

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on 28 May 2013.

**PRESENT:** Councillors Brunton (Chair), Cole, Dryden, C Hobson, Kerr, Mawston, McIntyre, P Purvis, Sanderson, P Sharrocks, J A Walker and Williams

**OFFICERS:** B Baldam, J Bennington, G Brown, J Catron, A Crawford, L Henman, J Ord and P Stephens.

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

**DECLARATIONS OF INTERESTS**

<b>Name of Member</b>	<b>Type of Interest</b>	<b>Item/Nature of Interest</b>
Councillor Carr	Non Pecuniary	Agenda Item 5 - The Change Programme- any reference to Erimus Housing - Chair of Erimus Housing.

**WELCOME - NEW MEMBER**

The Chair welcomed Councillor P Sharrocks to his first meeting since his appointment to Overview and Scrutiny Board for the 2013/2014 Municipal Year.

**NOTED****APPOINTMENT OF VICE-CHAIR OF THE OVERVIEW AND SCRUTINY BOARD 2013/2014**

The Chair sought nominations for Vice-Chair of the Overview and Scrutiny Board for the 2013/2014 Municipal Year.

**ORDERED** that Councillor Mawston be appointed as Vice-Chair of the Overview and Scrutiny Board for the 2013/2014 Municipal Year.

**MINUTES - OVERVIEW AND SCRUTINY BOARD 30 APRIL 2013**

The minutes of the meeting of the Overview and Scrutiny Board held on 30 April 2013 were submitted and approved as a correct record.

**ATTENDANCE OF EXECUTIVE MEMBERS - EXECUTIVE MEMBER FOR THE CHANGE PROGRAMME**

By way of introduction the Senior Scrutiny Officer confirmed that a schedule was being prepared for arrangements for individual Members of the Executive to attend meetings of the Overview and Scrutiny Board to provide updates on their respective work in terms of their aims, aspirations, objectives, priorities and any emerging issues or pressures. The process was part of the scrutiny arrangements of holding the Executive to account and also provided the opportunity for the Board to identify or highlight any issues of concern or difficulty.

The Chair welcomed Councillor Carr, the Executive Member for The Change Programme who had requested to attend the meeting in order to provide background information on the new portfolio and gave an indication of the areas in which change was most likely to be effected.

The Executive had approved a report which set out the principles and approach to a Change Programme to address the unprecedented expected reduction in resource level over the next few years whilst retaining focus on leading the delivery of the future vision for Middlesbrough. A Change Programme was being developed to ensure that the Council:-

Remained fit for purpose;  
Lived within reduced means;  
Safeguarded the most vulnerable.

A key part of the approach was continuing to work closely with and in a more collaborative way with other local authorities, public agencies and Tees Valley partners in the immediate area. The Council was seeking to learn from the experience of other local authorities in leading transformation and those who had adopted a co-operative approach such as Oldham and Leeds.

The Board was reminded that cuts of nearly £13 million had been approved by the Council for 2013/2014 which would be implemented in addition to the £28 million savings made over the last two years. Over the next two years it was considered likely that further savings amounting to £32 million would have to be found.

Given that the current reduction process was unsustainable to cope with the expected cuts the Change Programme intended to reduce the scale of what the Council did in a systematic, coherent and controlled manner. The purpose of the Change Programme was to identify and protect, as far as possible the Council's core activities, while finding alternative means of delivering other, non-core activities.

It was confirmed that it was intended that the Change Programme would operate over a five year period and would be subject to regular review over that period in terms of delivery against agreed objectives and revised targets for spending reductions.

In response to Members' queries as to the consequences of any changes in Government or reduced level of cuts in the next few years the Executive Member indicated that the changes would ensure a minimum level of service to meet the Council's core priority of safeguarding the vulnerable and the Council would be in a better position to determine how to use any additional resources to address other priorities in delivering the future vision of the Town.

Services provided by the Council were broadly seen as being within four categories:-

Democracy/Governance - statutory and mandatory functions that were essential to the democratic process and corporate governance;

Support Services - essential functions common to all business areas that support internal customers to deliver frontline services;

Core Services - statutory functions that must be provided for local residents, communities and businesses plus other functions that were critical to the vision for the Town that only the Council could deliver;

Non-Core Services - largely non-statutory functions that while important to the Town were not core Council business and may actually be better delivered by others.

It was acknowledged that the cost reduction targets were very challenging and would require fundamental changes to both the way the Council operated and to the expectations of Members, residents and the wider community in terms of what the Council could deliver/facilitate. It was noted that over the five year period the Change Programme would need to include potential reductions in the region of 30% in the cost of democracy and governance; 50% in relation to Support Services; and 10%-15% reduction in the cost of delivering core services.

The Board sought further clarification regarding the timetable for the Change Programme. It was indicated that Phase one focussed on consultation with a range of key stakeholders the outcome of which would be considered in autumn 2013 when options to determine how the Change Programme would be progressed would be examined.

An indication was given of a number of options which would be pursued including:-

- (a) encourage and support others to take on and/or deliver services with a focus on local solutions;
- (b) optimise the use of technology and the associated flexible working opportunities for all employees and, in so doing, significantly reduce accommodation costs and impact on the environment.

In commenting on potential risks to the Council the Executive Member indicated that the risk to the Council of not embarking on the Change Programme at this stage would be considerably greater. In order to mitigate such risks reference was made to such areas as transforming management practice and working more efficiently across the Council; improving the use of data and information and enhancing commissioning practice to meet customer needs; working co-operatively with partners and communities; maximising the use of technology; and reducing the building portfolio to minimise property costs.

**ORDERED** as follows:-

1. That the Executive Member for the Change Programme be thanked for the information provided.
2. That an update report be submitted to the Board in September 2013.

### **REVENUE OUTTURN 2012/2013**

The Deputy Director of Resources advised that in view of competing demands, preparation for change, complexities and ongoing work with Service Managers it had not been possible to finalise the Revenue Outturn 2012/2013 report for consideration by the Board at this meeting.

The Board requested that a copy of the report be circulated to Members as soon as it was available.

**ORDERED** as follows:-

1. That the information provided be noted.
2. That a report on the Revenue Outturn 2012/2013 be submitted to the next meeting of the Board.

### **COUNCIL PERFORMANCE AND RISK UPDATE 2012/2013**

A report of the Assistant Chief Executive was presented which provided an overview of the Council's performance and its corporate risk register at year-end 2012/213.

In relation to Environment the Board noted that in line with projections reported throughout the year, the domestic waste recycling rate did not meet the 25% target and had fallen in real terms from 2011/2012 (22.06%). Improvements had been achieved in relation to the number of principal roads in good repair and percentage of streets free from litter and detritus.

With regard to Regeneration performance in the processing of major planning applications had improved significantly but contacts with libraries had fallen approximately 10% below the annual target due to the extended closure of branch libraries prior to relocation into community hubs. Attendances at mima had also fallen 16% below target in line with regional underperformance as a result of a number of factors which were currently being examined.

Under Adult Social Care it was noted that the percentage of 'eligible' users receiving self directed support would exceed the annual target of 70% and clients at home 91 days after discharge was projected to comfortably achieve the annual target.

In terms of Children, Families and Learning the Board noted with concern the increased numbers of child protection plans and looked after children which remained significantly higher

than national and statistical neighbour averages, despite a steady reduction in numbers over the course of the year. Members were reminded of a number of measures which were being pursued to alleviate the situation. Such measures included First Contact arrangements and work associated with the Government's Troubled Families Programme.

It was noted that the number of repeat child protection cases had reduced significantly and the proportion of child protection plans lasting two or more years had more than halved year-on-year. The rate of referrals to the Common Assessment Framework had increased significantly year on year from 125 to 140.5 per 1,000 population.

DfE published data had reduced the number of secondary schools below the GCSE floor target from two to one which equated to 14.3% compared with 8.2% regionally and 6.6% nationally.

In relation to Corporate/Central Services, employee sickness absence was off target at 7.85 against a target of 7 days although performance continued to improve year-on-year, up from 8.1 days in 2011/2012.

It was noted that invoices paid on time had not achieved the expected performance of 91% despite actions to improve delayed payments in the final quarter 2012/2013.

The number of upheld complaints had increased to 105 in 2012/2013 from 80 the previous year.

Following the year-end risk review, the total number of corporate risks was reported as 22 one fewer than at quarter three. The following posed the highest risk to the achievement of the Council's objectives:-

- Budget -inability to achieve a balanced budget due to reducing settlement
- Welfare Reform -withdrawal of funding to administrate Housing Benefit
- Local Economy -no or limited growth due to Government austerity measures
- Housing Market Renewal -lack of progress due to reduced national funding
- Education Reform -loss of influence/funding as schools convert to academy status.

Following Members' questions it was confirmed that The Change Programme had impacted on the finalisation of the Strategic Plan. Members reiterated the importance of such a document for Scrutiny Panels in considering the compilation of the individual scrutiny work programmes.

In response to Members' concerns regarding the target not being reached in respect of unpaid invoices it was agreed that further information be sought and Members informed as to the action being taken to alleviate the situation.

**ORDERED** that the information provided be noted.

## **ACADEMIC RESULTS FOR MIDDLESBROUGH 2012**

The Deputy Director, Achievement presented a report which provided information on the academic results for Key Stage 2 and Key Stage 4 in Middlesbrough schools in 2012 which identified areas where higher levels had been achieved and areas for further improvement.

Middlesbrough had made good progress at Foundation Stage but started from a lower base than other areas. Key priorities were school readiness, national Literacy Trust Initiative and parenting programmes linked to re-modelled early help. It was noted that the way in which early years progress was being assessed had now changed and the negative indicator no longer applied.

It was noted that 75% of pupils attained level 4+ in both English and mathematics which represented an 8% increase on the 2011 outcome. In relation to English 80% of pupils had attained Level 4 and 82% in mathematics. Almost 9 out of 10 pupils had made or exceeded the expected rate of progress across Key Stage 2 with 88% making 2 levels progress in

English and 87% 2 levels progress in mathematics all of which closed the gap on national averages.

Although progress between KS2 and KS4 in English and Maths was below the national average good progress had been made since 2011 according to the DfE LA data matrix.

Trend data for KS2 L4+ English and Maths (75%) was 4% below national but good progress had been made since the previous year. At KS4, the headline indicator of 5A\*-C/EM had increased from 40% to 47% and was one of the largest increases in the region. Although Attainment was still in the bottom quartile progress was regarded as being strong and likely to continue in 2013/2014.

Primary schools remained below the DfE minimum floor in respect of Abingdon, Caldicotes, Breckon Hill, North Ormesby and Sunnyside. Breckon Hill was likely to come above the floor standard when disapplications had been made and Sunnyside would also be above floor standards if pupils with significant SEN were taken out of their mainstream figure.

It was reported that 22 primary schools would be above the national average for Level 4 + English and mathematics based on last year's national average (74%); Whinney Banks, Linthorpe, Kader, Newham Bridge, Acklam Whin, The Avenue, Lingfield, Marton Manor, Chandlers Ridge, Easterside, Berwick Hills, Pennyman, Green Lane, Rose Wood, Captain Cook, St Edward's, St Joseph's, St Clare's, St Bernadette's, St Gerard's, St Augustine's and St Pius.

Over the past five years there had been good improvement in the number of pupils achieving Level 4+ in English and mathematics. In 2002 71% of pupils had achieved a Level 4+ in English compared to 75% in 2012.

The challenge in primary schools, however, still remained high. In 2012, 46% of pupils were still working towards the required standard in the newly introduced Year 1 phonics test and 31 % of pupils were below the level of national expectation at the end of Key Stage 1 in reading, 41% in writing and 29% in mathematics.

The Board was also advised that there was disquiet as to grade boundaries in English. There was a reduction in the numbers of students achieving higher grades and in particular issues around the C/D grade boundary that affected some of our schools.

Statistical information was provided on the outcomes for all secondary schools in respect of the percentage of students achieving 5 A\* -C including English and mathematics. With the exception of King's Academy and Macmillan Academy all schools had achieved increases of 6% with Trinity Catholic College achieving 16%.

Members acknowledged the significant reduction of staff of over 100 with regard to the School Improvement Section the remaining staff for which focussed on the statutory elements of work.

**ORDERED** that the information provided be noted.

## **DOG FOULING**

The Chair of the Environment Scrutiny Panel outlined the Panel's findings, conclusions and recommendations following a scrutiny investigation on the topic of dog fouling.

The Board considered the following recommendations of the Panel based on the evidence submitted and conclusions reached:-

1. That, given the additional funding that has recently been made available to Middlesbrough Council to undertake the local Public Health function, and the links between dog fouling and public health , a request is made for some of the funding to be directed towards addressing dog fouling issues.

2. That, following an assessment to determine suitable areas, the Green Dog Walker scheme is extended from Hemlington to other areas of Middlesbrough.
3. That the issues of dog fouling and the Council's associated budget/staffing problems are highlighted to all Community Councils. Community Councils should be requested to consider:
  - (a) Purchasing poop scoops (which are the single most cost-effective measure to addressing dog fouling) for use by local residents.
  - (b) Purchasing litter/dog bins and signage for use in appropriate areas.
  - (c) Promoting involvement in the Green Dog Walker Scheme in any areas where it becomes operational.
  - (d) Making use of free resources (such as Dog Fouling Campaign posters and stickers) available from Keep Britain Tidy.
4. That action is continued to reduce the number of stray dogs in Middlesbrough. Hotspot areas should be identified and resources concentrated on those areas. Microchipping schemes should continue to be promoted/undertaken as resources permit.
5. That, wherever possible and in appropriate areas, any new or replacement litter bins are dual use - i.e. suitable for both litter and dog waste.
6. That the possibility of using operational Council staff, for example in Area Care, to assist in enforcement action on dog fouling is investigated.
7. That the Council's current light touch approach in relation to dog fouling enforcement (i.e. the use of fixed penalty/prosecution being used for second offences, or where people refuse to pick up) is continued.
8. That the possibility of using appropriately trained operational Council staff to encourage good behaviour and assist in enforcement action, such as the issuing of fixed penalty notices for dog fouling, is investigated.

**ORDERED** that the findings and recommendations of the Environment Scrutiny Panel be endorsed and referred to the Executive subject to the deletion of recommendation 6 above as such matters were covered in recommendation 8.

#### **SCRUTINY REVIEW REQUESTS**

It was noted that no scrutiny requests had been received since the meeting of the Board held on 30 April 2013.

**NOTED**

#### **SCRUTINY PANELS - PROGRESS REPORTS**

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

**NOTED**

#### **CALL IN**

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

**NOTED**

**ANY OTHER BUSINESS - SCRUTINY WORK PROGRAMME 2013/2014**

The Chair and the Senior Scrutiny Officer reported upon the ongoing process including consultation with Scrutiny Panels and other Members in identifying possible topics for inclusion within the 2013/2014 Scrutiny Work programme.

In discussing wider topics reference was made to the ongoing implementation of The Change Programme the impact of which on specific aspects of service areas would form part of the overall scrutiny work programme.

**NOTED**