

## **OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION**

### **MINUTES OF THE MEETING HELD ON TUESDAY, 16 APRIL 2013**

**Councillors Present:** Peter Argyle (Substitute) (In place of Marcus Franks), Jeff Beck (Substitute) (In place of Virginia von Celsing), Brian Bedwell (Chairman), Dominic Boeck, Jeff Brooks (Vice-Chairman), Dave Goff, David Holtby, Mike Johnston, David Rendel, Tony Vickers, Quentin Webb and Emma Webster

**Also Present:** Nick Carter (Chief Executive), Davy Pearson (Youth Offending Team Manager), Ian Pearson (Deputy Corporate Director (Communities) & Head of Education Service), Elaine Ricks (Joint Principal Adviser for School Improvement), Maxine Slade (Principal Adviser for School Improvement), Jason Teal (Performance, Research & Consultation Manager), Rachael Wardell (Corporate Director - Communities), Sarah Brinkley (Head Teacher - John O Gaunt School), David Lowe (Scrutiny & Partnerships Manager), Councillor Gordon Lundie (Leader of Council & Conservative Group Leader), Councillor Irene Neill (Children and Young People, Youth Service, Education), Supt Robin Rickard (Thames Valley Police), Elaine Walker (Principal Policy Officer) and Charlotte Wilson (Head Teacher - Trinity School)

**Apologies for inability to attend the meeting:** Councillor Marcus Franks and Councillor Virginia von Celsing

#### **PART I**

##### **104. Minutes**

The Minutes of the meeting held on 26 February 2013 were approved as a true and correct record and signed by the Chairman.

##### **105. Declarations of Interest**

Councillor Emma Webster declared an interest in Agenda Item 10, but reported that, as her interest was personal and not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillor Tony Vickers declared an interest in Agenda Item 12, but reported that, as his interest was personal and not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor David Rendel declared an interest in Agenda Item 13, but reported that, as his interest was personal and not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

##### **106. Actions from previous Minutes**

The Commission received an update on actions from the previous meeting and raised the following comments:

Paragraph 2.2: Councillor Vickers asked when the Housing Allocations Policy would be completed. David Lowe responded that it was currently progressing through the Executive Cycle and agreed to ensure that the Forward Plan reflected its progress.

Paragraph 2.5: Councillor Jeff Brooks requested a target date for the availability of the annual road condition survey.

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Paragraph 2.7: Councillor Brooks asked whether the statistics relating to numbers of library visits was reflective of national trends.

Paragraph 2.8: Councillor Jeff Beck requested further clarification of the numbers of empty homes being brought back into use, asking in particular whether the figures shown were cumulative, and what reason could be given for the significant increase in 2012/13. Councillor David Rendel believed that a more relevant figure would be the net figure as it would represent those brought back into use and those subsequently left empty.

Paragraph 2.9: Councillor Vickers asked when information would be available relating to the practices of other local authorities in making performance information available for scrutiny.

Paragraph 2.10: Jason Teal introduced a report setting out how the Commission could be involved in the process of appraising and assuring the Council's key accountable measures and associated targets. Councillor Rendel suggested that the Commission should have a greater and more proactive role in the setting of the targets at an early stage of the strategic planning cycle so that their views and suggestions could be incorporated into service delivery plans as they were developed and refined.. Councillor Boeck disagreed, likening the role of scrutiny to auditors, who would not suggest what should be measured, but might have an opinion as to the suitability of the measures put in place. Councillor Webster agreed that it was not the role of the Commission to formulate the measures and framework, but to ensure what was produced was appropriate. Councillor Vickers explained that he would prefer to be involved at an earlier stage unless he could be assured that targets were being set prior to the end of the year. Jason Teal confirmed that the service delivery planning process started over the summer and that substantive measures and activities were agreed towards the end of quarter four for the following year. Notional targets may be provided as part of this process, but these would only be confirmed and approved once previous year end outturns were available. The Commission were content with the proposed approach as set out in the report. Councillors Webster and Webb volunteered themselves for inclusion on the sub group. A representative from the Liberal Democrats would be nominated at a future date.

Paragraph 2.11: Councillor Vickers asked whether the Chief Executive had decided whether to write to Shelter to set out the concerns of the Commission in relation to the Mystery Shopper exercise undertaken on the Housing Service in 2012. Nick Carter responded that he did not feel it would be appropriate to communicate from his position as Chief Executive as it would disproportionately elevate the level of concern. Nick Carter added that a meeting had been held with Shelter following the exercise where many of the Commission's concerns had been raised, but that some of the issues had arisen as a result of the commissioning process and not through Shelter's actions. Councillor Vickers enquired as to when the Homelessness Policy would be concluded. The Chairman reminded the Commission that the review had formed part of the consultation process, and that the completion of the policy would occur in due course. Nick Carter confirmed that the policy was currently progressing through the Executive Cycle.

### **Resolved that:**

- David Lowe would ensure that the progress of the Housing Allocations Policy was correctly reflected in the Council's Forward Plan;
- The Head of Highways to provide a date by which the annual road survey would be available;
- Jason Teal to provide information to clarify whether the reduction in the numbers of library visits was reflective of national trends;

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- The Head of Housing to clarify whether the figures provided for the number of empty homes brought back into use was cumulative, and what reason could be given for the significant increase in 2012/13;
- The Head of Housing to provide information to illustrate the net number of empty homes brought back into use;

Jason Teal to provide information as to the practices of other local authorities in making performance information available for scrutiny;

### 107. **West Berkshire Forward Plan April 2013 to July 2013**

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering April 2013 to July 2013.

**Resolved that** the Forward Plan be noted.

### 108. **Overview and Scrutiny Management Commission Work Programme**

The Commission considered its work programme and that of the Health Scrutiny Panel and Resource Management Working Group.

Councillor Vickers drew the Commission's attention to a suggested scrutiny topic of Welfare Reform. Councillor Vickers expanded that the subject was of concern to residents and to Officers in the Housing Service. It was not clear how the Council was preparing for the changes that would take place in coming years.

Councillor Webster advised that there was good information available on the Council website which might aid in individual cases. Councillor Webster went on to give her support to the suggested review, but voiced some concerns that the review might be better undertaken after the introduction of the reforms in order to understand how it was impacting on residents and the Council.

Councillor Dave Goff suggested that it might be appropriate to provide information through a Member Development session to ensure all Members were provided with current information with which to assist residents, and that a scrutiny review might be appropriate at a later date. Nick Carter informed the Commission that the next Member Development session would include a significant amount of information on welfare reform, and on request, agreed to clarify this to all Members.

The Commission agreed to include the topic on the work programme for review in early 2014.

**Resolved that:**

- Information be circulated to Members to clarify the content of the next Member Development session;

Welfare Reform be added to the Commission's work programme for review in early 2014.

### 109. **Items Called-in following the Executive on 21 March 2013**

No items were called-in following the last Executive meeting.

### 110. **Councillor Call for Action**

There were no Councillor Calls for Action.

### 111. **Petitions**

There were no petitions to be received at the meeting.

### 112. **Schools Performance**

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*(Councillor Webster declared a personal interest in Agenda Item 10 by virtue of the fact that her cousin used to teach in a West Berkshire school. As her interest was personal and not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter).*

Ian Pearson provided the Commission with an introduction to school performance, drawing Members' attention to previous reviews which had considered 2011 results and in the following year, 2012 GCSE results. Following a review of 2011 results, the Commission had been disappointed by the mathematics results. Strategies had been put in place to address this, and the following year they had proven successful. In 2012 it was the results for GCSE English which had been disappointing and discussions were taking place to consider strategies to address this. Ian Pearson further commented that consideration was being given to more vulnerable students such as those in receipt of free school meals, for whom the Government provided £900 per pupil in pupil premium. The results achieved by these students were included in the annual results.

Ian Pearson introduced Sarah Brinkley and Charlotte Wilson, Head Teachers of John O Gaunt school and Trinity school respectively. Both schools had achieved an increase in their overall results from 2011 to 2012.

The Chairman asked what the Head Teachers considered to be the reason for the improvement in results. Charlotte Wilson responded that in 2008 the school had been part of the national challenge programme as the results were very poor. By 2012 the school had become very different by changing its systems, ethos, and uniforms. The school aimed to provide pupils with the tools to have confidence and believe in themselves. The catchment area of the school included one of the most impoverished areas of Newbury.

Councillor Beck asked whether the pupil premium played a part in increasing standards. Sarah Brinkley responded with a number of examples of how the pupil premium was used by John O Gaunt school which included homework clubs, laptop loans, peripatetic music lessons, providing taxis for parents to enable them to attend parent evenings, reading devices, placements and work programmes. Work was also being undertaken to raise the aspirations of boys, for example by using climbing walls to assist in visualising and reaching a dream. The school was currently visiting villages to interact directly with parents. The impact of these initiatives was being seen in different ways: pupil's attitude to learning was improving, there had been an increase in homework submission for example; attendance had increased; attendance at parent evenings had increased; there had also been an upturn in the levels of progress in English.

Councillor Beck asked whether interaction with parents during the village roadshows had proven successful. Sarah Brinkley replied that in addition to visiting primary schools, they were arranging different venues in order to attract parents who were not comfortable in any school setting. The first of these meetings in alternate venues was to be in a local pub and was yet to take place hence it was therefore too early to assess their success.

Councillor Webster asked for suggestions as to how funding could be better used. Elaine Ricks advised the Commission that, in terms of secondary schools, there were currently five Academies; four local authority maintained secondary schools and one undergoing transition to become a sponsored Academy, which bought back support from the Local Education Authority. Four years ago there had been a larger team able to provide subject support to ten secondary schools. The School Improvement Team was now reduced in size. A programme would shortly be offered to schools for middle leaders.

Sarah Brinkley commented that additional support with English was useful as it provided a fresh pair of eyes to consider. She continued that the middle leadership programme

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would be of interest and that additionally networking between schools would be valuable in order to meet and share experiences.

Councillor Quentin Webb enquired as to the relationship between the schools' leadership teams and governing bodies. Charlotte Wilson advised that Trinity school had a small governing body who had been asked to be focussed in their challenges. It was a successful relationship as the governors were keen to allow leaders to operate the school whilst being a critical friend to them. Sarah Brinkley agreed that John O Gaunt's governing body was equally supportive and challenging, and importantly was considered to be a key part of the school.

Councillor Irene Neill advised the Commission that the Council had a governor support role to assist individuals in understanding their role as governor as well as providing information on how to interpret school data.

Councillor Dave Goff asked how governing bodies knew whether they were working effectively. Ian Pearson responded that it was possible to audit governing bodies to ensure understanding of and compliance with its role. He added that training and support were provided but some governors were resistant. Sarah Brinkley advised that the governors meeting at John O Gaunt often included a short session of training across different areas to ensure all governors were equally skilled.

Referring to the examples provided about the use of the pupil premium, Councillor Rendel asked to what extent schools were sharing information about the success of different initiatives. Maxine Slade responded that national good practice reports (for example from Ofsted) were circulated to schools, and in addition a Pupil Premium Strategy was being developed for West Berkshire, and an Officer had been identified to take the lead for information sharing between schools.

In response to being asked how the number of pupils entitled to the pupil premium should be calculated as numbers might change during the course of a single year, Ian Pearson responded that the information was made available by the Department for Work and Pensions whose database provided information on families who would qualify. It was acknowledged that the information was not always completely accurate. The Chairman requested that this be addressed in the Pupil Premium Strategy. Maxine Slade confirmed that it would be included.

Councillor Rendel asked who ensured that pupils claimed the free school meals they were entitled to. Maxine Slade advised the Commission that pupil premium was also available for looked after children and the children of service personnel and confirmed that schools wrote to parents to inform them of their eligibility.

Sarah Brinkley commented that the stigma of receiving free school meals needed to be removed in order to increase take up and suggested that it might be productive for information to be more readily available in locations where parents would find it.

Charlotte Wilson informed the Commission that family support workers could be directed to assist and, in addition, at Trinity school there was a secretary who discretely assisted with the completion of the necessary forms.

Councillor Vickers was concerned that the welfare reforms might impact on those entitled to free school meals and requested that this be specifically considered. Maxine Slade advised that if a pupil had qualified for free school meals within the previous six years, the school would remain entitled to receive the pupil premium for them. This was intended to assist with any transition periods. Charlotte Wilson confirmed that the pupil premium was allocated on an individual basis and was not related to whether siblings were entitled to it.

Councillor Brooks stated that he was reassured by the information received but asked what confidence there was that there would be an improvement in 2013. Ian Pearson acknowledged that English results had been disappointing, but highlighted that for the English Baccalaureate, West Berkshire schools had been in the top quartile nationally. Additionally, while West Berkshire schools achieved a result 1.7% lower than the national average, in terms of 5 A\*-C including English & Maths, by removing the GCSE equivalent qualifications, West Berkshire performed 4.2% above the national average.

Sarah Brinkley expressed her belief that the literacy challenge would not be solved quickly but that by taking a whole school approach whereby teachers of every subject took responsibility for the correct use of English steps would be made. Charlotte Wilson agreed and added that secondary schools needed to work with primary schools to ensure that pupils arrived with a good level of literacy. It was also critical to ensure that good quality teachers were recruited in the key areas of English, Maths and Science.

The Chairman thanked everybody for their contribution.

**Resolved that** the report be noted.

### **113. Key Accountable Measures and Activities 2012/13: Quarter Three Results**

The Commission considered the Council's performance report for quarter three 2012/13.

The Chairman asked about the relationship between the number of Jobseeker's Allowance claimants (1661) and the number of unfilled job vacancies (1222), and asked whether vacancies were publicised adequately for example through job fairs. David Lowe confirmed that an annual jobs fair was held at Newbury College through the Skills and Enterprise Partnership. Councillor Brooks advised that whilst many employers were keen to train people, they often imposed strict requirements which meant that many applicants were not accepted. Nick Carter commented that West Berkshire were leading the way in the use of apprenticeship schemes and considered that there was frequently a mismatch between skills and the vacancies available. In addition many vacancies did not offer the hours that potential applicants wished for.

Councillor Dominic Boeck asked what the base level of unemployment was once natural turnover was removed. Nick Carter responded that the unemployment rate had not yet returned to the pre-recession level and that youth unemployment was a factor.

Councillor Goff asked what the level of long term unemployment was as this was of greater concern than short term unemployment. Jason Teal advised that although this was an issue for some, the comparative statistics did not suggest experiences in West Berkshire were more acute than elsewhere.

Councillor Vickers asked whether the Commission should be concerned by the 20% increase in children subject to a Child Protection Plan. Jason Teal commented that the number of Child Protection Plans tended to oscillate around the numbers provided. Rachael Wardell stated that some of the increase was in response to an Ofsted inspection in 2012 which considered that some children might have benefited from a Child Protection Plan being put in place sooner.

Councillor Beck questioned the increase in adult learners and asked if there was a reason for this. Jason Teal advised that this was in large part due to funding being secured for courses enabling greater take up by learners.

Councillor Brooks commented that the number of service users receiving a personal budget had consistently fallen below target and, accepting that some individuals were not willing to take on a personal budget, asked whether a more realistic target could be set in the future. Councillor Mike Johnston requested clarification of the numbers which implied

that fewer people were managing their own personal budgets in quarter 1 of 2012/13 than in quarter 4 of 2011/12.

Councillor Brooks requested that the Portfolio Holder for Housing be invited to comment on activities being undertaken to manage the 13% increase in people presenting as homeless.

**Resolved that:**

- The Head of Adult Social Care clarify the information provided in relation to the number of people who manage their own personal budget.

The Portfolio Holder for Housing be invited to comment on activities being undertaken to manage the 13% increase in people presenting as homeless.

**114. Youth Justice**

*(Councillor Vickers declared a personal interest in Agenda Item 12 by virtue of the fact that his wife was undertaking Restorative Justice training. As his interest was personal and not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter).*

The Commission considered a report providing an update on the use of the Youth Restorative Disposal in West Berkshire. Following questioning, Davy Pearson and Superintendent Robin Rickard provided the following information:

- The numbers of low level crimes resulting in a Youth Restorative Disposal in West Berkshire were expected to be broadly similar to those in Reading. However it would be expected that more complex crimes would be more prevalent in Reading;
- The Youth Restorative Disposal involved a police officer linking the youth offender and victim in order to obtain a positive outcome such as an apology or payment. It was intended that this would prove positive for the victim, allowing them to move on from the crime;
- There would be a risk assessment prior to the victim and offender meeting, and if it was not considered suitable, the offender would undertake victim awareness sessions which might generate a letter of apology;
- Restorative Justice Panels were managed by the Safer Communities Manager;
- Information showed a greater incidence of reoffending by those involved in drugs offences and this was to be investigated further.

**Resolved that** the report be noted.

**115. Health Scrutiny Panel**

*(Councillor Rendel declared a personal interest in Agenda Item 13 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal and not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter).*

The Commission considered a report on the work of the Health Scrutiny Panel (HSP).

Councillor Webb reported that at the last meeting of the Health Scrutiny Panel the following topics had been discussed:

- Continuing Healthcare – further work was being undertaken following recommendations from an independent review;
- PCT Quality Handover – an update was due to be received in approximately six to nine months;

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- Changes to the West Berkshire Healthcare – issues identified as high risk were to be revisited in the future;
- Dignity and Nutrition – a report was received from Tony Lloyd which was to be followed up.

In addition the Panel was reviewing Adult Social Care eligibility criteria. In September the results from a public consultation were due to be available following which recommendations could be formulated.

Councillor Vickers asked whether there would be any effect on the Health Scrutiny Panel by Public Health working within the Council. Councillor Webb responded that the Panel would continue to scrutinise activity and Public Health would continue to manage patient care.

**Resolved that** the report be noted.

**116. Resource Management Working Group**

The Commission considered a report on the work of the Resource Management Working Group (RMWG).

Councillor Vickers reported that at the last meeting of the Resource Management Working Group the following topics had been discussed:

- Blue Badge Improvement Service – this was not able to be concluded as a full review would not be carried out by the Highways service until a full year of operation at the end of April 2013;
- Establishment Report – a regular item on the agenda. However Councillor Vickers advised that this report would need to be requested in future;
- Shaw House – consideration was being given to how Shaw House could be better and more profitably utilised.
- Month 10 Financial Update – a regular item.

In addition, Councillor Vickers advised the Commission that John Ashworth would be attending the next meeting to explain the new asset management database.

**Resolved that** the report be noted.

**117. Scrutiny Recommendations Update**

The Commission considered a report updating the progress of scrutiny recommendations.

Councillor Beck commented that no mention had been made of the Riverside building in the response to the promotion of Council buildings for wider community use.

**Resolved that** the report be noted.

*(The meeting commenced at 6.30 pm and closed at 8.45 pm)*

**CHAIRMAN** .....

**Date of Signature** .....