

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 6 March 2007.

PRESENT: Councillor Carr (Chair), Councillors Booth, Cole, Dryden, Mawston, Rooney, Sanderson, T Ward and Wilson.

OFFICIALS: B Baldam, J Bennington, G Brown, P Clark, A Crawford, J Ord, I Parker, N Payne, N Sayer, P Slocombe, K Stokes and E Williamson.

**** PRESENT BY INVITATION:** Councillor Mrs H Pearson (Vice Chair of Children and Learning Scrutiny Panel)

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

**** DECLARATIONS OF INTEREST**

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

COMMUNITY ENGAGEMENT

In a report of the Chief Executive the views of the Board were sought on a report to be considered by the Deputy Mayor in relation to community engagement. The report gave an update on the work that had been undertaken to progress the decisions of the Executive arising from the recommendations of the Ad Hoc Scrutiny Panel and also outlined a number of proposals for further work to be undertaken.

ORDERED as follows: -

1. That the information provided be noted.
2. That Members of the Board be invited to attend a briefing meeting on a date to be arranged in consultation with the Chair in order to consider the report in detail prior to formal consideration at the meeting of the Board to be held on 3 April 2007.

REVENUE BUDGET 2006/2007 – THIRD QUARTER OUTTURN

A report of the Director of Resources was presented regarding an estimate of the annual outturn for 2006/2007 based on the third quarter's review of revenue expenditure against the current year's Revenue Budget.

A summary was provided of the overall outturn variances from budget and the Board's attention was drawn to the information contained in the following appendices: -

Appendix A: requests for virements;
Appendix B: Gershon savings;
Appendix C: actions to be taken arising from the 3rd quarter budget clinics.

In response to concerns regarding the continuing significant pressures within the budget relating to Vulnerable Children the Board was advised that the Children, Families and Learning service had set out an action plan to mitigate such pressures which would be incorporated into the Medium Term Financial Plan. It was also confirmed that an increased element had been built in the 2007/2008 Revenue Budget.

ORDERED that the information provided be noted including the proposed action plans and implications upon the Medium Term Financial Plan.

CAPITAL BUDGET 2006/2007 – THIRD QUARTER OUTTURN

It was confirmed that in order to provide clarification and an accurate representation of the 3rd Quarters Capital Budget Outturn the Chair had agreed that the report of the Director of Resources be withdrawn from the agenda of this meeting.

ORDERED that a report on the 2006/2007 3rd Quarters Capital Budget Outturn be submitted to the meeting of the Board scheduled for 3 April 2007.

STRATEGIC PLAN 2007/2008 – UPDATE, PROPOSED CONTENT AND TIMETABLE

In a report of the Principal Corporate Development Officer the Board's comments was sought on the proposal to produce and print an annual update to the three-year Strategic Plan.

It was proposed that the original three-part structure of the Strategic Plan be retained for the annual update but only parts II and III be amended and reprinted as follows: -

Part 1: Corporate Overview – it was not proposed to alter the section as it outlined the long-term vision and medium-term priorities which were envisioned to remain unchanged for the 3-year duration of the Strategic Plan.

Part II: Achievements and Future Actions – it was proposed to update and reprint the section following the same format as the original but adding an outline of changes that had occurred over the previous 12 months including:

- implementing the 2007 Local Area Agreement;
- integrating the 2006 Local Government White Paper;
- responding to any changes caused by the elections in May 2007.

Part III: Supporting Documentation – it was proposed to update and reprint the section following the same format as the original. Amendments were to include:

- a summary of the Local Area Agreement targets the Council was responsible for delivering (including LPSA 2 targets);
- reporting on the Council's performance against BVPIs during 2006/07.

Appendix A of the report outlined the proposed content for each parts of the Plan and Appendix B the proposed timetable for the production of the Strategic Plan.

NOTED

IMPROVING BEHAVIOUR AND SUPPORTING PUPILS AT RISK OF EXCLUSION-FINAL REPORT –CHILDREN AND LEARNING SCRUTINY PANEL

The Vice -Chair of the Children and Learning Scrutiny Panel presented the findings of the Panel following its investigation of the issues around behaviour improvement in schools and also in relation to the support, which was made available to pupils who were at risk of exclusion. The investigation had included an examination of existing Council responsibilities and national policies and guidance. Evidence had also been sought directly from schools and teaching staff.

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

- i) That in order to assist secondary schools in providing support to new pupils, a standard document, which specifically identifies any potential behaviour issues or history of behaviour problems, is introduced for all pupils transferring between primary and secondary schools.
- ii) That all primary schools be informed of the work undertaken by the Scrutiny Panel and the Panel's view that it is important that accurate and up to date information is supplied on pupils who are transferring to secondary schools.

- iii) That all primary and secondary schools be informed of the work undertaken by the Scrutiny Panel and the Panel's view that it is important that vulnerable /at risk pupils are identified at an early stage as possible so that appropriate behaviour support can be provided.
- iv) That a system be put in place to ensure that all examples of good practice in relation to behaviour support and management, including availability of external funding, are shared between schools.
- v) That the effectiveness of the new admissions protocol for hard to place pupils, which is to be introduced early in 2007, is monitored and its effect on exclusion levels is reported to the Children and Learning Scrutiny Panel, together with a general update, after 12 months of operation.
- vi) That representations be made to appropriate bodies at a national level in respect of the fact that none of the costs associated with a pupil excluded from an academy can be recovered.
- vii) That every effort continue to be made to recruit to posts of educational psychologist and the effect of changes in qualification requirements on vacancy and retention levels be monitored.
- viii) That every effort be made to recruit to the post of behaviour and attendance consultant and Officers be requested to examine whether – if the post cannot be made permanent – there is any way it can be made more attractive to applicants.
- ix) That the Council's Behaviour Support Service is actively promoted to those schools, which do not currently use it.

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

NEIGHBOURHOOD POLICING – FINAL REPORT – COMMUNITY SAFETY AND LEISURE SCRUTINY PANEL

A report of the Community Safety and Leisure Scrutiny Panel was presented on the findings of the Panel following its assessment on the introduction of neighbourhood policing.

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

- i) That a full review be undertaken in one years time to ascertain the achievements resulting from the introduction of Neighbourhood Policing and this be presented to the Community Safety and Leisure Scrutiny Panel.
- ii) To undertake an audit of estates involving consulting the community and other agencies to assist in identifying areas for designing out crime (for example, remove hedge bushes; improve lighting, reduce fear of crime etc). It is recommended that this be undertaken within six months of the Executive decision.
- iii) To agree with the Police and local community a range of specific performance indicators targeted to individual neighbourhood areas, which measure the reduction in crime and antisocial behaviour. These targets to be established within six months of the Executive decision.
- iv) Consideration is given for the allocation of enforcement officers specifically targeted to the Town Centre for the issue of penalty notices (re: graffiti, dog fouling, litter, etc). Also for the provision of enforcement officers to be directed to hot spot areas outside of the Town Centre when needs arise. All actions to be set against targeted Performance Indicators and for the results of enforcement to be publicised.

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- v) Consideration is given for Councillors to be integrated with Neighbourhood Police, giving greater opportunity to engage with their local community. This is to be operational within three months of Neighbourhood Policing being introduced.
 - vi) That Council Officers engage immediately with the Police to assist in establishing an appropriate partnership/steering group for Neighbourhood Policing. This partnership to include political representation from the Council and to invite and involve the Community.
 - vii) To ensure that issues of diversity are accounted for with particular emphasis on ensuring the resources applied to areas with high ethnic occupancy are multi-lingual.
 - viii) To request the Executive examine the Public Protection Service to ensure it is 'Fit for Purpose' and address the issues of fragmentation of services dealing with community safety to ensure the service is operating efficiently.
 - ix) Future funding of Neighbourhood Policing is likely to arise with the Council. Consequently, the Panel recommends that attention is given at an early stage to ensure present Council services such, as Wardens are not eroded.

As part of the Board's overall discussion the Executive Director of Environment gave an assurance that with regard to any future scrutiny reviews involving the Community Protection service measures would be in place to ensure that appropriate engagement with the Panel was undertaken.

It was acknowledged that one of the difficulties related to the timing of review in that Neighbourhood Policing had been evolving and the process of establishing the Neighbourhood Police Board had been at the same as the scrutiny investigation.

ORDERED that the findings and recommendations of the Community Safety and Leisure Scrutiny Panel be endorsed and referred to the Executive subject to the following amendments: -

- a) that 'Ward' be inserted prior to Councillors and 'Police' be substituted for 'Policing' in respect of recommendation (v) above;
- b) that recommendation (viii) be amended as follows:-
 - ' that the Executive addresses the issues of fragmentation of services in the Public Protection Service dealing with community safety to ensure the service is operating efficiently';
- c) that the words 'is likely to arise with' be replaced with 'may fall on the ' in respect of recommendation (ix) above;
- d) that in relation to paragraph 56 of the report the words 'fit for purpose' be replaced with 'operating difficulties'.

BECKS AND BECK VALLEYS – FINAL REPORT – ENVIRONMENT SCRUTINY PANEL

The Chair of the Environment Scrutiny Panel presented the findings of the Panel following their investigation of Middlesbrough's becks and beck valleys given their importance in drainage and flood prevention. The investigation had included an examination of existing Council responsibilities and policy and receiving evidence from other bodies and agencies involved in the issue.

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

- i) That the Environment Agency be advised of the Scrutiny Panel's findings that the existing standard of beck's service provision is excellent and should be maintained at

that standard as an absolute minimum for all becks, irrespective of which organisation is responsible for them.

- ii) That every effort be made to ensure that the Council continues to provide the maintenance and emergency response service for all Middlesbrough becks.
- iii) That, representations be made to the appropriate Government department that in the event that if, at any time in the future, the Environment Agency employs a contractor to maintain Middlesbrough's Becks, the contract should be awarded on a service standard- and not cost- basis.
- iv) That, following the impending changes as outlined in conclusion (4) of the report, and subject to compliance with Government procurement rules, representations be also made that local authorities such as Middlesbrough which have shown that they can provide a high standard of beck's maintenance service, be allowed to undertake emergency works in the case of contractor default. Such works should be done on the basis of recharge to the contractor.
- v) That the issue of de-silting Gunnergate lake, and the associated expenditure, be explored in consultation with the Environment Agency as this issue impacts on overall beck's drainage.
- vi) That the Environment Agency's commitment to enhancing environmental aspects of becks and beck valleys be welcomed and liaison arrangements be continued to ensure that the Council and local communities are actively involved in the process.
- vii) That arrangements are put in place to strengthen links between all bodies and parties with an interest in Middlesbrough's becks and to ensure that a co-ordinated approach is developed in relation to all becks issues.
- viii) That representations be made at a national level concerning the reduction in the funding of flood prevention schemes across the country and the possible implications for areas of flood risk, including Middlesbrough.
- ix) That the implications of Middlesbrough's failed funding bid for flood relief schemes be considered and reported to the Executive.
- x) That the increased flood risk caused by the prevalence of using hard surfacing materials be publicised to increase public awareness of this issue.

ORDERED that the findings and recommendations of the Environment Scrutiny Panel be endorsed and referred to the Executive subject to the following additional recommendation: -

'That the Environment Agency be requested to involve the Environment Scrutiny Panel in drawing up any future tender specification in respect of becks maintenance, with prospective tenderers being obliged to fulfil the specification requirements.'

HEALTHCARE ASSOCIATED INFECTIONS – FINAL REPORT – HEALTH SCRUTINY PANEL

The Chair of the Health Scrutiny Panel presented the findings of the Panel following its review into Healthcare Associated Infections, which examined the current local situation, and in particular the initiatives to reduce the prevalence of HCAs.

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

- i) The Middlesbrough Primary Care Trust and the South Tees Hospitals NHS Trust hold a high profile public awareness campaign on Healthcare Associated Infections, aimed at combating the myths and informing the public on the part they can play in infection control. A substantial element of that campaign should be led within healthcare facilities,

with a particular emphasis on the James Cook University Hospital site. The Health Scrutiny Panel would be willing to engage further with such a campaign.

- ii) That the Commission for Social Care Inspection is asked to evaluate the standards it expects in relation to hygiene and infection control in Middlesbrough's residential and nursing homes. Further, whether they contribute sufficiently to efforts to combat Healthcare Associated Infections.
- iii) That the South Tees Hospitals NHS Trust continues present efforts to combat Healthcare Associated Infections and agrees to update the Panel on a six monthly basis, according to an agreed timetable.
- iv) That the South Tees Hospitals NHS Trust increases the frequency and visibility of public information on the subject of Healthcare Associated Infections, so that visiting members of the public have every opportunity to learn how they can assist the Trust in combating Healthcare Associated Infections.
- v) That the South Tees Hospitals NHS Trust, together with partner Primary Care Trusts, publishes an explicit statement of the rights of the patients (and families), of the information they are entitled to and the treatment they can expect when an infection is diagnosed.

ORDERED that the findings and recommendations of the Health Scrutiny Panel be endorsed.

CHOOSE AND BOOK IN MIDDLESBROUGH – FINAL REPORT – HEALTH SCRUTINY PANEL

The Chair of the Health Scrutiny Panel presented the findings of the Panel following its investigation as to how Choose and Book was impacting upon Middlesbrough residents and their access to the services they required.

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

- i) That the North East Strategic Health Authority, on behalf of the local NHS, strenuously lobbies the Department of Health to take steps to dramatically improve the IT equipment in use to implement Choose and Book, in consultation with NHS staff (clinical and administrative) who will be using the system. The Panel wishes to know the outcome of that dialogue.
- ii) That Middlesbrough Primary Care Trust pursues a publicity campaign, emphasising the choice that patients now have and how it can be used, by all sectors of the community.
- iii) That Middlesbrough Primary Care Trust and the South Tees Hospitals NHS Trust continue to work together to find a suitable referral protocol. That protocol should be consistent with the ethos of providing more services in the community, without eroding the consultant body's expertise in influencing appropriate care pathways. The Health Scrutiny Panel would like six monthly updates on how this is being delivered.

ORDERED that the findings and recommendations of the Health Scrutiny Panel be endorsed.

RESPITE AND PALLIATIVE SERVICES FOR CHILDREN WITH A LIFE LIMITING ILLNESS-FINAL REPORT-MIDDLESBROUGH AND ESTON HEALTH SCRUTINY JOINT COMMITTEE

The Chair of the Middlesbrough and Eston Health Scrutiny Joint Committee presented the findings of the Joint Committee following its investigation of the current service provision for the above cohort of children. The examination had included the prevailing national policy and evidence gained from a number of organisations including local authorities, local NHS representatives and the Voluntary and Community Sector.

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

- i) That the local health and social care economy lobbies central government to release guidance on the policy direction in the looking after of this group of children and organisational responsibilities as their numbers become greater.
- ii) That the local authority considers developing policy around the supporting of a local marketplace of service providers, particularly to support this cohort of children.
- iii) That the local health and social care economy commences a debate, led by Elected Members, on the type of services required to address the needs of this cohort of children. Further, to consider the extent to which these services can be developed on a joint health and social care basis, with pooled budgets where appropriate.
- iv) That the Joint Scrutiny Committee's successor body revisits service provision in this area, at an opportune time in the near future.

ORDERED that the findings and recommendations of the Middlesbrough and Eston Health Scrutiny Joint Committee be endorsed.

SCRUTINY REVIEW – 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 February 2007, 379 had been implemented, 8 partially completed and 4 had not been implemented with progress reports awaited in respect of 2 of them.

Appendix A of the report submitted outlined those recommendations, which had not been fully implemented by the target date. Revised target dates had been added where appropriate and updates had been received with the exception of 2 Executive actions.

Appendix B of the report gave an update in relation to the Health Scrutiny Action Plans.

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 since the last meeting of the Board.

NOTED

SCRUTINY PANELS – PROGRESS REPORTS

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

Members noted the intention of the Economic Regeneration and Transport Scrutiny Panel to submit a report to the Board on the apparent lack of progress on the impact on performance emanating from a number of initiatives arising from the scrutiny review on Worklessness.

NOTED

CALL IN REQUESTS

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