
OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 25 July 2006.

PRESENT: Councillor Carr (Chair), Councillors Booth, Cole, Harris, Robson, Rooney, T Ward and Wilson.

OFFICIALS: B Baldam, J Bennington, E Bennett, G Brown, P Clark, A Crawford, C Gledhill, L Maughan, J Ord, D Robinson, K Stokes and E Williamson.

****AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor Mawston.

**** DECLARATIONS OF INTEREST**

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

**** MINUTES**

The minutes of the meetings of the Overview and Scrutiny Board held on 27 June and 7 July 2006 were submitted and approved.

CALL IN - OUTCOME – OLDER PERSONS CHANGE PROGRAMME

A report of the Chair was presented regarding the outcome of the meeting of the Board held on 7 July 2006 which had been arranged in accordance with the Authority's call-in procedure to review the decisions made by the Executive on 20 June 2006 relating to the Older Persons Change Programme.

Taking into account the evidence presented it had been agreed that the decisions taken at the above meeting should not be referred back for the reasons stated although a number of minor recommendations were made for consideration by the Executive.

NOTED

DIVERSITY ACTION PLANS 2005/2008

A report of the Director of Human Resources was submitted which outlined the results of 2005/06 year-end monitoring relating to the Council's Diversity Action Plans 2005/08 and the revised Diversity Action Plans for April 2006 to March 2008.

The Diversity Action Plans for 2005/08 contained 309 diversity objectives contained within six Diversity Action plans in relation to regeneration; environment; social care; HBS; children, families and learning; and Central Services.

The Corporate Diversity Action Plan as outlined in Appendix A of the report submitted comprised an overarching plan consisting of key objectives from the other six departmental plans.

Of the 309 diversity objectives as at 30 April 2006, 165 had been completed; 94 were on target; 31 had slipped and were rolled forward; and 19 had been removed over the last year for a number of reasons. Such reasons included; objective proved immeasurable; did not receive expected funding; fell under another directorate and dealt with elsewhere; expected uptake was insufficient to sustain the objective's target set.

The key achievements over the last year 2005/06 were outlined in Appendix B of the report submitted. All the objectives for 2006/08 from the six Diversity Action Plans were listed in Appendix C of the report.

The revised 2006/08 Diversity Action Plans contained details of objectives achieved during the first year of the three-year plan; objectives that had been rolled forward; objectives removed with explanations and new objectives set for the next two years to improve service provision.

The new objectives set included;

- improve upon the Bereavement Service to ensure it catered more effectively to requests made by the BME communities;
- teach 2000 children to swim 25 meters by March 2007;
- to increase the awareness and encourage participation of sporting activities for BME communities by working successfully with the Mela Steering Committee;
- to examine the options for service redesign of the Middlesbrough Deaf Centre;
- analyse the impact of religious days of observance on school attendance to inform future target setting (for absence) in Middlesbrough schools;
- use the Council's Disabilities Focus Group for Design Projects by consulting on access issues to schools, the access Strategy and other documents.

In addition, over the next two years, Middlesbrough Council would be developing initiatives to ensure that the Council was in line with national targets: -

- producing a Disability Equality Scheme in line with the Disability Discrimination Act 2005;
- producing a Gender Equality Scheme to meet the requirements of the Equality & Human Rights Act 2007;
- progressing to level three of the Equality Standard for Local Government, BVPI 2a.

Specific reference was made to ongoing work to achieve level three of the Equality Standard for Local Government, BVPI 2a, which related to service delivery and the need to demonstrate the effectiveness of the varying processes which should be embedded within an overall culture of diversity.

The Council had in place a second Race Equality Scheme 2005-2008 in response to the Race Relations (Amendment) Act 2000. The Scheme was a triennial plan, which stated how the Authority would achieve the General and Specific duties encompassed within the Act to ensure that race equality was mainstreamed in all activities undertaken. In line with this, and wider equality objectives, the seven Diversity Action Plans 2005-08, were produced documenting how the Council would progress diversity in relation to race, gender, disability, age, religion and belief, sexual orientation and generic issues.

Progress against each identified objective was monitored and reported on a quarterly basis.

NOTED

INTERNAL AUDIT ANNUAL REPORT 2005/2006

A report of the Director of Resources was presented in relation to the Internal Audit annual report 2005/2006.

The report was a key component of the assurance framework, which outlined the work of the Internal Audit Section for the 2005/06 financial year.

On the basis of the audit work completed the report stated that the Council had in place a satisfactory framework of internal control, which provided a reasonable assurance regarding the efficient and effective achievement of its objectives and that no significant weaknesses had been identified which affected the overall position of the Council.

Specific reference was made to the main areas for continuing action in respect of the following:

- given the scale of problems surrounding control processes applied to training /trainers the Housing Bureau had closed with effect from 1 April 2006 and discussions were ongoing with the relevant funding body about the possibility of grant claw back;
- the Home Improvement Section had appointed consultants to assist with the introduction of a more robust control environment;

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- new arrangements for regular reconciliation and monitoring of orders and goods receipting were to be put in place which included improved guidance and instructions for staff together with appropriate training.

In reporting upon the summary of internal audit activity 2005/06 and in particular the 39 'limited assurance' audit opinions the Board's attention was drawn to the following areas: -

- audit reviews of primary schools continued to highlight the difficulties they experienced in achieving robust separation of duties and innovative solutions were required to maintain robust controls as more functions were delegated to schools and available funds increased;
- appropriate action had been taken to address system weaknesses and incorrect data in relation to the systems which generated data to produce 'Best Value Performance' and 'CPA' indicators;
- extent of the work undertaken as part of the Council's participation in the National Fraud Initiative;
- in accordance with the Financial Regulations 10 instances of irregular activity had been reported and investigated either wholly or in part by the section.

As Internal Audit continued to have vacant posts and relied upon agency staff to deliver the audit plan it was confirmed that efforts would continue to recruit suitably qualified and experienced staff. An indication was given that a report on the review as to how the internal audit function could be developed in future years would be considered in the next quarter.

It was confirmed that 64% of the annual audit plan had been completed and whilst this reflected an improved position measures were in place to make further improvements and monitor the delivery of the audit plan within the stated time-scale.

ORDERED that the information provided be noted.

CONSOLIDATED PERFORMANCE REPORT YEAR ENDING 31 MARCH 2006

A report of the Corporate Performance Manager was submitted which outlined the Council's performance for the year ending 31 March 2006 in relation to:

- key commitments given in the 2005/06 Corporate Performance Plan;
- the BVPI targets set for 2005/06.

Details of performance were provided as follows: -

Appendix A: against each Key Commitment;
Appendix B: against each BVPI;
Appendix C: targets set for the BVPI's for the next three years.

It was reported that the Council had performed well in delivering its key commitments and improving performance in the suite of BVPI's in particular:

- 75% of key commitments had been delivered within time-scale and a further 15% had been achieved or were expected to be achieved within a longer time-scale;
- 62% of BVPI's had met or exceeded the target set;
- 73% of BVPI's had improved or remained the same (2005/06 performance compared to 2004/05 performance);
- for the third consecutive year, approximately two-thirds of BVPI's had improved or remained the same.

The Council had set 136 Key Commitments for 2005/06 of which 102 (75%) had been achieved within the time-scale set; a further 20 (15%) had been achieved or expected to be achieved within a longer time-scale as shown in Table 1 of the report submitted.

It was noted that in most cases where Key Commitments had not been achieved over-ambitious targets had originally been set. It was acknowledged that Directorates needed to ensure that the targets set for Key Commitments were challenging but realistic.

In the 2005/06 suite of BVPI's, 86 BVPI's had a target set of which 53 (62%) had met and 33 (38%) had not met the target set. It was noted however that some of the targets set had been extremely challenging in particular educational attainment and diversity related targets.

In the 2005/06 suite of BVPI's there were 88 BVPI's where performance in 2005/06 could be compared. In relation to performance during 2005/06 in 64 (73%) BVPI's had improved or remained the same compared with performance during 2004/05 as shown in table 3 of the report submitted.

Clarification was sought on a number of areas including: -

- although not in the direct control of the Council a number of the key commitments referred to partnership arrangements with other organisations and public bodies;
- whilst improvements had been made in respect of the Performance Indicator BV9 (Central Services) relating to the proportion of Council tax collection, efforts would continue to achieve further improvements including an audit of the discount system and the promotion of additional methods for payment;
- it was noted that an approach had been made to the Teesside Magistrates Court with a view to highlighting the problems with the non payment of Council Tax;
- a suggestion was made for the above matter to be the subject of a future scrutiny review.

ORDERED as follows: -

1. That the information provided be noted.
2. That the appropriate information be submitted to the respective Scrutiny Panel for detailed consideration.

REVIEW OF SCHOOL MEALS – CHILDREN AND LEARNING SCRUTINY PANEL

The Chair of the Children and Learning Scrutiny Panel presented the findings of the Panel's scrutiny investigation of school meals in Middlesbrough following growing concerns nationally in respect of food quality and standards of service.

The Board considered the following recommendations of the Panel based on the submitted evidence:

- i) That the Scrutiny Panel's findings in respect of the excellent standard and nutritional quality of school meal provision in Middlesbrough be publicised as widely as possible.
- ii) That in order to increase take up of school meals a campaign is launched to actively influence pupils and parents and to publicise the service and its benefits. This should use all appropriate publicity methods such as Middlesbrough News, press releases, the local media, letters to parents, posters and leaflets and should highlight typical menus/food available. The campaign should include publicity of free school meals to also encourage their increased take up.
- iii) That increased take up be also encouraged by all schools promoting the opportunity for parents to try the meals available at their child's school.
- iv) That the benefits of healthy lunches are actively promoted for those children who do not currently take school meals. This should include materials targeted at each school, pupils, parents and teaching staff in relation to packed lunches, including providing suggestions for healthy lunch boxes.

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- v) That the importance of encouraging children to choose a balanced meal is recognised and that this is reflected in staff training.
 - vi) That representations be made at a national level regarding the adverse budget implications for some Middlesbrough schools as a result of changes to transitional grant funding arrangements based on the percentage of pupils registered for free school meals.
 - vii) That funding is identified to ensure that the guidelines produced by the Government in its 'Turning The Tables' report on school meals can be implemented in full.
 - viii) That in recognition of the links between healthy eating and general health-related issues including obesity, joint working initiatives continue to be developed with Middlesbrough Primary Care Trust to maximise action in these areas, particularly in respect of promoting the benefits of school meals.
 - ix) That when considering the provision of any school builds in Middlesbrough for example under the Building Schools for the Future programme it is imperative that such schools include kitchen facilities to allow for the preparation of hot meals on site.

Members sought clarification and commented on a number of areas in particular: -

- the findings of a report of the School Meal Review Panel titled 'Turning the Tables: Transforming School Food' published in October 2005 relating to mandatory standards for school meals which included oily fish to be provided on a regular basis;
- reference to a recent survey which showed that locally, 1 in 3 children were overweight and 1 in 5 were classified as obese;
- requirements of recent national guidance aimed to highlight any children at risk from obesity so that this could be addressed at an early stage;
- the number of pupils registered for free school meals played an important part in the allocation of funding to individual schools.

ORDERED that the findings and recommendations of the Children and Learning Scrutiny Panel be endorsed and referred to the Executive.

SCRUTINY REVIEW REQUEST – SOCIO/ECONOMIC MIGRATION IN MIDDLESBROUGH

In a report of the Senior Scrutiny Officer details were provided of a request received from a Non Executive Member for a scrutiny review to be undertaken into the socio/economic migration within Middlesbrough.

ORDERED that approval in principle be given to the inclusion of a scrutiny topic for a review into the socio/economic migration within Middlesbrough in the overall Scrutiny Work Programme.

SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS

It was confirmed that apart from the above suggestion no additional requests for scrutiny reviews had been received from the Executive, Executive Members and members of the public since the last meeting of the Board.

NOTED

SCRUTINY REVIEWS - IMPLEMENTATION OF RECOMMENDATIONS

The Senior Scrutiny Officer submitted a report which outlined progress achieved in relation to the implementation of agreed Executive actions resulting from the consideration of Scrutiny reports.

In terms of the Executive actions which should have been implemented by May 2006, 203 had been implemented, 10 partially completed and 6 had not been implemented.

Since the meeting of the Board held on 27 June 2006 revised target dates had been added where appropriate and updates had been received. It was noted that 212 agreed actions had been implemented, 4 partially completed, 1 had not been implemented and 2 had been given revised target dates as shown in Appendix A under 'Target Date Not Yet Reached'.

Specific reference was made to Appendix A of the report submitted which outlined those recommendations, which had not been fully implemented by the target date.

ORDERED as follows: -

1. That the information provided be noted.
2. That the relevant information be provided to the respective Scrutiny Panel with a view to identifying the impact of any particular scrutiny actions.

SCRUTINY PANELS – PROGRESS REPORTS

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

ORDERED as follows: -

1. That the information provided be noted.
2. That it be noted that the title of the current topic of investigation of the Children, Families and Learning Scrutiny Panel had changed to Behaviour Improvement and Supporting Children at Risk of Exclusion.

CALL IN REQUESTS

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

ANY OTHER BUSINESS

The Chair referred to the intention to arrange a Chair's meeting at 4.00 p.m. on 21, 23 or 24 August 2006 and asked the respective Chair's to indicate their preferred date.

NOTED