



The Shareholder Committee for the Dorset Centre of Excellence (DCOE)

Date: Wednesday, 19 October 2022
Time: 5.00 pm
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum: 3)

Cllrs Laura Beddow, Spencer Flower, Andrew Parry, Gary Suttle and Peter Wharf

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact kate.critchell@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item		Pages
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	MINUTES	5 - 8
	To confirm the minutes of the last meeting held on 16 June 2022.	
3.	DECLARATIONS OF INTEREST	
	To disclose any pecuniary, other registrable or non-registrable interest as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
	If required, further advice should be sought from the Monitoring Officer	

in advance of the meeting.

4. PUBLIC PARTICIPATION

Representatives of town or parish councils and members of the public who live, work, or represent an organisation within the Dorset Council area are welcome to submit up to two questions or two statements for each meeting. Alternatively, you could submit one question and one statement for each meeting.

All submissions must be emailed in full to kate.critchell@dorsetcouncil.gov.uk by 8.30am on 14 October 2022.

When submitting your question(s) and/or statement(s) please note that:

- no more than three minutes will be allowed for any one question or statement to be asked/read
- a question may include a short pre-amble to set the context and this will be included within the three-minute period
- please note that sub divided questions count towards your total of two
- when submitting a question please indicate who the question is for (e.g. the name of the committee or Portfolio Holder)
- Include your name, address and contact details. Only your name will be published but we may need your other details to contact you about your question or statement in advance of the meeting.
- questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda
- all questions, statements and responses will be published in full within the minutes of the meeting.

[Dorset Council Constitution](#) Procedure Rule 9

5. COUNCILLOR QUESTIONS

To receive questions submitted by councillors.

Councillors can submit up to two valid questions at each meeting and sub divided questions count towards this total. Questions and statements received will be published as a supplement to the agenda and all questions, statements and responses will be published in full within the minutes of the meeting.

The submissions must be emailed in full to kate.critchell@dorsetcouncil.gov.uk 8.30am on 14 October 2022.

[Dorset Council Constitution](#) – Procedure Rule 13

- 6. FORWARD PLAN** 9 - 12
- To consider the Committee's draft Forward Plan.
- 7. APPOINTMENT OF DCOE DIRECTORS**
- To receive a verbal report on the appointment of new DCOE directors.
- 8. DORSET COUNCIL COMMISSIONER'S REPORT** 13 - 18
- To consider a report of the Corporate Director Commissioning and Partnerships.
- 9. REPORT FROM CHAIR OF BOARD** 19 - 22
- To consider a report of the Independent Chair of the Board of Directors.
- 10. URGENT ITEMS**
- To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) (b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.
- 11. EXEMPT BUSINESS**
- To move the exclusion of the press and the public for the following items in view of the likely disclosure of exempt information within meaning of paragraph 1 & 2 of schedule 12 A to the Local Government Act 1972 (as amended)
- The public and the press will be asked to leave the meeting whilst the item of business is considered.
- 12. DORSET COUNCIL COMMISSIONER'S REPORT** 23 - 24
- Para 1, 2*
Exempt appendix associated with the "Commissioner's Report".

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THE SHAREHOLDER COMMITTEE FOR THE DORSET CENTRE OF EXCELLENCE (DCOE)

MINUTES OF MEETING HELD ON THURSDAY 16 JUNE 2022

Present: Cllrs Laura Beddow, Spencer Flower, Andrew Parry and Gary Suttle

Apologies: Cllrs Peter Wharf

Officers present (for all or part of the meeting):

Ian Comfort (Chair of Directors), Kate Critchel (Senior Democratic Services Officer), Aidan Dunn (Executive Director - Corporate Development S151), Grace Evans (Head of Legal Services and Deputy Monitoring Officer), Theresa Leavy (Executive Director of People - Children), Jonathan Mair (Director of Legal and Democratic and Monitoring Officer) and Claire Shiels (Corporate Director - Commissioning, Quality & Partnerships)

1. **Apologies**

The Senior Democratic Services Officer opened the meeting and advised that there was one apology from Cllr P Wharf.

2. **Chairman and Vice-Chairman of the Committee**

It was announced that Cllr S Flower (Leader of the Council) be appointed the Chairman of the Committee supported by Cllr A Parry (Portfolio Holder for Children, Education, Skills, and Early Help) as the Vice-Chairman.

Cllr S Flower in the Chair

3. **Declarations of Interest**

There were no declarations of interest to report.

4. **Public Participation**

There was no public participation to report.

5. **Schedule of Meetings for 2022/23**

Decision

That the following committee dates be added to the calendar of meetings for the remainder of 2022/23

19 September 2022 – 10.00am

5 December 2022 – 2.00pm

13 March 2022 – 10.00am

6. **Terms of Reference**

Decision

That the terms of reference for the Shareholder Committee for the Dorset Centre of Excellence be received and noted.

7. **Forward Plan**

Decision

The Forward Plan was received and noted.

8. **Urgent items**

There were no urgent items to report.

9. **Exempt Business**

It was proposed by Cllr S Flower seconded by Cllr A Parry.

Decision

That the press and the public be excluded for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 1 & 2 of schedule 12A to the Local Government Act 1972 (as amended).

10. **Commissioners Report**

The Executive Director for People – Children and the Corporate Director for Commissioning and Partnership set out an overview of the position relating to the Dorset Centre of Excellence.

Decision

That the recommendation as set out in the report and actions raised from the committee discussion, be agreed.

Cllr G Suttle left the meeting at this juncture.

11. **Report of Independent Chair of the Board of Directors**

Decision

That the report be received and the approach contained within the action plan be supported.

Duration of meeting: 10.00 - 11.30 am

Chairman

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The Shareholder Committee for the Dorset Centre of Excellence (DCOE) Forward Plan – December 2022 to May 2023 (Publication date – 7 NOVEMBER 2022)

Explanatory Note:

This Forward Plan contains future items to be considered by the Shareholder Committee for the Dorset Centre of Excellence. It is published 28 days before the next meeting of the Committee. The plan includes items for the meeting including key decisions. Each item shows if it is 'open' to the public or to be considered in a private part of the meeting.

Definition of Key Decisions

Key decisions are defined in Dorset Council's Constitution as decisions which are likely to -

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates (**Thresholds - £500k**); or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority."

In determining the meaning of "*significant*" for these purposes the Council will have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000 Act. Officers will consult with lead members to determine significance and sensitivity.

Committee Membership 2022/23

Spencer Flower	Leader / Governance, Performance and Communications
Peter Wharf	Deputy Leader / Adult Social Care and Health
Gary Suttle	Finance, Commercial and Capital Strategy
Laura Miller	Culture, Communities and Customer Services
Andrew Parry	Children, Education, Skills and Early Help

Subject / Decision	Decision Maker	Date the Decision is Due	Portfolio Holder	Officer Contact
Standing items for consideration				
Dorset Council delegated decisions Key Decision - No Public Access - Open	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date 5 Dec 2022	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Children (Theresa Leavy)</i>
Dorset Council Commissioning Report Key Decision - Yes Public Access - Fully exempt	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date 5 Dec 2022	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Children (Theresa Leavy)</i>
DCOE - Report of Independent Chair of Board of Directors Key Decision - Yes Public Access - Fully exempt	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date 5 Dec 2022	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Children (Theresa Leavy)</i>
Dorset Council delegated decisions Key Decision - No Public Access - Open	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date 13 Mar 2023	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Children (Theresa Leavy)</i>

Subject / Decision	Decision Maker	Date the Decision is Due	Portfolio Holder	Officer Contact
Dorset Council Commissioning Report Key Decision - Yes Public Access - Fully exempt	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date 13 Mar 2023	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Adults</i>
DCOE - Report of Independent Chair of Board of Directors Key Decision - Yes Public Access - Fully exempt	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date 13 Mar 2023	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Children (Theresa Leavy)</i>
Annual Reports				
Review of the Committee's Terms of Reference Key Decision - Yes Public Access - Open	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date	Leader of the Council	<i>Director of Legal and Democratic Services - Monitoring Officer (Jonathan Mair)</i>
Report to Full Council on performance of the trading activities of the company Key Decision - Yes Public Access - Open	Decision Maker The Shareholder Committee for the Dorset Centre of Excellence (DCOE)	Decision Date	Portfolio Holder for Children, Education, Skills and Early Help	<i>Executive Director, People - Children (Theresa Leavy)</i>

Private/Exempt Items for Decision

Each item in the plan above marked as 'private' will refer to one of the following paragraphs.

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the shadow council proposes:-
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Dorset Centre of Excellence Shareholder Committee

19 October 2022

Commissioner's Report

For Decision

Portfolio Holder: Cllr A Parry, Children, Education, Skills and Early Help

Local Councillor(s): Cllr

Executive Director: T Leavy, Executive Director of People - Children

Report Author: Claire Shiels

Title: Corporate Director Commissioning and Partnerships

Tel: 01305 22 4682

Email: claire.shiels@dorsetcouncil.gov.uk

Report Status: Part Exempt

Brief Summary:

This report provides an overview of the position related to the Dorset Centre of Excellence. It outlines progress made in the areas of contract management and quality assurance and further works to the site. At the time of writing, building works are progressing with sufficient confidence to enable the school to reopen. There have recently been some challenges with the water supply and a significant leak in the old part of the building which requires intervention. However, this can be safely undertaken without disruption to the school's function.

The Chair of the Company has confirmed, following a Board meeting on 7th September that the school opened to pupils on the 13th September 2022 with a phased approach to the integration of the 36 students currently on roll. Growth of the school roll has slowed, with fewer children attending in September than initially forecast in the original business plan. Progress on making alternative education arrangements for these children is included in an exempt appendix to this report.

Recommendation:

Shareholders are asked to note the contents of the report and support the approach outlined within.

Reason for Recommendation:

The initial opening period for the school has been challenging and significant effort is underway to ensure recovery is swift and sustainable to avoid any further disruption to children and their education and mitigate any reputational damage to Dorset Council.

1. Introduction and Background

- 1.1 Following the challenges associated with the initial opening of the school, outlined at the last Shareholder Committee, the Dorset Centre of Excellence Commissioning Group (DCOEG), Chaired by the Chief Executive, has continued to meet regularly to oversee progress on the delivery of a recovery plan and the planned building works.
- 1.2 A joint scrutiny committee, held in private, in July 2022 enabled elected members to understand the ambition for the Dorset Centre of Excellence, contribution to the SEND Sufficiency Strategy and to ask questions about implementation of the project.
- 1.3 Two sessions were offered to all elected members to visit the Dorset Centre of Excellence site over the summer and were well attended.

2. Coombe House School Re-opening

- 2.1 The school re-opened on 6th June 2022, taking a phased approach to the reintroduction of children. By the end of term 33 children had been attending part-time, with alternative education arranged for the 16 children that were not able to return.
- 2.2 Term ended in line with other independent schools.

3. Contract Monitoring and Quality Assurance

- 3.1 At the last Shareholder Committee, shareholders agreed to the suggestion of Enhanced Co-operation between the Dorset Centre of Excellence Board and the council, in line with the terms of the service contract. The areas for Enhanced Co-operation were agreed by the Chair of the Board and enabled us to work more closely than originally intended in the original commissioning agreement. These contractual levers that can be used

when there are challenges in service delivery and was most appropriate for the current circumstances.

- 3.2 This section provides an update on action taken to date by the council in its role as commissioner and through this period of enhanced cooperation. The Chair of the Board of Directors will provide a separate report.
- 3.3 There has been good engagement by both Dorset Council and Dorset Centre of Excellence employees in the run up to the end of the school term and during the summer, with the support offered being accepted and well received.
- 3.4 The agreed areas of enhanced co-operation and progress against these are described below:
 - a) **Increasing frequency of contract reviews to fortnightly:** these have commenced between the Chair of DCOE Board and DCOE project manager (PM) with Corporate Director for Commissioning and Strategic Commissioner. There is more frequent engagement between Strategic Commissioner and DCOE Project Manager to monitor progress. These are ensuring progress is continuing at the pace that we expect.
 - b) **Increasing frequency of management meetings about the school to weekly:** Regular meetings have taken place and will be in place for September and beyond. There have been regular meetings to support school development including the completion of a school development plan, recruitment activity and planning for re-opening
 - c) **Admissions process** – child transition plans are jointly produced and owned by DC and the school: Regular meetings have taken place to review progress of children on roll and will continue through the Autumn term.
 - d) **Securing new placements for children not returning to Coombe House:** Families had access to a flexible personal budget to support their learning through to the end of the school term and we have worked together on managed moves. Further detail is provided in Appendix 1 which is exempt.
 - e) **Increased on-site presence of DC officers:** this continued while the school was open, with less frequent presence over the summer, there are plans in place to create office space for DC officers from September.

- f) **Commissioner attendance at DCOE Board:** Three board meetings have taken place over the summer and there has been commissioner attendance at each.
 - g) **Joint Complaints log:** this was implemented, and all complaints have been responded to.
 - h) **Joint Communications:** all communications have been agreed in advance, a media protocol has been drafted and is awaiting agreement, communications about the school will be led by the company with support from DC communications team to support.
 - i) **Recruitment activity:** this has been the area of greatest joint work. A new people structure has been agreed and recruitment activity has continued at pace most notably resulting in the appointment of an Interim Managing Director/Head Teacher; 6 interim teachers and 6 learning coaches – all designed to support a September start and a growth plan. Back-office support and capacity has also been strengthened with some new appointments following some leavers and a reshaping of the team. A permanent recruitment plan has been agreed and is the focus moving forward. Two new non-Executive Directors have been appointed to the Board and a recruitment campaign is planned for a third with finance experience to replace the departed board member.
 - j) **Support offered:** A South West Audit Partnership audit has been completed, and results shared with the company. A DC caretaker has been seconded and is on site. Safeguarding Advisor visits have continued, and progress is being made across all areas.
- 3.5 Commissioners continue to monitor the DCOE recovery plan and will commence monitoring the school in line with the service specification as it reopens.
- 3.6 Further development of services on the site, including the residential children's home and short breaks provision as provided for in the service specification are paused to enable the company to focus on reopening the school.
4. **Progress on completion of building works**
- 4.1 The commissioning group met on 9th June 2022 to understand the building works requirement to enable the school to open successfully in September. A programme of works was agreed on and this has been tracked fortnightly by the DCOE Commissioning Group.

- 4.2 At the time of writing, programme works is due to be fully completed by the 23rd September. The delay in the programme is associated with the completion of the kitchen works. The Company has been informed and are making contingency arrangements.
- 4.3 The following works have been or are due to be completed:
- a) Designated playground for key stage one children
 - b) Adventure playground on the Great Field
 - c) Completion of the kitchen
 - d) Completion of snagging works
 - e) Compliance and remodelling of Oak House
 - f) Completion of landscape works including installation of play equipment and outside space for early years provision
 - g) Fencing works – due to be completed by 12th September
 - h) Relocation of main school gates
 - i) Safety film installation to windows
 - j) Hoarding around demolition area
 - k) Chlorination of water tanks
 - l) Fire Compliance Review
 - m) Further work has been agreed to install a water main and the timescale for this is not yet known
 - n) Kitchen installed in the old Music Block for the use of DCOE and DC staff
- 4.4 There was an issue with water supply in late August resulting in water being turned off. Bottled drinking water was supplied for staff and water testing has since been carried out. The water has been turned back on and work is ongoing to address the issue.

5. **Financial Implications**

- 5.1 The delay in full opening had an impact on the date on which responsibility for payment could be assigned to the High Needs Block (HNB) of the Designated Schools Grant, however it can be confirmed that charging from the HNB commenced from 1st May 2022.
- 5.2 The council intended to block purchase 100 places at Coombe House school from September 22, however in discussion with the school has reduced this to 36 children, to enable a phased approach to re-opening and provision of a solid foundation for growth. A review of the business

plan to review growth projections is underway and will be completed in mid-September.

- 5.3 The delay in growth of the school will result in an elongation to the timeline for planned savings to the HNB.

6 Climate Implications

- 6.1 None identified as relevant to this report.

7 Well-being and Health Implications

- 7.1 The health, safety and wellbeing of children and employees is of paramount importance so close collaboration between Dorset Council and the Dorset Centre of Excellence will continue.

8. Other Implications

- 8.1 None identified

9. Risk Assessment

- 9.1 The risks associated with this decision; the level of risk has been identified as:

Current Risk: High

Residual Risk: **Medium** – there is a recovery plan in place which is being closely monitored by the Commissioning Group and the Children's Services Leadership Team.

10. Equalities Impact Assessment

- 10.1 Not required for this report

11. Appendices

- 11.1 Exempt Appendix 1: By virtue of paragraphs 1 & 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

12. Background Papers

- 12.1 None included

Dorset Centre of Excellence Shareholder Committee

19 October 2022

Report from Chair of Board

For Decision

Report Author: Ian Comfort

Title: Director and Chair, Dorset Centre of Excellence Ltd (“the Company”)

Report Status: Public

Brief Summary:

This report provides an update on the current situation at the Dorset Centre of Excellence and the Coombe House School (“the School”). It considers progress made in relation to governance, leadership, staffing, estate and finance. It confirms that the School was able to re-open to pupils on 13 September 2022 with a phased transition plan for all pupils.

Recommendation:

The Shareholder is asked to note the content of this report and to continue its support for the Company.

Reason for Recommendation:

The Board, with the significant support of colleagues from Dorset Council, has looked to address the issues that impacted on the successful opening of the School. It has sought to swiftly and systematically recover the position to ensure that it can deliver a safe and rewarding learning experience for its pupils. The Board is mindful that without the ongoing support of the Council as its shareholder the Company is not viable.

1. Background

1.1 The Shareholder is aware of the background to opening of the School in May this year and the issues that arose. There have been significant challenges in recovering the position to enable the School to open for September. These have included not only remedial works to the site but also the recruitment of a significant number of staff including leaders, teachers and support staff.

2. **Governance**

2.1 The Board has been strengthened by the appointment by the Shareholder of two new directors: Frances Nicholson and Stuart Jones. A recruitment process is being undertaken to secure an additional director by 31 October 2022.

2.2 The Board has had to operate in a recovery mode for the past months. With the School now able to re-open the Board will meet monthly with sub committees meeting in between. The quality and curriculum committee, chaired by Dame Susan Jowett, will oversee the operation of the School and will monitor its effectiveness. Until a director with financial experience is appointed, the chair of the Board will chair the finance, audit and risk committee.

2.3 A Board skills audit is currently being undertaken alongside the preparation of a development programme for Board members. This will ensure that the Board has the right skill set of Directors and that the Directors have the necessary knowledge and understanding to be effective in their role.

3. **Leadership**

3.1 The Board is thankful for the support provided by Sean Kretz, headteacher Westfield Arts College, Weymouth, who stepped in acting headteacher at the end of the summer term. He continues to provide consultancy support for the School. Dr Sharina Klaasens has been recruited as an interim headteacher and took up post at the end of August. Dr Klaasens has extensive experience in work with children with special educational needs, has been a headteacher of special school and a local authority adviser.

4. **Staffing**

4.1 With significant support from Council officers the Company has been able to recruit the required number of teachers and support staff to enable it to

open the School. A number of those recruited are temporary agency staff and recruitment for permanent staff continues.

- 4.2 A comprehensive programme of professional development is in place to ensure that teachers and support staff have the necessary knowledge , skills and understanding to provide a safe and effective learning experience for all pupils.
- 4.3 Additional training and development days have been set aside for all staff to enable them to participate fully in the programme.

5. **Pupils**

- 5.1 The Shareholder is referred to paragraph 4 of the Commissioner's report, which is included on the agenda of this meeting.
- 5.2 A review of all pupils on the School roll has been undertaken with Council officers. The School has accepted 36 pupils on roll from September 2022. Pupils are from all key stages. A transition plan has been agreed for each child to ensure that the School manages the intake as it builds. Alternative provision has been secured to support the transition process.

6. **Progress on completion of building works.**

- 6.1 The Shareholder is referred to paragraph 5 of the Commissioner's report, which is included on the agenda of this meeting.
- 6.2 There has been some slippage on the completion of works but this is being managed and does not impact on the opening of the School.

7. **Financial Implications**

- 7.1 There are significant financial implications arising from the delay in the full opening of the School and the associated delays in the development of the Centre.
- 7.2 The Board is currently in the process of re-forecasting its budget and this is not finalised at the time of writing this report. Alongside the budget, the Board will also be reviewing its longer-term business plan for future consideration by the Shareholder.

8. **Climate Implications**

- 8.1 There are no climate implications associated with this report.

9. **Well-being and Health Implications**

9.1 The Board has a duty to ensure the health, safety and well-being of its staff and the children attending the School. It has been mindful of this when considering its recovery plan and in its decision to have a managed transition for re-opening the School.

10. **Other Implications**

10.1 No other implications have been identified.

11. **Risk Assessment**

11.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: High

Residual Risk: Medium. There is a recovery plan in place which is being closely monitored by the Board and Council officers.

12. **Equalities Impact Assessment**

12.1 The Board has not conducted an Equalities Impact Assessment for this report. The specific needs of each child has been considered when developing the transition plan for opening.

13. **Appendices**

13.1 There are no appendices to this report

14. **Background Papers**

14.1 There are no background papers included with this report.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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