

# OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

**MINUTES** of a meeting of the Overview and Scrutiny Management Committee held on Friday 30 November 2018 at the Cabinet Suite - Shire Hall, Gloucester.

**PRESENT:** Cllr Patrick Molyneux (Chair), Cllr Brian Robinson, Cllr Andrew Gravells, Jeremy Hilton, Kevin Cromwell, Kate Haigh, Cllr Rachel Smith, Carole Allaway Martin, Paul Hodgkinson, Iain Dobie, Rob Bird

Cllr Richard Boyles, Cabinet Member Children and Young People

Substitutes: Cllr Alan Preest for Cllr Shaun Parsons

Officers in attendance: Jane Burns, Simon Harper, Rob Ayliffe, Stephen Bace, Chris Spencer

Apologies:

## **67. MINUTES OF PREVIOUS MEETING**

Agreed as a correct record.

## **68. DECLARATION OF INTERESTS**

In relation to minute 77, Cllr Andrew Gravells declared an 'other' interest that he was a governor of Gloucestershire Hospitals NHS Foundation Trust.

## **69. SCRUTINY REVIEW**

- 69.1 Simon Harper introduced the report outlining the workshops that had been undertaken on 25 October and 14 November. Both had been well received and the report identified the areas that Members had raised at the sessions. This included the importance of parity of esteem, work-planning and quality of reports.
- 69.2 A lead members meeting had been arranged on 4 January 2019. It was likely that there would be another workshop to look at what had not been covered so far including Member development and the shape of scrutiny moving forward.

- 69.3 One member raised the fact that the scrutiny members had an opportunity to make recommendations and that this was not always taken advantage of.
- 69.4 The report outlined the need to recognise the role of the Statutory Scrutiny Officer in promoting the scrutiny function and acting as a source of independent advice. One member asked for clarification over the point around it being a conflict of interest for the officer to sit on the Corporate Management Team (COMT). It was explained that if the officer was also a service director then they would have an interest on that service and might not offer the same degree of independence. One member stated that the report should reflect the fact that the Statutory Scrutiny Officer had parity of esteem and access to the same information as COMT. In response, members and officers clarified the fact that currently the Statutory Scrutiny Officer did have access to that information but that it would be helpful if the role was documented appropriately.
- ACTION Simon Harper**

- 69.5 In relation to the point about considering appointing opposition vice chairs, members noted that it was important to pick members to be Chair and Vice Chair based on what skills and expertise they could bring to the role.
- 69.6 Some members expressed concern that the report did not detail the structure of scrutiny and they felt that this needed to be considered. In addition there was a discussion to be had around how committees were resourced particularly those who had very full agendas. One member raised the importance of differentiating between those issues that were provided just for information and those issues that needed detailed scrutiny. Lead Members would consider how these points could be taken forward as part of the next steps of the review.
- ACTION Lead Members**

## **70. CHILDREN'S SERVICES**

- 70.1 As requested at the last meeting of the Committee, Cllr Richard Boyles, Cabinet Member Children and Young People, outlined the reasons for the budget overspend in this area and the actions being taken to address this. He explained that services were being redesigned to do the best for children as well as to control the spend on placements, particularly those out of county. Where high cost placements were made, a full review was undertaken with reassessments carried out when necessary. The overspend in the non dedicated schools grant was forecast to be £6.32m. With regards to agency staff on the frontline, they made up around 40% of staff. This needed to be addressed as that led to high turnover and affected the stability of the frontline.
- 70.2 One member raised the issue of using business rates retention (one off money) to address the overspend, noting that this was on top of the additional money which had already been in the service. In response it was explained that it was important

to provide proper care for vulnerable children and that the complexity of cases and increase in numbers were leading to this pressure.

- 70.3 Chris Spencer, Director of Children's Services, explained that it was important to consider whether the Council was an outlier in terms of numbers in care. With regards to proportion of population, the numbers in Gloucestershire were up compared to other authorities but not an outlier. It was outlined that previously the Council was potentially under-identifying children that needed support but now were getting better at recognising and reacting to those who needed protection. A lack of confidence would also lead to greater numbers of referrals.
- 70.4 The Committee requested a high level breakdown of children in care so that members could understand what some of the underlying causes.
- ACTION**                      **Chris Spencer**
- 70.5 Members asked whether the numbers of children needing support would continue to increase and so overspends would continue into the future. In response it was explained that it was hoped that the numbers of children in care would not rise; As practice on the ground improved this would help to control this. It was explained that there were signs that a corner had begun to be turned although there was still progress to be made. Work was underway to better understand what value the Council was getting for the money it spent. The current budget assumption was £61,000 per placement but the actual spend was around £84,500.
- 70.6 There was some discussion around difficulties procuring as part of the South West framework. The Council was considering other options with regards to this. In addition there had been a number of on spot purchasing, and it was important to move towards block purchasing to provide better value. It was explained that practice issues lead to high cost placements and last minute emergency placements. The better the council becomes at managing places, the better value for money the council will get. It was explained that an analysis of savings made over the next two to three years suggested that £7m could be saved across the service if the numbers stayed the same.
- 70.7 Members understood that discussions had been had with Essex Council discussing similar situations relating to how best to work with partner agencies and manage this area of budget.
- 70.8 One member suggested in-house provision so that the Council was not a hostage to the market. Members were informed that the Council was looking at taking out some of those high cost placements and re-assessing what provision could be provided.
- 70.9 Retention and recruitment of staff was discussed, with one member asking how much analysis was being undertaken about what we say should be happening and what was actually happening on the ground. In response it was explained that this was an area that concerned the Director because of areas of high turnover. 40% of

open cases have had 3 or more changes of social worker in the last 12 months and this would have a huge impact on the child.

- 70.10 It was discussed how the cost of placements were apportioned amongst partners and this was a conversation that the Council was beginning with partners including the CCG. It was suggested that nationally a greater proportion of the costs around those cases with complex needs were shared out with partners.
- 70.11 Regarding unqualified social workers making visits, everything was risk assessed and with oversight of management. It was important as part of the development of trainee social workers that they had the opportunity to go out 'solo' but it was not for statutory visits. This policy was reinforced and the need to appropriately risk assess this was a key part of management to training.
- 70.12 One member asked for the comparison of agency workers and workers here at the county council in terms of career earnings. It was suggested that while there were short term benefits over the longer term there were additional ones from being part of the County Council. Members understood the difficulties around recruitment agencies and their practices and this had been lobbied at a national level.
- 70.13 Members requested details of recent audits undertaken in the Children's budget.  
**ACTION Paul Blacker/ Chris Spencer**
- 70.14 There was some discussion around the High Needs block within schools budget. There were a number of 'blocks' relating to funding for education and Schools Forum was deliberating as to whether they should shift money out of those blocks and into the High Needs block. This would have an impact on schools depending on how many pupils had special educational needs. If the high needs block was not increased there would still need to be support provided to those pupils. This was a growing risk. As a local authority, the Council would write to the Secretary of State to support a proposal to top slice the schools budget by a percentage as the risk has shifted. The Council was still carrying a risk into the next financial year of £1.7m. There was a contingency for the high needs budget in case of overspend built up over a number of years. In response to a question about whether the Council should be making its own funding available to schools, it was explained that additional funding and intervention at an early stage would always have a better impact but it was difficult to influence schools.
- 70.15 Members discussed the impact of exclusion on a child, with it being explained that it was not only a disappointing outcome for the child but also increased costs to Gloucestershire. It was felt that there were perverse incentives within the system with a fragmented educational landscape that reduced the ability of local authorities to influence schools.

- 70.16 Returning to the discussion around social worker recruitment, members were informed that the Council was implementing a comprehensive 'grow your own strategy'. The plan was to over recruit newly qualified social workers and train them so that as agency workers left, those new staff could fill those vacancies. The Council was doubling the number of student placements and recruiting social workers from India.
- 70.17 One member asked how the Council would visibly celebrate our social workers. In response it was explained that the senior leadership team was tasked with 'getting out and meeting people'. The Director also went out and visited localities.
- 70.18 Members thanked the Director for his openness with detailing the situation in this budget area.

## **71. FINANCE UPDATE**

- 71.1 Paul Blacker introduced the report which presented the forecast of the year end revenue position which showed an overspend of £2.711 million (0.66% of the budget). Aside from the challenges in the Children's area as detailed in the previous item, members noted the £700,000 overspend in Community and Infrastructure.
- 71.2 In regards to the Tech and Corporate budget, there was an additional income of £2.5m from interest credits.
- 71.3 £10.3m of savings had been achieved and the Council was on target for £18.7m for the year.
- 71.4 For the Business Rates Retention pool, the £4.6m figure had been revised to £7.2m. This was based on the returns from district councils and could potentially rise to £14.4m. The final figure would not be available until April 2019 and there were no plans to use any of that forecasted funding for in year spending. The Council was lobbying for a no detriment clause for the following years pilot.
- 71.5 The Committee noted that at the previous meeting it had received a detailed presentation on debt management. One member asked that the latest position be update at each OSMC meeting.

**ACTION Paul Blacker**

## **72. SCRUTINY OF PERFORMANCE**

72.1 The Chairs of the service specific scrutiny committee's were invited to feed back any performance issues raised at their committee meeting. Cllr Allaway Martin raised the issue of the high workload of the Health and Care Scrutiny Committee and the need to manage resources in that area. It was noted that Health and Wellbeing Board also came under their remit.

### **73. STRATEGIC PERFORMANCE MANAGEMENT REPORT 2ND QUARTER 2018-19**

73.1 Rob Ayliffe introduced the report showing that the Council was meeting or exceeding 75% of targets overall.

73.2 For Children's Social Care, members were shown a graph which outlined the numbers of rereferrals, those readmitted to care and those becoming subject to a Child Protection Plan for a second or subsequent time. The high levels of re-work reflected historical actions and the expectations was that improvement was likely to take twelve months. Another graph showed an increase in the number of children on a child protection plan. As the rate of children on a plan increased, the conversion to children in care had dropped, this suggested that the numbers of children admitted to care will not necessarily increase as a result, and with the right support many of those children's needs may reduce. The Council was hitting targets for the number of initial assessments completed for children on time.

73.3 In Adult Social Care, the performance data showed the continued steady decline in those people needing long term support and care.

73.5 Performance data around drug and alcohol treatment showed a decline in the rates of people successfully completing treatment. However the new provider was doing more outreach and reaching a greater number who would benefit from the service. It was understood that those individuals were likely to have more deep seated problems and so that reduced the success rate. There was work going on with Public Health England to identify whether anything needed to be done to turn performance around. One member raised the importance of using actual numbers and ensuring that there was clarity around what indicators were showing. It was clarified that in this instance they were national indicators and showed deteriorating performance.

73.6 Cllr Allaway Martin explained that an item on drug and alcohol treatment was on the work plan for Health, Community and Care. Members agreed that this was the best place to start the scrutiny of the work and if there were further concerns members could then decide on the best course of action. One member stated that it would be helpful to see statistics broken down by district in order to really get underneath the issues. This would be taken on board when Health and Community and Care considered the issue.

73.7 Members noted the figures around the number of accidental dwelling fires. They recognised that this was a volatile target and that the overall trend was a gradual decrease but in three of the last four quarters the target had been missed. In response to members' questions, it was explained that this was mainly due to cooking and electrical fires. It was suggested that at the next Environment and Communities Scrutiny Committee an update should be provided on the work being carried out around this including the number of Safe and Well checks.

**ACTION Rob Bird/ Sophie Benfield**

73.8 In relation to complaints received:

- Children's Social Care complaints and representations received, there had been a 9 % decrease in formal complaints compared to the previous year with 92% dealt with at stage 1.
- Adults – there had been a 21% decrease in complaints. In the previous year there had been quite a high number relating to the Appetito contract.
- Corporate complaints – there had been 188 overall with 22% related to Amey (which was an 8% decrease in previous year).

#### **74. PERFORMANCE REPORT - STRATEGY AND CHALLENGE (2ND QUARTER 2018/19)**

74.1 Jane Burns presented the report which detailed overall good performance and the budget pressures. Members noted delays in the Archives Project.

#### **75. PERFORMANCE REPORT - CORE COUNCIL (2ND QUARTER 2018/19)**

75.1 Paul Blacker presented the report and provided detail on sickness absence which was showing an improvement on the previous year. In relation to the in year savings through the Meeting the Challenge programme the report was corrected to ready £10.281m.

75.2 In relation to 'Invoices paid in 30 days' the council was at 95% which was higher than the target.

75.3 With regards to the Council's overall budget and the current overspend, a £1.9m over-spend had been reported this time last year and had finished on a break even position.

75.4 £2.3m asset sales had been achieved and the service was confident that the £12m target would be achieved by end of the financial year.

- 75.4 One member queried the fact that the 'days lost to sickness absence' target was at the same level as what was achieved in the previous year. It was explained that this was an area we were performing well in and so the aim was to maintain that level of performance.

## **76. ENVIRONMENT AND COMMUNITIES SCRUTINY COMMITTEE**

- 76.1 Cllr Rob Bird presented the report from the meeting on 7 November 2018.
- 76.2 One member suggested that Environment and Communities Scrutiny should look in more depth at the IPCC report on Climate Change. The member was advised to raise this at the next meeting of the committee to be added to the work plan.
- 76.3 One member commented that opening hours of recycling centres had been covered by the committee. In addition, questions had been asked at full Council on the subject of whether there might be a charge on waste materials that were considered non-household. The member felt that he had received conflicting advice and would pursue this outside the meeting. He also had the opportunity to raise this at the Environment and Communities Scrutiny Committee.

## **77. HEALTH AND CARE SCRUTINY COMMITTEE**

- 77.1 Cllr Carole Allaway Martin presented the report from the meeting on 13 November 2018.
- 77.2 Cllr Gravells advised the Chair that when writing to the Gloucestershire Hospitals NHS Foundation Trust that it should be copied to all members of the Board to ensure all had sight of it.

## **78. POLICE AND CRIME PANEL**

- 78.1 The Committee noted the report in the absence of the Chair.
- 78.2 Members understood that the Police and Crime Commissioner had presented his outline business case to the Police and Crime Panel. One member raised the importance of Environment and Communities Scrutiny having an opportunity to speak to the Commissioner and to respond to the consultation. Members were informed that a meeting was being arranged to allow for this.
- 78.3 One member raised her concerns about the perception of the Council given the tensions between the County Council and the Police and Crime Commissioner. She suggested that mediation could be undertaken to try to resolve issues.

*Minutes subject to their acceptance as a correct record at the next meeting*

**79. CHILDREN AND FAMILIES SCRUTINY COMMITTEE**

79.1 Cllr Brian Robinson presented the report from the meeting on 21 November 2018. The focus of the Committee was to get closer to the 'front end' of the processes in order to be confident that the journey the Council was on was the right one.

**80. GLOUCESTERSHIRE ECONOMIC GROWTH SCRUTINY**

80.1 The committee welcomed Cllr Kevin Cromwell as the newly appointed Chair of the Committee. He explained that work planning had been undertaken on 21 November and that this had been with members across all parties.

**81. NEW TASK GROUPS**

No new task groups were proposed.

**CHAIRMAN**

Meeting concluded at 12:30pm