

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 8 December 2015.

PRESENT: Councillors J Sharrocks (Chair), J G Cole, J Culley, T Higgins, N Hussain, J McGee and D Rooney and J A Walker.

PRESENT BY INVITATION: Councillor J Brunton.

OFFICERS: A Crawford, M Davis, L Henman, J Lewis, C Lunn, M Padfield, N Sayer, P Shout and P Stephens.

APOLOGIES FOR ABSENCE Councillors: C Hobson, T Mawston, E Dryden, F McIntyre and J Rathmell.

15/48 **MINUTES - OVERVIEW AND SCRUTINY BOARD - 9 NOVEMBER 2015.**

That the minutes of the meeting held on 9 November 2015 were approved as a correct record.

15/49 **ATTENDANCE OF EXECUTIVE MEMBERS AT THE OVERVIEW AND SCRUTINY BOARD: COUNCILLOR J BRUNTON - EXECUTIVE MEMBER - EDUCATION AND SKILLS.**

A report had been circulated to the Board which provided information regarding the scheduled attendance of Members of the Executive at the Overview and Scrutiny Board.

Today's meeting was attended by Councillor J Brunton, Executive Member for Education and Skills.

The intention was to enable the Board to hear from Councillor Brunton on progress towards objectives and priorities and any emerging issues or pressures within her portfolio.

The Executive Member made the following points in particular;

- Schools were visited on a regular basis; every secondary had been visited at least once, some of them twice, and one school three times.
- Currently Chair of Governors at Acklam Whin Primary School, Chair of Governors at Complementary Education, a Governor at Kings Academy and a Governor at Acklam Grange, so a wide spread of schools was involved.
- Currently Chair of the School Standards Monitoring Group. It was explained that when schools were not meeting their targets, matters were discussed with the appropriate personnel to determine the reasoning for this, what could be done to support the respective school, and what the school itself was doing to raise achievement. A number of schools had reported language barriers and the transient nature of the migrant population as a particular barrier to a stable education. It was felt that it was difficult for the pupils' education and difficult for the schools to measure their attainment.
- Currently sat on the School Management Forum, which provided opportunity for all Head Teachers and cluster Head Teachers to get together to discuss matters such as finance, support and challenges.
- Attendance at seminars and conferences in the role of Executive Member had also been undertaken, and a recent visit to London to meet with ministers regarding the performance of schools within Middlesbrough had been carried out.
- Reference was made to the 'School Effectiveness Strategy' which had been presented at a recent Members' briefing session. It was explained that examination results published in the summer had been disappointing, as it was expected that more would be achieved than actually was.

Members were informed that in response to the published results, Ofsted were in regular contact with the authority, and the School Management Forum had employed consultants to provide additional support to secondary schools in respect of the core subjects, i.e. English, Maths and Science, as it had been acknowledged that these were a problem in most schools.

Some schools had received support from outside of the area - Acklam Grange School, for example, had received support from Shotton Hall, as well as from the local authority.

In addition, the authority had improved its tracking and data practices, which had resulted in more effective tracking from nursery/reception being undertaken.

- With regards to data sharing between schools, it was highlighted that, following an agreement being reached with academies, this was being carried out more effectively, particularly in respect of pupils that regularly moved around.
- Currently a Member of the National Literacy Hub, which was important for Middlesbrough's literacy levels; it was felt that these too could be improved.
- The 'Raise Online' document, which covered all of the schools in Middlesbrough, had recently been received. A copy was tabled for any Members wishing to view it.

A key matter that the Executive Member was looking to progress revolved around transition, which concerned not only Year 6 to Year 7, but also nursery to primary, primary to secondary, and secondary to post-16, apprenticeships or higher education after that.

It was explained that it had always been an issue in Middlesbrough that children were leaving primary school with good secure 4Bs, but were not achieving at secondary school. Reference was made to a document entitled 'The Wasted Years' and that further work was required to overcome this. A conference with Head Teachers was held last Monday; it was hoped that agreement could be made for secondary Head Teachers to visit Primary Schools in Y6, and vice versa, to review each other's curriculums and offer support to one another.

In response to an enquiry, it was felt that one explanation for the drop in attainment could have related to curriculum size and the number of teachers that were interacting with children. It was felt that an additional step, such as middle schools or similar, could have assisted some of the young people that were not prepared for the transition.

Reference was made to disadvantaged groups and the impacts of this upon learning and attainment. Although a pupil premium was in existence in Middlesbrough, this had not always been successful. It was felt that some schools used it very well, whereas some used it for the full school and some schools targeted disadvantaged groups. Unfortunately, one size would not fit all.

In terms of performance, it was explained to Members that pupils were achieving well at Key Stage 1 and Key Stage 2; 4Bs was the target and should have been secured - anything above that was considered as high achievement. However, when moving to secondary school, this achievement was lost around Key Stages 3 and 4. Statistics were presented to the panel to demonstrate this. The statistics showed that in respect of the Key Stage 4 (GCSE) exams, 550 pupils attaining 4Bs last year did not achieve 5 A-Cs, which was disappointing as they should have been secure. Most pupils achieved Cs and Ds with very few achieving As and Bs, which was of great concern.

In response to an enquiry, it was felt that good teaching and engagement was pivotal to attainment levels and although outstanding teaching had been witnessed, engagement was lacking.

It was explained that some schools had felt that the pressure of exams could have provided an explanation regarding the statistics. It was possible that mock exams may have been considered unimportant by pupils. Some schools were actually commencing preparation for their exams on a Sunday by ensuring that pupils were fully prepared for entering the exam on the Monday. This was felt to be good for some young people.

Reference was made to exam structures, with Members discussing the age of pupils taking exams, and the weighting of results in terms of exams and coursework. It was highlighted that there had been more changes to education over the past three years than in the previous twenty-five.

A comment was made regarding 'Progress 8' examinations for 16 year olds, which were weighted more towards English, Maths and Science, and the impacts upon vocational learning. It was felt that this would affect a lot of young people in Middlesbrough.

In response to a query regarding gender differences, it was indicated that a gender gap had been identified, with boys 2% below females.

Members were informed that the predictor targets for 2015/2016 were better than the results achieved in 2014/2015; however, some schools had indicated that the current cohort was not as academic as the previous.

During discussion, consideration was given towards family support and the view of the parent as the role of the primary educator. Members felt it important that review of the home environment, and what was being undertaken to assist with the transition process, was necessary. A Member commented that children spent 15% of their waking time in school and 85% of their waking time not in school, and so it was important to see what was going on in that time. Reference was made to a local research project that was currently being undertaken in relation to this, which would hopefully have results available in March 2016.

Members discussed financial and cost issues, particularly with regards to the provision of after-school clubs and activities during school holidays. Reference was also made to funding cuts and the loss of support from social workers, counsellors and educational psychologists within schools. It was explained that all support was self-financing and money had been spent on teaching.

Reference was made to school trips and some parents being averse to sending their children on holidays because of potential risk, but it was felt that this was important to development of lifelong skills. On a related note, conversations had been undertaken with employers about apprenticeships, with many stating that many young people were not ready for work, which was a huge concern. Issues such as finance, etc. were not being taught as emphasis was being placed on the curriculum and attainment levels. Employers were also saying that literacy levels were still very low, which was of great concern.

A short discussion ensued with regards to school finance and profiling of monies. During discussion, it was suggested that discipline and provision of school meals and breakfast clubs could have been key factors in respect of school attainment levels.

Members discussed social media and the potential impacts upon education, particularly regarding disagreements between girls. It was felt that text message terminology was also part of the wider problem.

A Member suggested that consideration be given towards advising schools in respect of class size and investment in teaching staff, and the positive impacts that this could have had. Regarding recruitment and retention, it was felt that this was a problem across the board within Middlesbrough. It was suggested that more positive promotion of Middlesbrough be undertaken in respect of this. Reference was made to a 'Learning without Limits' initiative, whereby children were able to decide what they wanted to do, were provided with a set of questions and picked one to work on. However, it was felt that one size did not fit all, as the predominant issue related to cohort and their backgrounds, as well as teaching and learning standards.

A discussion ensued regarding school exclusion policies in respect of academies and regulated schools, and the reasons why pupils had been excluded. Reference was made to managed moves, Pupil Referral Units (PRUs) and the number of pupils in them. At maximum capacity, the PRUs should have had 90 pupils in them, however, at the end of July 2015, there were 180, which meant that classes were taking place from early morning to late in the evening. PRUs should have been a short stay school and long term.

Members discussed local authority support and representation. Reference was made to Councillor representation on school governing bodies, which had been reduced from three to one for community schools. In respect of academies, local authority representation was not

required. It was felt that there was great enthusiasm amongst Councillors in Middlesbrough to establish new ways of working in terms of offering support to schools. The suggestion was made that, if not a governor at a school, Councillors could visit in their capacity as Ward Councillor and introduce themselves to teaching staff. However, in order for this to work, the message that needed to be sent to Head Teachers was the importance of adopting an open door policy. Reference was made to Ofsted inspections and previous recommendations made.

With regards to surplus budgets and how these could be utilised to support schools and their pupils, it was felt that enhanced support between schools could be developed. Although work was being carried out in their catchment areas, for example cluster groups buying in development, etc., potential widening of this could be looked at.

To conclude, the Executive Member stated that continued support of Middlesbrough's schools to the best of the authority's ability was vital. Schools were doing a lot of good work and lots of pupils were achieving good grades, but ongoing work to improve standards was required.

The Chair thanked the Executive Member for her update.

NOTED

15/50 **SUSPENSION OF COUNCIL PROCEDURE RULE NO 5 - ORDER OF BUSINESS.**

ORDERED that, in accordance with Council Procedure Rule No 5, the Committee agreed to vary the order of business and consider the agenda items in the following order: 8,5,6,7,9,10 and 11.

15/51 **SCRUTINY AND THE VOLUNTARY & COMMUNITY SECTOR.**

The Head of Democratic Services and Strategic Development Manager for MVDA presented a report, the purpose of which was to provide the Board with a framework for strengthening the links between Scrutiny and the Voluntary and Community Sector (VCS) in Middlesbrough.

Members recalled that the Strategic Development Manager for MVDA had attended the Board meeting back in October, when exploration was being undertaken for potential ideas for strengthening the link between Scrutiny and the VCS. It had been suggested that he return in the future with a detailed framework of what that might look like. The purpose of today was to provide Members with a broad outline of the framework.

Effectively the framework covered three areas:

- The first was bi-annual presentations and, with the agreement of the Chair and the Board, these would be held in April and October and would revolve around key issues within the VCS. This would be achieved through liaison with the Strategic Development Manager for MVDA and the Chair of this Board, and the wider VCS would be able to feed into that. An important point to note was that this framework did not present an MVDA takeover; MVDA were a co-ordinating body and the involvement of the wider VCS was a key priority. Presentations would not necessarily be undertaken by MVDA, but by individual VCS organisations.
- The second area covered production of the annual work programme and suggestions for 2016/2017; it was suggested that the VCS might want to feed into that process. There were three caveats to this:
 - Whilst MVDA had a co-ordinating role, it must not have been seen as the only conduit / link into Scrutiny. There were other avenues available, such as individual VCS organisations / staff also submitting work programme suggestions directly via the Council website.
 - Although Scrutiny welcomed all suggestions, it could not be guaranteed that anything put forward through MVDA would be incorporated into the work programme. This would be entirely at the Board's discretion.

- Issues may have arisen during the year that would not have been considered when the work programme was being devised. There would be potential for these to be covered as part of Ad Hoc Scrutiny Panel, but these would be at the agreement of the relevant Chair.
- The final area concerned the Scrutiny Annual Work Programme (2016/2017), once it had been agreed. Clearly, there may have been interest from the VCS in some of those topics, with some potentially wishing to provide evidence in respect of a particular topic - witnesses etc. Liaison would need to have been undertaken with the relevant Scrutiny Officer to determine what information could be fed into that investigation, and whether witnesses should have been invited to particular meetings, but again that would have been at Scrutiny's discretion to take that forward.

In addition to the above, it was emphasised that strengthening the links between Scrutiny and the VCS was a two way process. MVDA / VCS had agreed to invite Scrutiny to attend and be involved in work undertaken by the sector that might have been of interest to Scrutiny.

It was indicated to Members that, if on board with the framework, it would be preferable to implement it in May 2016 to coincide with the municipal year and the work programme. The Chair suggested that a review be undertaken six months after implementation to determine how well the framework was working. The Panel agreed to these proposals.

During discussion, it was commented that in respect of the bi-annual presentations, an additional note could be added to highlight that, in order to express their role, these would be co-ordinated by the MVDA.

A Member commented that it would be useful to note how the availability of the VCS to forward any work programme suggestions would be promoted, as not everyone was a member of the MVDA. There were concerns that if this was not undertaken, smaller groups may have been excluded. In response, it was clarified that this was already undertaken, as it was not solely MVDA that was approached in terms of obtaining information from the VCS. This would not stop and would continue.

It was suggested that, in respect of the work programme, it would be useful if the Board could be informed as to which organisations had been contacted and had responded.

ORDERED:

1. **That the new arrangements come into effect as of May 2016.**
2. **That a review be undertaken six months after implementation to determine how well the framework was working.**

15/52

BALANCED SCORECARDS - QUARTER 2.

Prior to presenting the circulated report, the Head of Performance and Partnership advised Members that, in response to a question raised at the last Board meeting regarding cultural services and the cost of consultants, a consultant named FEI had been commissioned in respect of the customer services review, at a cost of circa £18,000. Following the consultant's report in June 2015, permission had been granted for more detailed analysis. The estimated cost of this was £10,000. The consultants' findings had been discussed on an informal basis with the Executive and would be presented to the Board in due course.

The Head of Performance and Partnership presented a report, the purpose of which was to:

- Provide an overview of the Council's performance at Quarter Two 2015/2016 and responses of Outcome Areas to the issues outlined; and
- Provide an update on the development of Balanced Scorecard methodology and content during the 2015/2016 pilot phase.

Members recalled that from the Head of Performance and Partnership's attendance at

previous meetings, performance management reporting had been consolidated into one report in order that a range of information could be contained. This included customer, financial performance, business or process and people performance.

It was explained that since quarter one, the authority had developed a new strategic risk register, which was linked to the strategic plan. This was shown at appendix 3 of the report.

The progress against the actions set out at appendix 3 to reduce the risks to the authority would be monitored through the balance scorecard for the next quarter. In quarter three, progress would be monitored against the column entitled 'Summary of Planned Mitigations', where the current score would be monitored against the target score. A number of actions, which would help to reduce these risks, were also shown.

Work to baseline the Council's Capital Programme, and monitoring in respect of this, had been undertaken. Consequently, a number of measures in the balance scorecard related to the Capital Programme. One referred to the extent of projected spend on a budget allocation that had been given. It had been estimated at this stage that the budget expenditure was 25% under profile, which meant that an underspend of 25% had been projected. It was explained that the varying set-up of the projects following Executive approval may have accounted for this, though it was anticipated that this position would be improved in the next quarter.

It was highlighted that the aim of capital expenditure was to spend to profile in order to achieve the associated benefits. Capital allocations were based on matters such as project appraisal, benefits that projects could provide, etc. The impact of the current profile underspend in performance in outcome areas that dealt with capital budget, and in performance overall, had dropped over quarter two.

Reference was made to paragraph 20 of the submitted report, which set out a heat map of performance across the Council, by service directorate. Overall performance had dropped from 74% to 69%, which was explained by the under profile in the Capital Programme. It was anticipated that this would increase back up during quarter 3.

After paragraph 42 of the report, there was particular focus upon outcome 4, which referred to Learning and Skills. Reference was made to the Executive Members' points that had been raised during this meeting, in particular the GCSE attainment results that were published over the summer. Text contained within the report detailed an explanation from the outcome areas as to why GCSE performance in particular was not as expected, explanations from schools as to why they felt this to be the case, and a range of actions as to how education performance would be improved in the future.

It was highlighted that an improved review of outcome 5, which was Safeguarding and Children's Care, was expected during quarter 3, as an Ofsted inspection was currently taking place.

During discussion, it was commented that the report was difficult to read. It was acknowledged that this was a new reporting system and that there was nothing to measure it against, but it was difficult to take all of the information in. To assist with this, it was suggested that focus be given towards individual outcome areas and, on a half yearly basis, a full review of the report be undertaken. It was proposed that smaller pieces of information be provided, alongside a summary sheet to offer context. Focus could have been given towards areas that were currently off target, which would have been useful from a Scrutiny perspective, however, from an internal perspective, it was felt that continued focus towards the red and amber categories would have been too negative. It was felt that provision of a one page summary sheet in respect of the learning outcome being discussed, together with concentration upon on one or two outcome areas that did require more scrutiny would have helped. The Head of Performance and Partnership would undertake this going forward, and would also provide increased graphical representation in future reports.

In response to an enquiry, it was explained that the key area this quarter was education and skills because of the borderline red or below. Reference was made to issues around public health and the timeliness of data. It was explained that a significant amount of the information

pertaining to this area did lag, with it perhaps being collated in 2013. Further work was needed in order to determine how the reporting of this area could be improved, with reference been made to proxy measures and interim data.

Reference was made to the various scrutiny panels, and the importance and relevance of the information provided in this report to the work currently being undertaken within the scrutiny work programme, was highlighted.

In response to an enquiry, it was explained that the indicators forming the scorecard were a combination of both local and national indicators. Some of these were standard measures whilst others were used on an internal basis.

A short discussion ensued with regards to education and skills, the conversion of eleven schools to academy status, and the predicted overspend of 32% within outcome 4. Regarding financial issues, it was expected that these would be resolved over the next couple of months. On the capital side, it was explained that spends, such as repairs to school buildings, needed to be programmed in.

The Chair thanked the Head of Performance and Partnership for his attendance.

ORDERED:

1. **That further consideration be given to the process of submitting future reports regarding the Balanced Scorecards, including their format and the possibility of submitting reports to individual Scrutiny Panels.**
2. **That the information, as presented, be noted.**

15/53

1ST CAPITAL MONITORING REVIEW 2015-2016.

The Accounting Services Manager and the Accounting Team Leader presented a report, the purpose of which was to provide the Board with an update on the Council's Capital Programme (2013/2014 to 2017/2018).

The report had been forwarded to the Executive on 3rd November.

The main points to note were:

- The overall Capital Programme was now £194.9m over the five years to 2017/2018, which had been increased by £1.826m since the last capital review was presented to the Board.
- There had been an overall decrease in the funding required from Council resources of £476,000, due to additional monies being obtained from other external sources.
- Re-profiling, which is how money was moved between financial years, of £9.176m into 2016/2017 had been undertaken.
- The definition of capital, shown at paragraph 11 of the report, was reiterated to the Board.
- Regarding an additional borrowing of £5m for the James Cook University Hospital car park and access road and the supply of electricity to the Hemlington Grange site, discussions were currently ongoing with James Cook Hospital Trust as to whether the Council would be reimbursed for the works carried out at the site. The additional borrowing had added additional pressures to the Council's revenue budget. The Accounting Services Manager would obtain further details and report back to the Board accordingly.
- Changes in the levels of resources in the capital programme for each outcome area were detailed in the report. It was highlighted that the programme had increased by £1.8m.
- An error was raised in respect of paragraph 20 - the total should have been stated as £125,000 and not £1250,000.

In response to an enquiry, it was clarified that the second capital review being reported to Executive on 12 April 2016 was unlikely to be affected by the spending review, as this had already been accounted for.

It was explained to the Board that Assistant Directors had been asked to fully review the re-profiling of expenditure between financial years. In previous years, monies had not been spent once allocated; it was intended that such occurrences would be eliminated this year. Consequently, £9.176m had been identified as potential slippage in 2015/2016, and had therefore been re-profiled to future years. It was explained that financial implications could be experienced if planned projects ran over schedule.

Regarding financial, legal and ward implications, it was highlighted that the Council was currently £539,000 under programmed, which was a good position to be in, as this meant that more capital resources were available than spent.

NOTED

15/54 **REVENUE BUDGET 2ND REVIEW 2015-2016.**

The Accounting Services Manager and the Accounting Team Leader presented a report, the purpose of which was to inform the Board of the projected revenue outturn position for 2015/2016.

This was the second revenue review that had been carried out for 2015/2016. Members noted the table at paragraph 8 which provided details of the overall position. A current underspend prediction of £1.679m was highlighted, which was a substantial swing from the first review of £2.821m. The main reasons for this movement were attached at Appendix E of the report.

It was highlighted that the overall net savings of £1.679m represented 1.4% of the budget, which was considered to be a healthy position. The main reason for the underspend was the reduction in the level of demand for Safeguarding and Children's Care and Adult Social Care, which was lower than originally forecast. The potential reasons for this were that less people were going into care, and also that of those people going into care, they were able to make more contribution to their care package. It was noted that further work regarding this was required, e.g. demographics, etc., when trying to forecast the future position for the Council.

A discussion ensued regarding social care, personal budgets and associated legislation. Concerns were expressed that although an underspend was being reported, social care was an area of the Council that required significant support. It was highlighted that related matters were currently being raised as part of the Social Care and Adult Services' Scrutiny Panel investigation.

The Chair thanked the officers for their contributions.

NOTED

15/55 **EXECUTIVE FORWARD WORK PROGRAMME.**

Members noted the contents of the Executive Forward Work Programme.

A Member commented that there was an error on the reference to 'The Crown Confirmation of Article 4 Direction to Control Demolition' - the responsible Executive Member was C Rooney and not D Rooney as noted. The Scrutiny Support Officer indicated that this would be raised with the Executive Office.

ORDERED:

1. **That the Scrutiny Support Officer liaises with the Executive Office regarding**

- amendments to the Forward Work Programme.**
2. **That the information, as presented, be noted.**

15/56 **SCRUTINY PANELS' PROGRESS REPORTS:**

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

The Chair of the Children and Learning Scrutiny Panel indicated that the meeting scheduled for 16 December 2015 would not be taking place, due to the ongoing Ofsted inspection.

NOTED

15/57 **ANY OTHER BUSINESS.**

Ad Hoc Scrutiny Panel

An Ad Hoc Scrutiny Panel meeting in respect of Council use of Consultants would be held in January 2016.

A proposed date and time of 5 January 2016, 15:00-16:00 was suggested by the Chair; the Board agreed to this.

The current Membership of the Panel was provided to the Board and it was explained that there was currently one vacancy on the Panel. The Chair sought nominations from the Board Membership to fill this vacancy; it was agreed that Councillor Cole be appointed.

ORDERED:

1. **That Councillor Cole be appointed to the vacant position on the Ad Hoc Scrutiny Panel.**
2. **That the information, as presented, be noted.**