

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 13 February 2020.

PRESENT: Councillors Thompson (Chair); M Storey (Vice Chair); Councillors; Cooke, Coupe, Garvey, Hellaoui, Higgins, Hubbard (As Substitute) McIntyre and McTigue and Platt.

ALSO IN ATTENDANCE: J Cain (Local Democracy Reporter)

OFFICERS: S Bonner, J Bromiley, S Butcher, P Stephens, I Wright.

APOLOGIES FOR ABSENCE Councillors; Mawston, Saunders and Uddin..

DECLARATIONS OF INTERESTS

None were declared at this point in the meeting.

19/108 MINUTES - OSB - 9 JANUARY 2020

The Minutes from the OSB meeting of 9 January 2020 were submitted and accepted as a true record.

19/109 CHILDREN'S SERVICES - UPDATE.

The Chair of OSB stated it was important for all Councillors and Officers to work together for the betterment of Middlesbrough's Children, following the recent OfSTED inspection. The Director for Business, Performance and Change and the Interim Director of Children's Social Care delivered a presentation on Children's Services financial position and made the following points.

- Children's Services were in attendance following a request by OSB that an update be provided to explain significant increases in costs between the Q1 and Q2 budget reports.
- There had been a smaller increase since those updates.
- There was a link between the financial situation in Children's Services and the recent OfSTED inspection.
- Importantly, there was no contradiction between delivering high quality services and minimising expenditure on those services.
- Expenditure in Children's Services was usually reported by means of over and underspend, with over spend in 2017/18 being £1.3 million, 2018/19 being £3.4 million and 2019/20 predicted to be approximately £5.2 million.
- However, between 2018/19 and 2019/20 there was not an increase in the budget, therefore spend was not growing as quickly as the over-spend. Overall spending had not been out of control.
- There were two key drivers for the over-spend; placement costs and staffing costs.
- With regards to the placement costs, one of the highest areas of spend was residential placements. Within those placements were children with the highest level of need but accounted for the smallest number of children with 80 children requiring residential placements. Of those 80, 10 were within the Council's provision and 70 were within external provision.
- It was clarified that, at previous OSB meetings, a figure of £8,000 per week was quoted for the care of a single child. This was not an average, and the example was for the most expensive child within the care system at that time.
- On average, the costs for residential care could be between £3,000 and £3,500 per week. It was also clarified that while this was expensive, the children within those settings had undergone significant hardship.

A Member queried if the figures could be broken down. It was explained that in the case cited,

that child had a staff-to-child ratio of 3:1 supervision, which meant that at all times there were three staff with that child. Coupled with this, the staff also had to be specialists and this led to some market forces in recruitment. These costs also had to be added to standard costs for the residential home.

A Member queried why a child would require three staff to supervise them. It was clarified that some needs required highly specialist care, for example those who had suffered from Child Sexual Abuse. It was also clarified that constant supervision was required if there was a risk of absconding.

A Member queried if the £8,000 figure quoted in a previous meeting of OSB was the exception, what actions were being taken to ensure value for money in these instances. It was clarified that the quoted figure was an individual case for a child's placement that lasted five weeks, however the majority of residential places cost between £3,000 and £4,500. It was commented that an additional children's home was coming into service at the end of February as well as the Daniel Court provision coming into service in April. There was also the Future for Families model which, combined, provided for up to 17 more residential places. It was also pointed out that when planning future service provision, population updates were required and that service quality should not be affected.

A Member commented that despite the costs involved the welfare of children living in Middlesbrough was paramount.

A Member queried what impact there would be if payments to foster carers were reduced, and it was clarified this would be very difficult and could result in a loss in the quality of service.

The Director of Business, Performance and Change continued with the presentation and made the following points:

- Fostering provision was also a significant cost, and this comprised in-house foster carers and agency provided foster carers.
- Where possible, the Council would always prefer children to be placed in a fostering placement rather than in residential care as this delivers better outcomes for the child.
- There had been successes in placing an increased amount of children within in-house fostering placements, over 19%.
- With regard to connected persons; this process involved placing children with friends or family despite there being a care order in place.
- With regard to staffing costs; there was a requirement for caseloads to have a limit, so if caseloads went up, there needed to be an adequate number of staff to deal with that case load.
- If the amount spent on Children's Social Care was divided by the number of Children in the town, Middlesbrough spent more per head than any other Council in the Country. However, if the amount of spend was divided by how many children were required to be in the care of the Council, Middlesbrough was placed 123rd out of 148. This statistics indicated that there were a large number of children in care but that they were placed relatively efficiently.
- The main drivers for high costs were the levels of demand, rather than money being spent unwisely.

A Member queried what social worker case load was and it was confirmed it was not only the number of cases, but also their complexity. However, the average was approximately 22 cases per social worker. It was also commented that Middlesbrough had a low number of agency workers compared to other Authorities and therefore this did not factor greatly into the discussions around cost.

The Director of Business, Performance and Change continued with the presentation and made the following points:

- In terms of contextualising demand; nationally there was a 20% increase over 10

- years, but this varied regionally.
- The North East experienced the highest increase in demand with 66%.
- Some regions have decreased, such as inner London.
- While Middlesbrough's increase was high, there were five authorities in the North East that were higher.
- Such increases had to be found within the Council's budgets.

A Member queried if the increases in demand were as a result of austerity. It was confirmed that one of the largest drivers for the increase was deprivation, as stipulated in the Newton Europe report of 2018.

The Director of Business, Performance and Change continued with the presentation and made the following points:

- In terms of mitigations to help reduce costs these included an increase in the numbers of children with in-house foster carers by 19.5%, which has saved approximately £400,000 versus using agency carers. More media and marketing was being worked out to grow this provision.
- There was an increase in the number of children placed within Council ran residential homes and there were plans to continue to expand that, included Willow Tree and Daniel Court.
- A post had been created to ensure that NHS funding was received towards Children In Need's healthcare. This had saved £550,000 to date.
- Posts that were not crucial to frontline delivery were frozen, although these would need to be considered going forward, saving approximately £950,000 in 2019/20.
- There was an increase in the performance grant received from the Troubled Families programme, which brought approximately £100,000 to Council funds.
- Parts of the School Improvement project ended early which allowed for a re-direction of funding which had allowed mitigation of costs by £400,000.
- There had also been continued work to develop the Futures for Families model, also known as No Wrong Door, including the Middlesbrough Hub which would go live in May 2020. This would allow the Council to work with approximately 50 young people to prevent family or fostering breakdown.
- Ultimately, in the medium term, controlling spending in Children's Social Care can only be achieved was principally dependent on improvements in quality of practice.
- If more children were able to live at home this would reduce the dependency on high cost placements.

A Member commented that further investment in early help would assist preventative measures and again reduce dependency on high cost measures.

A Member queried if the new residential homes would house children who were unable to be placed with families. It was confirmed that while the intention was always to try and place children with families, the new homes would assist children and young people who could not be placed with families.

A Member queried what, in light of the Supported Housing Needs report, was the shortfall in places specifically in relation to supported accommodation. It was confirmed that Daniel Court would be focussed on 16-17 year olds who were able to live, largely independently, but would be supported by staff on site. There was also more work to be done on supported accommodation with regard to care leavers.

A Member commented that investment in early intervention was proven to work via a previous scrutiny investigation that concluded that the earlier the intervention the more benefits are realised later on.

The Director of Business, Performance and Change continued with the presentation and made the following points:

- There were strengths identified as part of the OfSTED inspection including staff felt positive about working for the Council and felt well supported; there was a low level of agency staff; the Council choose the right places for children to live when they couldn't live with their families, as well as promoting contact between families and children.
- In terms of improvements to practice, it was identified that early intervention services needed to be developed and made to be consistent.
- The report also identified that there needed to be a change in culture, for example a move to high support and high challenge; a move from compliance to quality which would improve outcomes as well as a culture of learning from practice.
- From a leadership perspective, there needed to be management, direction and challenge at all levels around care planning and quality.
- Members also had to take a role via overview and scrutiny and holding managers to account as well as their role as corporate parents.
- It was also important that strategic partnerships worked together, for example interventions from the NHS and the Police.

A Member queried education provision for Children in Care and it was confirmed that there was a virtual school that had a Virtual Head teacher who had responsibility for ensuring Children in Care received an adequate and consistent education.

The Director of Business, Performance and Change continued with the presentation and made the following points:

- The next steps were for the Council to work with the Department for Education and within its improvement plan to improve services. Financially, this would mean investment in the short to medium term.
- There was improvement investment, as laid out in the Executive Report of 18 February, which was £3.3 million over two years as well as funding identified in the budget report to address the demand position.
- On the whole, if quality could be achieved that would result in lower spending which could be achieved over the longer term to improve services for children.

19/110 **BUDGET CONSULTATION - RESULTS**

The Strategic Director of Finance, Governance and Support and the Head of Strategy, Information and Governance delivered a presentation on the results of the budget consultation and made the following points:

- There were 77,000 interactions with people including 48,500 via Facebook reach; 26,200 twitter reach and 1,157 completed surveys.
- The number of surveys completed was a significant increase on the previous year's return, during which approximately 40 surveys were completed.
- There were four public meetings held with approximately 80 people attending.

A Member commented that Councillors held meetings during the previous consultation and it was clarified that the number of social media "reach" was formulated by counting how many times consultation related posts were shared and multiplied by how many follower those sharing it had. It was suggested that individual social media interactions rather reach should be used for the next consultation.

A Member queried if all respondents to the consultation survey lived in Middlesbrough. It was confirmed there was no requirement for respondents to enter address details, and it was reasonable to expect that those completing the survey had a keen interest in the town and

were likely to have lived or worked in Middlesbrough.

A Member suggested that in future years, consultation should be carried out with Members about best places to hold public events.

The Head of Strategy, Information and Governance continued the presentation and made the following points:

- 33 emails were received, which was an increase on the previous year.
- With regard to actual responses to the consultation; 44% of respondents approved the proposal to increase Council Tax by 2%
- 53% of respondents were opposed to the introduction of the annual £35 charge for green waste
- 37% of respondents were in favour of a modest increase to the charge for school meals. It was commented this was the result of the universal consultation and consultation was ongoing with schools.
- 60% of respondents were opposed to remove some school crossing patrols
- 42% of respondents were in favour of a review of area care services
- 57% of respondent were opposed to a move to fortnightly bin collections
- 57% of respondents were in favour of reducing spend on drug and alcohol services
- 54% expressed no firm opinion on the proposal to reduce the Public Health Grant to support non-core services.
- 35% of respondents expressed no firm opinion on the proposal to reduce Public Health Grant contributions to partnership initiatives
- Following the survey a number of Impact Assessments were undertaken and were appended to the Budget report that was being submitted to Council. There were only two areas that could have had differential impacts; namely the reduction to the Public Health Grant and School Meal provision. A full impact assessment would be carried out on school meal provision when consultation with schools had been completed.
- With regard to comments in the survey; many reflected the proposals and included issues about targeting vulnerable people and a perception the Council was wasteful.

With regard to School meals a Member queried how many schools continued to use the Council for their meals. It was agreed this information would be provided. It was also confirmed that it was intended for the service to be retained and that the service offered by the Council was comparatively cheap.

With regard to school crossing patrols; a Member queried what risk assessments had been undertaken and if other means of crossing means had been considered. A discussion took place regarding how crossing patrols had been risk assessed but it was agreed that the presentation was to discuss the results of the consultation and that the proposal had been removed from the Budget going forward.

With regard to waste collection, many respondents commented that the practicalities, namely the size of existing bins, would make waste collection worse if there was a move to fortnightly collections. It was commented this issue would be explored further going forward, and that Middlesbrough would be in a minority of Councils maintaining weekly collections.

The Strategic Director of Finance, Governance and Support delivered a presentation on the budget report in light of the consultation and made the following points:

- There were significant changes to the Council's budgetary position since the beginning of the consultation, driven largely by demand in Children's Services.
- Ultimately, the Council was £1.6 million worse off since November/ December 2019 even if all of the original savings had been made.
- With additional savings the overall budget pressure was £2.6 million.
- However, due to reduced employee contributions to Teesside Pension fund and an increase to Council Tax to 3.99% this left a pressure of £554,000. It was commented that Middlesbrough would be unusual not to increase Council Tax to 3.99%.

A Member commented that the officers of the Teesside Pension fund should be congratulated for their work.

A Member queried Council Tax performance and collection rates. It was clarified that collections were, currently, not where they needed to be. However there were plans to invest in additional staff in order to improve this and that the Revenue Services would be appearing before OSB in April.

ORDERED:

1. That Members be consulted about most appropriate venues for public consultation meetings.
2. For Members to receive information relating to how many schools utilise the Council for their school meals.
3. For Members to be informed when the risk assessments for school crossing patrols were undertaken.
4. That residents to be reminded they can pay over a 12 month period rather 10.
5. To explore ways to include respondent location on future budget consultation surveys.

**** 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 to consider agenda item 8 as the next item of business.

19/111

FINAL REPORT– ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL – INFRASTRUCTURE DELIVERY.

The Vice Chair of the Economic Development, Environment and Infrastructure Scrutiny Panel presented the Panel's Final Report in relation to Infrastructure Delivery. He drew the Board's attention to the conclusions and recommendations contained within the report.

As part of the presentation the Vice Chair of the Panel made the following points:

- The review focussed on housing development and the local plan, transport, and superfast broadband.
- The Panel were reassured that Middlesbrough Council had suitable measures in place when planning new infrastructure, as well as plans for mitigation.
- Since the final report was approved, the Government announced that Northern Rail would be renationalised from 1 March 2020. Whilst recommendation C) was based on evidence received from Northern Rail, the recommendation still stood, as the Panel believed a faster direct rail service to Newcastle was needed.

A Member expressed disappointment the representatives from BT and Virgin Media were unwilling to engage with the Panel's work. The Vice Chair thanked the work of the Democratic Services Officer.

A Member queried why the report had examined cabled based technologies and not 4 and 5G. A Member of the Panel confirmed that while 5G was the future of Broadband, it was not as prominent as cabled technologies at the moment.

The recommendations to be submitted to the Executive were:

1. In order to ensure the Council fulfils the duty to ensure sufficient school places are available for the town's children, the Ad Hoc Scrutiny Panel should undertake a review into school place planning and how Academies in particular can be encouraged to

- work more closely with the Local Authority.
2. Efforts to encourage more sustainable travel and increased use of public transport should continue to be explored by the Council, including encouraging operators to consider provision of subsidised passes for children and their parents travelling by public transport to school.
 3. In line with the TVCA's draft Strategic Transport Plan (STP) and its ambition to improve rail links between Tees Valley and the rest of the country, request that priority is given to the provision of a faster direct service from Middlesbrough to Newcastle by opening up the existing Stillington to Durham goods line to passengers.
 4. Include an action in Middlesbrough's Local Implementation Plan (LIP) to facilitate and promote smart ticketing across different modes of public transport in the Tees Valley and beyond, thus contributing to the high-level goal of the TVCA to provide a seamless integrated travelling experience for the public.
 5. The Council should promote the detailed work carried out in relation to infrastructure planning more widely to the town's residents and encourage Developers to be more pro-active in keeping residents informed when new developments are planned and taking shape.
 6. As part of the planning process, Developers should be required to include full fibre Broadband provision in new builds and major refurbishments.

ORDERED: - That the findings and recommendations of the Economic Development, Environment and Infrastructure Scrutiny Panel be endorsed and referred to the Executive.

19/112 **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.

ORDERED: That the information provided be noted.

19/113 **SCRUTINY CHAIRS UPDATE**

The Chair of the Children and Young People's Social Care and Services Scrutiny Panel advised the Board that the panel had received useful feedback from Children's Services following the publication of the OfSTED report as well as copies of the Assurance Plan.

The Chair of the Health Scrutiny Panel advised the Board that the Panel continued with its current review of Opioid Dependency. Jonathan Bowden and Catherine Parker attended on behalf of the Council's Public Health Addictions and Vulnerable Groups Team. Daniel Ahmed and Dr John Bye attended on behalf of Foundations, Vicki Franks was in attendance to represent Change, Grow, Live and Richy Cunningham presented on behalf of Recovery Connections. The Panel were provided with an overview of how the Council's commissioned substance misuse providers worked to deliver Middlesbrough's Recovering Together model. The panel was advised that Middlesbrough had more than triple the national rate of 8.4 opiate and crack users which at 25.51 was the highest in the UK. The Panel heard that Middlesbrough had 1257 opiate users with 72% in treatment being male, with the highest numbers seen in the 30-39 age group. 51% of those in treatment had an identified mental health need. The Panel stated that some key actions included setting up a mock drug consumption room similar to what had been set up in Bristol. This was something that would help people in Middlesbrough as part of their treatment. Drug consumption rooms, similar to those set up in Canada and Australia, could be 'piloted' in Middlesbrough. However, it was currently illegal for such facilities in the UK. A national drugs summit was scheduled to be held later this year and the Panel was keen to support the development of this initiative. Addiction to prescribed opioids was a growing issue and different treatment pathways needed

to be developed in Middlesbrough. A site visit was planned to visit the organisations that attended the Panel's last meeting. Members would have the opportunity to tour the residential facilities at Recovery Connections and meet service users at the Heroin Assisted Treatment (HAT) room, as well as 131 the Venue, Linthorpe Road which provided the opportunity for people to gain valuable work experience and training. The Panel also received updates on the work of the Tees Valley Joint Health Scrutiny Committee. At the next meeting, the Panel would receive evidence from Tees Valley CCG, the North East Ambulance Service and Tees, Esk and Wear Valley NHS Foundation Trust in respect of its current review topic.

The Vice Chair of the Economic Development, Environment and Infrastructure Scrutiny Panel, advised OSB the Panel had visited the newly opened Stockton Crematorium to look at the services offered. The Panel then heard evidence from the Director of Environment in relation to the potential financial impact on Teesside Crematorium. The panel learned that £490,000 had been set aside to mitigate any potential impact of the Stockton crematorium opening. It was anticipated that the Council could lose approximately £200,000 per year. A site visit would be arranged to Teesside Crematorium with the intention to produce a Final Report on this short topic review. The Panel continued its review of Recycling and Waste Management and agreed to put this on hold until later in the year due to current budget proposals relating to household collections and the contract for waste management were clarified. The Panel would be receiving updates on the Boho Digital Expansion site and also Middlesbrough's Historic Buildings and local Conservation Area protection from the relevant Council Officers.

A Member commented that during the site visit to Stockton Members were impressed with the arrangements at Stockton Crematorium.

The Chair of the Culture and Communities Scrutiny Panel advised the Board that the Panel were looking at Social Inclusion and recently received information from representatives of the Police and Crimes Commissioner's Office, including Chief Inspector Scott Cowey. The main finding from the meeting was that the Police may have lost some contact with the local community and this was to be addressed by the Police. This would be achieved by adding an additional 24 officers to work in the local area.

The Chair of the Adult Social Care and Services Scrutiny Panel advised the Board that at its last meeting Members discussed progress made in respect of the 'Physical Activity for Older People' review. The Panel felt once some final information had been received the review could be concluded. There was the potential the Panel could input to regional scrutiny work around the topic of 'Palliative and End of Life Care', which would also fulfil the Panel's intentions to investigate this topic as part of its 2019/2020 work programme.

The Chair of the Children and Young People's Learning Scrutiny Panel advised the Board that the Panel was continuing with its review of addressing poverty issues and the impact this had on learning. At its last meeting the Panel received information from the Schools Readiness Manager which included information on the early educational provision for children from deprived backgrounds. There was also an overview of the measures used to prevent the attainment gap becoming entrenched and examples of the work undertaken were received. The Panel's next meeting would receive evidence from the Voluntary Sector including Grand Parents Plus and Middlesbrough Football Club, about how they try to combat poverty and its impact on learning.

ORDERED: That the information presented be noted.