

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 10 JANUARY 2012

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

Also Present: Nick Carter (Chief Executive) and Jason Teal (Performance, Research & Consultation Manager), David Lowe (Partnerships & Scrutiny Manager)

Apologies for inability to attend the meeting: Councillor Virginia von Celsing, Councillor Dave Goff and Councillor David Holtby

PART I

71. Minutes

The Minutes of the meeting held on 22 November 2011 were approved as a true and correct record and signed by the Chairman.

(Note: 6.33pm – Councillors Tony Vickers and Andrew Rowles joined the meeting.)

Councillor Tony Vickers questioned whether more action could be taken by the Council to represent parents of pupils at academies, as recorded on page 2 of the minutes. It was agreed that a letter would be sent from the Chairman to the Department for Education outlining the Commission's previously expressed concern.

Members requested an update on the recommendation to circulate to all Elected Members the plan template in order that they promote with their local school governors its adoption, regardless of whether the Member was a governor or not.

RESOLVED that:

- (1) A letter would be sent from the Chairman of the Commission to the Secretary of State for Education outlining the Commission's concerns about representation of the views of parents of pupils at academies.
- (2) An update on progress would be provided on the recommendation to circulate to all Elected Members the plan template in order that they promote with their local school governors its adoption, regardless of whether the Member was a governor.

72. Declarations of Interest

Councillor David Rendel declared an interest in Agenda Items 8 and 10, but reported that, as his interest was personal but not prejudicial, he determined to remain to take part in the debate and vote on the matter.

Councillor Marcus Franks declared an interest in Agenda Item 8, but reported that, as his interest was personal but not prejudicial, he determined to remain to take part in the debate and vote on the matter.

Councillor Emma Webster declared an interest in Agenda Item 6, but reported that, as his interest was personal but not prejudicial, she determined to remain to take part in the debate and vote on the matter.

73. Actions from previous Minutes

No follow up actions from previous Commission meetings were reported.

74. Items Called-in following the Executive on 15 December 2011

No items were called-in following the last Executive meeting held on 15 December 2011.

75. Councillor Call for Action

There were no Councillor Calls for Action although Councillor Brian Bedwell was able to advise the Commission that the Underwood Road shopping centre which had previously been dealt with as a Councillor Call for Action had resulted in work now beginning on the site. Councillor Bedwell thanked the Members of the Commission for their co-operation in achieving a good result for the people in the area.

76. Petitions

No petitions were received at the meeting.

(Note: 6.36pm – Councillor Jeff Brooks joined the meeting.)

77. Key accountable measures and activities 2011/12. Update on progress: Q2 outturns.

In introducing Item 8 Jason Teal advised that the purpose of the report was to provide an update on progress against the Council's key accountable measures and activities for Quarter 2 of the Municipal Year 2011/2012.

Jason Teal informed the Commission that of the 39 key measures, (33 of which were reported quarterly) 7 were signposted as amber – i.e. behind anticipated performance, but expect to achieve the target by year end. These were:

- Children's social care assessments conducted on time;
- The level of commissioned early intervention services in the Children and Young People directorate;
- People presented as homeless who were prevented from being homeless;
- The proportion of young people who were *not* in education, employment or training
- The proportion of upheld planning appeals;
- Calls to the Contact Centre answered within 30 seconds;
- Users' ratings of the Contact Centre.

Three targets were reporting as red (would not be achieved) in Quarter 2:

- The proportion of adult social care service users receiving self directed support;
- Pupils gaining 5+ high grades at GCSE;
- Adopting the Local Development Framework by March 2012.

The following specific returns were discussed:

- *The number of people presenting as homeless who were prevented from being homeless.* The Commission was of the collective view that this indicator should have been reported as red.
- *Young people 16 – 19 who were not in education, employment or training (NEET).* The data was provided from the Connexions Service but Members were of the view that

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 10 JANUARY 2012 - MINUTES

this data would be difficult to track and wished to know whether the expected drop in the number of NEETs predicted for November actually occurred.

- *The percentage of pupils gaining 5+ GCSE grades A* - C including English and Mathematics.* Clarification was required as to whether there was a correlation between the recognised national shortage in skilled mathematics teachers and the drop in performance in the subject locally and whether the actions taken to address the matter were likely to be effective. These actions should be able to be tracked in future years.
- *The number of service user and carers receiving Self Directed Support (including Personal Budgets).* The cost of amending the RAISE system to provide electronic records for Personal Budgets was not articulated.
- *The level of commissioned early intervention services in the Children and Young People Directorate.* The figures quoted in the return were unclear and clarification was required.
- *The number of people entering the Youth Justice system.* It was accepted that the low numbers being reported were part of a national trend but it was not clear to Members the reasons for it.
- *Adoption of the Local Development Framework's Core Strategy.* It was understood that the Core Strategy would not be re-examined in public until March which made the achievement of this target impossible. Although the achievement of the target was outside the Council's direct control, at the time the target was set it was believed that it was.
- *The proportion of planning appeals which were upheld compared to the national average.* The return did not show whether the actual number of appeals was reducing.
- *The number of planning applications determined within the government guidelines.* Although the Commission recognised that the Head of Planning and Countryside had previously given an explanation about the causes of the drop in performance and Members understood the action that had been taken, it was not clear from the report whether performance could be sufficiently recovered to achieve the set targets by year-end.
- *Contact Centre calls answered within 30 seconds.* The cause of the dip in performance was understood to be an increase in call volumes relating to benefit claims and the move to an alternate weekly bin collection service. The Commission sought reassurance that the target was still achievable within the Municipal Year.
- *Proportion of customers rating Contact Centre customer care as 'good' or 'excellent'.* Clarification was sought on the methodology used to determine performance and the quantum of the sample size as it appeared as if a small number of adverse comments were apparently able to skew the results disproportionately.

Members of the Commission then discussed the process for the examination of the performance reports. Nick Carter explained that Corporate Board collectively considered performance reports on a quarterly basis, although individual directors would have updates on their directorate's indicators more frequently. Heads of Service reported to Corporate Board which then determined whether to accept any proposed actions that might be taken to address under-performance or whether the reporting officer should be directed to re-think their proposals. All the decisions were, in the end, judgements by either the Heads of Service or Corporate Board. The Chief Executive recognised that there was scope for more realism in the returns and more recognition of the impact of external factors.

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 10 JANUARY 2012 - MINUTES

As a relatively long period of time had elapsed between the production of the statistics and their examination by the OSMC, it was agreed that more value would be added to its participation if more current updates could be received. In order to avoid creating an undue bureaucratic burden, the focus should be on those targets which the reports highlighted were at 'amber' and consequently could still be influenced to get back on track. This would be particularly true where insufficient detail was provided in the returns by officers.

The Chairman thanked Jason Teal for his participation in helping the Commission understand the information presented and its role in monitoring performance. He reminded the Commission that its role was not only to highlight where performance was poor but it was also to suggest the actions that might be taken to gain improvement. He concluded that it should be borne in mind that most of the indicators were in fact 'green.'

RESOLVED that:

- (1) the Head of the Education Service should advise the Commission whether the anticipated November drop in the number of NEETs actually happened;
- (2) the Head of the Education Service should be invited to attend the Commission to explain the causes of and effect of the measures taken to address the drop in performance in GCSE mathematics;
- (3) the Head of Adult Social Care should advise the Commission of the costs associated with the required upgrade to the RAISE system and the progress made on the introduction of Personal Budgets;
- (4) the Head of Children's Services should advise the Commission of the reasons behind the drop in numbers of young people entering the Youth Justice System.
- (5) the Head of Planning and Countryside should advise the Commission:
 - (a) of the actual numbers of planning appeals, in comparison to previous reporting periods; and
 - (b) the likelihood of achieving the set target for determining planning applications within the government guidelines.
- (6) The Head of Customer Services should update the Commission on:
 - (a) whether the target for the percentage of calls answered within 30 seconds was still likely to be achieved; and
 - (b) the methodology in use for determining the rating of the Contact Centre.
- (7) The Performance, Research and Consultation Manager should verify the figures reported at Q1 and Q2 for the level of early intervention services in the Children and Young People directorate and advise the Commission of his findings.
- (8) The Chief Executive should take steps to ensure that Heads of Service provided sufficient detail in their exception reports to allow the Commission and others to fully assess the impact where there was a risk of targets not being achieved.
- (9) The Chairman and Vice-Chairman to identify, prior to the receipt of future performance monitoring reports, those officers to be invited to attend Commission meetings at which they were considered, in order that they could provide greater detail.

78. Assessing and assuring the 2012/13 performance 'scorecard'

Jason Teal introduced Item 9 by stating that his accompanying report outlined a proposal for Scrutiny to be involved in the development and adoption of appropriate targets for the new Council Strategy.

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 10 JANUARY 2012 - MINUTES

The suggested objective for the activity would be to ensure that measures and targets were an appropriate reflection of priorities as set out in the Council Strategy and the resources available to be committed to them, and that they were logical and robust.

The Commission welcomed the opportunity to be involved in this important work, particularly in light of the discussion held on the previous item.

Councillor Rendel wondered whether in future years, targets might be developed and then resources allocated to the achievement of them, rather than the targets being set and then having to be constrained by a lack of available resources. Jason Teal was able to advise that in practice the current system usually resulted in targets being made more rather than less demanding after they had been independently reviewed. Nick Carter informed the Commission that the Community Strategy was developed in tandem with the Medium Term Financial Strategy (MTFS). Resources were first allocated to high priority activity and then to things that were less important.

It was agreed that a small group of two Conservative and one Liberal Democrat Members would be created to take forwards the work. Councillors Quentin Webb and Emma Webster volunteered to sit on the group.

RESOLVED that a working group of three Councillors will be established to help develop the measures and targets to be incorporated into the Council Strategy.

79. Health Scrutiny Panel

In respect of Item 10 Councillor Quentin Webb advised the Commission that although there had been no formal meetings of the Panel since the Commission last met, it had held a briefing in preparation for its next meeting, scheduled for 17th January 2012.

The substantive agenda item for 17th January was the investigation into Continuing Healthcare, as approved by the Commission. Evidence was to be received from Charles Waddicor and Bev Searle, respectively the Chief Executive and Director of Commissioning at NHS Berkshire West, as well as a representative from the Newbury and District Commissioning Group (Dr Abid Irfan).

The Chairman thanked Councillor Webb for the update and for the important work that the Panel was doing, particularly on Continuing Healthcare.

RESOLVED that the report would be noted.

80. Resource Management Working Group

In introducing Item 11 Councillor Tony Vickers informed the Commission that the Working Group was due to meet next on 17th January 2012, having not met since the last meeting of the Commission.

Councillor Vickers advised that the Parkway development and car parking, along with revenue outturn reports, were items to be considered.

RESOLVED that the report would be noted.

81. West Berkshire Forward Plan November - February 2012

The Commission considered the West Berkshire Forward Plan (Agenda Item 14) for the period covering November 2011 to February 2012.

Councillor Jeff Brooks commented that there was considerable interest from Thatcham Town Council in Item EX2350 (the redevelopment of Taceham House), which he, as one of the District Councillors for the Ward, shared. He was concerned that the building had been vacant for a significant period and action was apparently only now being taken. He stated that he would be interested in seeing the Executive report and hoped that it

reflected the history of the property. He also wanted to know when it would be considered by the Executive.

RESOLVED that:

- (c) the Forward Plan be noted.
- (d) the Executive report on Taceham House would be passed to Councillor Brooks, along with information about its passage through the Executive Cycle.

82. Overview and Scrutiny Management Commission Work Programme

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

The Chairman advised that Corporate Board had suggested that the Housing Allocations policy, which was being reviewed following a significant shift in government policy, might be considered by the Commission. As this presented a big opportunity for the Council to change the way that housing allocations were considered, there was agreement that it would be appropriate for the Commission to consider the matter.

Members were concerned that the task group review of processes to repair pot holes was being delayed unduly by a shortage of staff available to support the work from the Policy and Communication service. This led to the Commission discussing more generally its workload and the resources at its disposal. Concern was expressed that sufficient numbers of officers from Policy and Communication were not available to support the amount of activity that Members wished to undertake. Nick Carter reminded the Commission that significant cuts had been made to staffing across the Council and the approach taken by the Executive was that frontline areas would be protected. This policy came at the expense of back office or support services, such as Policy and Communication, which had had a number of posts removed from its establishment.

The Chief Executive gave an undertaking that he would review the amount of staff resource available to support Scrutiny activity. The Chairman and Vice-Chairman also agreed that they would review the Commission's work programme to ensure that it was appropriately focussed.

In order to make progress on the pot holes review, it was suggested that a possible solution was for Members to conduct the scrutiny without support from Policy officers. Councillor Emma Webster volunteered to participate in the review of this topic.

RESOLVED that:

- (1) a review of the Housing Allocations policy will be added to the work programme;
- (2) the Chairman and Vice-Chairman will review the Scrutiny work programme;
- (3) the Chief Executive will review the resources available in the Policy and Communication service to support Scrutiny.

(The meeting commenced at 6.30 pm and closed at 8.26 pm)

CHAIRMAN

Date of Signature