

Notice of Meeting

Overview and Scrutiny Management Commission

Tuesday, 3rd August 2010 at 6.30pm
in Council Chamber Council Offices
Market Street Newbury

Date of despatch of Agenda: Monday, 26 July 2010

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Stephen Chard on (01635) 519462
e-mail: schard@westberks.gov.uk

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**Agenda - Overview and Scrutiny Management Commission to be held on
Tuesday, 3 August 2010 (continued)**

To: Councillors Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Geoff Findlay, Irene Neill, David Rendel, Quentin Webb and Emma Webster

Other Members & Officers invited: Councillors: Barbara Alexander (Portfolio Holder: Education), Alan Law (Portfolio Holder: Planning, Housing, Transport Policy), Hilary Cole (Portfolio Holder: Environment, "Cleaner Greener", Public Protection, Customer Services), Anthony Stansfeld (Portfolio Holder: Strategy, Performance, Community Safety)
Officers: Malcolm Berry (Parent and Student Advice Centre Manager), Gary Rayner (Development Control Manager), Sean Anderson (Head of Customer Services), Jason Teal (Performance, Research and Consultation Manager)

Agenda

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1. Apologies for Absence To receive apologies for inability to attend the meeting (if any).	
2. Minutes To approve as a correct record the Minutes of the meeting of the Commission held on 29 June 2010.	1 - 10
3. Declarations of Interest To receive any Declarations of Interest from Members.	
4. Actions from previous Minutes To receive an update on actions following the previous Commission meeting.	
5. Items Called-in following the Executive on 22 July 2010 To consider any items called-in by the requisite number of Members following the previous Executive meeting.	
6. Item Called-In following an Individual Decision: Home to School Transport Policy 2011/12 <i>Purpose: To review the Individual Decision relating to the Home to School Transport Policy 2011/12.</i>	11 - 66
7. Councillor Call for Action <i>Purpose: To consider any items proposed for a Councillor Call for Action.</i>	



**Agenda - Overview and Scrutiny Management Commission to be held on
Tuesday, 3 August 2010 (continued)**

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| 8. | Upheld Planning Appeals
<i>Purpose: To provide Members with the information requested at previous meetings on the upheld planning appeals performance indicator.</i> | 67 - 70 |
| 9. | Customer Service Performance
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| 10. | Review into the Council's Performance Management framework
<i>Purpose: To outline the proposed Terms of Reference and scope for a review into the Council's Performance Management framework.</i> | 73 - 76 |
| 11. | Greener Select Committee
<i>Purpose: To provide an update on the work of the Select Committee.</i> | 77 - 78 |
| 12. | Healthier Select Committee
<i>Purpose: To provide an update on the work of the Select Committee and provide information on the meeting held on 6 July 2010.</i> | 79 - 84 |
| 13. | Resource Management Select Committee
<i>Purpose: To provide an update on the work of the Select Committee and provide information on the meeting held on 12 July 2010.</i> | 85 - 98 |
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| 15. | Stronger Communities Select Committee
<i>Purpose: To provide an update on the work of the Select Committee and provide information on the meeting held on 8 July 2010.</i> | 109 - 116 |
| 16. | West Berkshire Forward Plan - August - November 2010
<i>Purpose: To advise the Commission of items to be considered by West Berkshire Council from August – November 2010 and decide whether to review any of the proposed items prior to the meeting indicated in the plan.</i> | 117 - 124 |
| 17. | Overview and Scrutiny Management Commission and Select Committee Work Programme
<i>Purpose: To receive, agree and prioritise the work programme of the Commission and Select Committees for 2010/11.</i> | 125 - 134 |



Information Item

18. **Response to the scrutiny review into Health Partnership Working** 135 - 152
*Purpose: To be informed of the response to the Commission's
recommendations following its review into Health Partnership Working.*

Andy Day
Head of Policy and Communication

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 29 JUNE 2010

Councillors Present: Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Geoff Findlay, Irene Neill, David Rendel, Quentin Webb, Emma Webster

Also Present: Councillor David Betts, Nick Carter (Chief Executive), Steve Duffin (Head of Benefits and Exchequer), Andrew Garratt (Principal Traffic and Road Safety Engineer), Stephen Chard (Policy Officer), David Cook (Principal Policy Officer), David Lowe (Scrutiny and Partnerships Manager)

PART I

27. Minutes

The Minutes of the meeting held on 24 May 2010 and 25 May 2010 were approved as a true and correct record and signed by the Chairman.

28. Declarations of Interest

Councillor Emma Webster declared an interest in Agenda Item 6, and reported that, as her interest was personal and prejudicial, she would be leaving the meeting during the course of consideration of the matter. However, at the agreement of the Commission, Councillor Emma Webster was permitted to remain but not participate or vote on the item.

Councillor David Rendel declared an interest in Agenda Items 10 and 15, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.

29. Actions from previous Minutes

The Commission received an update on actions following the previous Commission meeting (Agenda Item 4).

Further clarity was still required on upheld planning appeals and it was agreed that the Development Control Manager would be invited to attend the next meeting to answer further questions.

(Councillor Emma Webster joined the meeting at 6.35pm).

RESOLVED that the update would be noted and the Development Control Manager would be invited to attend the next meeting to answer further questions.

30. Items Called-in following the Executive on 17 June 2010

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

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31. **Item Called-In following an Individual Decision: Cheap Street, Newbury, Turning Restriction**

(Councillor Emma Webster declared a personal and prejudicial interest in Agenda item 6 by virtue of the fact that she had considered a number of highway restrictions in her role as Portfolio Holder for Highways and had declared a previous position on this matter. As her interest was personal and prejudicial she took no part in the debate or voting on the matter).

The Commission considered the call-in of the Individual Decision relating to the Cheap Street turning restrictions (Agenda Item 6). This followed a site visit prior to the meeting.

Andrew Garratt gave some background to the issue:

- The requirement for a decision originated with a request from cyclists for the existing restrictions for turning right into and out of Cheap Street to be lifted.
- The view of Officers was that the turn into Cheap Street was too hazardous for cyclists and therefore the ban should be retained. However the turn right from Cheap Street to Market Street was considered acceptable and a period of statutory consultation was entered into regarding the lifting of this restriction.
- Two responses to this consultation were received which related to the right turn into Cheap Street, one in favour of and one opposed to the restriction.
- The Individual Decision was then made to remove the ban on right turns from Cheap Street to Market Street, but to retain the ban on right turns from Market Street into Cheap Street.

Councillor David Betts added the following points:

- It was disappointing that the views of some Members had not been made at an earlier stage as he would have been willing to undertake further consultation to avoid the need for a call-in.
- However, on balance it was unlikely that he would change his position because of road safety concerns for cyclists.

Andrew Garratt then made the following points in response to the reasons given for calling in the decision to retain the ban on right turns from Market Street into Cheap Street:

- This manoeuvre was felt to be unsafe as any cyclist turning right would have to do so from the middle of the road. This was backed up by the swept path markings observed at the site visit and by the diagrams circulated, which showed the course taken by larger vehicles through the bend which could endanger cyclists.
- Cyclists could travel safely into Cheap Street by using the nearby pedestrian crossing.
- It was acknowledged that the local cycling group (Spokes) were not consulted. However street notices were in place at the location for 3 weeks as part of the consultation and the Cycling Touring Club and Auto Cycling Union were consulted as statutory consultees. It had been agreed that Spokes would be added to future consultations for schemes which affected cyclists. The point was however made that if Spokes had been consulted and provided a response, this was unlikely to have changed the recommendation to retain the ban on no right turns into Cheap Street for safety reasons.

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- The potential inconvenience caused by this restriction to cyclists was a lesser consideration than the safety requirement.

Councillor Tony Vickers, as one of the five call-in Members, made the following points:

- He had no wish to politicise the issue and the matter was only raised via a Liberal Democrat news release because of his absence on leave.
- This would have been an ideal subject for discussion at an Area Forum.
- Cyclists should be supported in line with Council policy. Discouraging cyclists would increase traffic congestion.
- He believed the Council was acting out of a fear of being sued. However this was unfounded as there was no record of accidents on the site. There was therefore no risk to the Council or to cyclists.
- The reasons given for the decision taken were inaccurate. Visibility/safety was only a concern when two large vehicles approached the junction from opposite directions and in this instance one vehicle would have to stop. There were many others areas within the district with similar or heightened safety concerns and with right turns permitted.
- This restriction led to cyclists travelling across town via Bear Lane which was a more dangerous option.
- This junction was not vulnerable to excessive speeds due to its nature.
- Spokes were not consulted, it was therefore felt that the consultation was flawed and should be repeated to include Spokes.
- Safety restrictions should be adapted to support cyclists.

In considering the safety concerns raised at the site visit and during the debate, Councillor Quentin Webb proposed that the Individual Decision to retain the ban on right turns from Market Street into Cheap Street should be accepted. The fact that cyclists could safely use the pedestrian crossing was also a factor that supported this.

There was much support among Members to this proposal. This view acknowledged that if there was an accident the blame could rest with the Council. Experience of dangerous driving at this junction was also shared and if a cyclist had been in the location they would have been vulnerable.

The opposition to the proposal focussed on the need to ensure that cyclists were safe, as many were likely to turn right into Cheap Street regardless of a ban. If the ban was retained and the Individual Decision was upheld, then an alternative proposal for the Executive's consideration was for additional data to be provided to help understand the number of instances where the ban was ignored. This data should be included as part of a full consultation, to involve Spokes, at a later date to decide on a safe alternative for cyclists. This proposal was not seconded.

RESOLVED that the Individual Decision to remove the ban on rights turns from Cheap Street to Market Street and to retain the ban on right turns from Market Street into Cheap Street be accepted. The decision could therefore be implemented immediately.

32. Councillor Call for Action

No new Councillor Call for Action (CCfA) items were raised for discussion.

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33. Shared Services

The Commission considered a report providing an update on progress made with the establishing of a Shared Services Register (Agenda Item 8).

Steve Duffin introduced the report by making the following points:

- The original intention was to compile a register and to undertake a value for money review of all shared services.
- However there was found to be an unexpectedly large number of arrangements in place and therefore an alternative approach had been agreed. This was to continue the work to compile a complete register of shared services, but to only conduct value for money reviews for new arrangements.
- Many existing shared service arrangements had been working well for some time, whereas others were small scale and low in value. It was felt that value for money reviews were not necessary in respect of these arrangements.

Members agreed that arrangements of a low value did not need to be reviewed, however they were of the view that the decision to review should be based on value and any arrangement above a certain amount should be reviewed over time regardless of its age.

Nick Carter was in agreement that a criterion should be set in this way, but also felt that the definition of what was a shared service needed to be made clear, which could in turn impact on the number listed in the register. Many of the arrangements listed in the draft register were in fact collaborative ventures between organisations and not shared services. Further work was therefore needed on the register.

Steve Duffin agreed to work on the register in the way suggested and report back to the Commission once work was at a more developed stage.

RESOLVED that the item would return to the Commission for an update once work was at a more developed stage.

34. Council Plan Outcomes 2009/10 - Quarter 4 Performance Update

The Commission considered the year end Council Plan outcomes performance report (Agenda Item 9) and the report requested at the last meeting on the timeliness with which the Commission could consider quarterly performance reports.

David Cook made the following points on the year end performance report:

- 92 of the 116 targets were achieved (77%) and a further four, which were reported as red, were achieved just outside the timescale.
- The report listed those indicators which had turned red during the fourth quarter.

Members noted the year end performance report and turned their attention to the timeliness with which the Commission could consider quarterly performance reports.

The options to receive performance reports were discussed and a proposal was made for the Commission to receive reports after they have been considered by Management Board but before they reached the Executive. This could mean that Commission meetings needed to be rearranged, but would allow any recommendations to be fed into the Executive and for the potential for comments to be acted upon. This proposal would be forwarded to the Executive for consideration.

RESOLVED that:

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- (1) The year end performance report would be noted.
- (2) The proposal for the Commission to receive reports after they had been considered by Management Board but before they reached the Executive would be forwarded to the Executive for consideration.

35. **The West Berkshire response to and impact of the severe weather of winter 2009/2010**

(Councillor David Rendel declared a personal interest in Agenda item 10 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).

The Commission considered a report outlining the draft recommendations arising from the review of the impact of and response to the severe weather of the winter of 2009/10 (Agenda Item 10).

Councillor Brian Bedwell advised that he and Councillor Jeff Brooks, as Chairman and Vice-Chairman of the Commission, had gone through the report and reached agreement on the draft recommendations. It was hoped that these could be approved at this stage to allow time to implement changes in advance of next winter.

Members were disappointed that no response had been received from Sovereign Housing and it was agreed that the report, when approved by the Commission, would be sent to Sovereign Housing for their information and to ask for their comments. It was agreed that this would be extended to the National Farmers Union (NFU).

RESOLVED that:

- (1) The report would be sent to Sovereign Housing and to the NFU for their information and to ask for their comments.
- (2) The report would be approved by the Commission and forwarded to the Executive for its consideration.

36. **Scrutiny review into Section 106 Contributions**

(Councillor Jeff Brooks joined the meeting at 7.50pm).

The Commission considered a report (Agenda Item 11) outlining the results of the investigation into why S106 contributions had been unspent and the issues delaying payment.

Councillor David Rendel, as a Member of the task group that conducted this work, made the following points:

- As a result of the work many changes had already been made and improvements were being seen. More of the monies were being spent and greater efforts were being made to do so. Although this was helped in some ways by a reduction in funding being received due to the recession.
- However difficulties were still being experienced and ways to resolve these were detailed in the recommendations.
- There was some uncertainty regarding the small sums which dated back to Berkshire County Council and it was agreed that Stephen Chard would confirm the status of these monies.

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Members approved the report but raised the importance of monitoring this subject over time.

RESOLVED that:

- (1) Stephen Chard would establish the status of monies which dated back to Berkshire County Council.
- (2) The report would be approved by the Commission and forwarded to the Executive for its consideration.

37. Scrutiny review into Improving Public Confidence

The Commission considered a report (Agenda Item 12) outlining the results of the investigation into improving public confidence.

Councillor Quentin Webb referred to the draft recommendations of the Select Committee for Members' approval and advised that this work had already led to wider consultation with the residents of Thatcham.

The changing funding situation for public bodies, including Thames Valley Police, was referred to and it was pointed out that the focus of public sector organisations could revert more to their own core business. It was therefore suggested that recommendation C (to review Neighbourhood Action Groups) should be amended to include organisations other than the Police to ensure that this work was not lost.

Councillor Webb acknowledged these points, but was of the view that the recommendations should stand as the implications of any funding cuts were not yet known. This matter could be revisited at a later stage.

Nick Carter added that the indicator which related to public confidence was likely to be removed from the national directory and the Police had been asked to focus on fighting crime. The recommendations were still valid but might not remain a priority.

RESOLVED that the report would be approved by the Commission and forwarded to the Executive and Thames Valley Police for their consideration.

38. Scrutiny review into the performance of schools in West Berkshire

The Commission considered a report (Agenda Item 13) outlining the results of the investigation into the performance of schools in West Berkshire.

Councillor Irene Neill introduced the report and made the following points:

- Many well informed and experienced witnesses were involved in the review which aided the production of the findings and recommendations.
- Issues identified included a time delay between the identification of problems within a school and corrective action being taken.
- Many recommendations related to improvements in leadership and governance.
- Many actions had been put in place between the time of the scrutiny review and the production of the report. This included the ability to take action at an earlier stage with schools and governing bodies which could prevent a situation from deteriorating.
- It was felt that interventions were effective as schools were improving and coming out of special measures etc.

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- The final paragraph on page 163, which related to future leaders, should be considered as a recommendation in its own right.

The recommendations relating to Governor training were discussed and Members felt that as Governors were only voluntary this training could only be made optional. It was also queried whether recruitment of Governors was an issue and whether newly appointed Governors were fully aware of their responsibilities. Councillor Neill advised that recruitment methods varied and improvement was needed for some schools. However recent visits of the Standards and Effectiveness Panel showed that many schools had been able to recruit appropriately skilled Governors.

Effective recruitment of Head Teachers was then discussed and it was queried whether incentives were in place that would encourage good Head Teachers to work at a failing school. Councillor Irene Neill acknowledged this was a difficulty as good schools in a good area found it easier to recruit, although some Head Teachers might relish a challenge. There were instances where a Head Teacher from a successful school was recruited as an Executive Head Teacher to assist a failing school.

The involvement of Local Education Authority (LEA) representatives in the recruitment of Head Teachers was queried and it was advised that while the LEA was involved in recruitment, the advice given could be ignored by governing bodies.

Recommendation 14, which related to resource levels for school improvement, was then discussed as this was a time of potential budget cuts. Councillor Neill pointed out that this recommendation was to at least maintain existing resources if not to increase them. The introduction of academies could impact on the requirement for school improvement services, but this was at yet unclear.

The workings of the Standards and Effectiveness Panel (recommendation 15) were referred to and a view was given that a more robust framework was required for the investigation of schools. Councillor Neill advised that schools that gave cause for concern were visited by the Panel and the informal approach taken often produced better results, but a firm approach was taken with schools when necessary. These visits also gave the opportunity for schools to discuss services received from the LEA.

The following sentence was suggested to be added to this recommendation:

The work of the Standards and Effectiveness Panel should be considered in light of a more structured approach to school visits in order to improve consistency.

Councillor Neill was in agreement with this amendment and, in addition, agreed that changes would continue to be monitored by the Select Committee.

RESOLVED that the report would be approved by the Commission, subject to the incorporation of the agreed amendment, and forwarded to the Executive for its consideration.

39. Greener Select Committee

The Commission considered a report (Agenda Item 14) on the work of the Greener Select Committee.

Councillor Emma Webster gave an update on the discussions held at the meeting of the Select Committee on 8 June 2010:

- The procurement of local food was discussed as part of the continuing work on the use of local resources. It was hoped that a report would be brought to the Commission in due course on this subject.

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- Good progress had been made with the implementation of the recommendations arising from the flooding review. Much of the required work was complete and the few areas of work outstanding were in progress. As a result West Berkshire was in a much stronger position to deal with a potential reoccurrence.
- The performance of the waste contract was discussed and it was agreed that some elements would be investigated further. The Select Committee felt this was particularly important as the Waste Management Task Group had been disbanded.

Members raised a potential flooding concern that could arise as a result of the racecourse development. It was felt that any flood alleviation work should take place prior to the development and Councillor Webster agreed to raise this with the Civil Contingencies Manager on behalf of the Select Committee.

Members asked that further work on the waste contract included the provision and take up of assisted collections and wheeled boxes.

RESOLVED that the update would be noted and the further areas requested by the Commission for investigation would be taken forward by the Select Committee.

40. Healthier Select Committee

(Councillor David Rendel declared a personal interest in Agenda item 15 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).

The Commission considered a report (Agenda Item 15) on the work of the Healthier Select Committee.

Councillor Geoff Findlay advised that the work programme had been reviewed and as a result a more manageable list of items had been produced. A focus of the remaining items was to avoid duplication of effort between organisations where possible.

RESOLVED that the update be noted.

41. Resource Management Select Committee

The Commission considered a report (Agenda Item 16) on the work of the Resource Management Select Committee.

Councillor Jeff Brooks described the resolutions made to seek improvements to the work of Property Services and their contractors in schools. These included a suggested change to the way in which minor works were conducted and to the invoicing process. This topic would continue to be monitored.

The Asset Management Plan was due for discussion at a future meeting.

Clarity was still needed on the timings with which budget reports could be received by the Select Committee. This would be ideal prior to Executive so that any recommendations could be fed through, in line with the discussion on performance reports. Nick Carter agreed with the logic of this approach, but advised that this would need to be agreed by the Executive first.

RESOLVED that the update would be noted and clarity would be sought as to when budget reports could be received by the Select Committee.

42. Safer Select Committee

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The Commission considered a report (Agenda Item 17) on the work of the Safer Select Committee.

Councillor Quentin Webb informed Members that the main agenda item for the next meeting was the continuation of the review into the use of fire sprinklers in Council buildings. Consideration would also be given to the next review into crime statistics.

RESOLVED that the update be noted.

43. Stronger Communities Select Committee

The Commission considered a report (Agenda Item 18) on the work of the Stronger Communities Select Committee.

Councillor Irene Neill advised that the work programme had been reviewed and as a result a more manageable list of items had been produced.

The agenda items for the next meeting, scheduled for 8 July 2010, were as follows:

- A briefing on the work of the Greater Greenham Project.
- To consider the outcome of the audit of the Housing Register to identify and potentially scope future work for the Select Committee. Councillor David Rendel offered his assistance with this item should a detailed review be undertaken.

RESOLVED that the update be noted.

44. West Berkshire Forward Plan - July - October 2010

The Commission considered the West Berkshire Forward Plan (Agenda Item 19) for the period covering July to October 2010.

Members discussed whether the Forward Plan should be removed from future agendas as it was rarely discussed.

Members were of the view that the Forward Plan should remain as an agenda item and the reduction of the scrutiny work programme could mean that more items would be identified from the Forward Plan.

RESOLVED that the Forward Plan be noted.

45. Overview and Scrutiny Management Commission and Select Committee Work Programme

The Commission considered the work programme of the Commission and Select Committees for 2010/11 (Agenda Item 20).

It was noted that the programme of work had been reduced. Councillor Brian Bedwell advised that this was a more structured work programme that was achievable within the next 18 months.

RESOLVED that the work programme be noted.

46. Customer Service Performance

The Commission considered a report (Agenda Item 21) providing an update on performance within Customer Services.

Members requested further detail in addition to the data provided and it was agreed that Sean Anderson would be invited to the next meeting to provide a greater breakdown of

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the data, an explanation of developments and a definition of what calls were included, i.e. to Customer Services and the Switchboard.

RESOLVED that the update would be noted and Sean Anderson would be invited to provide further information at the next meeting.

(The meeting commenced at 6.30pm and closed at 9.15pm)

CHAIRMAN

Date of Signature

Title of Report:	Item Called-In following an Individual Decision
	Home to School Transport Policy 2011-12
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010
Forward Plan Ref:	ID2140

Purpose of Report: To review the Individual Decision to approve the Home to School Transport Policy for 2011-12.

Recommended Action: That the Overview and Scrutiny Management Commission examine the decision and make further recommendations as appropriate.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
E-mail Address:	bbedwell@westberks.gov.uk

Portfolio Member Details	
Name & Telephone No.:	Councillor Barbara Alexander - Tel (01635) 201320
E-mail Address:	balexander@westberks.gov.uk

Contact Officer Details	
Name:	Stephen Chard
Job Title:	Policy Officer (Scrutiny Support)
Tel. No.:	01635 519462
E-mail Address:	schard@westberks.gov.uk

Supporting Information

1. Introduction

- 1.1 Local Authorities are required to determine a Home to School and College Transport Policy annually. This forms part of West Berkshire's Parents Guide to Admissions which is published each September.
- 1.2 Following a period of consultation it was proposed that the policy for 2011/12 remained unchanged from the 2010/11 policy other than to apply inflation of approximately 1.9% to the charges made for the fare-paying scheme. This increase was clearly detailed in the consultation document.

2. Executive Consideration

- 2.1 The Home to School Transport Policy 2011-12 was considered as an Individual Decision on 15 July 2010 where it was resolved that the Policy would be approved.

3. Call-In of the Decision

- 3.1 In accordance with the Council's Constitution five Elected Members (Councillors Jeff Brooks, Gwen Mason, Julian Swift-Hook, Tony Vickers and Keith Woodhams) called in the Individual Decision on the basis that:
 - (1) The Policy does not make reference to any consultation with Transport Policy Officers or the Transport Portfolio Holder.
 - (2) There is a need to raise awareness of the wider implications of this report. For example on p.12 (p.14 of the OSMC papers) "Environmental: Mone" (sic) which shows no thought was given to implications for the Council or the district's carbon footprint (or school run congestion) of ignoring potential of cycling.
 - (3) Members would like to see more evidence of 'joined up thinking' over the fact that we have a policy of providing every child with free cycling proficiency training in yr.6, so they can cycle to secondary school. This is not evidenced in the report.

4. Recommendation

- 4.1 That the Overview and Scrutiny Management Commission examine the decision and make further recommendations as appropriate.

Appendices

Appendix A – Individual Decision report – Home to School Transport Policy 2011-12

Individual Executive Member Decision

Title of Report:	Home to School Transport Policy 2011-12
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	15 July 2010
Forward Plan Ref:	ID2140

Purpose of Report: To approve the Home to School Transport Policy for 2011-12

Recommended Action: Approval of policy

Reason for decision to be taken: Statutory requirement

Statutory: **Non-Statutory:**
Other:

Other options considered:

Key background documentation: Home to School Travel and Transport Guidance - DCSF
West Berkshire Home to School Transport Policy 2010/11
C&YP PDC Review Report - Executive Report Item 12
12.3.09
Proposed West Berkshire Home to School Transport Policy 2011/12
West Berkshire Consultation Document - May 2010

Portfolio Member Details	
Name & Telephone No.:	Councillor Barbara Alexander - Tel (01635) 201320
E-mail Address:	balexander@westberks.gov.uk

Contact Officer Details	
Name:	Malcolm Berry
Job Title:	Parent & Student Advice Centre Manager
Tel. No.:	01635 519007
E-mail Address:	mberry@westberks.gov.uk

Implications

Policy: As set out in the report

Financial: The removal of discretionary denominational transport from 2010/11 will result in continued savings totalling an approximate £22,000 over a 5 year period - Fare Paying charges have been increased by approximately 1.9%

Personnel: None

Legal/Procurement: None

Environmental: None

Partnering: None

Property: None

Risk Management: None

Community Safety: None

Equalities: None

Consultation Responses

Members:

Leader of Council: Graham Jones

Overview & Scrutiny Management Commission Chairman: Brian Bedwell

Select Committee Chairman: Irene Neil

Ward Members: N/A (All members received consultation document)

Opposition Spokesperson: Alan Macro

Local Stakeholders: Wide consultation on proposed policy amendments including all in receipt of assistance - responses summarised in Appendix C

Officers Consulted: Ian Pearson

Trade Union: N/A

Is this item subject to call-in.	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by OSC or associated Task Groups within preceding 6 months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 Regulations require Local Authorities to determine a Home to School and College Transport Policy annually and publish details in an admissions composite prospectus (West Berkshire Parents Guides to Admissions) to enable parents to consider transportation implications when choosing preferred school places. These guides are published each September.
- 1.2 It is proposed that the 2011/12 policy remains unchanged from the 2010/11 policy other than to apply an inflation factor of approximately 1.9% to the charges made for the fare-paying scheme, the details of which were clearly identified in the consultation document.
- 1.3 The consultation on proposed policy changes for the previous 2010/11 academic year was led by the outcomes from a Children & Young People Policy Development Commission Task Group, whose findings and recommendations were endorsed by the Executive in March 2009. As the effect of such a wide ranging policy review will not be fully seen prior to the 2010/11 year it is considered appropriate to keep the policy unchanged. The full proposed policy is attached as Appendix A.
- 1.4 A consultation document (Appendix B) outlining proposed fare-paying scheme charges was released as in previous years. The document was also placed on the Council's Website for wider access by parents of pupils in Year 10 (due to transfer to post-16 education in September 2011), parents of pupils in Year 5 (due to transfer to secondary education in September 2011) and Parents of pupils in Nursery Schools and Nursery classes due to enter school in the 2011 following notification via schools. It was also issued to parents currently receiving assistance.
- 1.5 Responses to the consultation are summarised in Appendix C. Officer's comments are alongside the responder's comments.
- 1.6 Following the consultation responses it is proposed that the policy for 2010/11 with the inflationary factor applied to fare-paying charges is approved for 2011/12 without amendment.

Appendices

- Appendix A – Home to School and College Transport Policy 2010/11
- Appendix B – 2011/12 Consultation Document
- Appendix C – Consultation Responses

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WEST BERKSHIRE COUNCIL'S
HOME TO SCHOOL TRANSPORT POLICY
2010/11

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INTRODUCTION

Parents have a legal duty and a responsibility to ensure that their statutory school aged children attend school regularly and to make any necessary arrangements to ensure attendance. In certain circumstances West Berkshire Council, as the Local Authority (LA), has a duty to provide transport. Education Law details this duty and other discretionary powers that LAs have in considering transport provision when there is no duty to assist. LAs are also required to adopt and publish a Home to School Transport policy.

The main purpose of school transport is to assist in enabling pupils to attend school. The Council aims to provide equitable, safe, efficient and cost effective transport to all entitled pupils in accordance with its duties and powers as provided for in legislation.

This document sets out West Berkshire Council's Home to School Transport policy and describes how the Council fulfils its duties and exercises its discretionary powers as required under legislation. The policy detailed here is determined in accordance with the relevant provisions of the Education Act 1996 and subsequent amendments by the Education and Inspections Act 2006.

West Berkshire Council only considers offering transport assistance for pupils that are resident in West Berkshire, although provision can be used by those living outside the area who pay to travel. No other Home to School Transport will be provided by the Council except as detailed in this Policy.

We acknowledge the role that the Local Transport Plan (LTP) has to play in shaping other corporate documents where transport contributes to the delivery of services. Future Home to School Transport policy documents will have cognisance of the overall aims and objectives of the LTP and its strategies, particularly in the areas of Accessibility, Passenger Transport and Travel Plans. Officers across all Directorates will be working closely to ensure consistency of approach.

BACKGROUND

1. LEGISLATION AND GUIDANCE

1.1 LA DUTY TO PROVIDE TRANSPORT

The Education and Inspections Act 2006 inserted new sections 508B and 508C into the Education Act 1996. These sections place a duty on local authorities to ensure that suitable travel arrangements are made, where necessary to facilitate a child's attendance at school (defined as the 'relevant educational establishment' in relation to the child).

The duty applies to "home to school" travel arrangements at the start of the day, and "school to home" travel arrangements at the end of the day for compulsory aged children (i.e. from the first full term following the child's 5th birthday to the end of the academic year in which falls the child's 16th birthday). It does not relate to travel between educational institutions during the school day.

Parents are responsible for ensuring that their children attend school regularly. However, section 444 of the Act outlines the situations in which a parent may have a defence in law against a prosecution by a local authority for their child's non-attendance at school. Section 444(3B) provides a parent with a defence if he or she proves that:

- the qualifying school at which the child is a registered pupil is not within "statutory walking distance";
- no suitable arrangements have been made by the local authority for boarding accommodation at or near to the school;
- no suitable arrangements have been made by the local authority for enabling the child to become a registered pupil at a qualifying school nearer to his/her home; and
- the local authority has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.

Schedule 35B of the Act defines "eligible children" – those categories of children in an authority's area for who travel arrangements will always be required. Under section 508B, every feature of these arrangements must be provided free of charge. These are outlined within the West Berkshire Home to School Transport Policy below.

1.2 LA DISCRETIONARY POWERS

In cases of pupils who do not qualify for free transport, Section 508C provides a discretionary power for authorities to provide assistance by paying all or part of the pupil's reasonable travelling expenses. Authorities may take account of parental means in deciding whether or not to do so. Each authority decides whether and how to exercise these powers.

Free transport might exceptionally be necessary for a 5 to 16 year old who lives within walking distance of school or who does not attend the suitable or nearest school¹. The Council has an obligation to consider all such cases on their merits.

The Council may consider arrangements 'necessary' that go beyond the minimum, e.g. free or subsidised transport for those who live within walking distance of the school but have health problems or are under age.

¹ The courts have held that authorities do not have a duty to provide free transport for pupils whose parents have chosen to send them to a school other than the suitable or nearest one, even if it is beyond statutory walking distance. Authorities may help in such cases if they wish. This would be on the basis of their discretionary powers (Section 509 (3)).

Local Authorities must annually publish their policy on free and subsidised transport.

1.3 PARENTAL DUTIES AND RESPONSIBILITIES

Although the Council offers transport assistance, it is still the responsibility of parents in all circumstances to ensure their children get to school if he/she is of compulsory school age. Even where transport is provided they still have a responsibility for the behaviour of the child and will need to play a part in the process.

HOME TO SCHOOL TRANSPORT POLICY

2. MAINSTREAM

Section 509 of the 1996 Education Act and its amendments in subsequent education acts obliges authorities to make transport arrangements if they consider it necessary to facilitate a pupil's attendance at specified educational institutions. Provision is based on age:

1. Provision for pupils of compulsory school age:
2. Post 16 Students (16 to 19).

The legislation applies to all pupils, whether they do or do not have statements of Special Educational Needs².

2.1 FREE SCHOOL TRANSPORT

2.1.1 Statutory Free School Transport

Free transport will normally be provided to pupils of compulsory school age (including those with and without statements of Special Educational Needs), attending mainstream schools, if:

A. They attend their suitable³ or nearest maintained school and they live:

- more than 2 miles (3.218688 kilometres) from school for those aged between 5 and 7; or
- more than 3 miles (4.828032 kilometres) for those aged 8 – 16; or
- more than 2 miles (3.218688 kilometres) from school for those aged between 8 and 11 from a 'Low Income Family'.

OR

B. They are aged between 11 and 16, are from a 'Low Income family' and they live:

- more than 2 miles (3.218688 kilometres) but less than six miles (9.656064 kilometres) from one of 3 nearest maintained schools; or
- more than 2 miles (3.218688 kilometres), but not more than 15 (24.14016) miles from the nearest suitable maintained school for those who attend a school on the basis of a religious belief.

OR

C. They are pupils who attend their suitable or nearest maintained school:

- and are unable to walk whether by reason of SEN, disability or mobility problem including temporary medical conditions, with the necessary assessments applying; or
- whose parents cannot accompany them along a walking route because of a disability where no other arrangements could be made; the necessary assessments will apply.

²Special Educational Needs Code of Practice: Department for Education and Skills (DSCF), November, 2001 paragraphs 8:87 to 8:90.

³ The courts have held that authorities have the powers to designate a suitable school for the pupil (see R v Kent County Council), exp C [1998] ELR 108, Bulletin 11, p 8. (see 2.1.5)

The categories for eligibility for free transport are provided for information only. This is the law; the council must provide free transport for these children.

2.1.2 Low Income Families

For transport under criteria specifically referring to Low Income Families - defined in legislation as those eligible for free school meals or whose parents are in receipt of the highest level of Working Tax Credit - a transport supplementary form will need to be completed at the start of each year and evidence of continued entitlement provided each term.

2.1.3 Eligibility

Eligibility for transport depends on:

- the age of a pupil;
- travelling distance between the suitable or nearest school and a pupil's home address; and
- availability of the walking route or alternative walking routes to the school.
- the pupil's family income status, entitlement to free school meals or those whose parents are in receipt of the maximum level of Working Tax credit, within specified age ranges.
- Pupils who are unable to walk whether by reason of SEN, disability or mobility problem including temporary medical conditions. Requests must be supported by a doctor's certificate and the Council reserves the right to seek further evidence of the condition. Any such Transport given for temporary medical conditions causing mobility problems will be time limited and subject to regular review.
- With the exception of 2.1.1 B, transport will normally only be provided if a child attends the suitable or nearest maintained school.

2.1.4 Compulsory School Age

In England and Wales a pupil becomes of compulsory school age on the 1st day of the term following the 5th birthday. A pupil ceases to be of compulsory school age at the end of the last Friday of June following the 16th birthday.

2.1.5 Pupils Below Compulsory Age

Free transport is not normally provided for pupils below compulsory school age. Fare paying seats may be available (see 2.3.1).

2.1.6 Pupils Over Compulsory Age

Refer to Post 16 Transport in Section 4 of this policy for transport arrangements for pupils over compulsory age.

2.1.7 The Suitable School

The Suitable School for the purposes of assessing eligibility is considered to be the West Berkshire transport catchment area school, NOT the catchment area school as defined for admission purposes. When such a school is unavailable, the Suitable School will be considered to be the nearest available school.

However, for a pupil from a Low Income Family aged 11 to 16 (secondary) the 3 nearest qualifying schools will be considered under new legislation.

Distance is measured using the West Berkshire Geographical Information System (GIS) taking a straight line between the home address and the schools⁴.

If parents choose to send their child to a school which is not the suitable or nearest school, free transport will not be provided by the Council, even if the school is not within statutory walking distance. Parents will be responsible for all arrangements and costs. This also applies to parents of children with special educational needs.

If parents request free transport to a preferred school at any time on the grounds that the admissions catchment area school is full, the Council will not consider the request if, during the normal admission round or at the time of application for a school place, parents had not preferred the catchment school or nearest school at that time.

2.1.8 Qualifying Schools

A qualifying school must be one of the 3 nearest maintained schools to the home of a child from a Low Income Family, with a space at the time of allocation.

2.1.9 Travelling Distance

The travelling distance between home and school is normally measured in terms of walking distance between the child's home and the school, via public rights of way and other routes available to the public.

Measurement is taken from the nearest entrance to the property such as the front or back gate of the house or start of the driveway, to the nearest available entrance to the school, which is not necessarily the main entrance.

Statutory walking distance is related to the age of the pupil and is defined in legislation as:

- 2 miles (3.218688 kilometres) for a child who is under the age of 8 and children aged 8-16 who qualify under one of the Low Income Family criteria (In all other cases, transport provision will cease when a child attains the age of 8, if the distance between the pupil's home and school is between 2 and 3 miles);
- 3 miles (4.828032 kilometres) for a child who is between 8 and 16.

Walking distance is measured by the shortest available walking route which a child, accompanied as necessary, can walk with reasonable safety to school⁶.

For Low Income Families, the 6 mile and 15 mile travelling distance upper limits are not walking routes and these upper limits would be measured along road routes.

⁴ These are termed the 'Qualifying schools'. See section 2.1.6

⁶The House of Lords held unanimously that a route is available if a child, accompanied as necessary, can walk along it with reasonable safety to school. A route does not fail to qualify as 'available' because of dangers, which would arise if the child were unaccompanied, *Essex County Council v Rogers*, F [209].

2.1.10 Pupil's Home Address

Transport to and from school will normally be determined and approved from a single permanent residence. This is normally the one where the child spends most time with the parent / carer and has been used for admission purposes. The Council should be notified in writing of all changes of home address. Transport provision may cease if there is a change in home address and attendance will not be at the suitable or nearest school from the new address. Similarly transport will cease with any change of school. In such cases a new application should be made to assess transport provision.

In exceptional cases where there is a change in the pupil's home address, or placement if in public care, the Council may consider the continued attendance at the current school to be in the child's best interest. In such cases transport will be considered to ensure attendance, for example during the final year of GCSEs. Consideration will be given as to whether the change of address was entirely outside any parental control.

2.1.11 Nature of Routes to School

The Council recognises the challenges in rural areas for the availability of safe walking routes especially in areas where pupils may have to cross fields, wooded areas and public parks and may encounter livestock. Rights of Way will normally be considered to be available at all times, as will Permitted Paths, following consultation with the Environment Directorate.

Off road walking routes will not be considered to be unavailable because of lack of lighting, isolation of route, temporary unavailability (e.g. due to seasonal flooding) or proximity of any residences, water hazards, livestock, horses, etc.

When challenged regarding the availability and safety of routes, the Council will undertake appropriate risk assessments which will include a review of public availability, walking the route with appropriate officers and local members, and involve discussion with Education Transport, Transport Services, Transport Policy, Road Safety and Countryside Environment officers.

Whilst a parent may make a case that a route is believed to be unsafe, it is the Council that determines if a route is available.

The Council will consider, in line with its vision for general transport provision across West Berkshire, through the Local Transport Plan, the provision and improvement of safe walking routes and the building of foot / cycling paths or crossings in some areas, as more cost effective alternatives to providing free transport⁷. This may result in the withdrawal of transport where safe walking routes are established.

2.1.12 Transport Provided in Error or Subject to Change

Where free transport has been provided in error or where there have been material changes to the route to school, provision may be withdrawn⁹. However, transport will continue until the end of the term in which the

⁷ Viring of funds will be considered for improvements to provide safe available walking routes as a cost effective alternative to vehicular transport.

⁹ The courts have ruled that where a Local Authority has provided free transport in the belief that the distance involved is over three miles, they are bound to review this exercise of their discretion when this belief proves to be mistaken. *Rootkin v Kent County Council* (1981), F [211] CA.

error was notified, or a change in consideration of the circumstances of eligibility was determined, in order to allow for alternative arrangements to be put in place by the parents.

Where free transport may be withdrawn due to identification of alternative safe walking routes being available, any decision to withdraw assistance will be made following risk assessment and consultation with affected families, schools in the area, local and portfolio members of the Council.

2.2. DISCRETIONARY TRANSPORT

Legislation on school transport gives the Council discretion to provide transport in cases where there is no duty to assist, but where the Council may decide that it is necessary to ensure attendance. Where transport is considered necessary to ensure attendance then the Council must provide it free.

2.2.1 Denominational Transport

With effect from the 2010/11 academic year, assistance with denominational transport other than statutory entitlement will not normally be approved. Please refer to 2.1.1 B for eligibility to Statutory Free Transport.

Existing denominational transport arrangements will continue for pupils until the pupil leaves the school currently attended or there is a change in circumstances that would have affected eligibility if assistance was still available similarly to the 2009/10 policy.

2.2.2 Peripheral Activities

Free Transport is provided for pupils at the beginning and end of the school day only; it will not normally be provided for additional activities, e.g:

- After school activities;
- Induction / open day / interview visits;
- Medical and dental appointments;
- Parental / Carer attendance at school;
- Respite Care;
- Exchange students.

¹⁵Home to School Travel for Pupils requiring Special Arrangements: Department for Education and Skills, November 2004, pages 27 – 28.

3. SPECIAL EDUCATIONAL NEEDS TRANSPORT

3.1 PUPILS WITH STATEMENTS

3.1.1 General Principles

There is no automatic entitlement to free school transport on the grounds that a pupil has a Statement of Special Educational Needs¹⁵.

Transport will be provided only in accordance with the usual provision and eligibility criteria (see section 2). Where transport is deemed necessary, it will only be provided to the nearest school considered appropriate to meet the child's Special Educational Needs. If parents express a preference for an equivalent school that is more distant, the Council may agree to such a placement but will not provide transport. (See Fare-paying Scheme 2.3.1).

For all pupils who receive transport, the Council is required to review the pupil's ongoing transport needs at the statutory Annual Review. Older pupils who are capable of doing so will be encouraged to develop independent travel skills.

3.1.2 Transport to Mainstream Schools / School with Resource Units

Pupils with Statements who attend mainstream schools are not provided with transport, unless they qualify for transport under the mainstream home to school transport policy (see Section 2).

In a small number of cases, some pupils who live less than the statutory distances referred to in Section 2 may warrant provision of transport because the nature of the Special Educational Needs is such that they would be unable to physically walk; for instance, pupils with severe physical disabilities or those with medical conditions that limit their ability to walk.

3.1.3 Transport to Special Schools

Compulsory aged pupils who are placed by the Council at special schools should not be regarded as automatically entitled to free transport. Pupils with Statements who attend special schools are not normally provided with transport unless they qualify for transport under the normal home to school transport policy (see Section 2).

It is acknowledged that some pupils living within statutory walking distance with complex needs, attending special schools, will require assistance with transport. The need for assistance with transport will be made clear when developing a Statement and will be amended by the Annual Review.

Each pupil's capacity for independent travel to a special school will always be considered before transport is provided.

3.1.4 Transport to Residential Special Schools

Transport should be considered when determining whether a residential placement is appropriate and if so what type of boarding arrangement should be put in place. For example, it may be more cost effective for a pupil to attend as a termly rather than a weekly boarder when transport arrangements are taken into consideration. Where a pupil with a statement is placed at a residential special school because a suitable day placement is not appropriate or available, transport costs will be considered in determining the type of boarding

arrangement.

Eligible weekly boarders will be provided with transport at the start and end of each week.

Eligible termly boarders will be provided with transport at the start and end of each term and half term, and for up to one weekend in each half term.

Where pupils are placed in residential schools and their places are jointly funded with Children's Services and Health, it is expected that transport costs will be shared.

3.1.5 Provision of Escorts

Some pupils with Statements who qualify for transport may need to be supervised on the transport by an escort. Escort provision is costly and would only be agreed in exceptional circumstances. Annual Reviews for pupils who are transported with an escort will pay particular attention to the ongoing need or otherwise for an escort and will make recommendations accordingly to the Council. This will be achieved through a review of the actual forms and processes used for the Annual Review to ensure that transport needs are assessed annually.

3.1.6 Education Other Than At School (EOTAS) including Referral Units

Where parents have made the choice to educate their child other than at school, no assistance will be available from the Council in connection with any transport need arising.

Where the Council arranges for a pupil to have education other than in school, the Council will provide transport subject to normal eligibility rules on home to school transport.

3.1.7 Transport to Language and Literacy Centres

Pupils attending morning sessions at a Language and Literacy Centre (LAL) will either be transported to the LAL from their own mainstream school or from their home address, whichever is closer. They will then be transported back to school.

Pupils who attend afternoon LAL sessions will be transported from their own mainstream school to the LAL. If the end of the session coincides with the end of the school day, pupils will either be transported home or returned to their mainstream school, whichever is closer.

3.2 PUPILS WITHOUT STATEMENTS

Transport for pupils without statements of Special Educational Needs attending mainstream schools will be provided on the basis of normal eligibility criteria (see Section 2). For exceptional circumstances, each case will be considered on its own merit.

4 ASSISTED SCHOOL TRANSPORT

4.1 FARE PAYING SCHEME

The Council offers seats on a fare paying basis for pupils who are not entitled to free transport if spare seats exist on transport arrangements contracted by the Council. Priority will be given to West Berkshire residents applying for fare paying seats, by date order of receipt.

However, for two similar fare payer applications received for the same route on the same day, priority will be given to the student living the furthest from the school measured by the West Berkshire GIS taking a straight line between the home address and the school. As a final arbiter, the youngest child will be offered a place first.

The Council will apply a graded fare charging system which is based on radial distances comprising of the following bands:

- A up to 3 miles;
- B up to 6 miles;
- C over 6 miles.

These three bands apply on all routes¹⁶.

Fares will be discounted by 30% for additional fare paying siblings.

Parents/Carers will be required to pay in two instalments: the first to be paid prior to issue of the travel pass and the second to be paid early in February.

When there is a greater demand from fare paying pupils, the Council will consider increasing transport provision to meet the demand, where this is cost effective¹⁷.

The issue of a fare paying pass is a concession which can be withdrawn at any time for the following reasons:

- the seat is required for a pupil entitled to free or Post-16 transport;
- the contract ceases to operate;
- the contract is re-routed;
- seating capacity is reduced.

The order of withdrawal will be the reverse order of the priority for eligibility, i.e. non West Berkshire residents before West Berkshire residents.

When transport is withdrawn because a seat is no longer available or it has been provided in error, a refund will be made on a pro rata basis. If a pupil withdraws from the scheme for any reason, a refund will only be given on a half-termly basis. If a pupil is withdrawn for behaviour reasons no refund will be made.

¹⁶ Rates for each band will be agreed annually in line with relevant transport price indices and will be listed in parent's guides for admissions and on application forms (see Appendix 2 for all rates).

¹⁷ The Council will consider provision of more fare paying seats on school transport to encourage less use of cars for the school run and to reduce pollution. The aim is to encourage take-up for short distances while making sure that the higher band is still attractive.

5 GENERAL PRINCIPLES

5.1.1 Mode of Transport

The Council will procure transport between home and school via the Transport Services Team, by way of council vehicles, contracted services, public bus or rail services by applying Best Value procurement practices.

5.1.2 Mileage Reimbursement for Parental Transport

In some cases, transport to and from school may be provided by parents themselves. Where there is no existing home to school transport available, parents could provide their own transport. The Council may reimburse mileage at a rate to be considered annually for the home to school journeys only, i.e. when the pupil is being transported (see Appendix 2, Rates).

In cases where public/ commercial transport is available, the Council may reimburse mileage on request when it is cost effective to do so. In exceptional cases the rate of reimbursement can be varied where it would be cost effective to do so.

5.1.3 Boarding and Alighting Points

Appropriate boarding and alighting points will be determined by the Transport Services Team.

Pupils are expected to walk a reasonable distance to and from home to meet their transport. The maximum distance to a boarding point for any pupil will not normally exceed one mile.

Parents are responsible for their children's safety in getting to and from the boarding and alighting point at the appropriate time. They are also responsible for their children when they are waiting for transport and when they leave the transport at the end of the day.

Boarding arrangements for individual pupils will not be altered without prior agreement with the Transport Services Team, in consultation with the relevant school, and then only for reasons restricted to pupils' personal safety. Bus passes will then be reissued as appropriate by the Transport Services Team.

5.1.4 Journey Times

For schools within West Berkshire, one-way journey time should not normally exceed 75 minutes for a secondary aged pupil and 45 minutes for a primary age pupil. However, in some circumstances travel to special schools may result in a need for longer travel times.

5.1.5 Change of School Hours

Any change to school hours, INSET days or term dates requires consultation. Where a school determines a change to school hours that results in the Council incurring higher home to school transport costs, these costs will be recovered from the school's budget¹⁸. Changes to school hours with an aim of reducing home to school transport costs will be investigated¹⁹.

¹⁸ Education legislation allows for sustainable recovery from school budgets.

¹⁹ This is in accordance with the results of the Scrutiny Task Group considerations.

5.1.6 Exclusions from School

Where it is considered appropriate for a pupil to be excluded from school, including from Pupil Referral Units (PRUs) during the school day, it is the parents' responsibility to collect the pupil on request. The school will hold the pupil until the parent's arrival or the end of the school day.

5.1.7 Behaviour on School Transport

Parents, schools, pupils, transport contractors and the Council, working in partnership, all share responsibility for ensuring that acceptable behaviour is maintained to ensure safe and stress free school transport for all.

The Council aims to adopt a zero tolerance policy to bad behaviour. Pupils and their parents will be required to sign the Council's Behaviour Policy when applying for home to school transport.

Any breach of discipline will be dealt with through the school's behaviour policy and may lead to the withdrawal of those who have deemed themselves unable to take advantage of it owing to their bad behaviour.

Subsequently there will be parental responsibility to ensure attendance.

Appropriate sanctions will be applied in line with the policy. A no-pass-no-travel policy will apply. All parties concerned are encouraged to report incidents of bad behaviour for resolution of the incident and for recording on the Council's Webrisk database.

Withdrawal of transport is not a cost effective way of dealing with bad behaviour on school transport due to the statutory responsibilities to make provision. The Council will therefore work closely with schools to ensure that the full extent of school behaviour policies is used in dealing with pupils who cause problems²⁰.

²⁰ The courts have ruled that while schools have no absolute obligation to deal with issues that occur outside of school premises and the school day, they have discretion to act and take reasonable measures that could deal with a problem that occurred outside of school premises.

6. POST 16 TRANSPORT

6.1 LEGISLATION AND GUIDANCE

The legislation and guidance of school transport for persons of sixth form age are covered within the Education Act 1996, Learning and Skills Act 2000, Education Act 2002, Education and Inspections Act 2006 and Education Act 2008. Section 508C of the 1996 Act provides local authorities with discretionary powers to make arrangements for those children not covered by Section 508B.

Under legislation, a Local Authority should make such arrangements for the provision of free transport or otherwise, as they consider necessary, or as the Secretary of State directs, for the purpose of facilitating the attendance of students in further education at schools and specified further and higher education institutions. They should not discriminate between pupils at maintained schools and persons in other specified categories.

Local Authorities are required to prepare and publish agreed local Further Education Transport Policy Statements in consultation with their partners by 31st May each year. The policy should be published nationally, locally and on the Department for Children, Schools and Families (DCSF) website.

Authorities must have regard to guidance from the DCSF and Learning and Skills Council for England on Transport Support Arrangements for Students aged 16-19²¹.

6.2 POST-16 TRAVEL SCHEME

Full time Post-16 students living in West Berkshire attending a maintained school or further education college who are over compulsory school age, but under the age of 19, or who have begun a particular course of education or training before attaining the age of 19 and continue to attend that course, are eligible to apply for the Post-16 Travel Scheme.

The Post-16 Travel Scheme offers seats to students on transport arrangements contracted by the Council. The student will be provided with a pass to use on the contracted service. It will be valid for journeys to and from school/college, Mondays to Fridays only. Assistance is limited to contracted transport where spaces are available.

Students will be charged according to the School Transport Banded Rates (see Appendix 2, Rates).

A graded fare charging system is applicable to all students which is based on radial distances from the home address comprising of the following bands:

- A up to 3 miles
- B up to 6 miles
- C over 6 miles

Students who are attending their nearest or transport catchment area school which has a radial distance of over 6 miles from their home address, will only have to pay the Band B fare.

Contracted services include Closed Door contracts (not available to members of the public) and Non-commercial Open Door contracts (specific public buses) subsidised by West Berkshire Council. Full details of available services can be obtained by contacting the Transport Services Team (see Appendix 1).

²¹ Further details about the national guidance can be found at <http://16-19transport.lsc.gov.uk/>

Where no contracted transport exists, students will need to arrange the purchase of tickets directly from commercial operators.

Students should also consider transport arrangements made in association with their college (e.g. Thames Valley University (Reading Campus) students can obtain discounted passes from Reading Transport Ltd. on production of their student card; Newbury College operate a free shuttle bus service between the college and Newbury station; Berkshire College of Agriculture operate their own bus services to the college; Henley College have negotiated contracts with Horseman Coaches to provide services to the college from the surrounding areas).

6.2.1 Spaces on Contracted School Transport

Assistance is normally limited to existing contracted school transport where spaces are available.

Priority for spaces will be given in the following order, on a first-come-first-served basis:

1. Compulsory age students eligible for free transport;
2. Post-16 Travel Scheme students;
3. Fare-paying students (living within West Berkshire);
4. Fare-paying students (living outside West Berkshire);
5. Students applying for assistance who already have a West Berkshire pass valid for another route.

It may be necessary to withdraw assistance if a place is required for another pupil with a higher priority.

6.2.2 Dates and Application Procedure

Each request for assistance with Post-16 Home to School/College Transport will be considered on an individual basis. Students should contact the West Berkshire Parent and Student Advice Centre (see Appendix 1) for more information about the scheme or for an application form. Application forms are also available on the West Berkshire Council website.

Completed application forms should be returned to the Parent and Student Advice Centre as soon as possible, and no later than 14 days before the start of the course, to secure assistance for the academic year. Failure to complete this form fully and accurately may result in a delay in approving and providing assistance.

6.2.3 Payments

Invoices will be raised via West Berkshire Council's Exchequer Service and sent to applicants who will be required to pay in two instalments, one to be paid prior to issue of the travel pass and the second to be paid in February. Payment should be made by:

- Paying at one of West Berkshire Council's cash offices (by cash or credit card); or
- Telephone to West Berkshire Council (by credit card to 01635 519595).

Travel passes will be withdrawn if students do not pay the second instalment promptly. If a student no longer needs their pass, they should return it to the Transport Services Team immediately. The Transport Services Team will only be able to cancel an invoice if they return their pass within one week of the first day of the relevant term, and if refunds can be obtained from the relevant operator.

6.3 RESIDENTIAL SCHEMES

Students attending schools/colleges beyond 'reasonable daily travelling distance' should apply for their travel cost/accommodation assistance from the Further Education Residential Support Scheme – contacting 0845 602 6880 for more details.

A Reasonable Daily Travelling Distance is defined for the purposes of the Post-16 Travel Scheme and the Further Education Residential Support Scheme as:

- A return daily journey taking less than 2 hours; or
- A distance of under 15 miles from the student's home to school/college; or
- A journey that requires only one change on public transport.

6.4 WEST BERKSHIRE POST-16 TRANSPORT PARTNERSHIP

Further support is available to students through the West Berkshire Post-16 Transport Partnership.

The Partnership is a Local Authority-led group which is supported financially by the Learning and Skills Council. Funding provided to the Partnership will be used for the following schemes:

6.4.1 Post-16 Travel Scheme - For Students Attending their Nearest or Catchment School in West Berkshire

The West Berkshire Post-16 Transport Partnership Fund will be used to assist with the difference in cost between Band C and Band B of West Berkshire Council's School Transport Banded Rates (see Appendix 2, Rates) if the student has chosen to attend their nearest or transport catchment area school for post-16 education and that institution is over 6 miles from their home address.

In effect, students attending their nearest or transport catchment area school will not be charged above the Band B Rate.

6.4.2 Applications for Individuals in Financial Hardship

All students are normally expected to meet the costs of the Post-16 Travel Scheme. Any student aged 16-19 on 31st August prior to the academic year, can apply for an Education Maintenance Allowance and could use their weekly payments to help pay for travel costs.

However, students who are experiencing exceptional personal and financial hardship, and therefore feel unable to meet the cost of travel through the Post-16 Travel Scheme, can apply for assistance from the Post-16 Transport Partnership Fund. Assistance will normally be limited to students from Low Income Families (see 2.1.1) who are also able to demonstrate additional family or individual pressures e.g. a recent redundancy or being placed in Care.

Applications will be considered on an individual and first-come-first-served basis. Documentary evidence of hardship will be required.

6.4.3 Mileage Allowance

If no contracted or public transport is available and students are able to use their own transport, they can apply for a mileage allowance which will be funded by the West Berkshire Post-16 Partnership Fund. Reimbursement

will be for mileage from home-to-school/college and the return home journey. Upon receipt of evidence of attendance the Partnership will reimburse students at the set mileage rate less the appropriate School Transport Banded Rate charge (See Appendix 2, Rates). Mileage will be agreed at the start of the academic year and the allowance paid at the end of each term. It is the student's responsibility to provide evidence of attendance.

6.4.4 Additional Resources

Throughout the year, further research and investigation will be undertaken to consider additional ways to improve Post-16 Transport and to increase access and retention. For example:

- Considering the procurement of new routes if there is no transport available
- Considering the introduction of new schemes to support Post-16 Special Educational Needs provision;
- Supporting mobility and independent travel schemes;
- To review particular bus or train services supporting local schools and colleges e.g. Newbury College, Thames Valley University (Reading Campus) and School of Arts and Design, West Berkshire Secondary Schools and Berkshire College of Agriculture.

6.5 SPECIAL EDUCATIONAL NEEDS POST-16 TRANSPORT

6.5.1 Annual Review of Needs

Students with statements aged 14 and over will have a Transitional Review involving the school and other relevant agencies. The Connexions Service will produce a Transition Plan as outlined in the review which should include an assessment of transport needs. Students will be assessed on their individual merits and recommendations for support for transport will be given to West Berkshire's Special Educational Needs Team and/or other appropriate organisations.

6.5.2 Special Educational Needs Free Post-16 Transport

Students with learning difficulties and/or disabilities applying for help with their home to school/college transport should initially be referred to the West Berkshire Special Educational Needs Team. They will then be considered under the Special Educational Needs Transport Policy.

Free transport for students aged 16-19 is normally limited to those:

- With a Statement of Special Educational Needs at a school; or
- Attending the nearest suitable Special Needs course (e.g. Life Skills) at a Further Education College.

In all cases, transport will only be provided where the Council is satisfied that the student would be unable to access suitable educational provision without transport assistance (i.e. are unable to travel independently).

Transport can only be provided free up to the end of the academic year in which the student attains the age of 19²².

6.5.3 Provision of Escorts

²² The Council remains responsible for pupils in the transition stage until the end of the academic year in which a student attains the age of 19 (page 132 SEN code of Practice).

Pupils with statements who qualify for transport may need to be supervised on the transport by an escort e.g. students with severe behavioural difficulties, life threatening conditions or who are unable to communicate effectively with the driver. Provision of escorts will be at the agreement of the Special Educational Needs Manager. On-going need or otherwise for an escort will be considered at the student's Annual Review.

6.5.4 Post-16 Travel Scheme

Individual students with learning difficulties and/or disabilities whose applications for assistance cannot be processed through the Special Educational Needs Policy can be considered on their individual merits under the Post-16 Travel Scheme by West Berkshire's Parent and Student Advice Centre.

6.5.5 Mobility and Independence Training

Mobility and independence training may be offered to students attending West Berkshire's Maintained Special Schools.

7. COMMENTS, COMPLAINTS AND APPEALS

Comments and/or complaints about the service provided will be processed via West Berkshire Council's Comments and Complaints Procedures.

Appeals against decisions for transport applications will be processed through the Appeals Panel which is made up of Elected Members. Please contact the West Berkshire Corporate Policy Team (see Appendix 1) to receive the appeal paperwork.

8 SUSTAINABLE TRANSPORT AND SCHOOL TRAVEL PLANS

In West Berkshire there are high levels of car ownership and some hot spots for congestion during peak hours. Twenty percent of West Berkshire's population is under 16 (2001 census) so actively encouraging them to travel using sustainable modes is an important way of improving the health and fitness of a significant portion of the population and will go some way to improving the levels of congestion on our roads both now and into the future. Children who walk or cycle to school are fitter, have better developed social skills, are more familiar with their surroundings, have better road sense and arrive at school more relaxed and ready to learn.

The Sustainable Modes of Travel Strategy (SMOTS) has been developed by West Berkshire Council in response to a statutory requirement from the Government. The strategy shows how the council will develop its transport infrastructure and promote sustainable journeys to, from and between schools.

How are we going to do this?

There are many ways to do this, including:

- Encourage walking and cycling where there are opportunities for the safe use of these modes
- Promote car sharing for the journey to school in areas where the car is the only accessible mode of travel (e.g. Rural areas)
- To continue to work with all schools in the area to develop and implement a travel plan
- To produce maps of walking routes in key urban areas
- To encourage schools to increase where appropriate cycle facilities and cycle training to support cycle use
- To undertake a review of school crossing patrols
- To open up access and opportunities to young people to education, leisure and employment opportunities, especially in rural areas.

When thinking about the school a child will attend, it is important that the journey to and from each possible school is considered. Each school should be able to provide information on suitable walking and cycling routes, as well as bus travel. Where walking, cycling or public transport are not feasible, car sharing can save time and money as well as being sociable for children. Schools will have identified aims for encouraging sustainable travel to school in their School Travel Plans. Current figures put the average cost of driving a child to school at £535 per year. Unless the school that is chosen is less than 800 metres from the home location (2km for secondary) it will probably result in children being driven to school.

The full Sustainable Modes of Travel Strategy can be obtained as a download from the Council's website, <http://www.westberks.gov.uk/>

REFERENCES PAGE

1. Education Acts:
 - 1996
 - 2002
 - 2005
 - School Standards and Framework Act 1998
 - Education and Inspections Act 2006.
2. Education Law: Issues, 55 and 72.
3. School Admissions Code 2007.
4. Home to School Travel and Transport Guidance 2007.
5. Full Regulatory Impact Assessment for the School Transport Bill, 6/10/04; Department for Education and Skills, School Transport, Safety and Independent Education Division.
6. West Berkshire Local Transport Plan 2001– 6 and Provisional Local Transport Plan 2006-11.
7. Home to School Transport for Children with Special Educational Needs; Good Practice Guidance: Department for Education and Employment, February 2001. Ref: DfEE 0068/2001.
8. Home to School Travel for Pupils Requiring Special Arrangements: Department for Education and Skills, November 2004. Ref: LEA /0261/2004.
9. Special Educational Needs Code of Practice: Department for Education and Skills, November 2001. Ref: DSCF 581/ 2001.
10. Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units. Department for Education and Skills, October 2004. Ref: DSCF 0354/ 2004.
11. Home to School and College Transport: Tony Clark, EMIE, December 2001. EMIE Report No. 63.
12. Making Arrangements to Safeguard and Promote the Welfare of Children – Draft Section 11 Statutory Guidance, 11 April 2005.
13. Travelling to School: an Action Plan; Department for Transport, Department for Education and Skills, 2003. Ref: DSCF 0520/ 2003.
14. Travelling to School: a Good Practice Guide; Department for Transport, Department for Education and Skills, April 2004.
15. Home to School Transport in Devon: A Policy Document, September 2003.
16. Home to School Transport Policy for Pupils of Statutory School Age, North Lincolnshire Council, July 2002.
17. Home to School / College Transport Policy, Cambridgeshire County Council, May 2003.
18. Pupil and Student Transport Policy; A Guide for Parents, Carers, Drivers and Escorts, Rotherham Metropolitan Borough Council, Draft document revised July 2004.
19. Managing Occupational Road Safety, Including Emergency Evacuation of Transport, Portsmouth City Council Social Services Department.

APPENDIX 1 - CONTACT DETAILS

Education Transport Assessment Officer

Responsible for eligibility and application forms for Mainstream and Post-16 Home to School

Transport:

Education Transport Assessment Officer

Student Finance Team

West Berkshire Education Service

Avonbank House,

West Street,

Newbury,

Berkshire,

RG14 1BZ

Tel: 01635 519777

Fax: 01635 519048

Special Educational Needs

Responsible for SEN statementing process and eligibility for non mainstream statemented pupils:

West Berkshire Special Educational Needs Team

Avonbank House,

West Street,

Newbury,

Berkshire,

RG14 1BZ

Tel: 01635 519713 / 519237

Fax: 01635 503154

Transport Services Team

Responsible for procurement, management of transport and season ticket production, Fare

Paying Schemes and transport safety issues:

West Berkshire Transport Services Team

Council Offices,

Faraday Road,

Newbury,

Berkshire,

RG14 2AF

Tel: 01635 519100

Fax: 01635 519979

Clerk to the Appeals Panel

Responsible for administration of appeal panels and appeal requests:

Corporate Policy

West Berkshire Council Offices,

Market Street,

Newbury,

Berkshire

RG14 5DL

Tel: 01635 519684

CONNEXIONS

Responsible for advice and information for 14 – 19 year olds:

www.connexions-berkshire.org.uk

Newbury

Mill Reef House, Cheap Street, Newbury, RG14 5DD.

Tel: 0845 408 5010

Fax: 0845 408 5011

Reading

136/7 Friar Street, Reading, RG1 1EX.

Tel: 0845 408 5004

Fax: 0845 408 5005

TRANSPORT INFORMATION

National Timetable Information:

Traveline

Tel: 0871 200 2233

www.traveline.info

Reading Transport Limited

www.reading-buses.co.uk

Great Knollys Street

Reading

RG1 7HH

Tel: 0118 959 4000

customerservices@reading-buses.co.uk

Newbury area

Bus Station

Market Street

Newbury

RG14 5DP

Tel: 01635 567 500

National Express (Coaches)

www.nationalexpress.com

Tel: 08717 818181

National Rail Enquiries (Trains)

National Rail Enquiries

08457 48 49 50

Young Person's Railcard

www.youngpersons-railcard.co.uk

APPENDIX 2 - RATES

1. SCHOOL TRANSPORT BANDED RATES

Charge applicable for Fare-Paying and Post-16 students

Band A, up to 3 miles --- £ 193.00 per year (2 payments of £ 96.50)

Band B, up to 6 miles --- £ 386.00 per year (2 payments of £ 193.00)

Band C, over 6 miles ---- £ 739.00 per year (2 payments of £ 369.50)

2. MILEAGE REIMBURSEMENT RATE

42 pence per mile

APPENDIX 3 - CATCHMENT AREA MAPS



WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12 CONSULTATION RESPONSE FORM

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfufu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

General Comments: I HAVE READ THE WBC HOME TO SCHOOL TRANSPORT POLICY 2010/11. BASED ON OUR EXPERIENCE OF THE EXCELLENT SERVICE PROVIDED 2009/10, I WOULD SAY THAT THIS A VERY FAIR POLICY DOCUMENT & IF IT'S WORKED WELL SO FAR, IS QUITE ACCEPTABLE
Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify) GRANDCHILDREN RECEIVING FREE TRANSPORT

Authority * WBC

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name B. Skeels

Address LYNNWOOD HOUSE
SNEZSMORE Common
RG14 3BX

2

**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION RESPONSE FORM**

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfufu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

[Empty response box]

[Empty response box]

General Comments:
We have found to service very useful & helpful for Daniel

Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name *Daniel Wilder*

Address *48 mount RD*



**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION RESPONSE FORM**

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfupfu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

I have no issue paying for a sibling - but the cost can't be prohibited -

General Comments: I think mini-bus collection with TA & their peers is a brilliant introduction to the day. They use this at the Keewil unit - Speenhamland. I think it makes the unit stronger.
Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name E. Hase

Address
.....
.....

I think paid transport ^(by parents) should be offered to all ch.



WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12

CONSULTATION RESPONSE FORM

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepufu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

4.1 Fare Paying Scheme
 I would prefer to keep paying for the bus pass in 3 instalments having to pay the 1st payment before the bus pass is issued is going to cause a lot of problems not only for me but for many

end of August beginning of September is a expensive time of year new school uniforms for me its x3 many families will be the same.

General Comments:
 It is now becoming an expensive way for my son to travel to school this is the second time there has been an increase in the fee for his bus pass
 Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

- Parent currently receiving transport? Yes No
- School* Trinity
- Governor*
- College*
- Parish Council
- Other (Please Specify)
- Authority*

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name Jayne Knight
 Address 7b Lancaster Close
Thatcham
Berks
RG18 3FL
RTO
3

Please keep the Payments to 3 installments ;
Bus Pass is now more expensive than
The Public Transport which was in
Place before The bus Pass Scheme

5

**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION RESPONSE FORM**

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfupu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

I DO THINK THE BUS FAYRE IS EXPENSIVE AND I WOULD NOT LIKE THE FAYRE TO BE SPLIT INTO TWO PAYMENTS AS IT IS ALOT OF MONEY TO FIND. TERMLY

PAYMENTS IS JUST ABOUT MANAGEABLE!

General Comments:

Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name MRS DEGAN

Address
14 BARRETSFIELD, THATCHAM
RG19 3TW

WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12

CONSULTATION RESPONSE FORM

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Please refer to the Policy paragraph number if applicable followed by the comment in each case.

4.1. why are we now required to pay in 2 instalments instead of 3. I can only just afford to make it in 3 ? why can we

not pay monthly if you are going to change the scheme ? we already pay taxes towards education needs don't we ?

General Comments:
I feel very strongly that travel to school should be free if you are in the schools catchment - the cost is extortionate and unjustified.
Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name

Address
.....
.....



**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION RESPONSE FORM**

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepufu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

3. HAD THE ROUTE FROM MORTIMER TO BURGHFIELD HAVE A FOOTPATH (SAFE PEDESTRIAN ACCESS) THIS WOULD NOT EVEN BE AN ISSUE.

4.1 I CANNOT HELP TO FEEL THIS IS A MONEY MAKING EXERCISE TO GAIN FUNDS, HAVING FOUR CHILDREN AT SCHOOL AGE THIS WOULD HIT US EXTREMELY HARD. IT IS AT NO FAULT OF OURS THAT ROUTE IS NOT SAFE FOR PEDESTRIANS.

General Comments:
ROUTE FROM MORTIMER IS NOT A SAFE WALKING ROUTE DUE TO FACT THERE IS NO PEDESTRIAN ACCESS (NO FOOT PATHS) DO NOT FEEL IT IS FAIR TO BE CHARGED FOR THIS SERVICE AS THE PROBLEM HAS BEEN PRESENT FOR MANY YEARS AND WEST BERKS HAVEN'T DONE ANYTHING ABOUT IT.
Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School * WILLINK. BURGHFIELD.

Governor*

College *

Parish Council

Other (Please Specify)

Authority * WEST BERKS

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name MR AND MRS ANDERTON.

Address 72 COLLEGE PIECE MORTIMER READING
BERKS RG7 3XH



**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION RESPONSE FORM**

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfupfu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

[Empty response box]

[Empty response box]

General Comments: My son has special needs and attends Castle School. It would not be appropriate for him to go to the local school. We are unable to pay for my sons transport to school, therefore we disagree with this policy.
Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School * Castle School

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name BERNARD WAFULA SIKUKU

Address 25 The Frances Thatcham
Berkshire RG 18 4LT

**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION RESPONSE FORM**

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfupfu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

This consultation does not refer to any services we currently use - But we appreciate

receiving this. The Council currently pays a mileage rate for us to take our daughter to school - will the inflationary

General Comments: increase also affect the mileage rate?
Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

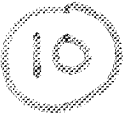
Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name J. ACATOS

Address
..... WOOD END, GARDEN CLOSE LANE
..... NEWBURY RG14 6PP



WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12

CONSULTATION RESPONSE FORM

Please return the form as soon as possible and no later than 28 June 2010 to Mwazwita Mundangepufu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

[Empty rectangular box for response]

4.1 Are the council going to refund money paid for the bus service when school is closed due to bad weather or other unforeseen situations

General Comments: Even though the route is under 3 miles it is unsafe to walk along the road as no pavement or lighting. supposed planned route unlit and isolated. HAS A RISK ASSESSMENT BEEN DONE ON THE PLANNED ROUTE (I DONT) PLEASE CONTINUE OVERLEAF OR ATTACH ADDITIONAL PAGES IF YOU HAVE MORE COMMENTS TO MAKE. THANKS

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name Mrs Jo Mason

Address 24, Churchside, East Isley, RG20 7LP

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**WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12
CONSULTATION DOCUMENT – MAY 2010**

Annual consultation on proposed changes to how help will be given by West Berkshire Council with free or subsidised home to school and college transport to pupils and students for the 2011/2012 school year.

1. INTRODUCTION

West Berkshire Council's Home to School Transport Policy sets out the circumstances in which it will provide free or subsidised transport to help children and young people get to school or college. It therefore relates to West Berkshire residents of statutory school age (from the term following 5th birthday to the end of Year 11).

Local Authorities are required by law to provide help for some pupils but may also provide help for others on a discretionary basis. In order to run an effective and efficient best value home to school and college transport service within financial constraints, West Berkshire Council reviews its policy each year to consider whether or not changes are needed.

Any policy is subject to any change in government legislation when they occur. West Berkshire Council implements all mandatory requirements following new government legislation.

The Council are not proposing any changes to the current policy which will take effect for the 2011/12 academic year. This consultation document sets out the main provisions of the current home to school transport policy, the only change being an adjustment to the fare paid for the Fare Paying scheme.

2. WHAT DOES THE COUNCIL DO NOW?

The 2010/11 Home to School Transport policy can be seen in full on the Council's website www.westberks.gov.uk/Schooltransport, or simplified in the Parent's Guides to Admissions. A copy is also available from the Council, whose contact details are given at the end of this consultation document.

The policy covers the eligibility to receive statutory assistance, subject to age, the school attended, availability of walking routes and distances involved, as well as the level of family income. It also outlines the discretionary assistance available through the fare-paying scheme.

3. WHAT CHANGES ARE BEING PROPOSED FOR 2011/12?

The only amendment to the policy that is being proposed is the application of an inflation factor to the charges made for the fare-paying scheme, as outlined below.

This cannot, however, be a replacement for consideration of the full policy document available on the Council's website (www.westberks.gov.uk/HST).

The paragraph number shown refers to the full policy document and should be quoted on the consultation response form when making comments. **Comments are invited on all or any aspects of the proposed policy for 2011/12.**

4.1. Fare Paying Scheme

The Council will continue to apply a graded fare charging system based on radial distances from home addresses to the schools concerned.

To ensure recovery of charges, parents/carers will be required to pay in two instalments; the first to be paid prior to issuing a travel pass and the second to be paid early in February 2012. Fares will remain discounted by 30% for additional fare paying siblings.

It is proposed that a small inflationary increase be applied as follows:

Band A, up to 3 miles --- £ 196 per year (2 payments of £ 98.00) **(Increased from £190)**

Band B, up to 6 miles --- £ 393 per year (2 payments of £ 196.50) **(Increased from £386)**

Band C, over 6 miles ---- £ 753 per year (2 payments of £ 376.50) **(Increased from £739)**

4. WHAT IS THE CONSULTATION AND DECISION MAKING TIMETABLE?

The consultation will run until 28 June 2010. The Council will then consider the comments received and decide on the Home to School transport policy to be applied in 2011-12.

A short version of the policy is published annually in the Parents' Guides to Admissions for Primary and Secondary Schools published each September to enable parents to make informed decisions on preferred schools.

5. HOW TO MAKE YOUR VIEWS KNOWN

If you want to comment on the proposed policy for 2011-12 please use the response form provided with this document that should be returned to the address given on the form **by 28 June 2010**. The response form is also available from the Council's website and can be printed and posted or e-mailed.

Any queries regarding the consultation process can be made to Mwazwita Mundangepfufu, preferably by e-mail, at the same address or by telephone (Telephone: 01635 519031 Email: mmundangepfufu@westberks.gov.uk).

WEST BERKSHIRE HOME TO SCHOOL TRANSPORT POLICY 2011/12

CONSULTATION RESPONSE FORM

Please return the form as soon as possible and **no later than 28 June 2010** to Mwazwita Mundangepfufu, Education Service, West Street House, West Street, Newbury RG14 1BD.

Please refer to the Policy paragraph number if applicable followed by the comment in each case.

General Comments:

Please continue overleaf or attach additional pages if you have more comments to make.

Which of the following best describes you?

Please tick all applicable and fill in names of school/s

Parent currently receiving transport? Yes No

School *

Governor*

College *

Parish Council

Other (Please Specify)

Authority *

Your Name and address are not required, but will be useful to us in assessing responses and participation

Name

Address
.....
.....

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APPENDIX C

**HOME TO SCHOOL TRANSPORT PROPOSALS 2011/12
CONSULTATION RESPONSES**

NOTES:

10 consultation responses were received.

Hard copies of the full responses will be made available to members in the Members Suite.

3 responses are of a general nature supporting the service being provided and/or the current policy, 4 refer to the Fare-Paying scheme with regard to the expense, especially for multiple child families, or payment instalments. 2 specifically refer to the availability of safe walking routes, 1 asks about an increase in mileage allowance and 1 for fare-paying refunds for days when schools are closed due to bad weather.

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Consultation Responses

No.	Paragraph in Policy	Summary of text	Comment
1	General Comments	<p>From: Grandparent of children receiving assistance</p> <p>Based on their experience 'of the excellent service provided' considers this to be a 'very fair policy document', etc.</p>	
2	General Comments	<p>From: Parent receiving transport</p> <p>'Have found the service to very useful and helpful'.</p>	
3	General Comments	<p>From: Parent receiving transport</p> <p>Supports existing special needs unit transport with escort.</p> <p>No issue with paying for siblings but cost can be prohibitive.</p> <p>Feels that paid (by parents) transport should be offered to all.</p>	
4	4.1. Fare Paying Scheme	<p>From: Parent receiving transport (Fare-payers within 3 miles walking route between Thatcham and Trinity school on transport exceptionally provided by Members.)</p> <p>Would prefer to keep paying in 3 instalments; first at expensive time of year and difficult with 3 children.</p> <p>Considers fare-paying scheme to be expensive with the second rise in charges.</p>	<p>Policy amended for 2010/11 year to move to 2 instalments to remove levels of non-payment for term 3.</p> <p>30% discount available for siblings.</p> <p>Exchequer able to consider payments in instalments after issue of invoice.</p>

5	4.1. Fare Paying Scheme	Request to keep to 3 instalments and bus pass is more expensive than previous public bus charge.	Application of inflation factor over the last year and proposed again this year. As above.
		From: Parent receiving transport (as above)	
		Thinks fare is expense and would prefer 3 payments which are just about manageable.	
6	4.1. Fare Paying Scheme	From Parent (anon.) receiving transport (fare-payer)	As above.
		Querying move to 2 instalments; can only just afford 3. Request to be able to pay monthly.	Free transport is available to those attending nearest or catchment school in excess of the 2/3 mile limits.
		Feels that travel to school should be free if in catchment area – cost is ‘extortionate and unjustified’.	
7	2.1. Statutory Free School Transport	From: Parent receiving transport (Mortimer to Willink)	Investigation into the possibility of establishing a safe walking route between the villages will be undertaken over 2010/11.
		This would not be an issue if there was a safe walking route footpath between the villages.	
	4.1. Fare Paying Scheme	Feels that this is a money making exercise to gain funds. Will be hard with 4 children.	Currently receiving free transport – will not be withdrawn unless a safe route is established.

- | | | | |
|----|--|---|--|
| 8 | 3. Special Needs Transport | <p>From: Parent receiving transport (Special School)</p> <p>Disagree with policy as child unable to attend local school and cannot be afforded.</p> | <p>Misunderstanding of the proposed policy – no plan to remove free transport for children with statements of special educational needs at special schools that are unable to access the school within the normal 2/3 mile limits.</p> |
| 9 | 5.1.2. Mileage Reimbursement for Parental Transport | <p>From: Parent receiving transport (mileage allowance)</p> <p>Current assistance appreciated. Query if there will be an inflationary rise in mileage allowances offered to parents</p> | <p>No proposal to increase mileage allowances. 2010/11 allowances was substantially increased from previous levels. The policy allows for negotiated levels of assistance if officers consider this to be a more cost effective way to provide transport – rather than provide a contracted vehicle.</p> |
| 10 | 4.1. Fare Paying Scheme | <p>From: Parent receiving transport (Free)</p> <p>Query if the Council will be refunding money for days when schools are shut due to bad weather, etc.</p> <p>Reference to identified walking route in East Ilsley area being unsafe even though less than 3 miles distance.</p> | <p>No refund available for school closure. Council still incurs charges when schools shut due to bad weather.</p> <p>Misunderstanding. Free transport remains whilst Members consider route to be unsafe.</p> |

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Agenda Item 8.

Title of Report:	Upheld planning appeals
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To provide Members with the information requested at previous meetings on the upheld planning appeals performance indicator.

Recommended Action: To note the contents of the report.

Portfolio Member Details	
Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk

Contact Officer Details	
Name:	Gary Rayner
Job Title:	Development Control Manager
Tel. No.:	01635 519304
E-mail Address:	grayner@westberks.gov.uk

Executive Report

1. Introduction

Inspectorate Planning Appeal Decisions 2009 -2010: Total No. = 82

Total Dismissed	54
Total Allowed	28

- 1.1 Planning aims to win all appeals but obviously that is very unlikely ever to happen. Nationally there is an acceptance that it is reasonable to expect that 35% of appeal decisions will be made in favour of the developer.
- 1.2 For the current year there have been 82 appeal decisions. A number of other appeals were withdrawn (by the Appellant) during the process.
- 1.3 Of those decided, 54 appeals were dismissed and 28 have been allowed; giving a total of 34% allowed. This is slightly better than the target of 35%
- 1.4 Very occasionally there are split decisions and an appeal is allowed but only in a limited respect compared to the original extent of the application or appeal. When the performance standard was set at National level, and adopted locally as our target, there was no guidance with regard to how to report the split decisions or how to compare them to fully dismissed or allowed appeals. Therefore, in these split decision cases, Officers have reported those as an allowed appeal in favour of the developer. This presents the worse case scenario in terms of performance as it doesn't reflect the Authorities success in part of the appeal. Notwithstanding this, the target level is generally achieved over the monitoring year. It is the intention of Officers to report more detail with regard to split decisions in future years so that Members can be aware of these and the impact they have on the reported performance.
- 1.5 Of those allowed planning appeals, 8 were as a result of Members deciding against an officer recommendation. Without those refusals/appeals in the system, the percentage allowed would have been 29%.
- 1.6 It must be stressed that there is nothing wrong in principle with Members overturning Officers' recommendations when Members see the balance of the considerations differently. There were two cases where the Inspectors agreed that Members were right in their conclusion to overturn Officer recommendation.
- 1.7 Member overturns do have a bearing on appeal performance and it is right to take them into account, but the impact is currently minimal because of the general performance hitting the national guideline and local performance target.
- 1.8 Of the decisions referred to above, a number are specifically appeals against Enforcement cases. Decisions on those 13 cases have included 4 dismissed and 4 allowed, (therefore a 50% success rate at the first stage). Amongst the allowed cases it is likely that new Notices will be served in some instances having taken on board the Inspectors comments about the specifics of the case. Within the 13, we have also had one decided as a nullity (so effectively no formal decision made on the case) and that Notice will be served again. The remaining 4 cases were

withdrawn by the Appellants. Those withdrawal cases must be seen as enforcement successes because the only reason that we would accept for agreeing to withdraw from the action is that the contravention has been ended and the original Notice has been complied with. This is not uncommon with Enforcement appeals because the time available for the Appellant to make the appeal is much shorter, so appeals are often submitted to reserve a position whilst negotiations about conforming with the action continue. It is however a good tool for the Authority because it can often bring to a close cases that have become deadlocked.

- 1.9 Although the percentages fluctuate throughout the year, and therefore in the quarterly reports, there is nothing that can be done to avoid this because we cannot control the timing of appeal submissions or the nature of the appeal itself. For the year as a whole however, it does not appear that there is anything unusual in the way that current appeal decisions are going and that the success rate is meeting the target.

Appendices

There are no Appendices to this report.

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Agenda Item 9.

Title of Report:	Customer Service Performance
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To receive the additional information requested regarding performance within Customer Services

Recommended Action: To note the information.

Portfolio Member Details	
Name & Telephone No.:	Councillor Hilary Cole – Tel (01635) 248542
E-mail Address:	hcole@westberks.gov.uk

Contact Officer Details	
Name:	Sean Anderson
Job Title:	Head of Customer Services
Tel. No.:	01635 519149
E-mail Address:	sanderson@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 At the Overview and Scrutiny Management Commission held on 29 June 2010, additional information was requested to supplement that provided regarding performance within Customer Services.
- 1.2 The requested breakdown of quarter 4 performance (January to March 2010) is:

Service	No. of calls answered	Average wait time *	Longest wait time *
Streetcare	13784	13 seconds	5 minutes 29 seconds
Planning	8646	12.5 seconds	5 minutes 9 seconds
Environmental Health	823	13 seconds	4 minutes 39 seconds
Property Helpdesk	803	17.5 seconds	3 minutes 5 seconds
Council Tax/Business Rates	11589	1 minute 8.5 seconds	10 minutes 51 seconds
Housing/Council Tax Benefits	4395	1 minute 5.5 seconds	13 minutes 8 seconds
Community Care	2307	17.5 seconds	6 minutes 13 seconds
Concessionary Fares	689	17 seconds	6 minutes 26 seconds
Children's Services	4377	17 seconds	6 minutes 4 seconds

* N.B. wait time data only available for February and March 2010

- 1.3 Actions taken to improve performance have included increased monitoring of available resources and greater cross-skilling of Customer Services Advisors to cover peaks in demand.
- 1.4 Switchboard calls are not included in the reported performance. Switchboard performance for quarter 4 (January to March 2010) is as follows:

No. of calls answered	No. answered within 15 seconds
52,122	48,175 (92.4%)

Appendices

There are no Appendices to this report.

Consultees

Officers Consulted: Contact Centre Operations Manager and Customer Information Manager

Title of Report:	Review into the Council's Performance Management framework
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To outline the proposed Terms of Reference and scope for a review into the Council's Performance Management framework.

Recommended Action: To agree the proposed Terms of Reference.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – 0118 942 0196
E-mail Address:	bbedwell@westberks.gov.uk

Contact Officer Details	
Name:	David Lowe
Job Title:	Scrutiny and Partnerships Manager
Tel. No.:	01635 519817
E-mail Address:	dlowe@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 There have been a number of recent discussions at the Overview and Scrutiny Management Commission over the timing of receipt of performance monitoring reports. When taken in conjunction with the wider changes to the public sector performance reporting regime, an opportunity to position the authority's arrangements for the future is presented.
- 1.2 This report outlines a rationale for a review into performance management, sets out a proposal for the Terms of Reference and presents a suggested methodology.

2. Rationale for the review

- 2.1 The speed and scale with which the new coalition government is reshaping the delivery of local public services – and the systems which support them – is unprecedented.
- 2.2 One example of this is the national performance framework which is being fundamentally remoulded. The overarching external assessment of public sector working generally in an area, along with specific assessments of individual organisations (CAA), has been abolished, and a number of further national indicators have been deleted, or their collation postponed.
- 2.3 No firm guidance / indication has been provided as yet as to whether / how comparable independent assessments of councils' / public agencies' performance will be made.
- 2.4 However, the tone of ministers' discourse at present points to a clear expectation that – in support of the government's localism and transparency agendas – councils need to be actively considering more firmly how they report on how well they are doing to the local communities.
- 2.5 This is happening at a time when West Berkshire Council's 4 year corporate strategy is coming to an end. As such, the council is now starting on the process of thinking about how to define its role in this landscape of austerity and how it will deliver its responsibilities and achieve its ambitions over the coming 4 years.
- 2.6 The OSMC has previously expressed concern as to the length of executive cycle and the consequent timeliness with which they are able to review quarterly performance update reports. With it not being possible to bring forward the release of the quarterly performance reports to allow members to scrutinise individual areas of performance, this may be an opportunity - as discussed previously – to consider the value in OSMC looking more comprehensively at the council's progress in achieving its aims and objectives overall.

3. Proposed Terms of Reference

- 3.1 It is proposed that the Overview and Scrutiny Management Commission conducts a review into how the Council defines, manages and monitors strategic performance in a time of austerity, specifically:

- (1) to review processes for developing measures and activities to support and deliver the council's overarching aims / objectives, securing ownership across the organisation and linking these more firmly within more operational service planning;
- (2) to consider the OSMC's role in monitoring progress in relation to specific activities or measures or more wholly with respect to the council's overarching aims / objectives;
- (3) to provide recommendations to the Executive on how the localism / transparency agenda should be interpreted in West Berkshire with respect to reporting on performance and greater accountability in the public domain.

4. Methodology

- 4.1 It is proposed that the Commission establishes a time-limited task group to conduct the review, comprising 2 x Conservative councillors and 1 x Liberal Democrat. The task group should report back on its work to the 2 November 2010 OSMC meeting.

5. Recommendation

- 5.1 It is recommended that the Commission agrees the Terms of Reference for the review.

Appendices

There are no Appendices to this report.

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Title of Report:	Greener Select Committee
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To provide an update on the work of the Select Committee.

Recommended Action: To note the information.

Greener Select Committee Chairman	
Name & Telephone No.:	Councillor Emma Webster – Tel (0118) 9411676
E-mail Address:	ewebster@westberks.gov.uk
Contact Officer Details	
Name:	David Cook
Job Title:	Principal Policy Officer
Tel. No.:	01635 519475
E-mail Address:	dcook@westberks.gov.uk

Executive Report

1. Introduction

1.1 The Select Committee has not met since the last OSMC report.

2. Discussion items scheduled for the next meeting

2.1 The next meeting of the Greener Select Committee is scheduled to take place on 7 September 2010.

2.2 The Committee will continue its review into the use of local resources with a discussion regarding locally produced food / allotments.

2.3 The Committee will consider a report on renewable energy following the submission of a motion to Council.

3. Work Programme

3.1 The latest work programme for the Select Committee is contained within Appendix A of item 17 of this agenda.

Appendices

There are no Appendices to this report.

Title of Report:	Healthier Select Committee Update
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To provide an update on the work of the Healthier Select Committee.

Recommended Action: To note for information.

Greener Select Committee Chairman	
Name & Telephone No.:	Councillor Geoff Findlay – Tel: (01635)871992
E-mail Address:	gfindlay@westberks.gov.uk
Contact Officer Details	
Name:	Jo Naylor
Job Title:	Principal Policy Officer
Tel. No.:	(01635) 503019
E-mail Address:	jnaylor@westberks.gov.uk

Executive Report

1. Purpose

- 1.1 The Healthier Select Committee (HSC) held its last meeting on the 6 July 2010 and the minutes of this meeting are attached at Appendix A.

2. Background

- 2.1 At the last meeting Members received a briefing about the impact of the Coalition Government's proposals for the future of the NHS and social care services (see attached minutes for more details).
- 2.2 Additionally, scrutiny took place on the Patient Advice and Liaison Service (PALS) Annual Report and the Committee's view was that the NHS Trust was responding appropriately to patient concerns.
- 2.3 Future work items will include scrutiny of the "Care for the Future" review. This will look at a wide range of key services and how they will be delivered in the future. As a regional review of these services is underway, there may be opportunities to jointly work with other South Central Health Scrutiny Committees.
- 2.4 Since the meeting, Members have been informed about changes to GP service provision at Underwood Road, Calcot. This will be the subject of a special HSC meeting held during early September.

3. Work Programme

- 3.1 The latest work programme for the Select Committee is contained within Appendix A of item 17 of this agenda.

Appendices

Appendix A – Healthier Select Committee minutes from 6 July 2010

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

HEALTHIER SELECT COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 6th JULY 2010

Councillors: Geoff Findlay (*Chairman*) (P), Paul Hewer (AP), Gwen Mason (P), Tony Linden (P), Andrew Rowles (P) and Julian Swift-Hook (*Vice-Chairman*) (AP).

Substitutes: George Chandler, Billy Drummond, Adrian Edwards, Alan Macro

Also present: Beverley Searle (NHS Berkshire West), Jo Cozens (NHS Berkshire West), Amanda Joyce (Head of System Transformation), Jan Evans (Head of Adult Community Services) and Jo Naylor (WBC Principal Policy Officer).

PART I

4. APOLOGIES.

Apologies for inability to attend the meeting were received on behalf of Councillors Julian Swift-Hook and Paul Hewer.

5. MINUTES.

The Minutes of the meeting held on 19 January and 11 May 2010 were approved as a true and correct record and signed by the Chairman.

6. DECLARATIONS OF INTEREST.

There were no declarations of interest received.

7. EMERGING HEALTH AND SOCIAL CARE ISSUES.

Mrs Beverley Searle (Director of Partnerships & Joint Commissioning, NHS Berkshire West) presented the changes arising from the election of the Coalition Government and the reforms that would affect the health service (Agenda Item 4). The Powerpoint presentation attached to these minutes at Appendix A.

Key changes included devolving health budgets to General Practitioners (GPs), the abolishment of Strategic Health Authorities and increasing democratic accountability of PCT Board Members.

Primary Care Trusts may continue to exist as commissioners of complex or specialist services with a strengthened public health role.

Other initiatives to be introduced included the right to choose a GP (extending beyond current geographical restrictions), access to effective 24/7 urgent care and arrangements for monitoring of GP commissioning decisions.

The importance of regulators for GP commissioning was highlighted as GPs would have a role as both commissioners and providers of services; and monitoring would be critical to ensure quality and equity of access to services.

More detail on the changes would be available on 15th July when the NHS White Paper was due to be published.

Mrs Searle also tabled two briefing papers one on Specialist Palliative Care to inform the Committee of the public engagement from July to October 2010 and the model of future services created in response to the work done with local stakeholders.

Mrs Searle also briefed Members on “Care for the Future” and the review of urgent care needs, planned procedures and appointments, long-term conditions, end of life care, maternity and paediatrics. This work was being done across Berkshire and Buckinghamshire and it was felt there might be scope for a joint piece of scrutiny work.

Mrs Amanda Joyce (Head of System Transformation, West Berkshire Council) delivered a presentation on health and social care services (see Appendix B of the minutes) which highlighted the history of joint working locally. Keeping patients well and out of hospital was a key focus for the NHS and would equally require a whole systems view to be taken; as any alterations to acute hospital services would impact significantly upon the Council’s Home Care services.

Mrs Joyce highlighted the demographic figures which showed numbers in the over 65+ age bracket in West Berkshire increasing by over 200% in the next 25 years. She highlighted the potential huge demand this could place on Council services.

Mrs Joyce described the proposed new operating model for adult social care services emerging from the Council's Putting People First programme. It would enable the best use to be made of existing resources pending the outcome of the Government's national one year review of the whole adult social care system. Putting People First includes looking at the early stages of intervention, the provision of greater guidance, advice and support to encourage self-help, and the promotion of personalisation, choice and control for people who use services.

RESOLVED that:

- (1). The presentations on the future of health and adult social care services be noted and that the Select Committee be kept abreast of future changes.**
- (2). “Care for the Future” be added to the Healthier Select Committee work programme.**

8. PATIENT ADVICE & LIAISON SERVICES (PALS) ANNUAL REPORT.

Miss Jo Cozens (PALS Manager, NHS Berkshire West) introduced Item 5 (Agenda Item 5) and described how almost 4000 queries had been received by the Patient Advice and Liaison Service (PALS) last year; of these approximately 20% of calls were received from West Berkshire residents. Miss Cozens described the seasonal fluctuations in calls, with calls dropping during December and January in the bad weather and snow conditions. The busiest times were April and July when up to 318 enquiries a month were received.

The most frequently reported concerns were about dentistry provision with 40% of all enquiries being requests to help find an NHS dentist. This request was made by 337 West Berkshire residents. Miss Cozens described how West Berkshire was well served with dentists and that NHS Berkshire West had attempted to improve publicity of services including information in supermarkets, GP surgeries, pharmacies, in the press and also advertising on three local taxi cabs. Miss Cozens also mentioned the three new dental surgeries that had opened and one of which was in Newbury on the London Road.

Members asked about specialist root canal work and whether this could be done at the West Berkshire Community Hospital. Mrs Searle explained that the drop-in provision at the Community Hospital was designed for those that were not registered with an NHS dentist and was not geared to undertaking specialist root canal treatments.

RESOLVED that the Patient Advice and Liaison Service Annual Report and the NHS Berkshire West response be noted.

9. LOCAL AREA AGREEMENT (LAA) TARGETS

Members received an update from Mrs Searle on the mortality rates from circulatory disease in West Berkshire. She described how annual reporting showed fluctuations from the Local Area Agreement target but that overall there was a downward trend in mortality rates.

Mrs Searle described the other factors linked to mortality from circulatory diseases, including deprivation, poor diet, smoking, etc. and explained how many of these changes to behaviour required long term cultural and behavioural changes.

Mrs Jan Evans (Head of Adult Social Care) outlined the problems in achieving carers' needs assessments in the last year in the exception report (Agenda Item 6). She described how the target had been missed by 29 people although the needs of over 1000 carers had been assessed last year.

Mrs Evans explained how it was the right approach to support carers as much as possible and highlighted that there had been good response by Practice Managers about the provision of training to GPs to help them support carers better. Members welcomed this feedback.

RESOLVED that the efforts made to achieve missed Local Area Agreement targets be accepted and noted.

10. REVIEW OF AUSTISTIC SPECTRUM DISORDERS IN WEST BERKSHIRE.

Mrs Jan Evans introduced the Review of Autistic Spectrum Disorders (Agenda Item 7). She described the extensive review undertaken of support provided to those with Autism and also the analysis done to identify gaps in services. She highlighted the areas the Council needed to address and in particular reviewing current services against the National Autism Society's standards. This has resulted in an Action Plan to be taken forward by the Autism Partnership Board who would look at making improvements in West Berkshire.

Mrs Evans described two significant areas of work as being around providing access to employment for adults with Autism and better training for staff. The Partnership Board was due to set timescales for implementing these recommendations.

RESOLVED that the Review and Action Plan in relation to Autistic Spectrum Disorders in West Berkshire be noted.

11. WORK PROGRAMME

The Chairman introduced the Work Programme (Agenda Item 8) which had been agreed with the Chairman of the Overview and Scrutiny Management Commission. Members were asked if they wanted to see any items added in addition to the outline work programme.

RESOLVED that:

- 1. The work programme be approved for the new municipal year.**
- 2. NHS "Care for the Future" review be added to the Work Programme.**

(The meeting commenced at 5.00pm and closed at 6.30pm)

CHAIRMAN

Date of Signature:

Agenda Item 13.

Title of Report:	Resource Management Select Committee
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To provide an update on the work of the Select Committee.

Recommended Action: To note the information.

Resource Management Select Committee Chairman	
Name & Telephone No.:	Councillor Jeff Brooks – Tel (01635) 47391
E-mail Address:	jbrooks@westberks.gov.uk
Contact Officer Details	
Name:	Stephen Chard
Job Title:	Policy Officer (Scrutiny Support)
Tel. No.:	01635 519462
E-mail Address:	schard@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 The Select Committee met on 12 July 2010 and the draft minutes are attached at Appendix A. A summary of the discussions held are as follows:
- 1.2 A briefing was provided on the procurement processes in place across the Council, which was followed by a detailed question and answer session. As a result it was agreed that further work was required by the Select Committee and Officers have been invited to attend the next meeting to provide further information on progress with an audit that is being undertaken and to look at best practice. This is intended to assist Members in ascertaining whether recommendations for improvement should be made.
- 1.3 A presentation on progress with the implementation of Timelord was provided. This detailed progress to date, positives and negatives of the programme and plans for phase 3. Some of the negative feedback received from staff caused concern for Members, this included views that the effectiveness of team working had reduced. It was therefore agreed that four Heads of Service will be invited to the next meeting to represent the views of their staff and their own experiences to help Members understand the effect of Timelord and the impact that changed approaches are having to improve the views of staff in some respects. Another concern raised by staff was increased stress levels and the potential for increased sickness absence. This will also be followed up as part of this item with the Head of Human Resources.
- 1.4 The timing of when budget reports can be received by the Select Committee was discussed at length. The Head of Finance and the Portfolio Holder agreed to give consideration to a proposal that would allow the Select Committee to receive quarterly budget reports after Management Board but in advance of Executive. This would create an opportunity for Members to forward comments/ recommendations to the Executive if a mechanism for doing so can be established.
- 1.5 The provisional 2009/10 revenue outturn report was received. The year end position was noted as being positive, however there were concerns that many savings had to be found to achieve this in the last two months of the financial year. A view was also noted that changes had been made late in previous financial years. The Select Committee were pleased with plans to investigate the outturn position over recent years, but it was resolved that there would be a focus at the next meeting on this situation within the Chief Executive Directorate budget.
- 1.6 The 2009/10 capital programme outturn was noted.

2. Discussion items scheduled for the next meeting

- 2.1 The next meeting of the Select Committee is scheduled for 13 September 2010 and in addition to the items mentioned above, draft agenda items are as follows:
 - (1) A review of the action plans in place following the Staff Attitude Survey.

- (2) An update on progress on the work of Property Services and its contractors within schools.
- (3) A review of progress with the exit interview process.
- (4) A briefing on the methodology in place to assess and ensure value for money.

3. Work Programme

- 3.1 The latest work programme for the Select Committee is contained within Appendix A of item 17 of this agenda.

Appendices

Appendix A – Resource Management Select Committee minutes from 12 July 2010

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

RESOURCE MANAGEMENT SELECT COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 12 JULY 2010

Councillors Present: Jeff Brooks (Chairman), Dave Goff, Tony Linden (Substitute) (In place of Richard Crumly), David Rendel, Laszlo Zverko (Vice-Chairman)

Also Present: Councillor Keith Chopping, Leigh Hogan (Customer Services Team Leader), Jackie Jordan (Timelord Programme Co-ordinator), Mike Sullivan (Contracts and Procurement Officer), Andy Walker (Head of Finance), Stephen Chard (Policy Officer)

Apologies: Councillor Richard Crumly and Councillor David Holtby

PART I

17. Minutes

The Minutes of the meeting held on 11 May 2010 and 18 May 2010 were approved as a true and correct record and signed by the Chairman.

18. Declarations of Interest

There were no declarations of interest received.

19. Actions from previous Minutes

The Committee considered a report providing the information requested at the last meeting (Agenda Item 4).

Section 106 Contributions

Stephen Chard informed the Committee that all 16 S106 agreements which dated back to Berkshire County Council had been spent in their entirety.

Newbury Cinema subsidy

Andy Walker advised that an update was awaited on the cinema budget from supporting accounts.

No payment had to date been made by the Council to the cinema operator, although a provision had been made for potential liability costs. Payments for 2010/11 would be made in quarterly instalments of £25k. Andy Walker agreed to provide information on whether the £16k saving, identified from the 2010/11 budget, would contribute to the cost.

Chief Executive Directorate budget

It was noted that the delay in procuring the new CCTV contract had created additional underspend.

Mike Sullivan provided some background to the work on the CCTV contract. This was advertised as a Part B service under the category of security and monitoring services. Part B also covered services including hotel and restaurant services, legal services, education, health and social services. This meant there was greater flexibility with advertising and the process could be brought to a more timely finish. However, the

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process had to be restarted in line with the requirements of the Official Journal of the European Union (OJEU). A concern was therefore raised that repeating the procurement process would create an additional cost.

Mike Sullivan added for information that Part A services included, amongst others, those services relating to advertising, consultancy, IT and publishing. A full list of Category A and B services could be obtained from the Corporate Contracts and Procurement Unit. It was agreed that this discussion would continue as part of the procurement agenda item.

The reduced overspend within Legal and Electoral Services as a result of an increased income in the second half of the financial year was noted and it was queried whether this would be reflected in the forecasted budget for 2010/11. Councillor Keith Chopping assured Members that the trends of previous years would be observed to assist forecasting of budgets, although this had to be guarded when considering additional income.

Leigh Hogan advised that the one remaining vacancy in Legal and Electoral Services had recently been recruited to.

Concerns were raised regarding the increased underspend within the Chief Executive's Directorate in the second half of the financial year, particularly as this was felt to be a reoccurring issue. It was therefore agreed that the Chief Executive would be invited to attend the next meeting to discuss this further, data would also be requested on whether this was an issue in previous years and the reasons why.

Andy Walker pointed out that at month 6 there was agreement corporately to restrain in year expenditure and savings targets were set to try and contain the significant overspend in Adult Social Care.

RESOLVED that:

- (1) The item to discuss Property contracts and contractors in schools would be returned to at the next meeting.
- (2) Andy Walker would provide information on whether the £16k saving would contribute to the cost of the cinema.
- (3) The Chief Executive would be invited to the next meeting to discuss the underspend in that Directorate in recent financial years.

20. Procurement processes

The Committee considered a report (Agenda Item 5) detailing the procurement processes in place across the Council.

Discussion returned to the process followed with the CCTV contract and Mike Sullivan made the following points:

- Procurement Officers did get involved in the procurement of this contract, but not until the second stage when it transpired that the OJEU requirements had to be followed.
- The contract had been awarded to the Royal Borough of Windsor and Maidenhead after the restricted procurement process had been followed. This was the default process undertaken by the Council as set out in the Constitution.
- The restricted process was held over two stages. The first stage was open to companies to express an interest and submit copies of pre qualification

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documents. These were then evaluated in advance and short listed companies were invited to enter into the second stage of the process.

- Open procurement processes were not, as a rule, conducted by the Council and could only be entered into with the approval of the Head of Finance and Head of Legal and Electoral Services. This procedure involved the provision of all appropriate documentation to all companies who had expressed an interest.

Mike Sullivan then went on to describe the more general procurement processes:

- Financial thresholds were in place. Under the Council's Contract Rules of Procedure (Part 12 of the Council Constitution), a minimum of one supplier was required to quote for contracts valued at lower than £10k, although a larger number was recommended by Procurement in order to ensure best value.
- A minimum of three suppliers were required to quote for contracts valued between £10k and £50k.
- Service areas were not required to inform Procurement of contracts valued at lower than £50k, although advice was at times sought.
- Procurement had been proactive in offering support to service areas where possible. This included the Quick Quote facility available to service areas on the Council's procurement portal. This contained a list of suppliers who had registered against specific sectors listed on the supplier side of the portal. This would ideally be rolled out for all contracts as well as the e-tendering process. Attempts had also been made to establish a list of forthcoming contracts so that these could be appropriately planned and all relevant service areas involved.
- Five potential suppliers were required for contracts valued between £50k and the European Union (EU) threshold of £156k. This threshold was for services and supplies; the capital works threshold was set at £3.9m. Service areas were required to notify Procurement of contracts valued at over £50k. It was confirmed that it was not compulsory for suppliers to be listed on the procurement portal to be able to bid for these contracts, but to access contract opportunities and to receive information relating to those opportunities, they would have to register on the portal in the first instance.
- Contracts valued above the EU financial threshold of £156k had to be advertised in the OJEU in accordance with the Public Contracts Regulations 2006.

There was a view among Members that all contracts should at least be signed off by Procurement. Mike Sullivan agreed that from the procurement side it would be a benefit to at least be aware of all contracts so that a full picture was known. This should ideally take the form of a mandate for Procurement to be kept informed of contracts to improve management and ensure appropriate procedures were followed. However the potential number involved, particularly when considering those of less than £10k, would most likely mean that Procurement would not have the resources to support them all. Mike Sullivan agreed to establish approximately how many contracts this would mean on a monthly basis across the different thresholds.

Councillor Keith Chopping agreed with the need for appropriate sign off of all contracts and the level at which this happened, and the process, needed to be established.

Leigh Hogan informed Members of an audit currently being undertaken into the Council's procurement processes and queried whether any further scrutiny work should be put on

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hold until the audit had concluded. This had been agreed between the Council and Improvement and Efficiency South East, and was to be provided free of charge. Andy Walker advised that the decision had been made to conduct the audit as it was felt to be timely five years on from the closure of the Amey contract.

Councillor Chopping was eager to avoid any duplication of effort between the audit and the scrutiny work. Councillor Jeff Brooks was of the view that scrutiny had a role of feeding into the audit. It was therefore agreed that the full detail of this work would be provided to Members.

Efforts had been made to increase the number of suppliers on the procurement portal. This included an event held with local small and medium sized enterprises (SME's) in November 2009. This had been successful and there were approximately 1700 suppliers on the portal at the present time. SME's were being particularly encouraged to register on the portal in order to have access to future contract opportunities. Information was requested on the SME's who were registered on the portal.

Councillor Chopping gave his support to the procurement of local goods and services in order to help local businesses.

Members felt this was a very delegated and widely rolled out process. A mandate was felt to be needed that centralised procurement and utilised the experts in the Procurement team. The Select Committee therefore agreed to conduct further work on this topic. A time limited procurement working group, that was established four years ago, was referred to and it was agreed that the report produced as a result of this work would be circulated.

Procurement Officers were asked to return to the next meeting to outline best practice for carrying out procurement and to provide an update on progress with the audit.

As a final point Mike Sullivan informed Members that the new requirement for public sector organisations to publish all purchases over £500 could be time consuming for Procurement.

RESOLVED that:

- (1) Procurement Officers would return to the next meeting to outline best practice for carrying out procurement and to provide an update on progress with the audit. In addition, the following information would be provided by Procurement to aid discussions:
 - The approximate number of contracts being agreed on a monthly basis for the different threshold levels, separated between utilities and service funds.
 - The sign off process for the different threshold levels.
 - The detail of the audit.
 - The SME's registered on the portal.
- (2) The report produced by the procurement working group would be circulated by Stephen Chard to the Select Committee.

21. Timelord

The Committee received a presentation on progress with Timelord (the Council's flexible working programme) (Agenda Item 6).

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Jackie Jordan made the following points as part of her presentation:

- The purpose of Timelord was to create a number of benefits for the Council, its customers and its staff. The Timelord Programme was also tasked with achieving the Council's Office Accommodation Strategy (2007-2011) Action Plan.
- Improved responsiveness to customers was felt to be possible as staff travel time could be reduced and by having equipment available they did not necessarily need to report into the office. Documents could be printed via Citrix, however staff were advised against printing at home, where possible, for security purposes. Some staff in Social Care had portable printers for printing off certain documents in a clients home.
- An intended benefit was to reduce staff stress levels and sickness absence. Examples of where this was possible was the removed need to drive in stressful rush hour traffic on a daily basis and staff who did not feel well enough to travel into work could potentially work from home instead.
- Phases 1 (which was the pilot project involving 65 staff moving to Turnhams Green) and 2 (450 staff moving to West Street House/West Point) had been completed and reviews conducted. These reviews took the form of staff surveys, focus group meetings and use of statistical data. The business case/cost model was reviewed at the end of each phase and before commencement of the next phase.
- Phase 1 had been reviewed after 100 days and after 12 months. The survey results after 100 days were not particularly positive, but showed a significant improvement after 12 months. Although the numbers involved were small a particular benefit was reported as greater responsiveness to customers.
- The 100 day survey following the completion of phase 2 (which was responded to by 221 staff) had, like phase 1, received some negative feedback. A contributing factor in both these cases was felt to be the fact that this was a period of significant change for staff. The next review was due in December 2010.
- One area of concern was raised by service managers who objected to the loss of offices and drop in facility for staff. This had been corrected almost immediately and managers at Head of Service level and above would have a fixed desk regardless of their workstyle and a small seating area. Each Director had a dedicated meeting room as did each service area.
- Staff were becoming more confident with remote working, but work was needed to mitigate the negative impact of remote working on team cohesion. Attempts had been made to manage this with phase 1 staff by the use of a tailored workshop to produce an action plan, however this was difficult to roll out as concerns varied between service areas.
- The increased number of staff wishing to continue working for the Council since Timelord was implemented was pleasing. Reasons given for this included reduced travel and less disruption.
- Senior management took a view on each work role to determine whether it could be performed away from the office. However, staff identified as homeflex could opt out from working from home if they wished and be fixed. Staff identified as free did not necessarily have to work from home, they could conduct work in the

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community and they would have access to a desk. Staff who chose, for example, to be homeflex had the option to revert back to fixed after 100 days, but none had asked to do so to date.

Members were concerned at some of the feedback received from phase 2. Particularly that 47% of those surveyed felt that the effectiveness of team working had reduced. Members felt this needed to be addressed as it could affect turnover.

Another concern was the increased stress level reported by staff. Jackie Jordan explained that other factors were named by staff as a cause of this, for example the Social Care Transformation Programme.

It was suggested that the next review of phase 2 should be brought forward to gauge the views of staff at an earlier stage and to assess whether different measures were having an impact. Jackie Jordan assured Members that areas to improve had been identified based on the lessons learnt and changes would be made. However, it could take time before staff felt the benefits of these and this was why the next review was not scheduled until December 2010. A delay to the programme would cause a loss of impetus, it would be difficult to restart and would not achieve the financial savings identified, most notably from accommodation.

Jackie Jordan advised that it was difficult to identify the impact Timelord was having on productivity since 'other things', i.e. other change programmes, did not remain equal. Communication with line managers and others should not be an issue as there were policies in place to ensure this was covered, i.e. telephone usage standards, access to Outlook diaries etc.

Jackie Jordan concluded her presentation by making the following points:

- In terms of savings, phase 1 would continue to incur costs but these were offset by savings elsewhere in the programme. The acquisition of Turnhams Green, West Street House and West Point had added nearly £7m to the value of the Council's balance sheet.
- A change made for phase 3 was to increase the size of flexi desks. This was in response to concerns raised at the reviews.
- The decision had been taken to replace existing network/power considered to be end of life in line with phase 3, as it would minimise further disruption at a later date.

Members were eager to conduct further work on this topic, particularly to address the concerns raised, and discussed options for doing so.

Councillor Jeff Brooks proposed that four Heads of Service (who had been through the process) should be invited to represent the views of their staff and their own experiences. This was seconded by Councillor Laszlo Zverko and agreed by the Select Committee.

RESOLVED that four Heads of Service would be invited to the next meeting to represent the views of their staff and their own experiences.

22. 2009/10 Revenue Outturn

The Committee considered the timetable for receiving budget monitoring reports and the provisional 2009/10 outturn report (Agenda Item 7).

Andy Walker circulated a proposed timetable for when the Resource Management Select Committee (RMSC) could receive budget monitoring reports. This proposed that the

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monthly report produced immediately after the end of the quarter could be considered once they had been discussed at Management Board. The Executive only received quarterly reports and because of timing constraints these needed to be considered at the Executive prior to the RMSC.

Councillor Jeff Brooks made an alternative proposal for the Executive's consideration that would allow RMSC to consider quarterly reports after Management Board but before the Executive. This would create the opportunity for RMSC to feed in comments/recommendations to the Executive. Stephen Chard agreed to identify whether approval would be required by the Overview and Scrutiny Management Commission (OSMC) to these recommendations, if this proposal was agreed. For this proposal to work, any approval would need to be within a short timescale and most likely separate to a meeting of the OSMC.

Councillor Keith Chopping advised that an issue with allowing this would be one of timing. With the report being considered by the RMSC it would be in the public arena prior to the Executive and precedence should be with the Executive.

It was suggested that if the RMSC meeting was scheduled a week prior to the Executive then the report would already be in the public domain. Councillor Chopping felt this proposal was possible if the timing could be adapted, but this was a decision for the Executive.

Councillor Laszlo Zverko was not in support of this proposal as he felt the Executive had the responsibility for approving the report and should therefore have the opportunity to comment on the reports first. If this was the case then Councillor Brooks suggested the report could come to RMSC shortly after the Executive.

Andy Walker then presented the provisional outturn report and made the following points:

- The Council's provisional outturn was an underspend of £5k against its budget.
- The significant overspends within the Community Services and Environment Directorates had been offset by underspends within the Children and Young People and Chief Executive Directorates.

Members referred to changes to the budget position towards the end of the financial year and queried when these became apparent. Andy Walker advised that a provisional closedown of accounts was undertaken after month nine and issues began to be identified at that stage.

Members felt that achieving an underspend of only £5k was positive, but there were concerns that many savings had to be found to achieve this in the last two months of the financial year. It was felt that efforts should be made to identify savings earlier in the year so that any available funds could potentially be utilised elsewhere. There was also a view given that changes had been made late in previous financial years.

Councillor Chopping accepted this point and advised that it was his intention to undertake an investigation into the outturn position over recent years. This would involve the identification of service areas with a variance of £50k or more from month 9 to the outturn position.

Councillor Chopping assured Members that budgets were set based on the experience and trends of previous years. However, as an example, a lower demand in Children and Young People for adoption placements and therefore reduced expenditure was difficult to predict. Similarly the overspends reported were demand led. The lower expenditure in

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adoption placements could not be factored into the budget for 2010/11 as it was unlikely to be repeated, but the pressures in Adult Social Care had been taken into account.

Andy Walker informed the Committee that underspends were not shared between Directorates/Service Areas.

Members were pleased to note the improvement to monthly budget monitoring forecast reports compared to previous years, although this needed to be maintained throughout the year. Councillor Chopping voiced his agreement with this point.

Interest payments and investment income were queried. Andy Walker advised there was a 1% return on investments.

The level of the Council's borrowing was £45m, but more than half of this dated back to Berkshire County Council.

RESOLVED that:

- (1) Andy Walker, Councillor Keith Chopping and other relevant Members and Officers would consider the options for the RMSC to see quarterly budget reports and report this back.
- (2) Stephen Chard would identify whether approval would be required by the OSMC to recommendations of the RMSC for the Executive, if the RMSC was to meet in advance of the Executive for this purpose.
- (3) The outturn report and the balanced budget would be noted. The work to review the outturn position of this year and previous years was supported.

23. 2009/10 Capital Programme Outturn

The Committee considered the 2009/10 Capital Programme outturn report (Agenda Item 8).

All but £8m of the £67m budget had been committed. The need to re-profile had delayed some projects but the majority of these would be delivered in 2010/11, with a small number deferred to later years in the programme. These projects would continue to be monitored by the Capital Strategy Group and Andy Walker agreed to keep the Select Committee informed of developments.

Information was also requested on the level of borrowing within the Capital Programme and the impact any interest payments had on revenue budgets. Andy Walker agreed to provide this information at the next meeting.

RESOLVED that the report would be noted and Andy Walker would provide the information requested at the next meeting.

24. Work Programme

The Committee reviewed the remaining items on the Resource Management Select Committee Work Programme (Agenda Item 9).

The items for the next meeting scheduled for 13 September 2010 were noted. In addition to the standing items these were agreed as:

- A review of the action plans in place following the Staff Attitude Survey.
- An update on progress on the work of Property Services and its contractors within schools.

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- A review of progress with the exit interview process.
- A briefing on the methodology in place to assess and ensure value for money.
- Continuation of the work on procurement processes and Timelord would continue as agreed.

Members asked that the issues raised which related to sickness absence should be investigated further and it was agreed that Robert O'Reilly would be invited to discuss this as part of the item on Timelord.

RESOLVED that the work programme would be noted and updated as discussed.

(The meeting commenced at 6.30 pm and closed at 9.15 pm)

CHAIRMAN

Date of Signature

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Title of Report:	Safer Select Committee
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To provide an update on the work of the Safer Select Committee.

Recommended Action:

- To note for information
- To approve scoping document for next review subject

Safer Select Committee Chairman	
Name & Telephone No.:	Councillor Quentin Webb – Tel (01635) 202646
E-mail Address:	qwebb@westberks.gov.uk

Contact Officer Details	
Name:	Elaine Walker
Job Title:	Principal Policy Officer (Equality and Diversity)
Tel. No.:	01635 519441
E-mail Address:	evincent@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 This report provides an update on the work undertaken by the Safer Select Committee since the report made at the last OSMC meeting.

2. Installation of Fire Sprinklers

- 2.1 The Committee met on Monday 5th July 2010 to further discuss the review into the installation of fire sprinklers into new and refurbished Council buildings including schools. The Committee have requested that a policy be developed, and will make recommendations as to the specific content of this at the next meeting of the Committee in September 2010.
- 2.2 The minutes of the meeting are attached at appendix A.

3. Crime Statistics

- 3.1 The Committee have agreed to review West Berkshire crime statistics, in particular how activity to address crime trends is determined and reviewed.
- 3.2 Appendix B sets out the proposed terms of reference for this review. The OSMC are requested to approve the proposal.

4. Work Programme

- 4.1 The latest work programme for the Select Committee is contained within Appendix A of item 17 of this agenda.

Appendices

Appendix A – Minutes of the Safer Select Committee held on the 5th July 2010.

Appendix B – Proposed terms of reference for the crime statistics.

SAFER SELECT COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 5 JULY 2010

Councillors Present: Jeff Beck, George Chandler, Geoff Findlay (Substitute) (In place of Adrian Edwards), Roger Hunneman (Vice-Chairman), Quentin Webb (Chairman) and Keith Woodhams

Also Present: Councillor Paul Bryant, David Sharp (Royal Berkshire Fire and Rescue Service), Andy Day (Head of Policy and Communication), Sean Tye (Property Development Manager), Ian Priestly (Assurance Manager), Elaine Walker (Principal Policy Officer)

Apologies: Councillor Adrian Edwards

PART I

4. Minutes

The Minutes of the meetings held on 6th April 2010 and 11th May 2010 were approved as a true and correct record and signed by the Chairman.

Andy Day confirmed that 'Have Your Say' was a police initiative and that the Public Involvement Board, which comprised a number of local public sector organisations, would assist in coordinating this activity to gain most benefit and avoid duplication of activity elsewhere.

5. Declarations of Interest

There were no declarations of interest received.

6. Matters Arising

The Committee reviewed the status of activities identified at previous meetings. The Committee were content with progress and requested that in future, this item would contain only current and ongoing activities.

RESOLVED that in future, this item would contain only current and ongoing activities.

7. Installation of Fire Sprinklers Review

The Committee considered a report regarding Fire Sprinklers in Schools and Other Buildings presented to the Committee by Sean Tye (Property Development Manager).

Following questioning from the Committee, Sean Tye clarified that costs for installing fire sprinkler systems would vary according to the type and size of the system required. Available indicative costs suggested that the cost of installing fire sprinkler systems in new buildings could account for between 2.3% and 15% of the total project cost.

The Committee requested information regarding dry sprinkler systems and were informed that dry systems worked by forcing an inert gas into the area thereby expelling all oxygen

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and extinguishing the fire. They were more suited to use in unpopulated, smaller areas although they could be set up in a number of situations. They have been found to cost approximately 35% more than wet systems although there were clear benefits in some settings, for example electrical rooms.

It was explained that the maintenance cost of any system depended on the size of the system and the components that required maintenance or servicing. There was little available information to quantify these costs, but indications were that they could range from £500 to £5000 per annum.

It was further confirmed that the cost of fitting a system retrospectively to a building could not be defined as it would be dependent on a number of factors including size, construction material of the building and whether there was asbestos present, and the components required for the sprinkler system.

The Committee agreed not to consider developing a policy related to retrospective fitting of fire sprinklers.

David Sharp of the Royal Berkshire Fire and Rescue Service presented physical examples of two different types of sprinkler head for the Committee's information. He demonstrated one version, considered suitable for residential premises, where the fitting would be flush with the ceiling, descending and becoming visible only on activation. The second version would be visible at all times. Both versions would be suitable to be fitted with a dry system or a wet system.

He further stated that the normal life span of a sprinkler system was between 30 and 50 years and good maintenance would help to prolong this.

Ian Priestley (Assurance Manager) presented information to the Committee regarding insurance costs. He explained that West Berkshire Council currently benefited from low premiums for buildings cover in exchange for a high excess level. This has been determined by reference to the Council's low level of fire risk, with three significant fires since 2003 totalling approximately £200k in repair costs. No claims had been made to the Council's insurers to date as all had been below the Council's excess level. It was recognised that sprinklers would have reduced the refurbishment costs of the fires that had occurred, however the low numbers of fires would not in themselves justify the cost of installation of sprinklers.

The Committee asked whether the insurance company had been approached to request a reduction in premiums. Ian Priestley replied that negotiations were taking place in relation to St Bartholomew's however there was no expectation of major savings.

Councillor Bryant expressed concern at the lack of savings to be made regarding insurance when his previous source of information, Medway Council, had reported significant savings. Ian Priestley responded that the Council's premiums were already low and savings to these were unlikely to be significant.

Councillor Hunneman suggested that, as insurance savings were likely to be insignificant, savings would need to be made in the cost of installation and required components.

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Sean Tye informed the Committee of a current project to install fire sprinklers where planning constraints had required the water tank to be placed underground. This had resulted in increased costs of around £20k. The Committee discussed the requirement for water storage tanks, and questioned whether systems could be run directly from water mains. Sean Tye replied that where the water authority was unable to guarantee adequate water pressure, then tanks would be required. It was suggested that the water board should be approached to amend its practice of reducing water pressure at certain times of day. Sean Tye went on to explain that where a water tank was required, it was regulated that the tank must be of a size that was able to supply the entire system. It was confirmed that where tanks were installed that did not meet the required size, insurance cover would become void. It was noted that planning constraints might limit options for the location of a water tank at any location and this might be due to the size of the area available for construction. It was also noted that adequate space would be required to access and maintain the tank. It was suggested that consideration be given to improving the appearance of water tanks if this would assist in gaining planning consent.

Councillor Bryant clarified that fire officers no longer approved fire safety systems in buildings. Since the Fire Safety Order 2005 was introduced, building owners or occupiers have been responsible for fire safety. A fire officer would only inspect systems if they had reason to believe that fire regulations were not being met.

Councillor Bryant went on to question the appropriateness of the risk assessment currently in use as some items required a judgement from the assessor which could be made inaccurately. He also questioned the costs presented in the report as his previous source of information, Medway Council, had indicated much lower costs of 2.5%. This concern was shared by Councillor Hunneman. However actual figures after having installed a sprinkler system at St Bartholomew's School showed a cost of 4% of the total project cost.

Councillor Bryant further raised the issue that consideration should be given to what was at risk by fire in different buildings. He stated that school practices meant that pupils would be efficiently evacuated from a building therefore the major risk would be to the building itself. However in a residential care home, there would be more difficulty in evacuating residents, therefore the risk would be to both life and property.

Ian Priestley suggested that, should a policy be developed, it should state its aims clearly. In particular, where sleeping accommodation was present, such as in a care home, then sprinklers should be mandatory. Alternatively where the aim was to protect buildings then they should only be installed if there was a clear financial benefit.

The Committee questioned whether the Kennet Centre had fire sprinklers installed and if so, where the water storage tanks were placed. A request was made to make arrangements to visit the Kennet Centre to understand the layout and working arrangements for the system. A further request was made to visit other appropriate locations, St Bartholomew's and Sainsbury's were suggested. The Committee agreed that these visits would be worthwhile.

Councillor Chandler noted that schools were higher risk buildings because of short occupancy hours and asked whether consideration had been given to greater safeguarding of schools particularly in holiday times to reduce the risk of fire further and

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avoid the need to install sprinklers. The Committee was reminded that the risk of fire in West Berkshire was very low already.

David Sharp stated that the fire service's preferred option for fire safety was fire sprinklers as they would extinguish fires and save lives and property. This would be particularly relevant in residential care homes. He went on to provide further information to the Committee regarding fire sprinklers in general and specifically a London Study report into fires in sprinklered buildings which showed that:

- 84% of fires were contained or extinguished by sprinklers;
- Where sprinklers were unsuccessful, this was due to water supply failure, insufficient heat to activate the sprinklers, or fires in unsprinklered areas;
- In five cases, the sprinklers failed to activate.

David Sharp indicated that the low levels of installed sprinklers meant that information was not readily available on a large scale. He further explained that where sprinklers were installed, there was a greater freedom over building design as constraints in relation to exit routes and room size would be relaxed. He finally brought to the attention of the Committee that the number of fires in residential care homes was increasing and was expected to continue to increase due to the greater number of care homes required to cater for the ageing population.

The Committee noted that the report presented had focussed on schools with little mention of residential care homes. It was noted that West Berkshire Council's property portfolio contained very few residential care homes (which would not be fitted retrospectively) and a very large number of schools. Additionally, the majority of capital work involved schools. Councillor Bryant suggested that if West Berkshire Council were to install sprinklers as standard, more pressure could be placed on owners of other buildings in which the Council had an interest to also install sprinklers.

Councillor Woodhams requested information to be obtained regarding a new residential care home in Thatcham specifically around the installation of sprinklers.

Councillor Woodhams expressed the difficulty in consolidating all of the available information into a single policy, and suggested that a suitable risk assessment for all projects might be the appropriate approach.

The Committee agreed in principal to developing a policy in relation to the installation of fire sprinklers in new buildings and those undergoing major refurbishment. It was agreed that the stance of the policy should be an expectation that sprinklers would be installed, although a suitable risk assessment would inform this decision. The Committee requested that the Head of Planning and Trading Standards be asked to develop a draft policy for review at the next meeting.

Resolved that:

- The committee would not recommend fitting fire sprinklers retrospectively to buildings.

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- Arrangements would be made for the Committee to visit two or three different sites where fire sprinklers were installed.
- Sean Tye would investigate how a decision was reached regarding the installation of sprinklers in the new Thatcham residential care home.
- The Head of Planning and Trading Standards be asked to develop a draft policy in relation to the installation of fire sprinklers.

8. Work Programme

The Committee agreed the work programme and proposed to conclude their review into the need for a policy relating to fire sprinklers at the next meeting. It was further agreed that the next item for consideration by the Committee would be crime statistics and that Thames Valley Police would be invited to the next meeting to provide an update.

Resolved that:

- Thames Valley Police would be invited to the next meeting to provide information regarding crime statistics.

(The meeting commenced at 6.30 pm and closed at 8.15 pm)

CHAIRMAN

Date of Signature

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Scrutiny Matrix

Review Topic:

Crime Statistics

Timescale

Start: 20/09/10

Finish:

Review Rationale:

To review information relating to the crime priorities identified in the local strategic assessment for the West Berkshire area to understand the activity that is undertaken to address crime and the effectiveness of that activity.

Terms of Reference:

To review:

- Current crime patterns relating to crime priorities;
- What activity has been put in place to address these priorities;
- Whether the implemented activity has been successful in effecting a reduction in crime.

Review Membership:

Councillor Webb

Councillor Beck

Councillor Chandler

Councillor Edwards

Councillor Hunneman

Councillor Woodhams

Chairman: Councillor Webb

Vice-Chairman: Councillor Hunneman

Scrutiny Officer: Elaine Walker

Information Required:

- Crime statistics from 2007 – 2010
- Activity implemented in response to identified priorities

Witnesses:

- Safer Communities Team – West Berkshire Council
- Thames Valley Police

Session 1

To agree scoping document.

To receive an update on current crime statistics and activity.

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Agenda Item 15.

Title of Report:	Stronger Communities Select Committee
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To provide an update on the work of the Select Committee.

Recommended Action: To note the information.

Stronger Communities Select Committee Chairman	
Name & Telephone No.:	Councillor Irene Neill – Tel (0118) 9712671
E-mail Address:	ineill@westberks.gov.uk
Contact Officer Details	
Name:	Stephen Chard
Job Title:	Policy Officer (Scrutiny Support)
Tel. No.:	01635 519462
E-mail Address:	schard@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 The Select Committee met on 8 July 2010 and the draft minutes are attached at Appendix A. A summary of the discussions held are as follows:
- 1.2 A briefing was received on the work of the Greater Greenham Project.
- 1.3 The audit report and action plan produced following the audit of the Housing Register was received. It was noted that overall the audit found that the controls within the systems and procedures reviewed were satisfactory. This will be followed up by Audit later in the year when it is hoped that the service will be considered to be well controlled. The work being undertaken within Housing to achieve this was described and it was agreed by the Select Committee to form a small working group that will return to this topic in September to assess progress prior to the audit follow up.

2. Discussion items scheduled for the next meeting

- 2.1 The next full meeting of the Select Committee is scheduled for 21 October 2010. Draft agenda items are as follows:
 - (1) An update report from the Housing Register working group.
 - (2) A review of progress with the Playbuilder Programme.
 - (3) Receipt of a report from the supporting small schools Officer group to assess what further work, if any, is required by the Select Committee.

3. Work Programme

- 3.1 The latest work programme for the Select Committee is contained within Appendix A of item 17 of this agenda.

Appendices

Appendix A – Stronger Communities Select Committee minutes from 8 July 2010

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

STRONGER COMMUNITIES SELECT COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY, 8 JULY 2010

Councillors Present: David Holtby, Keith Lock (Substitute) (In place of Alan Macro), Irene Neill (Chairman), Ieuan Tuck

Also Present: Shannon Coleman-Slaughter (Group Auditor), June Graves (Head of Housing and Performance), Fenja Hill (Housing Operations Manager), Stephen Chard (Policy Officer), David Lowe (Scrutiny and Partnerships Manager)

Apologies: Councillor Ellen Crumly, Councillor Mollie Lock, Councillor Alan Macro

PART I

11. Minutes

The Minutes of the meeting held on 11 May 2010 and 12 May 2010 were approved as a true and correct record and signed by the Chairman.

Stephen Chard advised the Committee that the report outlining the results of the scrutiny review into the performance of schools in West Berkshire had been approved by the Overview and Scrutiny Management Commission, subject to one amendment. This related to the recommendation to strengthen the work of the Standards and Effectiveness Panel and the amendment was as follows:

The Head of Policy and Communication should ensure that key feedback from the Standards and Effectiveness Panel on the performance of schools and support services was reported to the Stronger Communities Select Committee and onwards within the Council's reporting structures. **The work of the Standards and Effectiveness Panel should be considered in light of a more structured approach to school visits in order to improve consistency.**

Members felt that there was already a structured approach to school visits by the Panel, but were nonetheless content to accept this amendment.

RESOLVED that the amendment would be accepted and the report would be sent to the Executive for its consideration.

12. Declarations of Interest

There were no declarations of interest received.

13. Greater Greenham Project

The Committee considered a briefing on the work of the Greater Greenham Project (Agenda Item 4).

David Lowe, attending on behalf of Councillor Marcus Franks, made the following points as part of his presentation on the work of the Greater Greenham Project:

- This was a positive example of the work undertaken under the leadership of the West Berkshire Partnership (WBP).

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STRONGER COMMUNITIES SELECT COMMITTEE - 8 JULY 2010 - MINUTES

- The WBP was seeking ways to enhance community engagement and empowerment, and to make a sustainable difference at a local level.
- Greater Greenham (defined as the Nightingales and Pigeons Farm Estates) had been selected as the first locality project based on indices of multiple deprivation and the child well-being index. This showed that Greater Greenham was by far the most deprived overall area in West Berkshire and was also low when considered at a national level.
- The aims and objectives of the project were to promote financial inclusion, improve the community's environment, build a safer and stronger community, and improve the reputation of the locality.
- A baseline figure and appropriate targets were to be set for priority outcomes which included increased resident participation and pride in the neighbourhood, increased income and skills, and a reduction in crime and anti social behaviour (ASB).
- The project was run by a steering group which reported to a partnership group, which in turn reported to the WBP. The membership of the steering group included local residents and this was hoped to be widened.
- Achievements of the project included:
 - An increase in communication with residents via the Greenham Grapevine newsletter.
 - The establishment of a youth club with approximately 140 members. This was successfully run by a voluntary sector organisation based in Basingstoke. June Graves advised that this was based on the success of a project in Bishops Green which had been running for a small number of years.
 - The identification of 40 community volunteers.
 - Increased availability of the MUGA (multi use games area).
 - A successful skip day held in October 2009 which was an exercise to clear bulky waste from gardens etc. The importance of the community being able to sustain this type of activity themselves was noted.
- Many of these activities had been achieved at a minimal cost. Funding was available but this was finite. There was however no time limit to the project itself and it was intended to run for as long as was deemed necessary.
- A positive outcome for the community had been a 30% decrease in ASB, as reported by Thames Valley Police.
- Many future activities had been organised as a result of the hard work of volunteers.

Members queried the involvement from the primary school, The Willows, as this was felt to be a key element. David Lowe advised that a new Head Teacher had recently been appointed, she was eager to be involved and for the activities of the school to be integrated with the project.

Councillor Ieuan Tuck described a project he was aware of in London which provided a drop in facility for parents and carers of young children. He queried whether this was

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STRONGER COMMUNITIES SELECT COMMITTEE - 8 JULY 2010 - MINUTES

something that could be looked at for Greater Greenham. David Lowe agreed to take back this idea.

RESOLVED that the briefing would be noted.

14. Housing Register

The Committee considered a report (Agenda Item 5) which detailed the outcome of the audit into the Housing Register.

Councillor Irene Neill advised that the purpose of the item at this stage was to hear the outcome of the audit and to then consider what future scrutiny activity, if any, was required by the Select Committee.

Shannon Coleman-Slaughter informed the Committee that overall the audit found that the controls within the systems and procedures reviewed were satisfactory. There were some areas of concern and these were being addressed through the action plan. Follow up work would be undertaken in November 2010 to assess progress with these actions and, if actions were completed by that time, it was hoped that the service would be considered to be well controlled or at the least a satisfactory follow up would be carried out.

Members noted that many of the actions related to the IT system, Locata, and the operation of this system was queried. Shannon Coleman-Slaughter advised that the audit found that while required actions were still undertaken, the system could be better utilised by staff and it was not always fully updated.

Fenja Hill agreed that paper files would be more up to date and this could create an issue when running a report from the system as this did not always have the full detail included. June Graves acknowledged that Locata had not been fully utilised but added that the system had recently been upgraded. This made it more user friendly and took into account the fact that the Common Housing Register had been taken back in house and the new initiative to offer choice based lettings. The introduction of this initiative would create more sustainable tenancies.

The Locata system was the sole register of information of those seeking housing but did not contain information on available housing.

Fenja Hill added that the upgrade enabled the production of more informative reports and recorded the progress of each individual going through the system.

It was hoped that the system could be widened to incorporate individuals seeking shared ownerships and privately rented homes.

Members were concerned that there was the potential for the more vulnerable people on the register, particularly the elderly, to be disadvantaged by the need to access services, such as choice based lettings, via the website. Fenja Hill advised that this was an area of particular focus for Officers and individuals who were assessed as being potentially vulnerable were offered additional support. It was also possible to produce a report to see if those assessed as vulnerable and a high priority for a new home were bidding for places and if not contact would be made and assistance offered.

Individuals who had been on the register for some time and only gradually accumulated points were contacted annually to assess whether they wished to remain on the list, which was permissible.

Members queried the level of complaints from residents and asked whether a greater understanding of the processes involved would decrease this. Fenja Hill advised that

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STRONGER COMMUNITIES SELECT COMMITTEE - 8 JULY 2010 - MINUTES

while the importance of housing for individual residents was understood there was clearly a need to prioritise those in most need. This was explained to concerned residents to help manage their expectations. However if they were not at the top of the list, but had strong reasons to move, they were encouraged to be as flexible as possible with their requirements to increase their chances of getting a home. June Graves added that additional points were awarded for those in exceptional circumstances. Emergency accommodation was also available for those who were homeless.

It was noted that action 5, which related to the need for clients to have their personal details fully and independently verified, had not been agreed. Fenja Hill advised that this had yet to be agreed as documentation was not always needed in the first instance in certain circumstances. It was hoped that this would be resolved by the time of the review.

Fenja Hill offered Members the opportunity to visit the team to observe their work in practice and to contact her if they had any further queries.

Members then discussed further work on this topic and it was felt that further investigation was required. In terms of timescale it was felt to be appropriate that this work would be returned to by a small working group in September 2010 to assess progress made since the audit, with a report back to the Select Committee at its meeting in October 2010. This would allow more time for the new Housing Operations Manager (Fenja Hill) to incorporate any new processes etc.

Councillor Irene Neill volunteered to participate in the work group and Stephen Chard agreed to seek other volunteers. This would be offered to all Members of the Select Committee in the first instance.

RESOLVED that:

- (1) The outcome of the audit and the resulting action plan would be noted.
- (2) A small working group would be formed to assess progress made since the audit and this would be arranged for September 2010.

15. Work Programme

The Committee considered the work programme for 2010/11 (Agenda Item 6).

Councillor Irene Neill informed Members that the work programme had been reviewed with the Chairman of the Overview and Scrutiny Management Commission and as a result it had been reduced to the items of the highest priority.

Items scheduled for the next meeting being held on 21 October 2010 were noted as:

- An update report on the Housing Register following the working group's meeting in September 2010.
- A review of progress with the Playbuilder Programme.
- Receipt of a report from the supporting small schools Officer group to assess what further work, if any, was required by the Select Committee.

Councillor David Holtby advised that progress had been limited on the joint review with the Greener Select Committee on accessibility of public transport and Stephen Chard agreed to discuss this with the appropriate Officer.

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STRONGER COMMUNITIES SELECT COMMITTEE - 8 JULY 2010 - MINUTES

RESOLVED that:

- (1) The updated work programme and items scheduled for the next meeting would be noted.
- (2) Stephen Chard would ascertain progress of the accessibility of public transport review.

(The meeting commenced at 6.30 pm and closed at 8.00 pm)

CHAIRMAN

Date of Signature

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Agenda Item 16.

Title of Report:	West Berkshire Forward Plan
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report:

To advise the Overview and Scrutiny Management Commission of items to be considered by West Berkshire Council from August to November 2010 and decide whether to review any of the proposed items prior to the meeting indicated in the plan.

Recommended Action:

That the Overview and Scrutiny Management Commission considers the West Berkshire Council Forward Plan for July to October 2010 and recommends further action as appropriate.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
E-mail Address:	bbedwell@westberks.gov.uk

Portfolio Member Details	
Name & Telephone No.:	Councillor Graham Jones – Tel (01235) 762744
E-mail Address:	gjones@westberks.gov.uk

Contact Officer Details	
Name:	Stephen Chard
Job Title:	Policy Officer (Scrutiny Support)
Tel. No.:	01635 519462
E-mail Address:	schard@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 The Forward Plan attempts to cover all decisions, not just those made by the Executive, which the Authority intends to take over the next 4 months. The Forward Plan, attached at Appendix A, for the months of August to November 2010, also shows the decision path of each item including Council, Executive and Overview and Scrutiny Management Commission.
- 1.2 In order to hold the Executive to account, Overview and Scrutiny Management Commission Members are asked to identify any forthcoming decisions which may be appropriate for scrutiny.

Appendices

Appendix A – West Berkshire Council Forward Plan – August to November 2010

West Berkshire Council Forward Plan – August 2010 to November 2010

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact & Ext. No.	Lead Member (Portfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
AUGUST 2010											
ID2049	West Berkshire District Council Order Various Roads, Fawley, 30mph speed limit	ID	01/08/10	Environment	Andrew Garratt	Highways, Transport (Operational) & ICT		TBC			01 August 2010
ID2050	West Berkshire District Council Order A338, Great Shefford, Chaddleworth and Fawley, 50mph speed limit	ID	01/08/10	Environment	Andrew Garratt	Highways, Transport (Operational) & ICT		TBC			01 August 2010
ID2051	West Berkshire District Council Order Various Roads Ashampstead, 30mph speed limit	ID	01/08/10	Environment	Andrew Garratt	Highways, Transport (Operational) & ICT		TBC			01 August 2010
ID2053	West Berkshire District Council Order, Station Road, Kintbury, 40mph speed limit	ID	01/08/10	Environment	Andrew Garratt	Highways, Transport (Operational) & ICT		TBC			01 August 2010
ID2054	West Berkshire District Council Order, Various roads Hungerford, 40mph speed limit	ID	01/08/10	Environment	Andrew Garratt	Highways, Transport (Operational) & ICT		TBC			01 August 2010
ID2059	West Berkshire Forward Plan - September 2010 to December 2010 <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	12/08/10	Chief Executive	Moir Fraser (2045)	Leader of the Council		04/08/10		Not subject to call in.	01 August 2010
ID2060	Adoption of Parish Plans <i>To adopt Parish Plans.</i>	ID	01/08/10	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions		TBC			01 August 2010
ID2061	Approval of Village Design Statements <i>To approve Village Design Statements.</i>	ID	01/08/10	Chief Executive	Paula Amorelli (2233)	Planning, Housing, Transport Policy		TBC			01 August 2010

KEY:
 ID = Individual Executive Member Decision
 EX = Executive
 C = Council
 GA = Governance & Audit Committee
 S = Standards Committee
 PC = Personnel Committee

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may, however, change and you are advised to contact Moira Fraser – Tel: 01635 519045 or e-mail: mfraser@westberks.gov.uk to confirm the contents of any agenda before attending a meeting. Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.

West Berkshire Council Forward Plan – August 2010 to November 2010

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact & Ext. No.	Lead Member (Portfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
SEPTEMBER 2010											
OS2110	Financial Report (Revenue and Capital) Month 4 2010/11	OSMC		Chief Executive	Andy Walker	Finance, Economic Development, Property, Health and Safety					01 September 2010
ID2063	Adoption of Parish Plans <i>To adopt Parish Plans.</i>	ID	01/09/10	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions		TBC			01 September 2010
ID2064	Approval of Village Design Statements <i>To approve Village Design Statements.</i>	ID	01/09/10	Chief Executive	Paula Amorelli (2233)	Planning, Housing, Transport Policy		TBC			01 September 2010
ID2062	West Berkshire Forward Plan - October 2010 to January 2011 <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	16/09/10	Chief Executive	Moira Fraser (2045)	Leader of the Council		08/09/10		Not subject to call in.	01 September 2010
GAC1905	Anti Fraud Strategy <i>To put in place an Anti Fraud Strategy for the Council that meets best practice.</i>	GA	06/09/10 GA	Chief Executive	Ian Priestley	Finance, Economic Development, Property, Health and Safety		26/08/10	Corporate Board, External Auditors		01 September 2010
EX2132	Improving Public Confidence <i>To set out recommendations arising from a Scrutiny Review into improving public confidence and to obtain agreement for the recommendations.</i>	EX	02/09/10 EX 06/04/10 SSC	Chief Executive	Susan Powell	Strategy, Performance, Community Safety		24/08/10 EX	Thames Valley Police, local residents as part of previous scrutiny review.		01 September 2010

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West Berkshire Council Forward Plan – August 2010 to November 2010

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EX2027	Recommendations Arising from the Scrutiny Review of Adverse Weather <i>To consider the recommendations from the Overview and Scrutiny Management Commission emanating from the recent Scrutiny review.</i>	EX	02/09/10 EX	Chief Executive	Carolyn Murison	Strategy, Performance, Community Safety		24/08/10			01 September 2010
EX2046	Financial Report Q1 2010/11	EX	02/09/10 EX	Chief Executive	Andy Walker	Finance, Economic Development, Property, Health and Safety		24/08/10			01 September 2010
EX2106	Council Plan Outcomes 2010/11: Quarterly Performance Update - Q1 <i>To report quarterly performance against each of the outcomes identified in the 2010/11 Council Plan and to report remedial action being taken, where targets were not projected to be met</i>	EX	02/09/10 EX	Chief Executive	David Cook	Strategy, Performance, Community Safety		24/08/10	Performance officers, EPMG/IPG		01 September 2010
EX2115	Establishment Report Q1 2010/11	EX	02/09/10 EX	Chief Executive	Robert O'Reilly	Strategy, Performance, Community Safety		24/08/10			01 September 2010
EX	Faraday Plaza Consolidation of Leases	EX	02/09/10 EX	Chief Executive	Les Gaulton	Finance, Economic Development, Property and Health and Safety		24/08/10			01 September 2010
EX2141	Council Tax - Single Person Discount (SPD) Review - Outcome <i>To inform the Executive of the outcome of the SPD review and recommend ongoing use of the Northgate/Experian service</i>	EX	02/09/10 EX	Chief Executive	Steve Duffin	Finance, Economic Development, Property and Health and Safety		24/08/10			01 September 2010

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West Berkshire Council Forward Plan – August 2010 to November 2010

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EX2142	Chesterfield Road, Newbury <i>To seek approval to sell a property on the open market</i>	EX	02/09/10 EX	Environment	Amanda Dennis	Finance, Economic Development, Property and Health and Safety		24/08/10			01 September 2010
EX2145	Museum Redevelopment	EX	02/09/10 EX	Community Services	David Appleton	Planning, Housing, Transport Policy		24/08/10			01 September 2010
C2040	Extraordinary Council meetings - Changing the Constitution <i>To amend West Berkshire Council's Constitution in order to clarify paragraph 4.1.3 of the Council Rules of Procedure relating to Extraordinary Meetings.</i>	C	23/09/10 C 06/09/10 GA	Chief Executive	Katharine Sheehan	Leader of the Council		15/09/10 C 27/08/10 GA			01 September 2010
C1886	Amendments to the Constitution - Scheme of Delegation <i>To include Part 10 of the Town and Country Planning Act to the Head of Planning and Trading Standards</i>	C	23/09/10 C 06/09/10 GA	Chief Executive	Moira Fraser, Elaine Cox	Leader of the Council		15/09/10 C 27/08/10 GA		Moved from May Council cycle	01 September 2010
C2030	Petitions - Response to Consultation <i>To meet the requirements of the Local Democracy, Economic Development and Construction Act 2009</i>	C	23/09/10 C 06/09/10 GA	Chief Executive	Moira Fraser	Leader of the Council		15/09/10 C 27/08/10 GA			01 September 2010
OCTOBER 2010											
ID2066	Adoption of Parish Plans <i>To adopt Parish Plans.</i>	ID	01/10/10	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions		TBC			01 October 2010
ID2067	Approval of Village Design Statements <i>To approve Village Design Statements.</i>	ID	01/10/10	Chief Executive	Paula Amorelli (2233)	Planning, Housing, Transport Policy		TBC			01 October 2010

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West Berkshire Council Forward Plan – August 2010 to November 2010

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ID2065	West Berkshire Forward Plan - November 2010 to February 2011 <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	14/10/10	Chief Executive	Moira Fraser (2045)	Leader of the Council		06/10/10		Not subject to call in.	01 October 2010
EX2043	Single Conversation - Local Investment Plan	EX	14/10/10 EX	Community Services	June Graves	Planning, Housing, Transport Policy		24/08/10			01 October 2010
NOVEMBER 2010											
ID2069	Adoption of Parish Plans <i>To adopt Parish Plans.</i>	ID	01/11/10	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions		TBC			01 November 2010
ID2144	Speed Limit Review - October 2010 <i>To approve the statutory consultation for altering the speed limit on a number of roads following a meeting of the speed limit task group.</i>	ID	01/11/10	Environment	Andrew Garratt	Highways, Transport (Operational) & ICT		TBC			01 November 2010
ID2070	Approval of Village Design Statements <i>To approve Village Design Statements.</i>	ID	10/11/10	Chief Executive	Paula Amorelli (2233)	Planning, Housing, Transport Policy		TBC			01 November 2010
ID2068	West Berkshire Forward Plan - December 2010 to March 2011 <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	11/11/10	Chief Executive	Moira Fraser (2045)	Leader of the Council		03/11/10		Not subject to call in.	01 November 2010
EX2044	Single Conversation - Local Investment Agreement	EX	25/11/10 EX	Community Services	June Graves	Planning, Housing, Transport Policy		17/11/10			01 November 2010

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West Berkshire Council Forward Plan – August 2010 to November 2010

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact & Ext. No.	Lead Member (Portfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
EX2047	Financial Report Q2 2010/11	EX	25/11/10 EX	Chief Executive	Andy Walker	Finance, Economic Development, Property, Health and Safety		17/11/10			01 November 2010

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may, however, change and you are advised to contact Moira Fraser – Tel: 01635 519045 or e-mail: mfraser@westberks.gov.uk to confirm the contents of any agenda before attending a meeting. Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.

KEY:
 ID = Individual Executive Member Decision
 EX = Executive
 C = Council
 GA = Governance & Audit Committee
 S = Standards Committee
 PC = Personnel Committee

Title of Report:	Overview and Scrutiny Management Commission and Select Committee Work Programme
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To receive, agree and prioritise the Work Programme of the Commission and Select Committees for the remainder of the 2010/11 Municipal Year.

Recommended Action: To consider the current items and any future areas for scrutiny.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
E-mail Address:	bbedwell@westberks.gov.uk

Contact Officer Details	
Name:	Stephen Chard
Job Title:	Policy Officer (Scrutiny Support)
Tel. No.:	01635 519462
E-mail Address:	schard@westberks.gov.uk

Supporting Information

1. Introduction

- 1.1 At the first meeting of the Overview and Scrutiny Management Commission held on 16 June 2009 Members gave approval to the items listed for future scrutiny by either the Commission or a Select Committee.
- 1.2 The list of items has recently been reviewed by each Select Committee and as a result the number of items on the work programme has reduced. An updated version of the Work Programme is attached at Appendix A for the Commission's consideration. Members are also asked to consider any future areas for scrutiny.

Appendices

Appendix A – Overview and Scrutiny Management Commission and Select Committee Work Programme

Consultees

Officers Consulted: Scrutiny and Partnerships Manager, Principal Policy Officers

APPENDIX A: OVERVIEW & SCRUTINY MANAGEMENT COMMISSION AND SELECT COMMITTEE WORK PROGRAMME

Reference (a)	Subject/purpose (b)	Methodology (c)	Expected outcome (d)	Review Body (e)	Dates (f)	Lead Officer(s)/ Service Area (g)	Portfolio Holder(s) (h)	Comments (h)
OSMC/09/20	Implementation of the refuse and recycling contract Assessment of the operation of the Council's refuse and recycling contract after 1 year of operation.	Information supplied by, and questioning of, lead officers, and external partners.	Monitoring item	GSC	Start: 08/06/10 End: Ongoing	Andy Deacon - 2312 Countryside & Environment	Councillor Hilary Cole	This is a high-profile subject which generates a significant degree of local interest. The Greener Select Committee will be inviting the Waste Management Task Group to attend the December meeting to discuss monitoring of the PFI contract..
OSMC/09/21	Rights of Way Improvement Plan To review the WB ROWIP and make recommendations on delivery.	In meeting review with information supplied by, and questioning of, lead officers.	Make recommendations to improve delivery.	GSC	Start: 01/10/10 End: TBC	Paul Hendry - 2858 Countryside & Environment	Councillor Hilary Cole	A review will be undertaken after the Local Access Forum has made its recommendations.
OSMC/09/23	Bulky waste To consider the changed policy for the disposal of bulky waste.	In meeting review with information supplied by, and questioning of, lead officers.	To understand the effects of the changed policy.	GSC	Start: 08/06/10 End: Ongoing	Andy Deacon - 2312 Countryside & Environment	Councillor Hilary Cole	To be considered as part of the PFI contract.
OSMC/09/26	Use of local resources For the Select Committee to discuss.	In meeting review with information supplied by, and questioning of, lead officers.	To be identified.	GSC	Start: 19/01/10 End: TBC	Countryside & Environment	Councillor Pamela Bale	The review will start by looking at use of local food.
OSMC/09/27	Equality and amenity of the local environment For the Select Committee to discuss.	In meeting review with information supplied by, and questioning of, lead officers.	To be identified.	GSC	Start: 01/08/10 End: TBC	Countryside & Environment	Councillor Hilary Cole	Review will be undertaken as part of the review of the Right of Way Improvement Plan.
OSMC/10/80	Council motion on renewable energy To consider action required to stimulate renewable electricity generation within West Berkshire and related targets.			GSC	Start: 07/09/10 End:	Adrian Slaughter - 2424 Property	Councillor Hilary Cole	Agreed Council Motion - 4/3/10
OSMC/10/85	Fly Tipping Cllr Vickers requested the topic be added due to concerns over the rise in fly tipping.	In meeting review with information supplied by, and questioning of, lead officers.	To be identified.	GSC	Start: TBC End: TBC	TBC Countryside & Environment	Councillor Hilary Cole	Rational behind the review to be considered.

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Reference (a)	Subject/purpose (b)	Methodology (c)	Expected outcome (d)	Review Body (e)	Dates (f)	Lead Officer(s)/ Service Area (g)	Portfolio Holder(s) (h)	Comments (h)
OSMC/09/24	Accessibility of public transport Review accessibility of public transport in West Berkshire for all residents.	Information supplied by, and questioning of, lead officers, and external partners.	For review.	GSC/SC SC	Start: 19/01/10 End:	Bryan Lytle - 2638 and Mark Edwards - 2208 Planning & Trading Standards and Highways & Transport	Councillor Alan Law & Councillor David Betts	Joint work between GSC and SCSC to review accessibility of public transport and contribute to the work on Local Transport Plan 3. Item 68 merged with this item
OSMC/09/16	Local Area Agreement Targets (LAA) Monitoring of progress of Health and Wellbeing LAA targets.	In meeting review with information supplied by, and questioning of, lead officers.	Monitoring item	HSC	Start: 06/07/10 End:	Bev Searle - Director of Partnerships & Joint Commissioning - 0118 982 2760 NHS Berkshire West	Councillor Pamela Bale	Monitoring of LAA activity.
OSMC/09/17	Capacity of maternity services at the Royal Berkshire Foundation Hospital. Fact finding report to establish the current capacity to meet demand for services.	In meeting review with information supplied by, and questioning of, lead officers.	Monitoring item	HSC	Start: TBC End:	Chief Executive and Chairman of the Royal Berkshire Hospital. Royal Berkshire Hospital Foundation Trust	Councillor Joe Mooney	Investigation of the reported pressures on the maternity unit.
OSMC/09/12	Review of the Council's eligibility criteria for social care. To review the existing criteria for accessing social care in light of the findings of the National Care Enquiry.	In meeting review with information supplied by, and questioning of, lead officers.	Investigate how the national changes will influence access to local social care, and make recommendations.	HSC	Start: TBC End:	Jan Evans - 2736 Community Services	Councillor Joe Mooney	Review of how national changes may need to influence local criteria for accessing social care.

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OSMC/10/86	Investigation deprivation and child poverty in the ten most deprived wards in the District. To investigate what work is being done to tackle deprivation and how this can be applied to improve the quality of life across the District's most deprived wards.	In meeting review with information supplied by, and questioning of, lead officers.	Investigate ways to improve outcomes, and make recommendations to partner agencies.	HSC	Start: TBC End:	Lorna Hunt - 2735 Children & Young People	Councillor Gordon Lundie	
OSMC/10/87	Electronic booking system for consultant appointments at the Royal Berkshire Foundation Hospital To determine ways to rectify problems being experienced by patients using the electronic booking system.	In meeting review with information supplied by, and questioning of, lead officers.	Investigate ways to improve the current system, and improve patient experience.	HSC	Start: TBC End:	Chief Executive and Chairman of the Royal Berkshire Hospital. Royal Berkshire Hospital Foundation Trust	Councillor Joe Mooney	
OSMC/10/89	"Care for the Future" - service redesign proposals for urgent care needs, planned procedures, appointments, long-term conditions, end of life care, maternity and paediatrics. To determine the nature of the service redesign proposals and make representation to the NHS Berkshire West.	In meeting review with information supplied by, and questioning of, lead officers.	A review of proposals and formal submission to the NHS Berkshire West.	HSC	Start: TBC End:	Bev Searle - Director of Partnerships & Joint Commissioning - 0118 982 2760 NHS Berkshire West	Councillor Joe Mooney	
OSMC/09/02	Performance Report for Level One Indicators To monitor quarterly the performance levels across the Council and to consider, where appropriate, any remedial action.	In meeting review with information supplied by, and questioning of, lead officers.	Monitoring item	OSMC	Start: 14/09/10 End:	Jason Teal - 2102 Policy & Communication	Councillor Anthony Stansfeld	Quarterly item.
OSMC/09/04	Representation of the Council on outside bodies To assess the value of the representation of Councillors on outside bodies	Information supplied by, and questioning of, lead officers, and external partners.	To understand the benefits.	OSMC	Start: End:	Moir Fraser - 2045 Policy & Communication	Councillor Anthony Stansfeld	Will allow a critical evaluation of where Councillors can have most effect when dealing with outside bodies.

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OSMC/09/58	Communications Strategy refresh To consider the refresh of the Strategy.	In meeting review with information supplied by, and questioning of, lead officer.	To consider the Strategy and make suggestions for improvement.	OSMC	Start: End:	Keith Ulyatt - 2125 Policy & Communication	Councillor Anthony Stansfeld	Following discussion at OSMC on 28th July and the item to consider the Place Survey results on 15th September.
OSMC/09/59	Scrutiny method of operation To review the new scrutiny system after a 6 month period.	In meeting review.	To review the new scrutiny system to assess its benefits.	OSMC	Start: End:	David Lowe - 2817 Policy & Communication	Councillor Anthony Stansfeld	As requested by OSMC on 16th June 2009.
OSMC/09/66	CCfA: Underwood Road shopping centre, Calcot To consider the issues surrounding the CCfA and required outcomes in order to progress the matter.	Information supplied by, and questioning of, lead officers and other expert witnesses via in meeting review	To formulate recommendations for the consideration of the Executive.	OSMC	Start: 20/10/09 End:	Nick Carter - 2101, June Graves - 2733		Item agreed as suitable for CCfA at OSMC on 20th October.
OSMC/09/67	West Berkshire Partnership performance report To monitor quarterly the performance levels across the Partnership and to consider, where appropriate, any remedial action.	In meeting review with information supplied by, and questioning of, lead officers and partners via in meeting review	Monitoring item	OSMC	Start: 26/01/10 End:	Sam Shepherd - 3041 Policy & Communication	Councillor Pamela Bale	Quarterly item.
OSMC/09/72	Customer Services Performance To receive an update on performance within Customer Services	Information supplied by, and questioning of lead officer.	Monitoring item	OSMC	Start: 29/06/10 End: 03/08/10	Sean Anderson - 2149 Customer Services	Councillor Hilary Cole	Requested by OSMC on 1st December
OSMC/10/76	Shared service arrangements To receive further detail on shared services, the work ongoing to review shared service arrangements and progress with the production of a register of shared services.	Information supplied by, and questioning of, lead officer.	To be identified.	OSMC	Start: 29/06/10 End:	Steve Duffin - 2594 Benefits and Exchequer		As requested by OSMC on 26th January 2010.

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OSMC/10/79	Activities for teenagers To identify the work undertaken and future action planned in the Children and Young People Directorate to improve activities for teenagers, following its identification as the top priority for improvement in the annual resident survey.	Information supplied by, and questioning of, lead officers.		OSMC	Start: 25/05/10 End: 07/12/10	David Hogg - 2815 Children and Young People	Councillor Gordon Lundie	As requested by OSMC on 2nd March 2010.
OSMC/09/49	Property contracts and contractors in schools Review of the efficiency and effectiveness of Property Services in relation to contracts and the use of contractors in schools.	Information supplied by, and questioning of, lead officers and other expert witnesses via in meeting review	To suggest improvements to the efficiency and effectiveness of Property Services within schools.	RMSC	Start: 30/06/09 End: 13/09/10	Steve Broughton - 2837 Property	Councillor Keith Chopping	This was discussed at the last meeting and will be reviewed in further depth at the October meeting with additional witnesses invited, including Headteachers.
OSMC/09/52	Results of the Employee Survey Review of the action plans in place following the Staff Attitude Survey.	Information supplied by, and questioning of, lead officer via in meeting review	A review of the action plans.	RMSC	Start: 19/01/10 End: 13/09/10	Robert O'Reilly - 2358 Human Resources	Councillor Anthony Stansfeld	Review in line with item 51.
OSMC/09/53	Accommodation Strategy/Asset Management Plan To receive and consider the Strategy and Plan and give particular consideration to issues surrounding Council properties and accommodation moves.	Information supplied by, and questioning of, lead officers via in meeting review	To understand more fully the plans in place in respect of Council accommodation.	RMSC	Start: 22/09/09 End:	Steve Broughton - 2837 Property	Councillor Keith Chopping	To incorporate issues surrounding Council properties and accommodation moves.
OSMC/09/54	Modern working practices (Timelord) To receive a briefing on progress with the implementation of Timelord and consider whether further work is required by the Select Committee	Information supplied by, and questioning of, lead officer via in meeting review	To consider whether the Council's modern working practices including Timelord are adequate.	RMSC	Start: 12/07/10 End: 13/09/10	Jackie Jordan - 2301/Robert O'Reilly - 2358 ICT/Human Resources	Councillor Pamela Bale	
OSMC/09/55	Value for Money Consideration of the work undertaken by the Council to assess and ensure value for money.	Information supplied by, and questioning of, lead officer via in meeting review	Consider work undertaken to assess and ensure value for money and make suggestions for improvement.	RMSC	Start: 13/09/10 End: 13/09/10	John Ashworth - 2870 Environment	Councillor Keith Chopping	An appropriate subject that meets the acceptance criteria. Previously undertaken in April 2009.

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OSMC/09/56	Exit interview To receive an update on progress with the exit interview process.	Information supplied by, and questioning of, lead officer via in meeting review	Monitoring item	RMSC	Start: 13/09/10 End: 13/09/10	Robert O'Reilly - 2358 Human Resources	Councillor Anthony Stansfeld	
OSMC/09/57	Revenue and capital budget reports To receive the latest period revenue and capital budget reports and consider any areas of concern.	Information supplied by, and questioning of, lead officer via in meeting review	Monitoring item	RMSC	Start: 13/09/10 End:	Andy Walker - 2433 Finance	Councillor Keith Chopping	May lead to areas for in depth review.
OSMC/09/63	Establishment Reports To receive the latest report on the changes to the Council's establishment.	Information supplied by, and questioning of, lead officer via in meeting review	Monitoring item	RMSC	Start: 19/10/09 End: 13/09/10	Robert O'Reilly - 2358 Human Resources	Councillor Anthony Stansfeld	May lead to areas for in depth review.
OSMC/09/70	Chief Executive Directorate budget monitoring To discuss the current position and ways to resolve any overspends within the budget	Information supplied by, and questioning of lead officer.	Identify improvements to processes.	RMSC	Start: 19/01/10 End: 13/09/10	Nick Carter - 2101 Chief Executive	Councillor Keith Chopping	Requested by RMSC on 24th November.
OSMC/10/83	Procurement processes To receive a briefing on the procurement processes in place within the Council to inform a potential review	Information supplied by, and questioning of lead officer.	To gain an understanding of the processes in place to assess whether further work is required by the Select Committee.	RMSC	Start: 12/07/10 End: 13/09/10	Mike Sullivan - 2415 Legal & Electoral Services (Procurement team)	Councillor Keith Chopping	Accepted onto the work programme by OSMC on 25/5
OSMC/09/37	Partnership activity in response to the recession. Assessment of the impact of the measures taken by the West Berkshire Partnership to mitigate the local effects of the recession.	Information supplied by, and questioning of, lead officers, and external partners.	Monitoring item	SCSC	Start: End:	Policy & Communication	Councillor Pamela Bale & Councillor Keith Chopping	High profile activity that is very topical that will give visibility to the work that the Council and its partners are doing on behalf of residents and businesses.

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OSMC/09/39	Playbuilder Programme Assessment of arrangements for improving play provision.	In meeting review with information supplied by, and questioning of, lead officers.	To improve play provision.	SCSC	Start: 21/10/10 End: 21/10/10	David Hogg - 2815 Youth Services & Commissioning	Councillor Gordon Lundie	High profile activity that addresses concerns raised consistently by local people.
OSMC/09/42	Supporting Small schools To review funding pupil numbers and educational viability.	Information supplied by, and questioning of, lead officers, and external partners.		SCSC	Start: 21/10/10 End:	Ian Pearson - 2729 Education	Councillor Barbara Alexander	Retaining small rural schools is currently Council policy.
OSMC/09/47	Monitor changes introduced to the Youth Service To monitor annually the progress of the changes being introduced to the Youth Service and the impact that they make on an annual basis until 1 year after all changes have been fully introduced.	Information supplied by, and questioning of, lead officer via in meeting review	Monitoring item	SCSC	Start: 27/01/11 End: 27/01/11	Mark Vernon - 2552 Children & Youth Services	Councillor Gordon Lundie	This was a recommendation of the facilities for young people task group that was endorsed by the OSC.
OSMC/10/77	Housing register To consider the workings of the list, reviews, communication with those on the waiting list.	Information supplied by, and questioning of, lead officer via in meeting review	To be identified.	SCSC	Start: 08/07/10 End: 21/10/10	June Graves - 2733 Housing & Performance	Councillor Alan Law	As requested by OSMC on 26th January 2010.
OSMC/10/84	Primary school admissions To identify whether the difficulties reported by a number of local authorities with primary school placements had an effect in West Berkshire.	Information supplied by, and questioning of, lead officer via in meeting review	To gain an understanding of the issue.	SCSC	Start: 27/01/11 End: 27/01/11	Malcolm Berry - 2770 Education	Councillor Barbara Alexander	Accepted onto the work programme by OSMC on 25/5
OSMC/09/34	Gating orders To review protocol for gating orders adopted in October 2008.			SSC	Start: End:	Alex O'Connor - 264608 Policy & Communication	Councillor Anthony Stansfeld	Specified in original review of 2008 to be reviewed after one year.

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OSMC/10/74	Policy for the installation of fire sprinklers in Council buildings To review the requirement for a policy for the implementation of fire sprinklers in Council buildings.	Interview with relevant officers and review of available research information.	To identify whether there is a need for a policy regarding fire sprinkler systems in Council buildings (including schools).	SSC	Start: 06/04/10 End:	Health and Safety and Property.	Councillor Anthony Stansfeld	Investigations to include whether a return on the investment of installing sprinklers could bring a reduction in insurance costs
OSMC/10/82	Crime Statistics To review crime trends, identification of activity to address crime and how the effectiveness of activities are monitored.	Information from Thames Valley Police.	To understand crime patterns and how / whether activity is addressing issues as expected	SSC	Start: 20/09/10 End:	Susan Powell - 264703 Policy and Communication	Councillor Anthony Stansfeld	

Title of Report:	Response to the scrutiny review into Health Partnership Working
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	3 August 2010

Purpose of Report: To be informed of the response to the Commission's recommendations following its review into health partnership working.

Recommended Action: To note the information.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
E-mail Address:	bbedwell@westberks.gov.uk
Contact Officer Details	
Name:	Stephen Chard
Job Title:	Policy Officer (Scrutiny Support)
Tel. No.:	01635 519462
E-mail Address:	schard@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 At its special meeting on the 12 February 2010 the Commission carried out a review into the extent to which organisations work together through the West Berkshire Health and Wellbeing Partnership, particularly when making budgetary decisions that may have an impact on others.
- 1.2 Recommendations were formed as a result of this meeting and these were agreed by the Commission at its meeting on 2 March 2010. The recommendations were as follows:
- (1) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should agree that decisions having significant budget ramifications on other organisations should not be enacted until the financial year following that in which the decision was taken. The in-year cost of the decision should be managed and borne by the organisation with the original budget allocation.
 - (2) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should establish a protocol to ensure joint commitment and responsibility between organisations on the Joint Strategic Commissioning Partnership to the provision of greater notice of impending reviews. This should be at directorial level, regardless of the financial impact.
 - (3) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should provide a personal commitment for the resolution of issues through channels more informal than established partnerships, where appropriate.
- 1.3 The recommendations were accepted at the Executive meeting on 22 July 2010 and the full Executive report is attached at Appendix A.
- 1.4 A response has also been received from NHS Berkshire West and this is provided at Appendix B.

Appendices

Appendix A – Scrutiny Review of Health Partnership Working – 22 July 2010 Executive report

Appendix B – Response of NHS Berkshire West

Title of Report:	Scrutiny Review of Health Partnership Working
Report to be considered by:	Executive
Date of Meeting:	22 nd July 2010
Forward Plan Ref:	EX2091

Purpose of Report: To respond to the recommendations of the Overview and Scrutiny Review of Health Partnership working

Recommended Action: That the Executive consider and if appropriate agree the recommendations in the Scrutiny review of health partnership working

Reason for decision to be taken: To consider the findings of a scrutiny review

Other options considered: None

Key background documentation: Appendix A (Health Partnership Working report OSC 2 March 2010)

The proposals will also help achieve the following Council Plan Theme(s):

- CPT8 - A Healthier Life**
- CPT10 - Promoting Independence**
- CPT11 - Protecting Vulnerable People**
- CPT13 - Value for Money**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:
strengthening partnership working across health and social care

Portfolio Member Details	
Name & Telephone No.:	Councillor Joe Mooney - Tel (0118) 9412649
E-mail Address:	Please select @westberks.gov.uk
Date Portfolio Member agreed report:	25 th June 2010

Contact Officer Details	
Name:	Teresa Bell
Job Title:	Corporate Director (Community Services)
Tel. No.:	01635 519730
E-mail Address:	tbell@westberks.gov.uk

Implications

Policy: Strengthened governance across health and social care but overall policy will not be affected

Financial:

Personnel: none

Legal/Procurement: none

Property: none

Risk Management: Risk associated with partnerships with health are already contained and managed within corporate risk registers

Equalities Impact Assessment:

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months	<input checked="" type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Executive Summary

1. Introduction

- 1.1 This is the response of the Portfolio Holder for Community Care to the Overview and Scrutiny Commission's (OSC) review into the extent to which organisations delivering health and social care are delivered in partnership

2. Proposals

- 2.1 It is proposed that all the recommendations made by the OSC are accepted

3. Conclusion

- 3.1 The proposals of the OSC are to be welcomed as improvements to the Council's partnership working with the Primary Care Trust (Berkshire West NHS).

Executive Report

1. Introduction

1.1 At a special meeting of 12 February 2010 Members of the Overview and Scrutiny Management Commission (OSMC) carried out a review into the extent to which organisations working together through West Berkshire Health and Wellbeing partnership, particularly when making budgetary decisions that may have an impact on others.

1.2 The details of the report are shown at Appendix A.

2. Response of the Portfolio Holder for Community Care

2.1 The response of the Portfolio Holder for Community Care to each of the recommendations is set out below:

2.2 Recommendation 1

'The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should agree that decisions having significant budget ramifications on other organisations should not be enacted until the financial year following that in which the decision was taken. The in-year cost of the decision should be managed and borne by the organisation with the original budget allocation'

2.3 Comment: In principle, both Partners agree that each should avoid the situation which arose regarding the change in Continuing Care allocations for people with a learning disability in 2009/2010.

2.4 The Council and Berkshire West NHS will continue to make every effort to work as a whole system across the local health and social care economy. Partners recognise the inter-dependencies of their budgets, actions and services. They will work to ensure that any intended change regarding shifts in funding, commissioning or provision should be notified at an early stage so that they can inform budget build decisions. Partners agree that risks should be understood and managed so that the balance of the whole system is not compromised and that individual organisations are not disadvantaged.

2.5 Berkshire West NHS has already agreed to absorb some of the Continuing Care costs which have been reassessed as charges to the Council to mitigate the impact of this funding shift in 2009/2010. Negotiations continue regarding individual assessments which could impact on 2010/2011 Council budgets.

2.6 Recommendation 2

'The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should establish a protocol to ensure joint commitment and responsibility between organisations on the Joint Strategic Commissioning Partnership to the provision of greater notice of impending reviews. This should be at directorial level, regardless of the financial impact.'

2.7 Comment: accepted. The Terms of Reference of the Joint Strategic Commissioning Partnership are being revised to reflect this aim.

2.8 Recommendation 3

‘The Council’s Corporate Director (Community Services) and the NHS Berkshire West’s Director of Partnerships and Joint Commissioning should provide a personal commitment for the resolution of issues through channels more informal than established partnerships, where appropriate’

2.9 Comment: accepted.

2.10 Conclusion

2.11 The Executive welcomes this report from the Overview and Scrutiny Commission as evidence of its continuing work to improve the service that the Council gives to the public that it serves.

Appendices

Appendix A – Health Partnership Working OSC Report March 2010.

Consultees

Local Stakeholders: -

Officers Consulted: -

Trade Union: -

Appendix A

Title of Report:	Health Partnership Working
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	2 March 2010

Purpose of Report: To outline to the Overview and Scrutiny Management Commission the draft recommendations arising from the Commission's review into the extent to which organisations delivering health and social care are working in partnership.

Recommended Action: To agree the recommendations for the consideration of the Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
E-mail Address:	bbedwell@westberks.gov.uk

Contact Officer Details	
Name:	David Lowe
Job Title:	Policy and Scrutiny Manager
Tel. No.:	01635 519817
E-mail Address:	dlowe@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 At its special meeting of 12 February 2010 Members of the Overview and Scrutiny Management Commission (OSMC) carried out a review into the extent to which organisations work together through the West Berkshire Health and Wellbeing Partnership, particularly when making budgetary decisions that may have impact on others.
- 1.2 This report outlines the rationale for the review, the review methodology, a brief summary of the findings (as minutes) and the arising recommendations.

2. Rationale for the review

- 2.1 During the summer of 2009, the Primary Care Trust (PCT) for the West Berkshire, Wokingham and Reading local authority areas (NHS Berkshire West) conducted a review of its care and support for around 30 people with learning disabilities. The activity was carried out in line with the Continuing Care Framework, a national mechanism for decision making.
- 2.2 The reviews found that many of the people concerned were no longer eligible for NHS funding as their needs were assessed not to be sufficiently complex. The consequence of these assessments was that in a number of cases the responsibility for meeting the cost of care was shifted from the NHS to the Council.

3. Review methodology

- 3.1 The Commission met in full and received witness evidence from:
- (1) Bev Searle, Director of Partnerships and Joint Commissioning, NHS Berkshire West.
 - (2) Philippa Slinger, Chief Executive, Berkshire Healthcare NHS Foundation Trust.
 - (3) Joe Mooney, Community Care Portfolio Holder, West Berkshire Council.
 - (4) Teresa Bell, Corporate Director (Community Services), West Berkshire Council.
 - (5) Elaine Cook, Chief Executive, Community Council for Berkshire.
 - (6) Mark Harris, Partnerships Manager, West Berkshire Council.
- 3.2 The review was conducted as a debate with the object of identifying specific measures to mitigate the effect of future decisions. The course of the debate is shown in the minutes at Appendix A.

4. Suggested actions

- 4.1 The suggested actions are that:
- (1) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should agree that decisions having significant budget ramifications on other organisations should not be enacted until the financial year

Appendix A

following that in which the decision was taken. The in-year cost of the decision should be managed and borne by the organisation with the original budget allocation.

- (2) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should establish a protocol to ensure joint commitment and responsibility between organisations on the Joint Strategic Commissioning Partnership to the provision of greater notice of impending reviews. This should be at directorial level, regardless of the financial impact.
- (3) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should provide a personal commitment for the resolution of issues through channels more informal than established partnerships, where appropriate.

5. Recommendation

- 5.1 It is recommended that the Members of the Commission agree the suggestions outlined in section 4.

Appendices

There are no Appendices to this report.

Appendix A

6. HEALTH PARTNERSHIP WORKING.

(Councillor David Rendel declared a personal interest in Agenda item 4 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal but not prejudicial he was permitted to take part in the debate and vote on the matter).

(Councillor Carol Jackson-Doerge declared a personal interest in Agenda item 4 by virtue of the fact that she worked for Help and Care (a support organisation that facilitated patient and public involvement for health and social care based in Slough). As her interest was personal but not prejudicial she was permitted to take part in the debate and vote on the matter).

The Commission considered a report (Agenda Item 4) concerning the extent to which organisations were working together through the West Berkshire Health and Wellbeing Partnership.

Councillor Brian Bedwell opened the item by commenting that the purpose of the item was not to seek blame, following the shift of the cost of care for people with learning disabilities from the NHS to West Berkshire Council (WBC), but was to confirm the facts and recommend improvements to ways of working in partnership that would benefit people across the District.

David Lowe advised that the item was as requested by the Portfolio Holder for Community Care, Councillor Joe Mooney, and while there was a particular issue where the decision of one organisation had impacted negatively on another, the focus of the item was to more broadly identify improvements to the work of the Health and Wellbeing Partnership.

Councillor Joe Mooney made the following comment in support of his request for scrutiny:

- Proper procedures were needed to ensure that effective dialogue took place when the decision of one organisation could impact on another area of the Partnership. This did not take place with the situation referred to and West Berkshire Council was put in a difficult position as a result, with an increased in year budget pressure of £250k. This had a negative effect on the service delivered to other vulnerable groups and in his view the situation was not managed in the spirit of partnership working.

Bev Searle outlined the process involved within the Primary Care Trust (PCT) that led to the decisions taken:

- A number of individual service reviews were conducted by a continuing care specialist (employed by the PCT since October 2008) and many service users were found to be no longer eligible for continuing care funding. This was an evolving situation.
- The service reviews were in line with continuing care guidelines and the decisions taken were based on strict, nationally set criteria.
- A series of discussions were being held at a senior level between the PCT and WBC on how best to manage the impact of these reviews.
- There was the potential for WBC social care clients to be transferred to the NHS if their needs became more complex.

It was suggested that the impact of decisions taken that had budget ramifications on other organisations should not be implemented until the following financial year,

Appendix A

with the in-year cost managed by the organisation with the original budget allocation. Bev Searle acknowledged that this was an important principle, but this sort of arrangement could cause difficulty when considering wider in-year budget pressures across systems and organisations that were difficult to predict. Bev Searle was therefore reluctant to agree that transferring pressures between organisations should be delayed to the following financial year. Bev Searle supported this statement by stating that mature dialogue existed between the PCT and WBC to aid partnership working.

Discussion then followed on the notice given to WBC of the reviews and their potential implications. Bev Searle advised of operational discussions between the continuing care specialist and the Community Team for People with Learning Disabilities (CTPLD), which included both WBC and PCT staff, to discuss the reviews shortly after coming into post. Teresa Bell added that there was no awareness of the impact the reviews would have at that stage. The circumstances of the service users appeared to be unchanged and no financial impact was expected by WBC and as a result the information was not shared at a higher level. Bev Searle explained that discussions were not held within the Health and Wellbeing Partnership as it was not considered appropriate to hold, what were viewed as, operational discussions at that level. Teresa Bell agreed that discussions were held at an operational level, but the opportunity had not been taken at a strategic level to reach an agreement on the continuing care reviews and how any budget implications would be managed in advance of decisions being taken. Although Teresa Bell acknowledged that the Health and Wellbeing Partnership was not the appropriate forum for such discussions.

Teresa Bell advised that, since the reviews, as well as ongoing discussions at a senior level between WBC and the PCT on how to manage the overall budget pressure, discussions were also taking place on a case by case basis and reviews were being challenged, where necessary, as a result.

Councillor Joe Mooney highlighted a need for an established appeal process against such decisions, which had impacted on many other local authorities in the country. Bev Searle advised that there was an independent appeals panel, which was considering cases that did not have a clear agreement.

Bev Searle advised that the continuing care national framework was introduced in 2007, which required a greater focus on conducting reviews. Prior to this the review process was limited and priority was given to assessing clients. Councillor Joe Mooney commented that reviews did not take place between the introduction of the framework in 2007 and the commencement of the reviews being discussed in the spring of 2009, with assessments undertaken for new clients only. Teresa Bell added that there was much disquiet when the framework was introduced, which could potentially disadvantage those with a disability. However, further clarity had been issued in October 2009 and it was believed this would make future reviews and subsequent decision making clearer and fairer. These amended guidelines had been discussed by the Berkshire West Joint Strategic Commissioning Partnership (JSCP), which was a well established group that met on a monthly basis.

It was noted that the continuing care reviews commenced in Reading, in advance of West Berkshire, and Bev Searle advised that some cost pressures became apparent in Reading at the end of March/early April 2009, but on a smaller scale than West Berkshire. Councillor Joe Mooney advised that WBC was not made aware of budget pressures until the summer of 2009.

Appendix A

Philippa Slinger was asked to comment at this stage and advised that:

- The potential remained for an organisation to take a decision that could affect the budget of another organisation.
- The Berkshire Healthcare Foundation Trust (BHFT) had its own programme in place to try and meet its own funding pressures. However, briefings had already been held, and would be arranged in future, with Social Care Directors across Berkshire to discuss the potential implications for local authorities.
- A joint manager was employed by WBC to help manage pressures between organisations.
- There was the potential to share dates of care plan reviews between organisations.

Members felt there was a need for greater notice of such reviews, regardless of financial impact, as part of good partnership working. This should take the form of a joint commitment and responsibility between organisations to communicate any forthcoming assessment regimes etc and potential cost pressures at Directorial level. Councillor Joe Mooney requested that this be extended to WBC's Executive. This would allow as much time as possible to prepare for and manage budget pressures. The JSCP was named as the appropriate forum to hold these discussions.

There was a commitment to do so from WBC and the PCT. Bev Searle was of the view that all organisations on the JSCP would feel likewise. There was also the potential to raise issues through more informal contact between organisations. Councillor Joe Mooney commented that he was pleased that progress was already being made between WBC and the PCT to ensure that vulnerable people were given the best support possible.

RESOLVED that:

- (1) The impact of decisions taken that had budget ramifications on other organisations should not be implemented until the following financial year. With the in-year cost managed by the organisation with the original budget allocation.
- (2) There should be a joint commitment and responsibility between organisations on the Joint Strategic Commissioning Partnership to provide greater notice of impending reviews at Directorial level, regardless of financial impact, as part of good partnership working.
- (3) The potential to raise issues through more informal contact between organisations should also be utilised.
- (4) The draft recommendations would return for sign off at the next Commission meeting, alongside them being sent to partner organisations present today to give them the opportunity to comment and give their agreement.

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25 MAR 2010

WEST BERKSHIRE COUNCIL

57/59 Bath Road
Reading
Berkshire
RG30 2BA
Tel: 0118 982 2819
Fax: 0118 982 2914

Stephen Chard
Policy Officer (Scrutiny Support)
Policy and Communication
West Berkshire Council
Council Offices
Market St
Newbury
RG14 5LD

WEST BERKSHIRE COUNCIL

25 MAR 2010

21st March 2010

POLICY AND COMMUNICATION

Dear Mr Chard,

Re: Health partnership working – recommendations of the Overview and Scrutiny Management Commission (OSMC)

Thank you for your letter of 15th March requesting a formal response to the recommendations approved by the West Berkshire OSMC at its meeting on 2nd March 2010.

I have given careful consideration to the report of the meeting, and the contributions provided by Bev Searle, Director of Partnerships and Joint Commissioning, which have informed my response as follows:

- (1) The Council's Corporate Director (Community Services) and the NHS Berkshire West's Director of Partnerships and Joint Commissioning should agree that decisions having significant budget ramifications on other organisations should not be enacted until the financial year following that in which the decision was taken. The in-year cost of the decision should be managed and borne by the organisation with the original budget allocation.

The rationale for this recommendation is well understood, and I appreciate the positive motivation which has informed it. The PCT has sought to minimise the in-year financial impact of the Continuing Healthcare Reviews which were discussed at some length at the OSMC, through negotiation at both Director and Chief Executive level. It would be my preference to continue to

work on a case by case basis, seeking always to achieve a mutually agreeable way forward, rather than making a formal agreement which may bind both our organisations to work in a way which we may find less helpful in future:

- It would remove the ability of organisations to negotiate on specific circumstances.
- It would set a precedent that would need to be followed in all of our partnerships, which is unlikely to be achievable.
- There is a difficulty in defining what “significant” financial impact may mean. For example, there may be a cumulative effect in a number of areas, which may not be individually assessed as significant.

As was discussed at the OSMC, we have a number of well established partnership meetings, and jointly managed teams, which allow opportunities for issues to be raised at a number of levels. If it is not possible for issues to be resolved, they can (and have been) effectively escalated to Director or Chief Executive level for resolution. The Council and the PCT rely on each other to ensure provision of quality services for the people of West Berkshire, as well as effective management of resources, and we remain committed to the continued development of our partnership working in an increasingly challenging financial environment.

- (2) The Council’s Corporate Director (Community Services) and the NHS Berkshire West’s Director of Partnerships and Joint Commissioning should establish a protocol to ensure joint commitment and responsibility between organisations on the Joint Strategic Commissioning Partnership to the provision of greater notice of impending reviews. This should be at directorial level, regardless of the financial impact.

This recommendation will be taken forward by Bev Searle, Director of Partnerships and Joint Commissioning, subject to the agreement of the Council’s Corporate Director (Community Services).

- (3) The Council’s Corporate Director (Community Services) and the NHS Berkshire West’s Director of Partnerships and Joint Commissioning should provide a personal commitment for the resolution of issues through channels more informal than established partnerships, where appropriate.

I would support this recommendation – and would take the view that this commitment is already in existence, although it may be

supported effectively by the protocol referred to in recommendation 2. This will help to ensure that partnership arrangements are not overly dependent on personal relationships, although these are recognised as important.

I hope that this is helpful, and please do not hesitate to get in touch if you would like to follow up on any of my responses to the OSMC recommendations.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Charles Waddicor', with a long horizontal flourish extending to the right.

Charles Waddicor

Chief Executive, NHS Berkshire West.

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