas, Easter, or August. In such circumstances the consultation period shall be extended to be 6 weeks.
- b) Where there is no indication of the intention to prepare the document in the Local Development Scheme. In such circumstances the consultation period shall be 8 weeks;
- c) Where there has been significant additional material included within the document between first publication of draft papers and formal consultation commencing. Again in such circumstances the consultation period shall be extended to be 8 weeks; and

28. Where an 8 week consultation period (points b and c above) overlaps with any of the three holiday periods mentioned above, the consultation period will not be extended although consultation dates will be adjusted to ensure that consultations do not close on bank holidays or between Christmas and New Year.

29. To try and ensure meaningful engagement, we will advise as early as possible of forthcoming consultations once a consultation document is scheduled for consideration by the relevant committee.

Who will we involve, and how?

30. The Council's Community engagement strategy (CES) "Working Better Together" identifies five levels of involvement:

- Keeping you informed;
- Asking what you think;
- Deciding together;
- Acting together, and;
- Supporting independent community initiatives.

31. Different types of policy documents need different levels of involvement, depending on factors such as how many people would be affected by the proposed policy and the type of impact it would have. Detailed guidance on who we will involve, how, and at what level at the various stages of the plan making process is given on the following pages.



Norwich City Council Statement of Community Involvement: July 2013

Local plan (Development plan documents):

Key stages	Involvement Level	Public/stakeholder involvement arrangements
1. Pre-production/evidence gathering The information needed for the plan is prepared and potential issues identified.	<ul style="list-style-type: none"> • Asking you what you think • Deciding together 	<ul style="list-style-type: none"> • Writing to statutory environment bodies to initiate Sustainability appraisal screening • Early involvement of relevant stakeholders • Hold focus group sessions where necessary to help decide issues to be included in the plan
2. Draft Local plan The information gathered at first stage is taken into account in the drafting of detailed policies and allocations. Depending on the level of complexity, the draft local plan stage may involve more than one period of consultation.	<ul style="list-style-type: none"> • Asking you what you think 	<ul style="list-style-type: none"> • Publish draft documents for consultation for a minimum of six weeks, and, at the start of the consultation period, <ul style="list-style-type: none"> ▪ publish the Sustainability scoping report or appraisal as appropriate; ▪ send letters/emails to specific consultation bodies; ▪ send letters/emails to relevant consultation bodies , other interested bodies and individuals on the consultation database; ▪ publish electronic copies of the consultation documents on the Council's website; ▪ make hard copies of consultation documents available for inspection at the Council's office and the Millennium library; ▪ issue press release in local papers; ▪ add consultation information on Council's social media sites. • Arrange public meetings, exhibitions, focus groups as appropriate
3. Publication of the Local plan The Local plan is finalised and published for a last stage of consultation. Comments at this stage will only be sought on soundness and legal compliance of the plan.	<ul style="list-style-type: none"> • Asking you what you think 	<ul style="list-style-type: none"> • Publish the Local plan and relevant documents for consultation for a minimum of 6 weeks, and, at the start of the consultation period, <ul style="list-style-type: none"> ▪ publish a statement of the representations procedure; ▪ publish the Sustainability appraisal report for consultation; ▪ publish a consultation statement summarising all comments received from the previous stages and how the comments have been considered and taken into account;



Norwich City Council Statement of Community Involvement: July 2013

		<ul style="list-style-type: none"> ▪ publish relevant supporting documents; ▪ send letters/emails to specific consultation bodies; ▪ send letters/emails to relevant general consultation bodies , other interested bodies and individuals on the consultation database; ▪ publish electronic copies of all the documents on the Council's website; ▪ make hard copies available for inspection at the Council's office and the Millennium library; ▪ issue public notice in local newspapers; ▪ issue press release in local newspapers; ▪ add consultation information on Council's social media sites. • Arrange exhibition or presentation to interest groups if necessary
4. Submission	<ul style="list-style-type: none"> • No involvement 	The draft Local plan, and all supporting documents and the comments received from public consultation are submitted to the Secretary of State, who appoints an independent planning inspector. The hard copy documents are available at Council's offices and the Millennium library.
5. Public examination	<ul style="list-style-type: none"> • No involvement 	The Local plan and the comments received are examined by the planning inspector, followed by the inspector's report.
6. Adoption The Local plan is adopted following the consideration of the recommendations in the inspector's report.	<ul style="list-style-type: none"> • Keeping you informed 	<ul style="list-style-type: none"> • Make the inspector's report available for inspection on the Council's website and at the Council's office • Inform consultees who previously made representations about the availability of inspectors report Following adoption of the Local plan, we will: <ul style="list-style-type: none"> • Publish the Local plan, make electronic copies available on the Council's website and hard copies available at the Council's office • Publish adoption statement in Local newspapers • Send adoption statement to specific and general consultees and those who made representations at previous stages or those who have asked to be notified of the adoption • Make the Sustainability appraisal and other supporting documents available for inspection for six weeks after adoption • Add adoption information on Council's social media sites



Norwich City Council Statement of Community Involvement: July 2013

Supplementary Planning Documents (SPDs)/Planning briefs:

Key stages	Involvement Level	Public/stakeholder involvement arrangements
1. Pre-production/evidence gathering The information needed for the plan needs to be prepared and potential issues need to be identified.	<ul style="list-style-type: none"> Asking you what you think Deciding together 	<ul style="list-style-type: none"> Engaging relevant stakeholders in deciding the level of detail to be included in the plan and to identify key issues that need to be addressed Where necessary, preliminary consultations will be carried out prior to the publication of draft SPDs
2. Draft SPDs/ Planning briefs A Draft SPD/planning brief is prepared following the initial evidence gathering stage. Consultations at this stage will involve publishing a draft of the SPD/ planning brief for comment.	<ul style="list-style-type: none"> Asking you what you think 	<ul style="list-style-type: none"> Publish the Draft SPD/planning brief for consultation for a minimum of four weeks, and, at the start of the consultation period, <ul style="list-style-type: none"> make electronic copies of the plan and supporting documents available on the Council's website; make hard copies of the plan and supporting documents available at the Council's office and Millennium library for inspection; send letters/emails to relevant specific and general consultees and those on the consultation database who may have an interest on the issues; issue a press release for the matters concerned if appropriate; add consultation information on Council's social media sites. Arrange exhibition or presentation to interest groups if appropriate
3. Adoption The Council will consider the representations received through the consultations and make any amendments necessary before adopting the SPD/ planning brief.	<ul style="list-style-type: none"> Keeping you informed 	<ul style="list-style-type: none"> Publish the SPD/planning brief – make electronic copies and any supporting documents available on the Council's website and hard copies available at Council's office Publish a consultation statement summarising all comments received from the previous stages and how the comments were considered and taken into account Send an adoption statement to those who have made representations during the previous consultations and those who have asked to be notified of the adoption of the SPD/planning brief. add adoption information on Council's social media sites



3. Consultations on planning applications

Introduction

32. Planning applications are considered through the development management process. It is important that the views of the general public and stakeholders are taken into account to inform decisions.
33. The legal minimum requirements of publicity on planning applications are set out in legislation. These requirements include publication on the Council's register, notices displayed near the site and/or neighbours being notified directly. For some applications, an advertisement is required in a local newspaper. Similar requirements apply to applications for listed building consent and conservation area consent.
34. This section sets out the council's approach to encouraging, and requiring where necessary, developers to undertake pre-application consultations and for the involvement of the community in commenting on planning applications.
35. The Planning service standards outline how people can expect to be involved in planning applications and the service they can expect to receive including response times to letters, emails and phone calls. The most up-to-date Planning service standards are available on our website at www.norwich.gov.uk; these will be updated when appropriate to reflect any future changes in legislation or internal processes.

Pre-application consultation

36. The National Planning Policy Framework (NPPF) states that local planning authorities should encourage parties to take maximum advantage of the pre-application stage and encourage applicants, not already required to do so by law, to engage with the local community. This should improve the efficiency and effectiveness of the planning application system for all parties including the local community.
37. The Council strongly encourages developers and agents of all application types to engage with the community at the earliest opportunity. For major schemes this is a requirement. This will give the best information on which to base proposals and enable any planning application that is subsequently made to have the best chance of success.
38. Early involvement between developers, the community, consultees and the local planning authority allows issues and concerns to be discussed before planning proposals are formally submitted for assessment and decisions are made. Pre-application involvement by all parties allows issues and concerns to be raised at an early stage, potentially enabling them to be addressed and giving communities the opportunity to shape or influence the development proposals.
39. There are several levels of pre-application service available, depending on the type of development proposed. For large and major schemes a fee may be charged for this



service but the level of advice given will also be greater and will involve statutory consultees and the comments of the local Design Review Panel. In the case of strategic sites and major infrastructure projects, a national Design Review Panel may also be consulted. Further guidance can be found on the Council's website at the following link or by calling the planning service: <http://www.norwich.gov.uk/Planning/>; telephone 0344 980 3333.

40. The Council strongly encourages pre-application consultation with the community for all applications which fall in the following categories:

- Housing developments of 10 or more dwellings;
- Any other development with a floor area of 1,000 square metres;

NB. The current Environmental Impact Assessment Regulations (2011) (EIA) do not require consultation on schemes requiring an EIA. However, these regulations are under review and this may become a requirement in the future.

41. The **Validation requirements** produced by the Council provide details of the pre-application consultation requirements for applications. These will be regularly updated in accordance with legislative requirements. The Validation requirements can be accessed from the Council's website: <http://www.norwich.gov.uk/Planning/Pages/Planning-ValidationRequirements.aspx>. If insufficient or inappropriate pre-application involvement has taken place relative to the size, scale, complexity and/or impact of the proposed development, the application may not be validated.

42. The figure on the next page gives some basic advice on how involvement/consultation would be expected to be conducted:



Planning application consultation

43. It is important that the community have suitable opportunities to be involved in commenting on planning applications and that those comments are taken into account when the decision is made.
44. The council has a well established process of consultation on planning applications. The main way to find out information on planning applications is through the Planning Public Access service⁴ on our website: <http://planning.norwich.gov.uk/online-applications>. You can also sign up to receive e-mail alerts of proposed developments in your area through this service. Other methods currently include:
- i) letters and emails to statutory consultees, other organisations and interest groups;
 - ii) letters and emails to residents, businesses and properties within 10metres of the boundary of the site;
 - iii) the display of site notices (for some applications);
 - iv) publication in local newspapers (for some applications);
- NB The methods listed at ii), iii) and iv) above will be carried out in accordance with at least the minimum requirements of Section 13 of the The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) (or any updated version thereafter)*
- v) viewing of all comments received on our website;
 - vi) viewing of all decision reports on our website;
 - vii) presentations at committee (for some applications) (in accordance with the requirements of the Planning Service Code of Conduct);
 - viii) committee papers – available a week before each meeting (in paper form/website), and;
 - ix) committee minutes – available 7 days prior to the next meeting.
- NB The above list is not exhaustive and should not be taken verbatim. Full details of the consultation methods on planning applications can be found at the following link:***
<http://www.norwich.gov.uk/CommitteeMeetings/Planning%20applications/Document%20Library/93/Repplanningneighbournotifications20090402.pdf>
45. Should any planning application during the process of its assessment be amended and require a further consultation period, all those who were originally consulted (statutory consultees, internal consultees and neighbouring properties), and any persons or organisations who have made representations, will be re-consulted on the revised proposals. If necessary, the case officer for the application will agree a new determination deadline with the developer/agent as required.
46. The Planning Portal (www.planningportal.gov.uk) provides information on planning in general, with Norwich City Council's website providing more specific information

⁴ The Planning Public Access website allows you to search for details of planning applications, plans and supporting documentation that have been submitted to Norwich City Council's planning service.



relevant to Norwich. Public Access contains details of all planning applications and comments of consultees and the consideration of the application by officers from December 2005 onwards, with some information on applications from January 1988 to November 2005.

Material planning considerations

47. In the process of assessing an application the planning officer must have regard to material planning considerations. Some examples of material considerations and non-material considerations can be found below (please note, this list is not exhaustive). For example, the loss of property value is not a material planning consideration and will not be taken into account in the assessment of an application.
48. More advice can be found on the Royal Town Planning Institute's website at the following link or from Planning Aid England at the second link:
- <http://www.planningportal.gov.uk/general/faq/faqapplyprocess#Whatarematerialconsiderations>
 - <http://www.rtpi.org.uk/media/686895/Material-Planning-Considerations.pdf>



MATERIAL CONSIDERATIONS 	NON-MATERIAL CONSIDERATIONS 
<ul style="list-style-type: none"> • National and local policies 	<ul style="list-style-type: none"> • Issues considered under Building Regulations
<ul style="list-style-type: none"> • Planning history and previous appeal decisions 	<ul style="list-style-type: none"> • Land/boundary disputes, including rights of access
<ul style="list-style-type: none"> • Case Law 	<ul style="list-style-type: none"> • Opposition to business competition
<ul style="list-style-type: none"> • Impact on sunlight, outlook, privacy and amenity 	<ul style="list-style-type: none"> • Loss of property value
<ul style="list-style-type: none"> • Highways issues (e.g. increased traffic movements) 	<ul style="list-style-type: none"> • Loss of view (<i>NB this does not include 'outlook'.</i>)
<ul style="list-style-type: none"> • Effect on a Listed Building or Conservation Area 	<ul style="list-style-type: none"> • Opposition to the principle of a development if permission has been granted by an outline application or appeal decision.

Figure 4: Examples of Material and Non-material considerations (Source: RTPi Planning Aid England)

Norwich City Council
SCRUTINY COMMITTEE

Item No 8

REPORT for meeting to be held on Thursday 20 October 2016

Educational outcomes for the young people of Norwich

Summary:

The purpose of this items is to consider the current state of educational outcomes in Norwich with reference to changing school structures such as academies and free schools.

Background:

Although Norwich City Council does not have a specific remit for the provision of education for our young people, the council does have a role for the overall wellbeing of young people and the overall economic prosperity of our citizens.

It is to this end that members are interested in understanding fully how the change in educational landscape may impact on life chances.

As part of the evidence gathering aspect of this work, a number of organisations representing Trade Unions, the Local Authority and Academy Chains have been invited to give evidence to the committee outlining their own views on provision in Norwich.

Recommendation:

To take evidence from key educationalists who have an impact on the provision of education to the young people in Norwich

Contact Officers:

Adam Clark - Interim Strategy Manager
Telephone (01603) 212273
Email adamclark@norwich.gov.uk

Bethany Clark - Scrutiny Liaison Officer
Telephone (01603) 212153
Email bethanyclark@norwich.gov.uk

Background

1. At the previous scrutiny committee meeting on 20 September 2016, a representative from the National Union of Teachers was invited to provide evidence to the committee regarding academies and free schools, and what impact they are having on Norwich. This meeting is a continuation as the members gather more evidence about this item.
2. The following report is the CSN Policy Briefing about academies and free schools, which helps to inform the subject of this committee meeting. It details the Green Paper published by the Department of Education. Schools that work for everyone sets out 'the Government's ambition to create an education system that extends opportunity to everyone, not just the privileged few... to expand radically the number of good school places available to all families... and [to deliver] a diverse school system that provides all children, whatever their background, with schooling that will help them achieve their potential.'



Department
for Education

Schools that work for everyone

Government consultation

Launch date 12 September 2016

Respond by 12 December 2016

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About this consultation

This consultation sets out the Government's ambition to create an education system that extends opportunity to everyone, not just the privileged few. It proposes to expand radically the number of good school places available to all families, by: providing the right incentives for all schools with a strong track record and valuable expertise to expand their offer to even more pupils; leveraging the expertise of high performing institutions to set up new good places in the state sector as well as turn around existing schools; and delivering a diverse school system that provides all children, whatever their background, with schooling that will help them achieve their potential.

The consultation covers proposals in four key areas:

- Independent schools directly assisting the state-funded sector, through creating more good places, and giving more choice and control for parents.
- Universities playing a direct role in improving school quality and pupil attainment.
- Selective schools providing more school places, and ensuring that they are open to children from all backgrounds.
- Faith schools delivering more good school places, while meeting strengthened safeguards on inclusivity.

We would like to hear your views on these proposals.

Who this is for

- Schools and representative bodies
- Higher Education Institutions and representative bodies
- Local authorities and faith bodies
- Children, young people and parents

Issue date

The consultation was issued on 12 September 2016.

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the team on:

- schoolsystem.consultation@education.gsi.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by

email: Coordinator.CONULTATIONS@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the Department's response will be [published on GOV.UK](#) in Spring 2017.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email it or post it.

By email

- schoolsystem.consultation@education.gsi.gov.uk

By post

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Deadline

The consultation closes on 12 December 2016.

Introduction

1. This Government is dedicated to making Britain a country that works for everyone, not just the privileged few. This mission is arguably more important in education than anywhere else. Parents rightly expect the ability to send their child to a good school in their local area. A child's schooling is crucial in determining their chances in life and every child should be able to go as far as their talents will take them.
2. Over the last six years, our education reforms have delivered many more good school places for parents and their children. This year, over 1.4 million more children now attend schools rated good or outstanding than in 2010. Our free schools and academies programmes have ensured that strong schools and school leaders have been able to extend their success more widely across the school system to open up a greater diversity of provision. And our new curriculum and qualifications reforms are driving school standards to match the best international comparisons.
3. But for too many children in England, a good school remains out of reach. There are still 1.25 million children attending primary and secondary schools in England which are rated either requiring improvement or inadequate. At the same time, the demographic pressure for good school places is increasing: primary pupil numbers grew by over 11% between 2010 and 2016 and are projected to increase by a further 4% between 2016 and 2020. Secondary pupil numbers are projected to increase by around 10% between 2016 and 2020.¹
4. To tackle this problem, we need to do three things. Firstly, we need radically to expand the number of good school places available to all families, not just those who can afford to move into the catchment area, go private, pay for tuition to pass selective tests or belong to certain faiths. Secondly, we need to give all schools with a strong track record, experience and valuable expertise the right incentives to expand their offer to even more pupils, driving up standards and giving parents greater control. And thirdly, we need to deliver a diverse school system that gives all children, whatever their background, the opportunity to help them achieve their potential.

¹ Source: Schools, Pupils and their Characteristics: January 2016 (<https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2016>) and National pupil projections – future trends in pupil numbers: July 2016 SFR <https://www.gov.uk/government/statistics/national-pupil-projections-july-2016>

5. This consultation sets out proposals to help achieve all three. In the past, we have successfully leveraged the expertise of experienced education institutions - those with a proven track record for delivering a higher quality of education and better life chances for children. That is why we have encouraged the development of multi-academy trusts, supported good school leaders to take over failing schools, while also helping groups of parents, teachers and others set up free schools themselves.

6. However, there are a number of institutions for whom creating new school places or improving existing schools is either not incentivised or is actively prohibited by current regulations:

7. **Independent schools.** Currently independent schools educate an estimated 425,000 pupils aged 5-15 outside the state system², paid for privately. Many of the best independent schools have good results in GCSE and A level exams translating into better achievement for their pupils in gaining places within higher education, for example at Russell Group universities, than their state school counterparts. The best of the independent schools all benefit from the state from the benefits offered by charitable status. We should expect these schools to assist the state-funded sector more directly, without necessarily spending more money, by building capacity in the sector through more good places and choice and control for parents.

8. **Universities.** Britain has some of the best higher education institutions in the world with considerable academic expertise, and teaching resource, and they have a vested interest in improving attainment among school leavers. Universities are often criticised for charging higher tuition fees without widening access to lower income students, but they have little direct control over the main driver of better access: students' school-level attainment. We believe universities have a greater and more direct role to play in improving school quality and pupil attainment.

9. **Selective schools.** There is good evidence to suggest that grammar schools deliver high-quality education to their pupils and that their pupils outperform their counterparts at non-selective schools, including when the effects of selection are taken into account. However, despite demand from parents, no new grammar schools have

² Source: Schools, Pupils and their Characteristics January 2016.

been allowed since the 1998 School Standards and Frameworks Act, which prohibited new grammars. We want more good schools, including selective schools, but we want selective schools to make sure they help children from all backgrounds.

10. **Faith schools.** Faith schools make up a third of all schools in England. The government currently applies a 50% cap on the number of children admitted by faith for oversubscribed new free schools, in order to foster inclusivity. However, the evidence suggests that this rule does not achieve inclusivity and in fact prevents some high-performing faith schools from expanding or establishing new schools. We want to deliver real inclusivity in schools, while increasing the number of good school places, including at new faith schools.

11. This consultation sets out a series of reforms to encourage these high-performing institutions - independent schools, higher education institutions, selective and faith schools - to help improve the quality of school places in the mainstream state sector. We intend to do so by making the benefits these schools enjoy, of which other schools cannot take advantage, conditional on them doing much more to drive up the quality of schools locally or increasing the number of good school places in the system. That means we will ask them to partner with existing schools or set up new state schools.

12. In some cases, these requirements will be built into existing agreements, so that, for example, the ability to charge higher tuition fees for university, or to maintain the key benefits associated with independent schools' charitable status, is explicitly linked to doing more. In others, we will extend new freedoms with conditions attached allowing selective schools to open on new sites or for new selective schools to be established, or by relaxing the 50% rule on faith admissions in new free schools. In all cases, the overriding objective is to create an education system that will allow anyone in this country, no matter what their background or where they are from, to go as far as their talents will take them.

13. These proposals complement our wider approach to school improvement and our drive to build capacity in the system through multi-academy trusts. It remains the Government's ambition that all schools ultimately benefit from the autonomy and freedom to innovate and to meet the needs of their community that academy status brings, and we will be supporting schools to make this transition. Alongside this, there is a need to build capacity in the system and continue to improve the quality of existing

schools, both through our work to support academies and spread best practice, and through the proposals outlined in this consultation document. In doing so, we will create an education system that will allow anyone in this country, no matter what their background or where they are from, to go as far as their talents will take them.

14. As education policy is devolved, these proposals apply to England only.

The need for more good school places

1. There were significant improvements in the number of pupils able to access a good school over the last Parliament. At the end of March 2016, 86% of schools were rated good or outstanding by OFSTED, an increase of 17 percentage points since 2010. This allowed an additional 1.4 million pupils to access the best schools. However, significant challenges remain and we need to continue to build capacity in the system and ensure that existing schools that are struggling are turned around.

2. Firstly, the pressure for good school places is increasing: primary pupil numbers grew by 11% between 2010 and 2016, and more secondary places will be needed throughout this Parliament as this demographic bulge moves through the system.³ The most recent national pupil projections report that the primary school population is estimated to increase by 174,000 (3.9%) between 2016 and 2020, and the secondary school population by 284,000 (10.3%).⁴

3. The co-ordinated admissions process run by local authorities is coping well with recent increases in demand. Applications for secondary school places have been increasing since 2013, and numbered 548,000 in 2016, when 95% of applicants received an offer of one of their top three preferred schools. Primary application data has only been collected since 2014, and has also shown increases to reach 642,000 in 2016. At this level 96.3% of applicants received one of their top three preferences.⁵

4. In March this year the Department for Education published data identifying 65 local authority districts where fewer than 50% of secondary school applicants have a good or outstanding school place available to them within 5km. This means that in 20% of districts fewer than half of secondary school pupils have access to a good school within a reasonable distance of their home, and these are not necessarily rural or sparsely populated areas, as Braintree, Daventry and Hartlepool all have poor levels of access. Furthermore poor access is to be found almost everywhere in the country: the

³ Schools, Pupils and their Characteristics SFR 2016.

⁴ Source: National pupil projections – future trends in pupil numbers: July 2016 SFR

⁵ Source: Secondary and primary school applications and offers: March and April 2016 SFR.

bottom ten districts in England – which all provide fewer than 25% of secondary school pupils with access to a good or outstanding place – are to be found in eight out of ten regions, with London and the North West being the exceptions.

5. All parts of the education system need to collaborate more to widen opportunity and raise standards in existing schools, in order to contribute to meeting these challenges. Four areas stand out where more could be done: independent schools, universities, selective schools and faith schools. This consultation outlines proposals for change in each of these areas.

Families who are just about managing

6. These policies will increase the number of good and outstanding school places in the system, and therefore should benefit all students.

7. At the moment, the primary method for judging how schools support families of modest means is the measure of those in receipt of free school meals (FSM) in the past six years. However, this captures a relatively small number of pupils whose parents have been in receipt of income related benefits, linked to the local labour market in the past six years. This includes receipt of Income Support, income-based Jobseekers Allowance, income-based Employment and Support Allowance, Child Tax Credit, Working Tax Credit and Universal Credit. This effectively means that if you earn more than £16,190, you will not qualify for Free School Meals. In January this year, 14.3% of pupils were eligible for Free School Meals.

8. This Government believes it is important to support pupils on free school meals through the Pupil Premium and this will continue. But we also believe that schools should take greater account of those children of people on modest incomes, who do not qualify for such benefits but who are nevertheless just about managing. These are ordinary families, who have a job but do not always have job security; have their own home, but worry about paying the mortgage. They can just about manage but are concerned at the cost of living and getting their children into a good school. Children from these families are not necessarily well-served by the education system.

9. We lack a similar way to record the experiences or outcomes of those not in this group. The majority of ordinary families, even those struggling to get by, are not caught

by the FSM measure. This means that there is no reliable national picture of the impact of policy on families above the FSM eligibility threshold. There is no way to differentiate between the school experience of a child from a family which is struggling to get by, and that of a child from the wealthiest 10% of families. This distorts policy to focus at a cliff edge whereas the reality is that there are children from ordinary, working families with otherwise similar educational prospects not getting the support they need.

10. The Government wants to develop a way to identify the group of people who are 'just about managing' in order to understand the impact of policy on those falling just above the eligibility threshold for free school meals. We want to work with experts and specialists to identify the best and most robust way to identify this group and measure their attainment and progress in the school system.

Q: How can we better understand the impact of policy on a wider cohort of pupils whose life chances are profoundly affected by school but who may not qualify or apply for free school meals?

Q: How can we identify them?

Independent schools

Case for change

1. The UK's independent schools have a long history and the best have a world-wide reputation for excellence. They produce excellent exam results and well-rounded citizens who go on to excel in a variety of fields.
2. However, despite the fact that many of the top public schools began life as foundations for poor, bright pupils, these same schools are now increasingly out of reach. Average fees have increased by more than 20% over the last 5 years. At the same time, there has been a 33% increase since 2008 of non-British students with overseas parents attending these schools.⁶
3. Recognising this, many public schools offer scholarships and bursaries to enable pupils from ordinary backgrounds to attend. But there is much more they should be doing so that children from a much wider variety of backgrounds truly benefit from the excellent education they can deliver.
4. Many of these schools enjoy charitable status, and the associated advantages including relief from business rates. We believe independent schools could and should do more as a condition of these benefits and their privileged position. We want to see them doing more to increase the number of good and outstanding school places in the state system and to give more ordinary students access to the education they deliver.
5. Our proposals will ensure that independent schools are doing more to benefit ordinary families, particularly those who are just about managing. These families cannot afford independent school fees but are also often earning enough not to be eligible for direct state support. The quality of their local school is important to them. We are asking independent schools to spread their expertise through the state system to benefit families like these, by setting an expectation that the best independent schools sponsor state schools and offer funded places.

⁶ Source: <http://www.lloydsbankinggroup.com/globalassets/documents/media/press-releases/lloyds-bank/2015/150911-cost-of-private-schooling-final.pdf>

Evidence

6. There are approximately 2,300 independent schools in England, ranging in size from the very small (single digit numbers of pupils) to the very large (nearly 4,000 pupils). Many of them are very small: almost 50% are smaller than 150 pupils, with a median size of 154. The fees range from £20k per year in a prestigious day school (and approaching double that in a boarding school) to far smaller amounts in small religious schools.⁷ Similarly, quality varies from world-leading education to some small, poorly-resourced schools which may have difficulty meeting the Independent Schools Standards.

7. About half of the schools in the sector (c.1,300) are registered as charities. Schools with charitable status, like other charities, must demonstrate that they meet Charity Commission 'public benefit' rules – that is to say they benefit a reasonably wide section of the public rather than a narrow group of individuals. The most common way in which this is done is through the use of funds to give bursaries and fee discounts.

8. Lots of schools already have partnership arrangements with state schools (1,112 of the 1,157 Independent Schools Council schools). These vary enormously in scope - from substantive facilities sharing and teaching to 'buddying' programmes. Examples of the best include:

- The Aspirations project run by Kings College Wimbledon for seven state schools to raise the academic and vocational aspirations of students of less privileged backgrounds. The programme includes masterclasses, science lectures, practical learning of debating skills, a university visit, an annual course of GCSE sessions and a university applications day; and
- The York Independent State School Partnership between eight state funded schools and 3 independent schools, runs a programme of masterclasses for the most able students across the city, providing academic challenge through opportunities which state schools cannot provide alone, and provides Latin GCSE to students from maintained schools and twilight training sessions for teachers.

⁷ Source: DfE School Census 2015

9. Many fewer schools have chosen the more resource and time-intensive option of sponsoring or co-sponsoring an academy or setting up a free school: 8 independent schools already sponsor 11 academies. Examples of excellent free schools established by independent schools include:

- Westminster School is the key partner in sponsoring Harris Westminster Sixth Form with Harris Academy Trust. Students at the free school share the facilities and the teaching expertise of Westminster School;
- Eton College's successful establishment of Holyport Free School, a state boarding school; and
- The establishment by Brighton College, with support from 5 other independent schools, of the highly successful London Academy of Excellence, a new sixth form academy for bright children from under-privileged backgrounds in Tower Hamlets and Newham.

Proposals for reform

10. Our objective is to harness the capacity of independent schools to offer greater benefit to ordinary families. This would be both by adding extra capacity to the state sector – where we need good sponsors to help turn around under-performing schools – and by opening up their education to a wider range of pupils. We are clear that the biggest and most successful independent schools should face exacting requirements, while recognising that not all have the capacity and capability to act in the same way.

11. We propose that independent schools with the capacity and capability should meet one of two expectations in recognition of the benefits of their charitable status:

- To sponsor academies or set up a new free school in the state sector. The capital and revenue costs of this would be met by the government, but the independent school would have responsibility for ensuring its success. We would expect this school to be good or outstanding within a certain number of years, **or**;
- To offer a certain proportion of places as fully funded bursaries to those who are insufficiently wealthy to pay fees. We expect this figure to be considerably higher than that offered currently at most independent schools.

12. We would not necessarily expect independent schools to put any additional

funding into these schools. The revenue and capital funding would come from central government, although independent schools would be able to support these schools financially if they chose to. Instead, we expect these schools to bring their considerable expertise and impressive ethos to bear on the state sector to ensure more children can be taught at good schools.

Q: What contribution could the biggest and most successful independent schools make to the state school system?

Q: Are there other ways in which independent schools can support more good school places and help children of all backgrounds to succeed?

13. We know that there are a large number of smaller independent schools that do not have the capacity and capability to take on full sponsorship. However, we believe that they still have a role to play in improving schools in the state sector. We will ask these schools to fulfil one or more of the following:

- Provide direct school-to-school support with state schools. This could include providing staff to assist state schools with teacher development and personal support between heads of department in independent and state schools to share best practice. Joining Teaching School Alliances is the best way to make those contributions to teacher development or school improvement really count;
- Support teaching in minority subjects which state schools struggle to make viable, such as further maths, coding, languages such as Mandarin and Russian, and classics;
- Ensure their senior leaders become directors of multi-academy trusts, to give strategic steer and leadership and provide experienced staff to be governors;
- Provide greater expertise and access to facilities, for example access to science labs and music, drama and sporting facilities; and
- Provide sixth-form scholarships to a proportion of pupils in each year 11 at a local school; assisting with their teaching; or helping them with university applications.

Q: Are these the right expectations to apply to all independent schools to ensure they do more to improve state education locally?

Q: What threshold should we apply to capture those independent schools who have the capacity to sponsor or set up a new school or offer funded places, and to exempt those that do not?

14. We propose to set new benchmarks that independent schools are expected to meet, in line with their size and capacity. We think it is essential that independent schools deliver these new benchmarks. If they do not, we will consider legislation to ensure that those independent schools that do not observe these new benchmarks cannot enjoy the benefits associated with charitable status, and to result in the Charity Commission revising its formal guidance to independent schools on how to meet the public benefit test, putting the new benchmarks on to a statutory footing.

Q: Is setting benchmarks the right way to implement these requirements?

Q: Should we consider legislation to allow the Charity Commission to revise its guidance, and to remove the benefits associated with charitable status from those independent schools which do not comply?

Q: Are any other changes necessary to secure the Government's objectives?

Universities

Case for change

1. The UK's universities are world class, with four of the top ten in the world. Many have extensive partnership and outreach programmes designed to encourage successful applications from students from all backgrounds.
2. Their success means universities have a depth of expertise and resources to draw on – in governance, teaching and finance – which are badly needed in the schools system.
3. Universities now have the freedom to charge a higher rate of fees. Those institutions charging fees over £6,000 have dedicated considerable amounts of resource to widen access: expenditure through Access Agreements (which universities must agree with the Director of Fair Access in order to charge above £6,000) is expected to reach £745 million in 2016/17.
4. However, in charging higher rates, universities have been criticised for failing to widen access to children of more modest incomes and backgrounds. We believe this is unfair, on the grounds that universities currently have little involvement or direct control over the factor that has the greatest impact on access - namely, school-level attainment.
5. We believe that universities' activity should focus more on where they can make the most difference: raising standards and attainment in the schools system. Spreading their expertise and experience through the schools system has the potential to create many new good school places - offering new opportunities to ordinary families, especially those just about managing – and improving the quality and diversity of sixth form students who go on to study at higher education institutions.
6. Many universities in the UK have partnership arrangements with academies or free schools already. A much smaller number have set up new free schools or sponsored existing academies. The Government would like to see all universities match those examples, and sponsor existing schools or set up new schools in exchange for the ability to charge higher fees.

Evidence

7. It is strongly in universities' interests to improve attainment at schools. Research shows that prior attainment of pupils is the overriding factor in predicting access to university. Research conducted by the Institute for Fiscal Studies⁸, on behalf of Government, shows that for students who took their GCSEs in 2008, pupils from the most advantaged background were 33 percentage points more likely to progress to higher education than pupils from the most disadvantaged background. Once background characteristics and prior attainment are taken into account the gap reduces to 4 percentage points. A key factor holding back prospective students is the quality of education they receive at school. We believe that there is a compelling argument that universities should focus on raising attainment at school.

8. Some universities already run excellent schools:

- King's College London took advantage of the free schools programme to open a specialist sixth form college - King's College London Mathematics School (KCLMS) - to encourage young people across London with a facility in maths to pursue these highly academic options. The results have been outstanding. In August 2016 100% of KCLMS students received an A* or A grade in Mathematics, including 83% gaining an A*.

Proposals for reform

9. Despite some excellent examples of universities sponsoring schools, this level of direct involvement is far from the rule. We believe all universities could and should play a direct role in raising attainment in schools to widen access, and for this to be made a condition of their fair access requirements.

10. We want higher education institutions to meet the following requirements as a condition of charging higher fees:

- Establish a new school in the state system, of which the capital and revenue costs will be met by the government, **or**;
- Sponsor an academy in the state system.

⁸ Socio-economic, ethnic and gender differences in HE participation, BIS, November 2015

11. In both cases, we would expect this school to be good or outstanding within a certain number of years, and over time we would expect universities to extend this partnership with the schools sector, to charge the higher rate of fees. For example, we would ask universities to extend their support to further schools after a certain number of years, which in turn would be required to be Good or Outstanding over time.

Q: How can the academic expertise of universities be brought to bear on our schools system, to improve school-level attainment and in doing so widen access?

Q: Are there other ways in which universities could be asked to contribute to raising school-level attainment?

12. We want to see universities begin to sponsor schools as soon as possible. In the immediate term, the Government intends to set out new guidance to the independent Director for Fair Access (DfA), with a clear expectation that universities would contribute to school-level attainment as a condition of charging higher fees, and that we want them to do so by sponsoring academies or establishing new free schools.

13. This will inform the DfA's own guidance to higher education institutions on their access agreements, which are conditions of charging the higher rate of fees. This would build on the guidance already issued to the DfA in February 2016, which placed a strong emphasis on working with schools.

14. The letter of guidance would be issued in early 2017, in time for inclusion in the DfA's own guidance to universities for access agreements that come into force for 2018/19.

15. In terms of accountability and enforceability, the DFA already possesses the ability to refuse to renew an Access Agreement, meaning an institution will not be able to charge higher fees if it fails to deliver against its own Access Agreement.

Q: Is the DFA guidance the most effective way of delivering these new requirements?

16. Beyond this guidance, we will consider what further measures, including potential legislation in a future Parliamentary session, are necessary to require sponsorship of a school as the specific means by which universities contribute to raising attainment and

widening participation, where the DFA does not currently have the power to do so.

Q: What is the best way to ensure that all universities sponsor schools as a condition of higher fees?

17. In addition to, but not instead of, the above requirements, universities could consider:

- supporting schools through being a member of the governing body or academy trust board;
- assisting with curriculum design, mentoring of school pupils, and other educational support; and
- provision of human resources, teaching capacity (for example in A-level STEM subjects), and finance support.

18. In addition to driving attainment, we could ask universities to consider taking into account geography, the number of good school places or higher education participation rates when deciding where to focus their energies.

Q: Should we encourage universities to take specific factors into account when deciding how and where to support school attainment?

Selective schools

Case for change

1. There are currently 163 existing grammar schools in England, educating around 166,000 students (around 5% of state secondary pupils). Ten local authorities (LAs) have wholly selective education systems and a further 26 LAs have one or more grammar schools in their area. The 5% of secondary school pupils attending grammar schools nationally rises to more than 25% in fully selective local authority areas. Other elements of our education system are often based on selection – at age 16 in the state-funded sector and at all ages in independent schools.
2. Legislation currently prohibits any new selective schools and prevents existing non-selective schools from becoming selective. This means that schools cannot introduce selective admission arrangements where they do not already exist. Existing selective schools can lawfully expand, and that includes expansion in annexes or on sites separate from the main body of the school provided that the offer to pupils on the separate sites is fully integrated with the teaching and learning in the rest of the school. Approval was given to the Weald of Kent Grammar School to expand in Sevenoaks because the school clearly demonstrated that its proposed annex was fully integrated. However, the funding necessary for expansion has not been consistently available to grammar schools.
3. Grammar schools are popular with parents and good for the pupils who attend them. The vast majority of the existing 163 grammar schools have demonstrated that they provide an excellent education for the pupils, of all income groups, who attend them. They provide a stretching education for our most able pupils, regardless of their background, which recognises, and enables them to meet, their potential. Those who do well at grammar schools are more successful at getting into university.
4. Many selective schools are employing much smarter tests that seek to see past coaching and assess the true potential of every child. However under the current model of grammar schools – while those children that attend selective schools enjoy a far greater chance of academic success – there is some evidence that children who attend non-selective schools in selective areas may not fare as well academically – both compared to local selective schools and comprehensives in non-selective areas.

5. We believe that there is a case for relaxing restrictions on selective education, in order to provide more good school places within the system – whether through the expansion of existing grammars, the creation of new selective schools or through allowing non-selective schools to become selective – in the interests of improving education standards and increasing choice for parents. And we believe that this can and should be to the betterment of, not at the expense of, other local schools – by supporting the creation of new good school places in non-selective schools locally at the same time.

6. This chapter sets out our proposals to increase the number of good school places by lifting the restrictions on selection, but at the same time requiring selective schools to play a greater role in raising standards at other schools. In doing so, we do not propose a re-introduction of the binary or tripartite system of the past or a simple expansion of existing selective institutions. We propose that selective schools should be asked to contribute to non-selective schooling in certain ways, ensuring the expansion of good selective education alongside the creation of new good school places in non-selective schools. We believe that these proposals will make grammar schools engines of academic and social achievement for all pupils, whatever their background, wherever they are from and whatever their ability.

Evidence

7. The evidence on grammar schools is based on the selective system as it currently operates. It exemplifies why selective schools should be a key part of a diverse schools system that offers parents and children a range of options for their education.

8. At the moment, it is not an option that is available to thousands of children who do not live in a selective area or whose parents do not earn enough to afford to move to one. Yet there is considerable evidence to show that existing wholly-selective schools produce good exam results for pupils. 99% of selective schools are good or outstanding. 80% are rated outstanding, compared to 20% of non-selective schools. In 2015, almost all pupils in selective schools (96.7%) gained five or more A*-C passes at GCSE including English and mathematics, compared to 56.7% at comprehensives. This does not merely reflect the higher ability intakes of selective schools: when prior attainment is taken into account the advantage still lies with selective schools. In 2015,

98% of pupils at selective schools - who had achieved above level 4 at Key Stage 2 - gained 5+ GCSEs or equivalent (including English and maths) compared to 91% at comprehensive schools and 88% at non-selective schools in selective areas. Estimates of how much of the educational gains are due purely to attending a selective school vary, once other factors are taken into account, from zero up to around three quarters of a GCSE grade per subject.⁹

9. Some studies have found that selective schools can be particularly beneficial for pupils on lower incomes who attend them. For example, one study¹⁰ reported that the educational gain from attending a grammar school is around twice as high for pupils eligible for free schools meals, compared to the overall impact across all pupils. As discussed in Chapter 1: The Case for Change, we intend to develop a wider measure to capture the experience of children from ordinary working households, whose parents may not be eligible for income-related benefits or tax credits but nevertheless earn moderate incomes and just about manage to get by.

10. Other studies suggest that there may be an association with poorer educational consequences for those pupils not attending selective schools in areas where selection is allowed. For example, one study found that pupils in non-selective local schools in selective areas performed worse – by around one GCSE grade point – than pupils with the same prior attainment educated in comprehensive schools in non-selective areas. In contrast, research for the Sutton Trust found no adverse effects of existing grammar schools on GCSE results for pupils in other schools.¹¹

11. Some studies have noted the relatively small group of FSM pupils in selective education. In January 2016, 2.5% of pupils in selective schools were eligible for free school meals, compared to 13.2% for all state-funded schools. However, as discussed in Chapter 1, there is no clear understanding of the number of children of ordinary, working families in selective education or the relative incomes of parents. We believe there is a case for looking at the wider impact of selective education of those on low

⁹ See for example <http://www.suttontrust.com/wp-content/uploads/2008/10/SuttonTrustFullReportFinal.pdf>

¹⁰ Atkinson, A., Gregg, P. and McConnell, B. (2004) The results of 11 Plus selection: an investigation into equity and efficiency of outcomes for pupils in selective LEAs, cited in Coe et al (2008) Evidence on the effects of selective educational systems, CEM Centre, Durham University for the Sutton Trust

¹¹ Sutton Trust (2008) 'Evidence on the effects of selective educational systems' by the Centre for Evaluation and Monitoring, Durham University'

incomes or who just about manage.

Proposals for reform

12. We want to retain and increase the academic success of selective education, while at the same time improving the educational outcomes for those that do not attend selective schools. To do so, we propose to allow the expansion of selective education in England on the explicit condition that action to expand existing selective schools or establish new selective schools is accompanied at the same time by support to ensure good quality non-selective places locally. In practice that means:

13. Support for existing grammar schools to expand. We will allow good and outstanding selective schools to expand, subject to certain conditions as set out below. To support them to do so, we will make available dedicated funding of up to £50m a year and we will fund expansion of places upfront on the basis of estimates, not retrospectively, thus removing a financial disincentive to expansion. We know that some existing selective schools have expressed an interest in expanding onto a satellite site while maintaining a single integrated school across the sites. Supporting this expansion will provide additional good quality selective places in the system and would help to meet existing unmet demand (although it would not increase the number of selective schools overall).

14. Permitting the establishment of new selective schools. We will enable new wholly-selective or partially-selective schools to be established by removing the existing restrictions on selection, subject to meeting certain conditions as set out below. These would be established as free schools set up in response to local demand and they would have the flexibility to select 100% of their intake on the basis of ability. Partially-selective schools take a proportion of their places by ability or aptitude and a proportion without reference to aptitude or ability.¹² There are currently only a small number of these schools, with levels of partial selection varying (most being between 10% and 35%), but we will support proposals to establish new partially selective schools.

15. Permitting existing non-selective schools to become selective. We will allow

¹² The Office of the Schools Adjudicator defines 'aptitude' as the potential to attain and 'ability' as actual attainment.

existing non-selective schools to become selective by removing existing restrictions on selection, subject to meeting certain conditions as set out below. These schools would become selective in response to local demand and would have flexibility to select 100% of their intake on the basis of ability. We will consider measures to preserve school diversity in areas where schools choose to convert in this way.

Q: How should we best support existing grammars to expand?

Q: What can we do to support the creation of either wholly or partially new selective schools?

Q: How can we support existing non-selective schools to become selective?

16. These measures will increase the number of state school places provided by good and outstanding providers – albeit the places will be selective. To ensure that we also increase the number of good and outstanding places in non-selective schools, we intend to apply conditions on new or expanding selective schools. These conditions may vary from school to school but we propose to use the following menu of options to ensure that new or expanding selective schools contribute in a meaningful way to improving outcomes for all pupils:

- Take a proportion of pupils from lower income households. This would ensure that selective education is not reserved for those with the means to move into the catchment area or pay for tuition to pass the test;
- Establish a new non-selective secondary school, with the capital and revenue costs paid by government;
- Establish a primary feeder in an area with higher density of lower income households to widen access, with the capital and revenue costs paid by government;
- Partner with an existing non-selective school within a multi-academy trust or sponsor a currently underperforming and non-selective academy. Under these arrangements, we would expect selective schools to share resources, assist with teaching, provide curriculum support, assist with university applications and contribute to governance expertise.
- Ensure that there are opportunities to join the selective school at different ages, such as 14 and 16, as well as 11. This might be facilitated through the

partnership or sponsor arrangements with other schools.

17. In all cases, we would expect non-selective schools established or in partnership with selective schools to be rated good or outstanding within a certain number of years of establishment or of the selective school taking over.

Q: Are these the right conditions to ensure that selective schools improve the quality of non-selective places?

Q: Are there other conditions that we should consider as requirements for new or expanding selective schools, and existing non-selective schools becoming selective?

Q: What is the right proportion of children from lower income households for new selective schools to admit?

18. It will be important to hold selective schools to account for these conditions. We propose to require selective schools to provide information on their websites about their partnership with other schools and on their success in recruiting a fair proportion of below-average income pupils. We expect that all selective schools will want to provide greater opportunity for all children, at both selective and non-selective school. We will monitor this through the work of the Regional Schools Commissioners and Education Funding Agency and existing data collections.

19. Where schools are not meeting expectations or selective schools do not deliver good or outstanding non-selective education alongside new selective places, we will consider a series of sanctions. These would entail:

- Removing access to any additional funding streams. We will consider removing additional funding for new pupils or programmes;
- Removing the right to select by ability (either temporarily or permanently) for the offending school. We will prevent selective schools from using their freedoms;
- Restricting access to future growth. We will bar selective schools from further expansion.

Q: Are these sanctions the right ones to apply to schools that fail to meet the requirements?

Q: If not, what other sanctions might be effective in ensuring selective schools contribute to the number of good non-selective places locally?

20. We would expect the proposers of a new school to work with the relevant local authorities, regional school commissioner or central government as appropriate in considering where best to locate a new selective school. For those new schools established through the free schools route, the application process will identify how the school will meet local demand; how it will secure applications, including for encouraging these at different ages, such as 14 and 16, as well as 11; and how it will meet the conditions. In this process, and when existing schools are converting to become selective, we believe that geography and the level of pre-existing selection are important factors. While not limiting the number of good school places, we will look at ways to particularly encourage the location of new schools where there is local demand and a need for additional good school places. Research for the Sutton Trust found that around a fifth of grammar school pupils come from outside the 36 LAs in which grammars are located¹³, so there is evidence of wider demand outside the immediate areas of existing selective schools.

Q: How can we best ensure that new and expanding selective schools and existing non-selective schools becoming selective are located in the areas that need good school places the most?

Existing schools

21. These proposals currently apply to new and expanding selective schools and existing non-selective schools becoming selective. We believe there is a case for existing selective schools to do more to support children at non-selective schools. We therefore propose to do the following:

- Encourage multi-academy trusts to select within their trust. We will make clear that multi-academy trusts and/or other good or outstanding academies can already establish a single centre in which to educate their "most able" pupils. This centre could be 'virtual' or have a physical location. This would enable the

¹³ Source: Sutton Trust 2008 report <http://www.suttontrust.com/wp-content/uploads/2008/10/SuttonTrustFullReportFinal11.pdf>

schools to provide a more challenging and targeted curriculum, and to create an ethos within the centre of excellence which supports all children to achieve their potential. As pupils are identified as 'most able' pupils after they had been admitted to their individual school through a non-selective admissions process, this is currently permissible.

- Require existing selective schools to engage in outreach activity. The best selective schools already work closely with local primary schools to raise aspirations, improve educational practice, and promote wider access. In order to ensure that disadvantaged pupils are encouraged to apply, we will expect existing selective schools to work closely in partnership with local primary schools to identify individual pupils who may benefit most from targeted activity. This may include identifying and helping children from disadvantaged backgrounds, teacher and pupil exchanges, shared resources, or financial support for transport and uniforms, which can be barriers to poorer households considering selective education.
- Fair admissions and access. Selective schools also need to ensure that the pupils they admit are representative of their local communities. All schools have been able to start the process of prioritising the admission of pupils entitled to the Pupil Premium since the current School Admissions Code came into force in December 2014. We need to increase the pace at which selective schools are ensuring fair access. We therefore propose to require all selective schools to have in place strategies to ensure fair access. Legislation would require selective schools to prioritise the admission of, or set aside a number of specific places for, pupils of lower household income in their oversubscription criteria.

Q: How can we best ensure that the benefits of existing selective schools are brought to bear on local non-selective schools?

Q: Are there other things we should ask of existing selective schools to ensure they support non-selective education in their areas?

Q: Should the conditions we intend to apply to new or expanding selective schools also apply to existing selective schools?

22. The schools funding formula should recognise that there are additional costs

associated with meeting the needs of pupils from families that are just about managing and pupils with low prior attainment. We are committed to the introduction of a National Funding Formula which will bring in fair funding for all schools – selective or non-selective. In our consultation earlier this year we proposed that the key factors to be included in the formula might include measures on the number of poorer pupils and the number of pupils with low prior attainment. We will ensure that the formula rewards those schools that support schools with a higher proportion of lower attaining pupils and those from less wealthy households. We will be consulting shortly on the value and weighting to be attached to these factors.

Faith schools

Case for change

1. Schools of a religious character, or faith schools, make up around a third of all mainstream schools in England – almost 7,000 out of just over 20,000 state funded schools. The large majority of faith schools are either Church of England schools (67%) or Catholic schools (29%).
2. The vast majority of these are high-performing schools whose performance compares well with mainstream schools. They are more likely to be rated good or outstanding by Ofsted and consistently achieve higher performance in exam results. It is also the case that pupils from poorer backgrounds perform better at faith schools than at other schools.
3. Faith designated schools and academies are allowed to prioritise children of their faith when they are over-subscribed. Voluntary-aided faith schools (including those which have converted to become academies) are able to select up to 100% of pupils on the basis of faith. Many faith schools choose to open up a proportion of places to children of other faiths or none, and some do not apply any faith criteria at all.
4. For new academies and faith schools that have been opened under the free schools programme, a 'cap' was introduced on faith-based admissions in order to support inclusivity and tolerance, meaning that when the free school is over-subscribed it can only apply faith-based oversubscription criteria to the first 50% of places.
5. The effectiveness that capping faith admissions to these schools has had in promoting inclusion and community cohesion is, however, questionable. In open free schools designated for minority faiths in the English school system (Islam, Judaism, Sikhism and Hinduism) the intake has been predominantly of pupils from similar ethnic backgrounds. This means we need to consider other ways in which we can ensure that these schools promote inclusivity and community cohesion. In addition, the cap is also not working to promote parental choice and access to high-performing faith schools. Some faiths have felt unable to open new schools through the free schools route because they say it contravenes religious rules. This has meant, for example, that in areas where there has been significant growth in the Catholic population, the Catholic Church has not set up sufficient school places to meet demand.

6. This consultation therefore proposes that we replace the ‘cap’ for faith free schools – including for existing schools – with a series of strengthened safeguards to promote inclusivity, thereby allowing free schools with up to 100% faith-based admissions.

Evidence

7. The vast majority of faith schools provide a high standard of education and their performance in Ofsted inspections and test and examination results compares favourably with non-faith schools. In all cases, faith schools are more likely to be good or outstanding as compared to non-faith schools (89% as compared to 86% at primary; 81% as compared to 75% at secondary).¹⁴

8. Key Stage 2 tests and GCSE examination results show that in overall terms faith schools are more likely to achieve the expected standard as compared to non-faith schools. At primary level the differences are relatively small, though there are more significant differences for secondary schools where the proportion of pupils in faith schools that are achieving 5 GCSE A*-C including English and Maths is four percentage points higher than for non-faith schools.

9. As can be seen in the table below, whilst free schools are currently limited to admitting a maximum of 50% of their pupils on the basis of faith when oversubscribed, this has not resulted in a mixed ethnic intake. In minority faith schools (Islam, Judaism, Sikhism and Hinduism) the ethnic make-up is formed of pupils from predominantly similar ethnic (and very likely religious) backgrounds.¹⁵

10. By contrast, Catholic schools have a far better record on diversity, in spite of the fact that no new Catholic school has been established since the 50% rule was imposed because they say it contravenes religious rules. As set out below, “Other Christian” schools have nearly a fifth of pupils of Asian origin and nearly a tenth from black ethnic families, with just 55% of White ethnic origin. While ethnicity data is not a perfect match to religious affiliation, it does demonstrate a high degree of diversity not apparent in

¹⁴ Source: Ofsted official statistics: Maintained schools and academies inspections and outcomes as at 31 March 2016

¹⁵ School Census January 2016.

other faith settings that apply the 50% rule.

Ethnicity data for faith designated free schools

	Number of schools	Proportion of pupils classified as white ethnic origin	Proportion of pupils classified as mixed ethnic origin	Proportion of pupils classified as Asian ethnic origin	Proportion of pupils classified as black ethnic origin	Proportion of pupils classified as any other (including Chinese) ethnic origin	Proportion of pupils unclassified	Total pupil count (including those with unclassified ethnicity)
Church of England	10	63%	8%	15%	8%	5%	1%	1,538
Other Christian	36	55%	7%	19%	9%	3%	7%	6,818
Hindu	2	2%	5%	91%	0%	1%	1%	887
Jewish	6	84%	5%	2%	2%	3%	4%	456
Muslim	11	1%	4%	80%	9%	5%	1%	2,630
Sikh	11	2%	3%	89%	1%	4%	0%	1,887
Total	76	36%	6%	43%	7%	4%	4%	14,216

Proposals for reform

11. The existing limitations on the proportion of pupils that may be admitted in oversubscribed free schools are determined by the Department for Education and enforced through the funding agreement.

12. Given the evidence that the 50% rule does not promote diversity, we will remove these limits and replace them with a series of strengthened safeguards to promote inclusivity to: ensure that faith free schools promote inclusivity, enhance understanding of other faiths and those with no faith; promote community cohesion and properly prepare children and young people for life in modern Britain. These would build on existing requirements currently included in the funding agreements and inspected by Ofsted, of all faith free schools, which require them to: act inclusively by enabling pupils of all faiths and none to play a full part in the life of the school and not disadvantage pupils or parents of any faith (or none); and actively promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

13. In place of the 50% rule, we propose the following requirements for new faith free schools:

- Prove that there is demand for school places from parents of other faiths. We propose that faith schools should be required to prove, through local consultation and signatures, that parents of other faiths would be happy to send their children there;
- Establish twinning arrangements with other schools not of their faith. This would be required under the funding agreement and could be achieved by creating links between young people in different schools in structured programmes, including sharing teachers and resources and conducting joint lessons and assemblies. A number of existing faith free schools engage in twinning with schools of different faiths, which has included exchange trips and joint lessons to help develop closer ties and understanding. For example, the Tauheedul Education Trust, an academy trust with Muslim and non-faith schools, has twinned its Muslim schools in Hackney and Blackburn with a Jewish and Church of England School respectively;
- Consider setting up mixed-faith multi-academy trusts, including becoming a sponsor for underperforming non-faith schools. This would help ensure that the high standards and effective practice demonstrated by many faith schools is used to help improve others. It could also help to bring together schools with pupils from different backgrounds. Such arrangements could be used to promote greater cohesion through shared teaching arrangements, learning activities and partnering on extra-curricular activities;
- Consider placing an independent member or director who is of a different faith or no faith at all on the governing body of new faith free schools. This will help ensure that there is independent input into the governance of the school and will help ensure that they have a wider perspective beyond their own faith.

Q: Are these the right alternative requirements to replace the 50% rule?

Q: How else might we ensure that faith schools espouse and deliver a diverse, multi-faith offer to parents within a faith school environment?

14. We would ensure that new faith schools had clear plans to meet these requirements by strengthening the guidance to free school applicants and ensuring that clear consideration of their multi-faith arrangements is part of the written and interview elements of the application process.

15. We would monitor the compliance with provisions in the funding agreement, by checking how well these schools meet the requirements relating to inclusivity and fundamental British values and how well they promote community cohesion. Closer monitoring here would include an increased focus on how these schools are meeting the requirements as part of the regular visits from DfE education advisers in the first two years of the school's operation in the run up to their first Ofsted inspection. We would also look to strengthen our intervention powers where schools do not meet our expectations, including in relation to uniform policy, food policy and curriculum.

16. Schools that do not meet these requirements would lose the right to admit on the basis of faith and become a non-faith school.

Q: Are there other ways in which we can effectively monitor faith schools for integration and hold them to account for performance?

Q: Are there other sanctions we could apply to faith schools that do not meet this requirement?



Department
for Education

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