

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 13 July 2004.

PRESENT: Councillor Carr (Chair); Councillors Booth, Mawston, Rogers, Rooney and T Ward.

OFFICIALS: J Bennington, K Brooks, P Clark, S Hameed, L Maughan, H White and E Williamson.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole, Dryden, Robson and Wilson.

**** DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

**** MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 15 June 2004 were submitted and approved.

EXECUTIVE FEEDBACK – SCRUTINY FINAL REPORTS

As part of the scrutiny process the Executive Officer Manager reported that the Executive had considered the findings in respect of the following: -

- (a) Street Cleansing (former Environment and Neighbourhood Services Scrutiny Panel)
- (b) Dental Health (Health Scrutiny Panel)
- (c) Jobcentre Plus (former Regeneration and Culture Scrutiny Panel)
- (d) Middlesbrough Town Centre Company (former Regeneration and Culture Scrutiny Panel)
- (e) Consolidated Revenue report – Third Quarter (former Resources and Audit Scrutiny Panel).

The Executive had considered and supported both the Service Responses and the responses of the Corporate Management Team and had agreed the proposed Action Plans with the exception of a recommendation in respect of (a) above relating to the collection of refuse in addition to the contents of a wheeled bin which had been deferred pending further discussions between Executive Members.

The Chair referred to the deliberations at the meeting of the Executive in relation to the Middlesbrough Town Centre Company scrutiny final report. In response to specific points raised in relation to the compilation of the report and the extent to which certain evidence had been sought the Chair confirmed that such comments had been taken into account and would be addressed in future reports.

NOTED

SCRUTINY REVIEWS – CONSIDERATION OF REQUESTS

It was confirmed that no requests for scrutiny reviews had been received from the Executive, Executive Members, Non-Executive Members and members of the public.

NOTED

BEST VALUE PERFORMANCE INDICATORS - RACE EQUALITY SCHEME

Further to the meeting of the Board held on 8 June 2004 the Corporate Diversity Officer submitted a report, which outlined the background to and the purpose of the Council's Race Equality Scheme and its relevance to Best Value Performance Indicator (BVPI) 002b.

The Council's Race Equality Scheme had been devised in response to the Race Relations (Amendment) Act 2000, which introduced a new duty on all public bodies to promote racial equality. Each Directorate had produced a race equality action plan, which was updated on an annual basis.

A BVPI, 002b, had been introduced for 2004/05 relating to the percentage score in respect of the Council's Race Equality Scheme. Since this had been a new indicator a target percentage had been estimated at 83%. It was noted however that for 2003/04 the result had been 58%, a variance of – 25%.

The Board was advised that one of the underlying factors for this variance related to revised priorities resulting in a review of the Race Equality Scheme which was to be updated to reflect such changes. It was noted that the Corporate Diversity Officer would be managing and reviewing the Scheme to ensure that services were fully involved in the planning and implementation process. It was envisaged that with the revised Scheme the BVPI target for 2004/05 would be achieved.

The subsequent deliberations by the Board focussed on the following: -

- (a) Members' drew attention to a number of concerns relating to the wider issues involved in respect of other targets under Central Services, Performance and Policy, including:-
- BV 011a (CPA) The percentage of the top 5% of earners that are women.
 - BV 011b (CPA) The percentage of the top 5% earners from black and minority ethnic communities.
 - BV 016a (CPA) The percentage of local authority employees declaring that they meet the Disability Discrimination Act 1995 disability definition.
 - BV 017a (CPA) The percentage of local authority employees from minority ethnic communities;
- (b) An indication was given that much work was being undertaken to attain the new target of 83% BV 002b in respect of 'The duty to promote race equality' although Members questioned as to whether there was scope for such targets to be revised.
- (c) Members referred to the Score List in respect of BV 002b (2003/4) 'The duty to promote race equality and in particular "owned by Council members and senior officers who share responsibility for ensuring outcomes are met and are involved in reviews of the scheme?' The Board sought clarification on the mechanisms in place and extent of Members' involvement and ownership to achieve this target and on what basis such a target and that of others were measured.

Specific reference was made to the current links including the respective Executive Member, Diversity Forum, People With Learning Disabilities Focus Group and People With Physical Disabilities Focus Group.

The Board indicated that Members should have greater opportunity to be involved and contribute to the process in addition to the Members' Briefings such as that arranged in respect of the launch of the Council's Equality Policy.

With the addition of a new BVPI it was hoped that Member involvement could be extended which would assist in raising the profile in such issues. Reference was made to the Council's Race Equality Scheme, which was being revised with regard to each Service Area. It was considered that there might be scope to gain the comments of the relevant Scrutiny Panel and subsequently that of the Board prior to obtaining formal approval of the Scheme.

Members sought clarification on the score list 'j the representation in the workforce at all levels of the range of ethnic groups in the local area and relevant labour markets?' and how this was evidenced. In response, an indication was given of work currently being undertaken on a number of recruitment strategies and employment initiatives to engage a higher number of employees from a range of ethnic groups. Such work included consultation with a number of agencies, which would continue on a regular basis and links with Schools and Colleges which would be enhanced. Reference was also made to measures which were being pursued to achieve more detailed and accurate statistical information as a means of more easily identifying where problems existed.

- (d) In relation to the compilation of evidence in respect of BV 016a it was acknowledged that it was considered likely that a number of staff had not declared themselves as disabled in terms of the Disability Discrimination Act 1995 disability definition.

ORDERED as follows: -

1. That the information provided be noted.
2. That a report based on the discussions outlined be submitted in conjunction with the presentation of the Human Resources Strategy to the Executive.

SCRUTINY REPORTS – PROGRESS REPORTS

A report of the Chair of each Scrutiny Panel was submitted outlining progress on current activities.

Specific reference was made to the following: -

Children and Learning Scrutiny Panel - Education's Performance Clinic Outturn for 2003/04

The Chair referred to the Panel's findings in relation to the percentage level of pupils permanently excluded, which accounted for approximately 75% in respect of City Academies. Concerns had been expressed as this reflected a significant increase resulting in the LEA being unable to absorb the sudden and expected growth in number through existing arrangements.

Community Safety and Leisure Scrutiny Panel - Clairville Stadium

Reference was made to the Panel's investigation of the present position with regard to Clairville Stadium.

Environment Scrutiny Panel - Work Programme

Approval was sought for a revised order of priority of scrutiny topics in respect of the Work Programme for the Environment Scrutiny Panel. In view of ongoing negotiations regarding the Housing Stock Transfer it was considered more appropriate that the Panel's first investigation be the Authority's Allotment provision rather than the Green Budget.

ORDERED as follows: -

1. That the information provided be noted.
2. That a report be submitted to the Executive seeking their support for Members' concerns regarding the increased level of exclusions from City Academies and subsequent implications on LEA schools, to be brought to the attention of the Secretary of State.
3. That in order to expedite matters and meet the deadline of the meeting of the Executive a report concerning the findings of the Community Safety and Leisure Scrutiny Panel in relation to Clairville Stadium be circulated to the Panel and the Chair of Overview and Scrutiny Board for comment and approval.

4. That the order of priority of the Work Programme of the Environment Scrutiny Panel be revised as outlined.

CALL IN REQUESTS

It was confirmed that no requests had been received to call-in a decision.

ANY OTHER BUSINESS - SCRUTINY TRAINING

The Chair took the opportunity of encouraging Members' attendance at the scrutiny training event organised for 14 July 2004 focussing on questioning techniques and how to rationalise the evidence received.

NOTED