



Minutes

Name of meeting	SCRUTINY COMMITTEE
Date and time	THURSDAY, 16 APRIL 2009 COMMENCING AT 6.00 PM
Venue	COMMITTEE ROOM 1, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Muriel Miller (Chairman), Ivan Bulwer William Burt, Vanessa Churchman, Deborah Gardiner, Heather Humby, Gill Kennett, Erica Oulton, Margaret Webster
Co-opted Members (voting)	Mrs Sue Poston, Mr Charles Rogers
Co-opted Member (non voting)	Mr Paul Fuller
Other Members Present	Cllrs Barry Abraham, Dawn Cousins, David Knowles, Geoff Lumley, Alan Wells,
Officers Present	Mr Jonathan Baker, Mr Steve Beynon, Mr Stuart Fraser, Mr Chris Mathews, Mr Paul Thistlewood,
Apologies	Cllr Lady Pigot, Mrs Sara Sheath, Mr Adrian Smith, Mrs Ursula Topp

The Chairman welcomed Mr Paul Fuller as the newly appointed representative from the Isle of Wight Association of Local Councils who had replaced Mr Bob Blezzard. The Chairman placed on record her appreciation of the work undertaken by Mr Blezzard as a member of the Committee.

72. **Minutes**

Cllr Gardiner requested that the following amendments be made to the minutes :-

Minute 67 – Declarations of Interest to also show her declaration included the fact that her husband was employed by the Council;

Minute 70 – Child Protection 6th paragraph first line to state that the Committee were “extremely” concerned and the deletion of the 7th paragraph.

RESOLVED:

THAT, subject to the above amendments, the Minutes of the meeting held on [5 March 2009](#) be confirmed.

73. **Declarations of Interest**

Cllr Gill Kennett declared a personal interest in Minute 74 as she worked for the IWNHS PCT.

Cllr Deborah Gardiner declared a personal interest in Minute 74 on the agenda due to her employment by Unison and her husband's employment with the Isle of Wight Council.

Mr Charles Rogers declared a personal interest in minute 74 and 75 as he was a non executive Director of the IWNHS PCT.

74. **Safeguarding Pilot Inspection**

(Cllr Gill Kennett and Mr Charles Rogers left the meeting for this item)

The Committee discussed the report of the Cabinet Member for Children and Young People relating to the oral feedback from Ofsted on the safeguarding pilot inspection of the Council's safeguarding duties which took place in March 2009. The report would also be considered by the Cabinet on 20 April 2009

The Cabinet Member took the opportunity to repeat the apology he made at the meeting of the Full Council on 15 April 2009 for not informing Scrutiny Committee members of the inadequate findings against the Local Safeguarding Childrens Board (LSCB) into the death of a baby that died of sudden infant death syndrome. He stressed that all members across the Council took the issue of safeguarding very seriously and that the report should be used as a basis for everyone to move forward in a positive manner.

The Cabinet Member added that the Council was happy to cooperate with Ofsted over its findings in relation to the Authorities Safeguarding procedures and requested that any comments and views received by Members of the Scrutiny Committee about the recommendations of the report would be welcomed.

The Chief Executive stated that as a result of the Baby "P" case in Haringey and the subsequent Lord Laming report the Council was presented with two forms of Ofsted inspection in order to approach the safeguarding issue:

- (i) A three year rolling programme of safeguarding practice that would be a multi agency inspection. Limited notice of inspection would be given. It was anticipated that this Council could be inspected at an early stage due to its 2 star rating..
- (ii) 24 hours notice of inspection of the referral and assessment processes – similar to that of an inspection of schools.

It was added that there was no written report from the pilot Ofsted inspection held but a number of recommendations had been highlighted.

Out of the recommendations, three themes had been brought to light:

- (i) LSCB – whilst chaired by an independent chair was not sufficiently effective. Therefore future appraisal by the Chief Executive would be put in place on a quarterly basis.
- (ii) Number of referrals received – whilst not significantly different to neighbouring authorities, processes did need reviewing such as access to correct preventative support.
- (iii) Despite changes made within the Children and Young People Directorate, processes and practices would need reviewing.

The Chief Executive informed members that Ofsted found that too much targeted work was taking place and that the relevant funds should be redistributed to tackle more preventative work as opposed to assessment and referral. This therefore meant that staffing levels were adequate but not being used effectively in the right areas.

Members were advised that every case identified as unallocated in the Childrens Disabilities Team and which had no assessment in the previous 12 months should have an identified Social Worker.

Arrangements were reported to have been put in place to meet the timescales identified on the Action Plan. The Chief Executive advised the Committee that assurances would be provided to the Cabinet on 20 April 2009. Members considered that the first relevant Scrutiny Committee in July 2009 should also receive a progress report on the Action Plan

The Cabinet Member for Children and Young People stated that areas of weakness were highlighted within the Children with Disability Team at the Scrutiny Committee Meeting on 3 March 2009 and it was noted that certain members of the Committee felt a scrutiny enquiry into these weaknesses in November 2008 would have been beneficial.

The Cabinet Member advised the Committee that a new manager of the LSCB, employed by the Isle of Wight Council, had been put in place and relations between the LSCB and the Childrens Trust Co-ordinator was regarded as positive although it was accepted that there was still much to do. It was therefore agreed that officers explore options for the Children Services Directorate and the LSCB to adopt a more open and transparent culture. It was also agreed that suitable training should be offered to members of the LSCB to ensure that more healthy governance arrangements were in place.

The Committee were advised that there were in excess of 300 children on the disabilities list which would be reviewed on an annual basis. One of the recommendations made was to put in place the additional resources to address these cases. Such resources might identify that certain cases would no longer need reviewing. It was clarified that unallocated meant that the social worker was unidentified. This therefore provided an indication that processes and procedures needed reviewing and tightening up.

Section 47, part of the 1989 Children Act, was defined as the point where a formal investigation would be carried out within 35 days of the initial assessment in order to

determine whether intervention into a family is necessary if it was felt that children were at risk.

The need for staff to attend mandatory recording skills training would be emphasised. It was accepted that there had been previously been underinvestment across the whole Council in developing management skills to work with people who found certain aspects of mandatory IT duties difficult.

The Committee were advised that the time scales in order to recruit a senior manager to support tier 3 managers and tier 4 managers was on target. Following discussions with group leaders the position of Director of Children's Services would not be advertised until after the June elections.

The Chief Executive was not able to provide any guarantee that children would not be at risk on the Island, however the overall Ofsted judgement was that children were safe and not at any undue risk as a result of processes not being followed. It was however widely accepted that processes and procedures still needed addressing and improving.

The Cabinet Member for Children and Young People stated that it was still his desire to see and honest, open and transparent culture within the Children and Young People Directorate. Due to the nature of certain issues however some level of confidentiality needed to be observed which in turn could lead some people to be of the opinion that the culture was not open and transparent. The overriding priority however would be one of children's safety.

Members raised the issue of Social Workers working conditions and in particular the hours worked. It was reported that some individuals had worked well in excess of their normal working week, which was seen to put both child and worker at risk. The Cabinet Member responded by reiterating that some social care resources were not being channelled correctly and that this could be a contributory factor in such excessive hours worked in certain areas. It was therefore hoped that by carrying out the Ofsted recommendations, this problem could be addressed positively.

It was noted that the Committee would be holding a special meeting in the near future so that related issues on child protection could be dealt with.

RESOLVED

- i. THAT the Cabinet, at its meeting on 20 April 2009, be advised if all the actions that were due to be undertaken by that date have actually been completed.
- ii. THAT a progress report on the Action Plan be reported to the first relevant Scrutiny Committee in July 2009.
- iii. THAT appropriate training should be offered to members of the Local Safeguarding Children Board on their role and responsibilities to ensure more robust governance arrangements.
- iv. THAT officers investigate ways for the Children Services Directorate and the Local Safeguarding Children Board to have a more open and transparent culture.

(Cllr Gill Kennett and Mr Charles Rogers returned to the meeting)

75. **Quarterly Performance, Risk and Strategic Programme Management Report**

The Committee was presented with the quarterly performance report that was taken to the Cabinet on 31 March 2009. This related to the third quarter ending on 31 December 2008.

Members were advised by the Chief Executive that the overall target of 95% of measures that would meet or exceed the objective as indicated in green was not likely to be achieved given that the figure at the end of quarter three was 50%. However, such aspirational targets were still seen as desirable. It was unfortunate that the target was set at a time of more economic certainty, but as the global financial crisis had set in, a number of indicators that were linked with income generation had been seriously affected. There were also on going discussions at Government level on definitions that should be used for certain indicators.

The issue of performance and finance being more closely linked was raised. The Chief Executive indicated that officers were working on a reporting format that would take this into account.

Concerns were raised around the setting of high targets that were not realistically achievable. Members felt that if a more feasible target was set and achieved and in some cases exceeded, the morale of the Council would be enhanced. The Chief Executive did however inform members that whilst there were some sympathy for member's opinions of the setting of high targets, the Committee should bear in mind that if low targets were set, the Audit Commission would penalise the Council for having low ambitions. Members were also asked to bear in mind that some of the targets were set by central government and that the Isle of Wight Council had no control over this.

Further concerns were raised around the figures released on those completing voluntary exit questionnaires at the end of service which equated to 6%. Members believed that whilst it was not a mandatory practice to carry out this process, a good indicator of a healthy organisation would be the willingness of people to be open in why they should want to leave. It was suggested that as with appraisals, exit interviews could be made a condition of employment.

The Committee sought clarification on a range of performance issues including bullying and harassment and domestic violence. Internal processes were in place and the introduction of Organisational Health Indicators were aimed at identifying any areas where management action was required.

Reference was made to the indicator for Community Safety Services - "Number of violent crimes (Common assault – wounding – cumulative)". The Committee were concerned that the actual figure continued to be in the red and yet this had been described in the report as being a seasonal variation. The Chief Executive responded by reiterating that the Island was a low crime area but the targets that were by central government and were more challenging than many areas that had a higher crime rate. It was therefore acknowledged that this would be a target that would be difficult achieve.

In relation to indicators for Children and Young People services clarification was given on the term “permanently excluded” and the support provided to children not at school. The revised role of Education Welfare Officers was explained. With regard to broadband access it was stated that students who are unable to do so at home could do so from schools and that each Island library had such free facilities to help children with homework.

Members were advised that the Council received a higher than average number of Freedom of Information (FOI) requests per percentage of population than many other authorities. This was being investigated as to why and it was surmised that this could be due to either a lack of information being made available to Island residents or possibly the nature of the requests made. The Chief Executive acknowledged that procedures with regards to FOI requests needed addressing.

The Chief Executive explained the background to the performance levels for waste disposal and recycling rates. There were still difficulties being experienced with the operation of the gasification plant but the Council had no control over this facility. There were ongoing discussions with Island Waste on the contractual arrangements with the Council.

RESOLVED:

THAT the Quarterly Performance, Risk and Strategic Programme Management Report for quarter 3 be noted.

76. Revenue and Capital Budget

a. **Capital Programme Review**

Members reviewed the report that was submitted to the Cabinet on 31 March 2009 relating to the capital programme for 2009/10. The Committee was advised that the budget set at £39.9m in the re-phased programme was seen as a more realistically achievable target as opposed to the £63.6m set out in the original agreed programme.

The Cabinet Member for Residents, Resources and the Fire Service advised members that the first part of the Business Systems Improvement Programme (BSIP) involving finance and procurement had been implemented since 1 April 2009. The Human Resources and Payroll areas of the Council would come on line on from 1 October 2009. It was noted that the change in the systems had not affected the Council’s policy relating to the payment of invoices from local businesses.

The capital funding for Fire Modernisation would be phased in during 2010/11 and would involve prudential borrowing. The work that had to be undertaken in 2009/10 would be funded from the revenue budget.

RESOLVED :

THAT the report be noted.

b. Financial Management Report for Quarter 3 (to 31 December 2008), Predicted Outturn at 31 March 2009 and Medium Term Financial Strategy 2009/10 to 2011/12.

Members discussed the report that had been submitted to the Cabinet on 31 March 2009 dealing with the predicted revenue outturn for 2008/09 and revisions to the Medium Term Financial Plan.

It was noted that as part of the planned efficiency savings a sum of £2.3m had been included under containment of volume growth. This related to demographic changes which had normally be automatically included within the budget for Adult Social Care. Additionally the Communities and Local Government element of the Area Based Grant would include from 2010/11 the supporting people grant. This would be 5% less than that received in 2009/10.

The Committee was advised that the increased area based grant figure from Communities and Local Government for 2010-11 was due to the implementation of the Supporting People grant. It was however noted that in the future one single grant would be received from central government and not its various departments and it would be down to the Council to decide where the money should be allocated.

The Vice Chairman wished to place on record the Committee's thanks and appreciation to the Director of Resources, Head of Financial Management and the Cabinet Member for Residents, Recourses and the Fire Service for their support in providing good quality budget data to the Scrutiny Committee. This had enabled a better understanding of the key issues involved.

RESOLVED

THAT the report be noted.

77. Undercliff Drive Implementation Plan – Monitoring Report

Members considered the quarterly monitoring report on the actions that were being undertaken in connection with the Undercliff Drive Implementation Plan. All actions had now been completed apart from the review of the Risk Management Policy and Strategy which was due to be dealt with by the Audit Committee at its June 2009 meeting. It was therefore intended that this would be the last occasion that a monitoring report would be submitted to the Committee.

RESOLVED

THAT the Monitoring Report be noted.

78. Review of Overview and Scrutiny Arrangements

The Committee reviewed the Council's arrangements for overview and scrutiny in the light of experience over the previous four years and the implications of recent and proposed legislation. Members believed that it was important that their views on a possible future structure should be presented to the meeting of the Annual Council following the June elections.

Members accepted that the workload for a single Scrutiny Committee was proving to be too great thereby diluting its ability to provide a constructive challenge across all service areas. It was felt that having a number of service orientated panels working under a main co-ordinating committee would enable a more focussed and effective approach.

A range of options were considered together with their relative advantages and disadvantages and resource implications. The favoured option retained a similar structure to the current arrangements, provide a strong link with the Eco-Island themes and a more effective strategic engagement.

Additionally the view was expressed that the main Co-ordinating Committee, or the scrutiny committee dealing with the overall Council budget, should be chaired by a member from an opposition.

With regard to training it was noted that there would be an initial member induction programme and that this would be followed up with more specific training during the four year period.

RESOLVED TO RECOMMEND TO FULL COUNCIL

- (a) THAT the structure for overview and scrutiny should be amended to have an Overview and Scrutiny Corporate and Co-ordinating Committee supported by :-
 - (i) Children and Young People Overview and Scrutiny Panel;
 - (ii) Adult Social Care, Health and Housing Overview and Scrutiny Panel (would also form the Health Scrutiny Panel);
 - (iii) Environment, Transport and Infrastructure Overview and Scrutiny Panel;
 - (iv) Fire and Community Safety Overview and Scrutiny Panel (would also form the Crime and Disorder scrutiny body).
- (b) THAT consideration should be given to the Chairman of the Overview and Scrutiny Corporate and Co-ordinating Committee coming from an opposition group.

79. **Forward Plan**

The Chairman commented that over the past year there had been an improvement in the Forward Plan. There was still some concern however as to the number of items that became deferred to a later date and remained on the Forward Plan with no realistically achievable re-scheduled anticipated date.

Members were keen to emphasise the need to achieve a reasonable balance of items for a meeting of Cabinet / Full Council should be targeted thus avoiding having far too many items going to one particular meeting or a number being delayed to another meeting.

The Chairman also advised that the process by which she was kept advised of omissions from the Plan had improved.

Officers were requested to make sure that the distribution list for the Forward Plan included all Town and Parish Councils.

RESOLVED

THAT Committee Services ensure that all Town and Parish Councils are included on the distribution list receiving the Forward Plan on a monthly basis.

CHAIRMAN