

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 10 October 2017.

PRESENT: Councillors J Sharrocks (Chair), D J Branson (As Substitute for Higgins) L Lewis, J McGee, L McGloin, P Purvis, D Rooney, M Storey, M Walters and J Young

OFFICERS: B Carr, V Holmes and A Humble

APOLOGIES FOR ABSENCE Councillor J Blyth, Councillor E Dryden, Councillor T Higgins, Councillor T Mawston.

DECLARATIONS OF INTERESTS

None Declared

17/14 MINUTES - OVERVIEW AND SCRUTINY BOARD - 12 SEPTEMBER 2017

The minutes of the Overview and Scrutiny Board held on 12 September 2017 were submitted and approved as a correct record.

17/15 BUDGET AND BALANCED SCORECARDS - POSITION AT Q1 2017/18

The Strategic Director of Finance, Governance and Support submitted a report, the purpose of which was to advise the Overview and Scrutiny Board of expenditure against the Council's revenue and capital budgets, and its performance overall at Quarter One 2017/18, and provide a position statement in respect of Treasury Management and General Reserves.

The Accounting Team Leader and the Corporate Performance Manager were in attendance at the meeting to present the report.

The Board was advised that in terms of Quarter One monitoring projected a very strong set of performance results for the Council in 2017/18.

Following Executive's approval of the transfer of projected Adult Social Care savings of £712,000, arising from a one-off increase in funding for this year only, to a Social Care Demand Risk reserve, the overall revenue position at Quarter One 2017/18, which resulted in a projected budget underspend of £374,000 (or 0.33%) continued the trend of minimal variance and again demonstrated that the revised financial management processes introduced during 2016/17 were working effectively.

In line with good practice, the Council had reviewed and updated its Investment Strategy for the period to 2020/21, approved by Executive, and projected capital expenditure of £34.881m against the revised budget of £34.731m in 2017/18 (or 100.4% of the budget), reflected early delivery and some minor re-profiling across the strategy period, with no increase in costs.

The Board was advised that the Council's borrowing stood at £120.4m at 30 June 2017, reduced from £132.4m at Year End 2016/17, due to reduced short-term borrowing.

The Council's projected reserves at 31 March 2018 were £41.8m comprising of £14.6m of general reserves, £20.6m of reserves earmarked for specific purposes, and £6.6m of school reserves. This was in line with the agreed approach of the Council to reduce reserves in a planned manner in order to even out savings requirements across the Medium-Term Financial Plan period, and to fund investment.

The Board was advised that six of the nine Directorates and the Council overall, were currently projected to exceed the corporate standard of meeting 75% or more of performance targets. There had also been notable improvements in Education and positive trends in Children's Care. The long term plan was to address performance issues in relation to the in-year collection of Council Tax and Business Rates.

Reference was made to the new risk that had emerged in Quarter One relating to increased uncertainty around the funding regime for local government post 2020 following the General Election held in 2017. The Board was advised that the Council's Medium-Term Financial Planning process mitigated this risk as far as practicable.

The Board was advised that the figures for the following year's funding were usually announced around the end of December and the Board would be updated at a future meeting.

A member referred to the paragraph in the Executive Summary in respect of reduced short-term borrowing and he queried with regard to what steps had been taken to reduce this and whether there were plans to continue with the reduction in short-term borrowing in the long-term.

The Accounting Team Leader advised that he would seek further clarification with regard to this issue and report back to the Board.

A member made reference to Paragraph 11 of the report in relation to the decrease in income of £37,000 from Decriminalised Parking Enforcement and he queried what the term meant. The Accounting Team Leader advised that Decriminalised Parking Enforcement related to on-street parking e.g. parking on yellow lines etc.

A member queried with regard to the cause of the projected overspend of £88,000 on the Marketing and Communications due to the shortfall in income. The Board was advised that it could be as a result in a reduction in sales of marketing work to other bodies. The Accounting Team Leader advised that he would seek further clarification with regard to this issue and report back to the Board.

A member referred to Paragraph 14 regarding the projected overspend of £655,000 which was forecast on the property running costs budgets, with £530,000 of the overspend being due to buildings which were expected to close, but which currently remained open (Vancouver House and Southlands Centre). The member queried how many of the businesses in the Southlands Centre had vacated the premises following receipt of a letter from the Council, and what the financial impact had been. The Accounting Team Leader advised that he would seek further clarification with regard to this issue and report back to the Board.

A member referred to Paragraph 13 with regard to the projected overspend of £149,000 on the Passenger Transport Service budget due to a £212,000 shortfall in the achievement of savings targets for 2017/18, and continued increase in demand and he queried whether the expenditure was related to the items listed in Paragraph 11 of the report.

The Accounting Team Leader advised that the expenditure listed in paragraphs 11 and 13 were from two different budgets however he advised that he would seek further clarification with regard to this issue and report back to the Board.

The Chair requested that the Accounting Team Leader compile all of the additional information requested by members of the Board and forward it to the Principal Democratic Services Officer for circulation to all members of the Overview and Scrutiny Board.

The Chair referred to the information contained within the Balanced Scorecard for Public Health and Public Protection and in particular the red and amber categories. The Chair requested that the Director of Public Health and Protection be invited to the next meeting of the Board to provide further clarification in respect of the indicators for Public Health and Public Protection.

ORDERED as follows:

1. That the Accounting Team Leader compile all of the additional information in respect of the Balanced Scorecard report, requested by members of the Board and forward it to the Principal Democratic Services Officer for circulation to all members of the Overview and Scrutiny Board.

2. That the Director of Public Health and Protection be invited to the next meeting of the Board to provide further clarification in respect of the indicators for Public Health and Public Protection.

17/16 **EXECUTIVE FORWARD WORK PROGRAMME**

The Chief Executive submitted a report which identified the forthcoming issues to be considered by the Executive as outlined in Appendix A to the report.

The report provided the Overview and Scrutiny Board with the opportunity to consider whether any item contained within the Executive Forward Work Programme should be considered by the Board or referred to a Scrutiny Panel.

NOTED

17/17 **CHILDREN AND LEARNING SCRUTINY PANEL - FINAL REPORT - FAMILY AND FRIENDS CARE (KINSHIP CARE) - REVISED SERVICE RESPONSE**

The Director of Children's Care submitted a revised Service Response in respect of the Children and Learning Scrutiny Panel's investigation into Family and Friends Care (Kinship Care).

The Chair of the Overview and Scrutiny Board advised that she had met with the Director of Children's Care to discuss the departmental response to the recommendations of the Children and Learning Scrutiny Panel.

The Chair advised that lessons had been learned from both the Scrutiny Panel's and the service area's point of view with regard to the scrutiny investigation.

On a general note, the Chair requested that Directors of the relevant service areas be forwarded a copy of the terms of reference for any scrutiny investigation that impacted on their service area. Directors also received a copy of the Final Report for comment on factual accuracy, prior to the report being submitted to the Overview and Scrutiny Board.

ORDERED that the revised Service response in respect of the Children and Learning Scrutiny Panel's investigation into Family and Friends Care (Kinship Care) be endorsed and referred to the Executive.

17/18 **FINAL REPORT OF THE CHILDREN AND LEARNING SCRUTINY PANEL - PUPIL EXCLUSIONS IN MIDDLESBROUGH**

The Vice-Chair of the Children and Learning Scrutiny Panel outlined the Panel's main findings, conclusions and recommendations following a scrutiny investigation of the topic of Pupil Exclusions in Middlesbrough.

The Children and Learning Scrutiny Panel recommended to the Executive:

a) That a subset of data is recorded by the Local Authority, which identifies the number of pupils affected by exclusions.

b) That the Local Authority and Middlesbrough's schools are commended for implementing effective solution-focused approaches and interventions, which have resulted in the rate of permanent exclusions falling significantly since January 2017.

c) That the Local Authority continues to work collaboratively with primary and secondary sectors to:

- Ensure schools continue to use exclusions appropriately and proportionately.
- Implement strong mechanisms, which support consistency of practice across all schools.

d) That local systems for quality assuring the alternative provision in Middlesbrough are reviewed to ensure that there is frequent monitoring and a thorough assessment of the quality of staff, the facilities, the referral process and outcomes. Furthermore, that findings are reported to schools regularly to enable them to choose suitable provision for their pupils.

e) That capacity at the River Tees Multi Academy Trust (RTMAT) is increased for the purpose of providing a number of targeted early intervention places, for those pupils identified as being at risk of exclusion.

f) That the Local Authority conducts a full and in-depth review to determine whether schools should gain more control over alternative provision and its funding, and whether schools should retain responsibility for the education of pupils they permanently exclude.

g) That a formal partnership, based on a collective responsibility for all Middlesbrough's children at risk of exclusion, is established to ensure effective, multiagency, integrated case working for young people with particularly challenging issues. The partnership should:

- Include agencies and services that are involved with children, such as schools, specialist support services (including therapies), CAMHS and other health services, the Local Authority and other education providers.
- Work to ensure effective assessment and identification of children's needs and high quality referral pathways.
- Work to determine a variety of high-quality support packages to match the needs of children and young people, including key school-based preventative strategies, interventions, targeted approaches, alternative provision and managed moves between schools.

h) That the inclusion matrix is finalised and introduced to enable schools to assess their inclusivity against a number of criteria and demonstrate their ability to support pupils through periods of crisis and arrange alternative provision.

i) That the Local Authority, in collaboration with schools, develops a robust good practice guide for schools that focuses on reducing exclusions by promoting the resilience and wellbeing of pupils. The guide should:

- Reference the evidence-based models of intervention and effective practice highlighted in the scrutiny panel's report.
- Demonstrate the range of preventative strategies, targeted approaches/responses, school-based interventions and alternative provision in Middlesbrough, which have generated positive impacts.
- Provide examples of best practice identified by the inclusion matrix.
- Contain elements that characterise good practice in the effective use of data to identify patterns of behaviour, managing moves between schools and providing packages of support to assist with reintegration.

j) That the Local Authority works to improve communication between schools, CAMHS and educational psychologists to assist in promoting good emotional health, preventing mental health issues and identifying mental health problems (this recommendation is linked with recommendation g).

k) That the Local Authority:

- Continues work to increase access to the Headstart Programme to improve young people's well-being and give them the best chance to do well at school and in life.
- Encourages schools to implement the restorative practice model, which helps families to increase their understanding, knowledge and skills enabling them to develop their own emotional resilience.

The Chair of Overview and Scrutiny Board commented that the Final report was very detailed and it was particularly impressive that the investigation had been carried out over three Panel

meetings.

The Vice-Chair of Children and Learning Scrutiny Panel commented on the excellent support provided by Georgina Moore, the Democratic Services Officer responsible for the Children and Learning Scrutiny Panel.

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

17/19

SCRUTINY PANEL PROGRESS REPORTS

The Chair of Overview and Scrutiny Board invited the Scrutiny Panel Chairs to provide a progress report in relation to their respective Scrutiny Panels.

The Chair of Culture and Communities Scrutiny Panel advised that at the meeting on 9 October 2017, the panel invited a number of witnesses in relation to selective landlord licensing. The panel were interested to hear about how the scheme has changed the ward and the communities felt towards North Ormesby. The Team is rated highly and the scheme is seen as a positive addition to the town.

It was pointed out that the community support and groups within North Ormesby were unique and should be applauded for their work. Cheryl Dixon, Community Volunteer discussed some of the issues faced by families in the ward (single parent families, no support).

The Big Local and CCTV scheme was also discussed. In phase 1 of the CCTV roll out, they had a 100% feedback and crime and anti-social behaviour was captured on CCTV. Key to the scheme was the Hub, which hosted the selective licensing team, but had community groups which supported the community.

The panel agreed the terms of reference for the topic. After the meeting, most of the panel members undertook a walkabout of the area and some of the more problematic streets were pointed out. The officers also pointed out the facelift streets (money provided by the big local) which had helped to provide each house with a hanging basket.

At the next meeting of the panel, landlords would be invited to provide evidence and the panel were keen to hear why the selective landlord scheme in Gresham had started but then ceased. The panel were also due to receive an update report on begging. The panel intended to invite another local authority that had introduced Selective Landlord Licensing to the meeting scheduled for December, to provide the panel with evidence on how their scheme operated.

The Chair of Social Care and Adult Services Scrutiny Panel advised that the panel's previous meeting had been held at the Live Well Centre.

The Panel met on 20 September 2017 and received an update from the Chief Executive of the Middlesbrough Voluntary Development Agency (MVDA) in respect of the Community Connect Service. This related to a previous review of Prevention Services in Adult Social Care, which had been undertaken in 2015/2016.

The Panel commenced its new review in respect of Reducing Loneliness and Isolation in Later Life, and also received information pertaining to a recent audit of the Safeguarding Adults Team.

The Chair of the Panel advised that she had prepared a report detailing the findings of working group activity undertaken in respect of Aster Care Home (formerly Belle Vue Care Home). The Chair outlined a number of the issues included within the report. It was proposed that the report would be submitted to the Overview and Scrutiny Board for consideration. The Panel commenced its new review in respect of Reducing Loneliness and Isolation in Later Life, and also received information pertaining to a recent audit of the Safeguarding Adults Team. The Panel had also discussed the issue of care home safeguarding alerts.

The Vice-Chair of Children and Learning Scrutiny Panel advised that the Panel's next topic for investigation was Listening to the Voice of the Child. The Director of Children's Care and the Head of Partnerships were due to provide Members with a general introduction/overview of listening to the voice of the child and the importance of seeing, observing and hearing the child at the next meeting of the Panel.

The Chair of Economic Development and Infrastructure Scrutiny Panel advised that the Panel had met on 13 September 2017 and commenced its review on the Tees Valley Strategic Transport Plan including Bus Franchising with a presentation on the Plan from Mark Wilson, Head of Transport at the Tees Valley Combined Authority. Craig Cowley, the Planning and Delivery Manager had also attended the Panel to provide an overview of the models available and information with regard to what the Combined Authority were doing.

The Panel also received an overview of LED Street Lighting and the Council's Phase 1 LED Invest to Save Replacement Programme. The Panel were due to meet again on 11 October 2017 to receive information from an external consultant in relation to the Bus Services Act 2017 and various franchising options, in connection with its current review.

A member queried whether any of the other authorities were looking at the Tees Valley Strategic Transport Plan. The Chair of Economic Development and Infrastructure Scrutiny Panel advised that Redcar had an interest and they had carried out a scrutiny investigation into employment aspects. The aim of the Economic Development and Infrastructure Scrutiny Panel's investigation was to make recommendations to the Mayor for him to put forward to the Tees Valley Mayor. Each of the five boroughs would provide submissions in respect of the Tees Valley Transport Plan.

The Environment Scrutiny Panel met on 14 September 2017 and received an update from the service area in relation to a previous review, regarding environmental issues, undertaken in 2015 and an introduction to its new topic of Enforcement and Fly-tipping.

17/20

ANY URGENT ITEMS - ESTABLISHMENT OF RESPITE AND SHORT BREAK OPPORTUNITIES JOINT HEALTH SCRUTINY COMMITTEE

The Head of Legal and Democratic Services submitted a report which provided members with background information regarding the Respite and Short Break Opportunities Review which included a timeframe for statutory public consultation.

The report also detailed suggested proposals to establish a Joint Health Scrutiny Committee under the provisions of the Health and Social Care Act 2012 involving all local authorities affected by the review proposals.

The establishment of a joint Health Scrutiny Committee had been proposed consisting of representatives from Hartlepool Borough Council, Middlesbrough Council, Redcar and Cleveland Borough Council and Stockton-upon-Tees Borough Council

In accordance with the regulations detailed above, the Joint Committee would be the vehicle through which the respective Local Authorities would respond to the consultation.

A protocol and terms of reference had been drafted setting out the role and function of the joint Committee as well as the proposed representation required from each Council. Early discussions on the issue of representation recommended that three Councillors from each local authority be appointed and that those reflect the political balance of each constituent Council. It was proposed that the membership of the Committee on behalf of Middlesbrough Council, be the same members appointed to the Tees Valley Health Joint Scrutiny Committee (Councillors Dryden, J McGee and D Rooney)

ORDERED as follows:

That the Overview and Scrutiny Board:-

(a) Receive information in respect of the Respite Opportunities and Short Breaks

Consultation;

(b) Agree to the establishment of a joint Health Overview and Scrutiny Committee under the terms of the Health and Social Care Act 2012 as set out in this report;

(c) Agree that the proposed protocol, Terms of Reference and membership of the Joint Health Scrutiny Committee, that would be set up to scrutinise the Respite Opportunities and Short Breaks Consultation be approved.

d) That the Committee be formally established at the next meeting of the Council.

17/21

ANY OTHER BUSINESS

The Chair of Overview and Scrutiny Board referred to the number of updates received by the individual Scrutiny Panels. Some service areas were being asked to produce updates for a number of scrutiny panels, which placed pressure on the individual service areas.

The Chair requested that Scrutiny Chairs try to limit the number of updates at individual panel meetings by scheduling any updates across the whole of the municipal year.