

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on 3 September 2020.

**PRESENT:** Councillors J Thompson (Chair), M Storey (Vice-Chair), C Cooke, D Coupe, A Hellaoui, T Higgins, B Hubbard (as Substitute for M Saunders), T Mawston, C McIntyre, J McTigue, J Platt and Z Uddin.

**PRESENT BY INVITATION:** Councillor M Smiles - Interim Executive Member for Education and Skills.

**OFFICERS:** R Brown, S Bonner, C Breheny, G Cooper, S Davison, D Johnson, C Lunn, E Mireku and T Parkinson.

**APOLOGIES FOR ABSENCE:** Councillors L Garvey and M Saunders.

**DECLARATIONS OF INTERESTS**

There were no declarations of interest made at this point in the meeting.

**MINUTES - OSB - 2 JULY 2020**

The minutes of the meeting of the Overview and Scrutiny Board held on 2 July 2020 were submitted and approved as a correct record.

**MINUTES - OSB - 23 JULY 2020**

The minutes of the meeting of the Overview and Scrutiny Board held on 23 July 2020 were submitted and approved as a correct record.

**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****COVID-19 UPDATE: CHIEF EXECUTIVE**

The Chief Executive provided the Board with a verbal update in respect of the Council's response to COVID-19.

Members were advised that there had been two recent outbreaks.

The first outbreak occurred 6 August 2020, which revolved a BAME group who had visited Bradford. Measures put in place to address this had been successful, which included the efficient engagement of 'Community Champions'. Local tracing had been undertaken and managed well, which included engagement with, and appropriate action being taken by, local businesses.

The second outbreak occurred during week commencing 17 August 2020, and numbers had been rising day by day across all wards and communities since that time. There had been a further spike in the figures over the last few days within the town, which had been highlighted by a media release on 2 September 2020. It was explained that in the last seven days there had been 49 positive tests; the current population rate was 35 per 100,000, which was high. There was no single cause for these series of outbreaks; reasons included returning from international travel, increased socialising and gatherings, and returning to schools and workplaces. The situation was being monitored closely with rapid response action being

taken as necessary. Reference was made to two local businesses that had temporarily closed to address matters. Further communications had been issued and work was being undertaken by the Council and its partners to ensure that businesses were operating appropriately.

Reference was made to testing provision, with mention being made of a national issue with regards to availability. A mobile testing unit was now available in the town; a press release would be issued shortly. Middlesbrough was currently on a Government watch list following the recent outbreaks, however, the feedback received in respect of the proactive activity being undertaken by the Council was positive.

In response to an enquiry regarding the temporary closure of two public houses for cleaning following positive tests for coronavirus, and whether establishments had reopened too soon, reference was made to the Government's 'Eat Out to Help Out' initiative and timings therefore being a national decision. It was acknowledged that the popularity of the scheme had resulted in an increased number of visitors to establishments. A Member felt that socialising had been reopened too soon and had resulted in the upward trend. In response, it was reiterated that timings were a national decision, however, the Local Authority did have the power to close down individual establishments if required, although to date, establishments had been compliant and therefore such action had not been necessary. It was felt that if Government intervention was required, recommendations from the Local Authority to the Government on appropriate ways forward for Middlesbrough would be the preferred approach.

A Member queried who was responsible for ensuring that public houses maintained a record of customer details for tracing purposes. In response, it was explained that Government guidance had been issued and the guidelines for establishments were clear. Reference was made to visits undertaken by inspection teams on the evening of 2 September 2020, which had shown that people were following the guidelines. Further site visits to be undertaken by Public Protection teams would be carried out over the coming weeks. It was reiterated that the Local Authority did have the power to take action where required.

In response to a comment and subsequent enquiry regarding the utilisation of resources, it was indicated that in terms of allocating resources, there was a tipping point. The current population rate of 35 per 100,000 was high, with the Government normally requesting quarantine action when above 20. Amber status was reached when the figure hit 25 and over; there had been 26 cases over the last two days. It was explained that increased restrictive action may be required if figures increased dramatically across the town over the coming days. Contact tracing had been undertaken well to date, which demonstrated the effective and efficient approach undertaken by the Local Authority.

In response to an enquiry regarding the age group to which the local positive cases belonged, the Consultant in Public Health advised Members that the age range was broad and spread out. However, it was highlighted that there had not been any positive cases in those aged under five years. The Chief Executive indicated that within the last 21 days, there had been 88 cases, two of which had been in care homes.

A Member commented that individuals who had been tested and were waiting for results were advised to self-isolate until results had been received. It was queried whether any of these individuals had been involved in the more recent outbreaks over the previous few days. An example was provided in response, with reference being made to some individuals that had been contacted and asked to self-isolate, who were subsequently found to be positive.

The Consultant in Public Health provided the Board with information regarding track and trace, including the Local Authority's role in the context of both place-based leadership and public health specialist leadership functions. The various activities and responsibilities involved in both roles were outlined to Members, which included multi-agency work, development of local plans, daily review of testing and tracing, uploading data to a national contact trace system, monitoring trends and patterns, outbreak control work, identification of potential outbreaks, and implementation of measures to address outbreaks.

A Member commented on the reactive responses being undertaken in respect of positive cases, and queried the preventative actions being undertaken and the freedom of the Local Authority in carrying these out - testing in schools, for example. In response, it was explained that the Local Authority's role was both preventative and responsive. Reference was made to some of the preventative work that had been carried out, which included: the Director of Public Health and the Director of Adult Social Care working in partnership to support the care sector (e.g. monthly testing of care home residents); antibody testing for staff working in NHS settings; potential establishment of a weekly testing model for social work staff visiting care premises; schools accessing a certain number of tests; health protection board arrangements; and work around supporting schools and Teesside University to re-opening safely. Scenario planning had also been carried out. It was highlighted to the Board that prevention activity was key to the work being undertaken.

A Member made reference to local outbreak planning and commented that people often travelled to public houses, clubs and restaurants, and queried whether this was being taken into account. In response, the Board was informed that cross-border arrangements were part of the plans, both locally and regionally. Work was also being carried out with other partners across the Local Authority areas, which afforded the opportunity for cross-setting of data sets.

A Member queried how testing and tracing could be achieved if licensed premises were not recording customers' details, and what was being enforced to ensure that details were being recorded in order to avoid the system falling down. In response, it was acknowledged that if the data was not kept, tracking did become constrained. Local examples had raised awareness around establishments not recording details previously, however, recording had since improved and there was confidence that most establishments were maintaining records, whether these be electronic or paper-based. In response to a comment that details of bar patrons may not always have been recorded, the Board was advised that if any person had any specific concerns or issues requiring investigation, there was an email address on the Council's website to raise them. Such reports would then be investigated.

A Member queried the total number of COVID-19 tests completed at Middlesbrough sites, and how many people with positive results had been traced. Further, it was queried how many people had been sent outside of the Middlesbrough area for testing, and what means were in place to allow for Middlesbrough residents to get tested within Middlesbrough. In response, it was explained that the figures of those attending for testing were not routinely provided, but these would be requested.

The Chief Executive reiterated the point that if anyone had any concerns about any establishments, to please raise these.

The Chair thanked the Chief Executive and Consultant in Public Health for their attendance and contributions to the meeting.

**AGREED** that the information provided be noted, and the agreed action be undertaken.

### **COVID-19 UPDATE: EDUCATION AND SKILLS**

The Interim Executive Member for Education and Skills, the Director of Education and Partnerships, and the Head of Achievement and Inclusion were present at the meeting to provide information to the Board.

The Interim Executive Member for Education and Skills, who had only recently acquired the portfolio (alongside her existing portfolio for Culture and Communities), introduced herself and provided details in relation to her portfolio and work ahead. A Member thanked the interim Executive Member for her attendance, but commented that holding two portfolios simultaneously may be challenging. The interim Executive Member acknowledged this, but would endeavour to fulfil the role to the best of her ability.

The Director of Education and Partnerships and the Head of Achievement and Inclusion delivered a presentation to the Board, which focused on education and skills in the context of COVID-19 response/recovery plans. The presentation slides, which had been circulated in

advance of the meeting, covered the following topics:

- Overview of key actions taken by Children's Services in response to the challenges posed by COVID-19;
- Statistical data highlighting the impact of COVID-19 in educational settings within Middlesbrough;
- School meal provision;
- Holiday hunger scheme;
- School re-opening arrangements;
- School re-opening arrangements - Health Protection Board;
- School re-opening arrangements - Data monitoring and surveillance;
- Supporting schools to ensure good attendance in September 2020;
- Campaign to reduce NEET post-September;
- Supporting remote and distance learning for young people (community learning);
- Supporting adult learners to continue learning (community learning) and find work; and
- Further information to note.

Regarding the overview of key actions taken by Children's Services in response to the challenges posed by COVID-19, it was highlighted to the Board that at the beginning of the lockdown period, one of the Local Authority's key responsibilities was to ensure sufficiency of places for vulnerable children, those with Education, Health and Care Plans (EHCPs) and key workers' children. Support was provided to schools to enable them to remain partially open, including daily updates with the Department for Education (DfE) and Public Health guidance, bespoke support from the Achievement Team, and help with resources such as Personal Protective Equipment (PPE). Risk assessments, policies and procedures were also implemented, and a team placed on standby should the plan need to be actioned. Once social distancing and safety guidance was available, the Health and Safety team worked closely with maintained schools to undertake risk assessments; this template was also shared with all schools and Trusts as a supportive measure. All maintained schools received an on-site visit to assess risk and most Academy and Trust risk assessments were reviewed by the Health and Safety team. Other Council teams worked continuously during lockdown to support schools to stay open safely in the early phases, including school catering and school transport teams. Reference was made to the Ethnic Minority Achievement Team (EMAT), which had continued to provide support to families.

In March 2020, the Government had asked schools to close to all children, with the exception of vulnerable children and those of key workers. The Government suspended the power of Local Authorities to take legal action to enforce attendance and told schools they should not follow their normal processes for recording attendance. The impact was that school attendance in Middlesbrough fell to exceptionally low levels. Statistical data was contained in the presentation slides. The Board heard that upon the closure of schools, an array of activities had been established to engage younger people, to promote literacy, etcetera.

Details were provided in relation to work carried out around school meal provision and the holiday hunger scheme. Reference was made to varying initiatives, such as partnership work with FareShare, Middlesbrough Football Foundation and others to ensure that families received meals throughout.

It was highlighted to the Board that recovery and management was critical going forward, with significant work taking place. This included, for example, the preparation of communication and strategic plans. It was acknowledged that enormous challenges would be presented, with this school term being a particular telling time.

It was highlighted that pre-COVID schools had carried out a huge amount of work around curriculum development in light of the new Ofsted framework. As they transitioned towards a 'new normal' post-COVID, this curriculum work needed to be revisited, viewed through a different lens and set on a different course. The intent of each schools' curriculum may have shifted, with leaders and teachers re-evaluating what good outcomes for children and young people would look like in the coming months and years. There were questions around national assessment and how this would be impacted, as well as an acknowledgment that

children's learning had been significantly disrupted, some of them at pivotal times for transition to their next phase. In order to support school leaders with these challenges, a bid for funding had been submitted to the Tees Valley Combined Authority (TVCA), which would allow schools across the Tees Valley to collaborate and develop and share next practice.

Following the presentation, Members were afforded the opportunity to ask questions and the following issues were raised:

- A Member queried the risk assessment work being undertaken in terms of children returning to schools, and how often this was refreshed. In response, it was indicated that risk assessments needed to be refreshed whenever new information was received, and each school had different risk assessment needs.
- A Member commented that some children would be more disadvantaged and queried what help would be offered outside of school. In response, the Head of Achievement and Inclusion explained that schools had been using various methods to assess pupils' abilities. Work around mental health and wellbeing and returning to routine and some normality was currently taking place, with the next half term focusing upon re-establishing people back into school. The curriculum was being looked at, and the Education Recovery Strategic Board (which involved partners from pre-school to University level) had formulated a bid to support pupils moving forward. The assessment of where children were currently at would be a Tees Valley model. It was indicated that there was a high level of disadvantage in Middlesbrough, and there was national tutoring programme funding provided at a government level, which schools could either tap into or access the funding to undertake initiatives themselves. Essentially, it was about sharing practice both locally and regionally.
- A Member queried whether teaching staff were being tested for COVID-19 prior to the re-opening of schools. In response, the Consultant in Public Health advised that this was not part of the guidance, however, schools had been provided with test kits and would therefore have a choice as to whether staff would be tested.
- A Member made reference to school meal provision over the summer holidays and queried how this could be further streamlined in the future. In response, the Director of Education and Partnerships advised that work was currently taking place to identify opportunities for improvements and enhanced coordination.
- A Member raised the issue of staff absence and queried whether any data was available around this, particularly in terms of staff absence on the approach into and during lockdown. In response, it was explained that workforce data was not easily accessible as not all schools were maintained by the Local Authority. Reference was made to risk assessment and continuity planning work that had been carried-out in relation to staff absence. It was commented that Government policy was for schools to remain open, unless there were further outbreaks. A Member queried the cooperation that had been received from Academy Trusts in respect of COVID-19. In response, it was explained that this had been very good. In terms of teaching staff attendance, data was not routinely provided, but since COVID-19, weekly contact had not resulted in any significant concerns being raised (the level of contact with Academy Trusts had increased since COVID-19). It was suggested that the relevant parties be contacted in order to ascertain whether data around staff absence could be obtained.
- A Member queried the level of reassurance in respect of children receiving correct exam results in summer 2021. In response, it was explained that the topic of education received national media coverage on a daily basis at present, with current debate considering A-levels and exams next year. However, the predominant focus for professionals at the moment was concerned with addressing the deficit and bringing children up to date, which included initiatives such as laptop provision for catch-up learning. There was an average of three months of lost learning, which rapidly needed to be made up for. The Member commented on the impact of the current situation on children and young people and raised concerns over the implications that stress and pressure could have on mental health.
- A Member queried what reassurance and advice had been provided to parents/guardians in respect of children returning to school. In response, the Board was advised that a letter had been forwarded to parents/guardians this week from the Director of Education and Partnerships. The letter was made available on the Council

website and there had also been a local media release. It was acknowledged that there would be feelings of anxiety and there were professional support services available in this regard. Mention was made of children moving stages post lockdown, such as from primary to secondary education, and of children who were vulnerable or had specific concerns. A Member commented on the work being undertaken by teaching staff in improving children's confidence, and also made reference to risk assessment planning and the flexibility around such aspects as social distancing (in terms of dropping children off and collecting children from school). The Board heard that risk assessments were different for each school and that, for reassurance, external validation of their contents had been encouraged. This could have included a visit to the school by a member of the Council's Health and Safety team, for example. There was flexibility around application; home to school transport risk assessments followed the same principles.

- A Member referred to face coverings and commented on guidance issued by the Government. In response, it was highlighted that it was the responsibility of individual families to source masks.
- A Member made reference to school performance between years and queried the relationship between the Local Authority and Academies in terms of sharing results data. In response, it was explained that the data this year would not be comparable to previous years. A short discussion ensued in relation to validated data (which the Local Authority always used) and unvalidated data.

The Chair thanked the Interim Executive Member for Education and Skills, the Director of Education and Partnerships, and the Head of Achievement and Inclusion for their attendance and contributions to the meeting.

**AGREED** that the information provided be noted, and the agreed action be undertaken.

### **SCRUTINY WORK PROGRAMME 2020/2021**

The Democratic Services Officer submitted a report, the purpose of which was to invite the Overview and Scrutiny Board to consider each scrutiny panel's work programme for the 2020/2021 Municipal Year.

The topics for each scrutiny panel were:

#### Ad Hoc Scrutiny Panel

Two requests had been made for reviews by the Ad Hoc Scrutiny Panel, which the Board were asked to consider. These were as follows:

- Due to continued challenges facing Local Government finance, a request had been made to assess if reductions in service budgets had impacted on the Council's Health and Safety provision; and
- The Corporate Affairs and Audit Committee had requested that a scrutiny investigation be undertaken to review current processes and protocols regarding press releases that related to ward matters, and the inclusion of ward members. The Corporate Affairs and Audit Committee had been advised that a Marketing and Communications delivery plan would be developed in 2020/2021, which would align the Marketing Team's work with the Council's corporate priorities.

#### Adult Social Care and Services Scrutiny Panel

Full Review:

- Physical Activity for Older People (aged 65+) (carried over from 2019/2020); and
- Palliative and End of Life Care (in collaboration/liaison with the Health Scrutiny Panel).

## Short Reviews/Updates:

- Improved Support for Unpaid Carers (with links to The Recruitment and Retention of Care Workers); and
- The Impact of Coronavirus on Vulnerable Residents.

Children and Young People's Social Care and Services Scrutiny Panel

- Permanency and Sufficiency, linked to No Wrong Door and Perceptions of Children in Care;
- Youth Services; and
- PACE bed provision.

Children and Young People's Learning Scrutiny Panel

## Full Review:

- Behaviour, Discipline and Bullying in Schools; and
- The Impact of Covid-19 and the Attainment Gap.

## Task and Finish Group:

- The Cost of School Uniforms.

Culture and Communities Scrutiny Panel

## Full Review:

- The Impact of Middlesbrough's Cultural Strategy; and
- Integrated Enforcement Team (IET).

## Updates:

- Operation Phoenix/Domestic Abuse Support;
- Regulation of Investigative Powers Act (RIPA);
- Preventing Terrorism;
- Community Safety Partnership; and
- Selective Landlord Licensing.

## Economic Development, Environment and Infrastructure Scrutiny Panel

## Full Review:

- Town-wide Regeneration Post-Covid-19.

## Short Reviews/Updates:

- Good Management of Trees/Tree Policy;
- Parking on Grassed Verges;
- Update on the Review of the Local Plan;
- Update from Boro Youth Climate Action Team;
- Liveable Streets;
- Broadband; and
- Pest Control.

The Panel also intends to complete two outstanding investigations: Teesside Crematorium; and Recycling and Waste Management, as well as receive updates on Air Quality and Flood Risk, which were postponed due to the pandemic lockdown. All items were scheduled in last year's work programme.

Health Scrutiny Panel

## Full Review:

- Opioid Dependency: An emerging issue (carried over from 2019/2020);
- Inclusive Growth - Alignment of Town Regeneration and Health Goals; and
- The First 1001 Days.

## Short Review:

- PFI Scheme at The James Cook University Hospital.

**AGREED** that:

1. The topics put forward by the scrutiny panels for inclusion in the 2020/2021 scrutiny work programme be approved; and
2. The topics put forward for review/investigation by the Ad Hoc Scrutiny Panel be approved.

**SCRUTINY CHAIRS UPDATE**

Following approval of the 2020/2021 scrutiny work programme, which each respective panel had discussed at their meetings, there were no further updates from the scrutiny chairs.

**NOTED**