

# **BRIGHTON & HOVE CITY COUNCIL**

## **OVERVIEW AND SCRUTINY ORGANISATION COMMITTEE**

**17 NOVEMBER 2003**

### **COMMITTEE ROOMS 2/3 BRIGHTON TOWN HALL**

#### **MINUTES**

Present: Councillor Hamilton (Chair), Councillors Allen, Carden, Davidson, Edmond-Smith, Meegan, K Norman, Simson, G Theobald (Deputy Chair), Williams and Young.

By invitation; Councillor Pat Hawkes, Chair, Children Families and Schools Sub-Committee

Also present: David Hawker, (Director, Children Families and Schools); Manal Ahmed (Joint Head of Community Cohesion); Martin Randall, (Assistant Director, City Planner); Ian Withers, (Head, Internal Audit); Mary van Beinum, (Committee Administrator).

#### **PART ONE**

#### **ACTION**

#### **35. PROCEDURAL BUSINESS**

##### **35.A Declarations of Substitutes**

35.1 There were none.

##### **35.B Declarations of Interest**

35.2 Councillor K Norman and Councillor Hamilton declared a personal and non-prejudicial interest in item 45 as, respectively, chairman of the Sussex Bonsai Group and participant in the scrutiny review of Hove Centre Lettings Policy.

##### **35.C Exclusion of Press and Public**

35.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the

Local Government Act 1972.

35.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of items 35 - 47.

### **36. MINUTES**

36.1 **RESOLVED** - That the minutes of the meeting held on 22 September 2003 be approved and signed by the Chair.

### **37. MONITORING PERFORMANCE AGAINST TARGETS; CHILDREN FAMILIES AND SCHOOLS**

37.1 The Director, Children Families and Schools introduced the Quarter One Best Value performance report, briefing note on corporate complaints and Directorate Development Plan (for copies, see minute book)

37.2 Members asked that comparative performance information for example with other unitary authorities and with its own previous performance, be included in future performance reports and that the data be compiled in a consistent format for all Directorates.

**MvB/AB**

37.3 Clarifying the roles of OSOC and Education Overview and Scrutiny Panel (EOSP) in scrutinising matters relating to Children Families and Schools, the Chair Councillor Hamilton said that OSOC took an overall view of the performance of CFS, including children's social care. The EOSP would be receiving the education-related reports on OSOC's agenda at its next meeting on 2<sup>nd</sup> December.

37.4 Members said it was very much to the credit of the Department that the education performance indicators were moving in the right direction. It was particularly encouraging that all permanently excluded pupils were provided with at least 20 hours alternative tuition and that the number of permanently excluded pupils had dropped.

37.5 The Committee discussed the % of child protection cases reviewed (PI 162) and heard that the PI had changed to include tougher criteria. Measures were in place to achieve 98% of cases reviewed during the year by March 2004.

37.6 As regards stability of placements (PI 49), the Director said the already large number of children looked after had risen dramatically to around 400. This was the result of a combination of possible factors including substance misuse. There were now extra resources in placement support and the placement manager was investigating the reasons why placements may become unstable so

additional preventive measures can be put in place. Fifteen new foster carers would be starting in January; this would help improve placement choice.

37.7 The Committee noted that at table 3 of the briefing note showing the number of complaints, the final row entitled 'Fostering and Adoption' should be deleted. It was encouraging that the number of complaints was relatively small.

37.8 Answering a query on the teaching of languages at primary school level the Chair, Children Families and Schools described the work in hand across the City under the recent Pathfinder project. This had attracted £1/4 million DfES funding and included the first languages strategy in the country involving not only schools but also support for business and social use of languages.

37.9 The meeting questioned in item 37(c) the Best Value Local Community Comparator for the percentage of disabled under BVPI 16b, quoted as 13.04% in the 'Equality Profile' table (p31 of the agenda refers). This appeared high compared with the BVPI target of 2.75%. The Committee Administrator would check the figures.

**MvB**

[Note: since the meeting the Human Resources Department has given the following information: 'The local community comparator is difficult to assess correctly as the level of detail supplied by the ONS from the 2001 Census does not allow a direct comparison with the workforce. The Census information currently available only states the percentage of disabled people, rather than those economically active. When a greater level of detail is provided by the ONS then a more realistic comparison can be made.']

37.10 Members also discussed the falling rolls in primary schools, the improved GCSE results, and progress in developing a wide range of school sports across the city, coordinated by Dorothy Stringer School.

37.11 **RESOLVED** – That the Committee (1) note the Performance Indicator results achieved during the first quarter 2003/04 as detailed in the abridged Q1 Best Value Performance Report 2003/04 (appended).

(2) note that the 2002/03 year end results are being audited by District Audit.

(3) note the Quartile 2001/02 information.

## **38. SOCIAL SERVICES INSPECORATE (SSI) SPRING DELIVERY AND**

**IMPROVEMENT STATEMENT**

38.1 The Committee considered the report informing the Committee of the outcomes from the Spring Delivery and Improvement Statement (DIS) (For copy see minute book).

38.2 The Director said that providing the detailed twice-yearly returns to the SSI was full-time work for a senior officer. An update (Autumn) statement was now almost complete.

38.3 The DIS, together with another inspection in January, observations, research and further dialogue would inform this year's Comprehensive Performance Assessment 'star rating' for children's social services. The current 'one-star' CPA rating included an 'uncertain' capacity to improve. It was hoped that a 'promising' rating could be achieved next time; however the present performance against PIs was not good.

38.4 The Director gave details of the children and adolescent mental health strategy, using the government's 'quality protects' funds which is to rise by 10% each year.

38.5 Highlighting a dramatic rise in the already high number of looked after children per 10,000 children the Director said that intervention was not done unnecessarily. The Climbie case had shown the risks in keeping a child at home.

38.6 The meeting heard that Brighton and Hove had nationally the highest number of children in care homes following court orders.

38.7 A paper giving data on numbers of children looked after compared with benchmark authorities was tabled. ( for copy see minute book). It indicated that social workers had greater caseloads than other comparable authorities. The Committee were alarmed that there had been no external applicants for 17 vacant social work posts.

38.8 Members said that CFS staff were doing a good job in difficult circumstances. The Committee supported the measures being taken to improve performance including developing local indicators to monitor improvements, but were deeply concerned at the pressures under which children's social services were operating in an area of work that was arguably the most difficult and sensitive across the whole Council.

38.9 Acknowledging that the local situation was part of wider national issues including key worker housing costs in comparison with pay levels, the Committee agreed to write a letter of concern to the Policy and Resources Committee. The Committee Administrator undertook to produce a draft for agreement by the

Chair and Deputy Chair on behalf of OSOC.

38.10 **RESOLVED** - (1) That the Committee note the recommendations of the Delivery & Improvement Statement. **MvB**

(2) That the Chair and Deputy Chair agree a letter of concern to be forwarded to the Policy and Resources Committee on behalf of OSOC.

### **39. CHILDREN, YOUNG PEOPLE AND FAMILIES JOINT REVIEW AND BEST VALUE REVIEW UPDATE REPORT**

39.1 The Committee received a report on the progress made against the Joint Review Action plan and the Children Young People and Families Best Value Review Action Plan. (For copy see minute book)

39.2 Members referred to the family support strategy, the importance of family welfare in preventing children going into care or needing to be on the child protection register and the need for monitoring the outputs in family support..

39.3 **RESOLVED** - That the report be noted.

### **40. IMPLEMENTING THE PLANNING REVIEW RECOMMENDATIONS**

40.1 The City Planner introduced the report outlining progress made in implementing the recommendations of a review of the planning service. (For copy see minute book)

40.2 The City Planner said the planning review had been successfully implemented. There had been a reorganisation and there were improvements to the service as reflected in the performance indicators which were now well above target; this was a great credit to the team.

40.3 It was now important to maintain this progress. There was still much to do in sustaining a culture change and it was difficult to recruit new permanent staff.

40.4 A city planning projects team was now in place to support the development control team on major development proposals. A report on the level of delegation to officers was being drafted; customer care was being improved and a bid was being made for Charter Mark status; team plans had been developed for the first time and work was in hand to e-enable the planning service to improve efficiency. It was also intended to produce designs of medium and large schemes earlier and give more creative IT presentations on these to assist the planning applications sub-

committee.

40.5 The meeting discussed the time necessary for consultation on proposals compared with the need to process planning applications quickly and the importance of making right robust decisions.

40.6 Replying to a question on the effectiveness of the enforcement service the City Planner told the meeting that for the first time a fully staffed enforcement team was now in place. This was to be the first area of work to be e-enabled.

40.7 Members discussed methods of consulting with local groups and individuals including those without access to the internet and suggested it would be helpful if plans for major applications were placed in local libraries. The meeting noted that on grounds of cost, the local press now listed only major applications and those in conservation areas.

40.8 Asked about marginal cases the City Planner said it was very important that the planning team should make a professional recommendation in every case as a basis to form a decision, rather than leave this open. However he said there was scope to improve the quality of reports for example by giving more information on the balance of issues.

40.9 The Chair of the Planning Applications Sub-Committee Councillor Carden said there had been problems with presentations recently and the equipment in the town hall needed better maintenance. Councillor Carden said he strongly supported the work of the new enforcement team. Particular efforts were now being made to strengthen links and consultation processes with local interest groups in line with good practice.

40.10 Turning to Section 106 agreements with developers The City Planner said there was scope to improve their effectiveness. There had been good work in negotiating S106 on some of the larger developments though monitoring had sometimes been less good. Until now the relative success of the agreements depended in part on the negotiating skills of individual planning officers and new ground rules were needed.

40.11 New Supplementary Planning Guidance (SPG) on section 106 agreements was being drafted by a working group of officers from different departments for presentation to the Environment Committee early next year. The SPG was being based on data to provide developers with clarity so that they themselves could calculate what end result would be expected of them. The government was now consulting on a proposed new tariff system.

40.12 Asked about the relative importance of % for Art and % for Sport the City Planner said new guidance on all aspects of planning obligations would be included in the SPG. The principles behind the new draft SPG were starting to be applied now. Once approved the new guidance would be reported to a future meeting of OSOC.

**MR/MvB**

40.13 The Committee congratulated the City Planner and the team on the overall progress being made in this service area.

40.14 **RESOLVED** – (1) That the Committee note the progress that has been made in implementing the recommendations of a review of the planning service and the substantial improvement in performance that has been achieved.

(2) That the new supplementary planning guidance be reported to a future OSOC meeting.

**MvB/MR**

#### **41. MONITORING THE IMPLEMENTATION OF THE RACE EQUALITY SCHEME**

41.1 The Joint Head of Equalities and Community Cohesion introduced the report of the Deputy Chief Executive and Director of Corporate Services on progress in publishing and implementing the council's Race Equality Scheme. (For copy see minute book)

41.2 The meeting heard that the initial timetable for implementing the scheme was ambitious with hindsight, and there had been a delay in starting the first impact assessments. A steering group including an external consultant and outreach worker was currently working to develop the best way to consult on race equalities issues.

41.3 The black and minority ethnic communities were relatively small so a public event on 28<sup>th</sup> February 2004 was being undertaken alongside the Housing Best Value review consultation to help inform the development of a consultation programme for the race equality scheme.

41.4 **RESOLVED** – That the Committee note the progress of Race Equality Scheme.

#### **42. INTERNAL AUDIT – HALF YEAR PROGRESS**

42.1 The Committee considered a report summarising the work of Internal Audit Services during the first half of the financial year 2003/2004. ( For copy see minute book.)

42.2 Members questioned the employment of supply teachers by the City Council and the operation of a preferred provider, asking if it would be preferable for the LEA to have its own list of teachers

**MvB/PJ**

rather than use an agency. This question would be referred to the next meeting of the Education Overview and Scrutiny Panel.

42.3 Discussing Corporate Credit Cards (report paragraph 7.20 refers) Members asked why officers needed these, rather than using personal credit cards and then documenting and claiming back the expenses in the usual way.

42.4 The Committee requested an officer report to the next meeting setting out the need for corporate credit cards, how the system operates, which officers use the cards, what conditions are applied, who approves the issue and use of the cards and how expenditure is monitored.

42.5 **RESOLVED** – (1) That the Committee note the contents of this report and progress made in achieving the Internal Audit Plan for 2003/2004 and some of the key issues.

(2) That a report on corporate credit cards be presented to the next OSOC meeting ( January 19<sup>th</sup>)

**MvB/IW**

#### **43. PERFORMANCE MONITORING TRAINING SESSION. FEEDBACK FROM 22 SEPTEMBER**

43.1 The Committee considered the Briefing Note on Performance Monitoring Training. ( For copy see minute book)

43.2 Looking at the first two bullet points of the report OSOC asked that the regular PI reports include this comparative information consistently for each service area (i.e: local and national PIs/ over time/ top and bottom quartile performance and with other local authorities).

**MvB/AB**

43.3 Members also noted that the council's budget information was not included on OSOC's agenda and asked that steps be taken to arrange this in future.

43.4 A further evening training session was to be arranged in due course.

**MvB/ MS**

43.5 **RESOLVED** – That the Committee note the report.

#### **44. WAR MEMORIAL RAILINGS SCRUTINY REVIEW**

44.1 The Chair of the Scrutiny Panel Councillor Kevin Allen introduced the report of the War Memorial Railings Scrutiny Review. A covering report recommending approval of the scrutiny report was tabled. (For copies see minute book).

44.2 Councillor Allen said the September 1<sup>st</sup> meeting at which many Ex-Servicemen and Women had put their views on the matter



had been most memorable. The scrutiny recommendations took into account all the concerns raised by these witnesses including the height of the railings, the appearance, cleanliness and maintenance of the monument and Garden of Remembrance, and communications and information about the war memorial.

44.3 The Committee asked that under recommendation 3, bird deterrents should not spoil the appearance of the memorial. Also asked about the addition of further names of the fallen to the war memorial, Councillor Allen said that these were the kind of issues that would best be dealt with via the liaison meetings as recommended in the report.

44.4 **RESOLVED** - That (1) the Committee endorse the report of the scrutiny review of the War Memorial Railings.

(2) That the report together with any response from the Environment Committee, be submitted to the next available full Council meeting.

#### **45. PROGRESS ON CURRENT SCRUTINY REVIEWS AND EDUCATION AND HEALTH SCRUTINY**

45.1 The Committee considered a report on progress with current scrutiny reviews. Draft minutes of the Health Overview and Scrutiny Panel (HOSP) on 5<sup>th</sup> November were tabled. (For copies see minute book.)

45.2 OSOC considered the resolution of HOSP (para3.6(3) of the draft minutes refers) recommending approval of the inclusion of a representative of the Older People's Council as a co-opted non-voting member of the Panel. The meeting discussed the case for other significant groups to be representative bodies from which to draw co-opted members. It was felt that the Older People's Council did encompass all groups as everyone gets old and the Committee agreed the recommendation.

45.3 Members noted that a working group comprising Councillors Mrs Bennett, Mrs Cobb and Randall had been established by HOSP to look into the spread of existing GP practice boundaries to establish that all areas of the City are covered and if not to make appropriate recommendations..

45.4 **RESOLVED** - (1) That the Committee note the report.

(2) That the inclusion in HOSP of a representative of the Older People's Council as a co-opted non-voting member of the Panel be approved.

**46. ITEMS TO GO FORWARD TO COUNCIL**

46.1 The meeting noted that the report of the War Memorial Scrutiny Review and any reply from the Environment Committee would be reported to the next available full Council.

**47. ITEMS SCHEDULED FOR THE NEXT MEETING OF OSOC ON 19 JANUARY 2004**

47.1 The meeting noted items scheduled for the next meeting as follows:

- Monitoring Performance Against Targets; Housing And City Support (All Services)
- How is the council going to achieve its goals of improving the quality of the waste collection service and reduce the cost?
- Best Value Review of Housing Allocations – scoping report, for information.
- Implementing Best Value Improvement Plans for: Homelessness, Council Housing, Care and Support for People of Working Age
- System and Use of Corporate Credit Cards

**PART TWO**

**ITEMS TO REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND PUBLIC**

**RESOLVED** - That items 35 – 47 remain exempt from disclosure to the press and public.

The meeting concluded at 8.00 pm

Signed

Chair

Dated this

day of

2003

