

PERFORMANCE SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 18 February 2016 commencing at 10.00 am and finishing at 3.33 pm

Present:

Voting Members:	Councillor Liz Brighthouse OBE – in the Chair
	Councillor Neil Fawcett (Deputy Chairman)
	Councillor Lynda Atkins
	Councillor John Christie
	Councillor Yvonne Constance OBE
	Councillor Janet Godden
	Councillor Mark Gray
	Councillor Steve Harrod
	Councillor Sandy Lovatt (In place of Councillor Stewart Lilly)
	Councillor Charles Mathew
	Councillor David Williams (In place of Councillor Sam Coates)
Other Members in Attendance:	Councillor Glynis Phillips (for Agenda Item 7)
	Councillor Roz Smith (for Agenda Item 7)

Whole of meeting	John Courouble, Research Intelligence Manager; Sue Whitehead (Corporate Services)
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Part of meeting

Agenda Item	Officer Attending
5	Jim Leivers, Director for Children's Services, Lucy Butler, Deputy Director, Children's Social Care YOS, Rebecca Matthews, Interim Deputy Director Education & Early Intervention
6	Belinda Dimmock-Smith (Corporate Services)

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

14/16 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were received from Councillor Sam Coates (Councillor David Williams substituting) and Councillor Stewart Lilly (Councillor Sandy Lovatt substituting).

15/16 MINUTES

(Agenda No. 3)

The Minutes of the meetings held on Thursday 17 December 2015, Thursday 7 January 2016 and Thursday 4 February 2016 were approved as a correct record and signed.

16/16 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

The Chairman had agreed the following requests to address the meeting:

Item	Table
5 – Proposed Future Arrangements for Children’s Services	Charlie Payne, Service User
7 – Headington Pipeline	Andrew Dickinson - local resident Ian Busby – local resident (did not attend) Patrick Coulter - Chair of Headington Action and chair of Highfield Residents Association District Councillor Ruth Wilkinson Councillor Roz Smith Councillor Glynis Phillips

17/16 PROPOSED FUTURE ARRANGEMENTS FOR CHILDREN'S SERVICES

(Agenda No. 5)

At its 23 February meeting Cabinet will consider a report on the proposed future of Children, Education and Family Services including children's centres and early intervention services. The report and associated papers were considered by Performance Scrutiny Committee members.

Charlie Payne, speaking as a service user, highlighted the information she had provided to members. She referred to page 108 of the report which illustrated the public rejection of the options proposed. She believed that the report failed to consider the consultation and failed to take an evidence based approach and the recommendations should be rejected. She would wish to see economic modelling and use made of the Evaluation of Children’s Centres in England Research Report. Consideration should be given to keeping all the centres open on reduced hours, if necessary’ until such time as funding can be found to return them to current levels of service.

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Responding to questions from members Charlie Payne explained what she meant by economic modelling and the evidence that she felt the Council needed to consider in reaching a decision. She felt that the Council needed to understand the impact of their decision on other services. Referring to the numbers responding to the consultation she commented that as a percentage of users of children's centres it was significant (10%) and that the consensus was to reject the proposals.

Jim Leivers, Director for Children's Services, Lucy Butler, Deputy Director, Children's Social Care YOS, Rebecca Matthews, Interim Deputy Director Education & Early Intervention presented the report and associated papers, explaining the context of the proposals and the approach taken including the role of the Cabinet Advisory Group.

During lengthy discussion Performance Scrutiny Committee:

- Thanked officers for their work in developing the proposals and undertaking the extensive consultation, and to those who responded to the consultation with their views and ideas for maintaining services.
- Recognised the financial and demand imperatives for delivering the service in a different way, and supported the overall focus on the County Council's statutory responsibilities and services to the most vulnerable.
- Noted that Council has agreed both a temporary £1m of 'pump priming' funding for local groups who may wish to take on the running of current universal services, and £2m of additional core funding towards children's centres and early intervention hubs (i.e. a reduction in the long-term savings target from the previously proposed £8m to the originally agreed £6m).

Performance Scrutiny Committee AGREED to:

- Ask Cabinet to ensure that the additional funding over and above what was anticipated in preparing officer recommendations should be used to retain as many services as possible in appropriate locations, with as much open access provision as possible.
- Request that this is delivered through the undertaking of a "service and geography gap analysis" which identified those areas and service users who would be most disadvantaged by the current proposed pattern of provision.
- Suggest that the deployment of the additional funding should be used in a way which reduces compulsory redundancies, both to reduce the cost to the authority and to retain the most skilled and experienced workers.
- Recommend Cabinet to incorporate all of Paragraph 72 of Annex 4, into the recommendations so that with the possible support of the £2m some universal services which could include health visiting services can be maintained in the childcare settings.
- Support the ambition of any local areas, voluntary groups, district, town, and parish councils, and independent providers who wish to operate a children's centre which would otherwise close with no, or significantly reduced, council funding.

Performance Scrutiny Committee further commented that they would also welcome:

- An emphasis on the full age range of children and young people being supported by the service, in order that 'early help' is delivered across the 0-19 age range and youth engagement is maintained.
- Written clarity around the costs of, and service provided, by the bus-based outreach service, whose work members support.
- A briefing on any legal or central government challenge which has been presented to other local authorities who have undertaken the closure of children's centres.
- Further information around how the process for engaging with organisations and groups exploring alternative models of provision will be structured.

In addition to a discussion focused around changes to the public-facing service Performance Scrutiny Committee also discussed the council's role in education, and action on safeguarding. On these issues Performance Scrutiny:

- Affirmed the desire for Education Scrutiny Committee to organise a member briefing on school attainment and the council's remaining role.
- Remained concerned that Oxfordshire may "lose out" as a result of a weakened relationship with schools, and asked that education-related policy form part of devolution discussions.
- Thanked officers involved, and praised the improvements to safeguarding provision including the opening of new local residential provision, and the authority's work with "NEET"s.

18/16 MANAGING THE BUSINESS 2016/17: OUR APPROACH TO BUSINESS MANAGEMENT

(Agenda No. 6)

Performance Scrutiny Committee considered a report that provided an overview of the proposed approach to reviewing the business monitoring framework for 2016/17. Belinda Dimmock-Smith, Policy & Performance Officer attended for this item and highlighted that the approach will restructure the framework around priorities, will reduce the number of targets but be more outcome based; targets would be better profiled across the year; there would be the ability to escalate issues outside the targets as necessary and there would be improved integration between performance, finance and HR.

The Performance Scrutiny Committee AGREED the proposed approach to business management for 2016/17 and in particular:

- expressed interest in the use of Task & Finish Groups as a way of undertaking some of the 'deep dives' into specific issues;
- agreed to a smaller number of outcome measures and welcomed the opportunity to feed into discussions on those to ensure the breadth of council services is covered; additionally the Committee would like the framework to include consideration of complaints;

- welcomed the opportunity to receive 'escalation' of any 'business as usual' performance matters (they saw this as a safety net around the smaller number of corporate measures);
- agreed that the list of statutory functions (as listed in the Corporate Plan) be extended to include school places, SEN, school improvement in maintained schools measures; and
- the Committee would want assurance that financial risks are escalated from Audit & Governance Committee if impacting on performance.

19/16 HEADINGTON PIPELINE

(Agenda No. 7)

Hospital Trust (OUHT), are proposing to upgrade their heating and hot water systems at the John Radcliffe and Churchill Hospitals. This innovative scheme seeks to transfer heating via new pipelines along the public highway connecting the two sites.

Upon these works being made public, significant concern has been raised by both the Local County and City Councillors, and residents, about a number of issues. The Committee had before them a report that addressed the County Council role in allowing this work to commence. In particular the report set out the powers available to and the responsibilities of the County Council, the chronology of events and suggested some changes to improve those processes.

Patrick Coulter, Chair of Headington Action and Chair of Highfield Residents Association expressed his concerns with the process so far and the impact on the Council's reputation. He highlighted weaknesses he saw in the role of the County Council as lead co-ordinator and called for improvements to joint working, guidance and training. Responding to a question from a member Mr Coulter stated that he had first met with City Council officers in October but on contacting the Trust he had been told only that a press release would be available in November.

Mr Dickinson, a resident of Stapleton Road, one of the roads directly affected as a result of the Council's decisions outlined his concerns. Referring to the report he acknowledged that there had been engagement up to 28 October 2015 but that there had been defects in the process thereafter. He argued that no licence should have been granted when essential information was not provided and no application was available.

District Councillor Ruth Wilkinson, speaking as a Headington councillor highlighted that in view of the congestion problem in the area at peak period effective traffic management was key. She asked that lessons be learnt to prevent a repeat of the situation and outlined suggestions for improvement, suggesting that the recommendations in the report were insufficient.

Councillor Roz Smith, speaking as a local councillor stressed that for her the issue was all about communication. The work was a big project for the Trust and she had learnt about it in a meeting on another matter. She referred to the disruption caused to residents and visitors to the hospital by S50 Notices and argued that given the numbers affected it had been a key decision. She welcomed that a liaison group had now been set up but felt that problems could have been avoided if better procedures

had been in place. She suggested that Audit & Governance Committee be requested to look at S50 Notice procedures.

Councillor Phillips, speaking as a local councillor thanked officers for the report and the explanation it contained. She queried how it could have happened without communication and regretted the loss of trust that it had caused. She suggested that no S50 notice be issued until local representatives (including local councillors) had been consulted in a meaningful way at the appropriate time and suggested that the length of road referred to as requiring notification be changed to 100m from 300m and the wording be changed so that it is and/or a full road closure. In response to a question she commented that it would be impractical to put a time limit on road closures as it could not be known what would be found when the digging started.

Mark Neil, Interim Head of Estates and Mark Mansfield, Director for Finance, OUHT detailed the background and context to the application and decision. They outlined the reasons behind the project and the business process that it had followed. They advised that Vital Energi had been procured as a partner and referred to their respective roles within the project. They regretted that the process of consultation had not taken place as it should and stated that they had apologised on a number of occasions. They accepted that there were lessons to be learnt. Mike Cook, Vital Energi added that Aviva owned the pipeline but that they were carrying out the works. This was the reason Aviva were named on the documents. Responding to questions from members, Mike Cook explained the current position on planning applications for the project.

Sue Scane, Director for Environment & Economy, Steve Smith, Network & Asset Management Team and Nick Graham attended to present the report. Steve Smith acknowledged that the matter could have been handled better with regard to communication but that fundamentally they had fulfilled their role in the process. He explained that role in respect of S50 notices and stressed the exceptional nature of this project. Nick Graham confirmed the nature of the role of the County Council as a co-ordinator to ensure minimum disruption given a number of works to be undertaken. It was about scheduling. Referring to the suggestion made by Councillor Phillips on imposing a condition on the licence he believed that it would be open to challenge. However he recognised the importance of communications with local councillors and that officers should be engaging with them. He added that a protocol existed on member engagement. Responding to comments he confirmed that the decision had not been a key decision.

During further questioning and discussion the Performance Scrutiny Committee:

- explored the reasons why the decision had been taken in the way it was and to the timescales set out in the report;
- expressed concern over the definition of what constituted a key decision and whether it was right that decisions relating to a major project could be broken down into separate notices and thus not be considered as a key decision: the Committee recommended that Audit & Governance Committee request officers to review the definition and interpretation of key decisions;

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- • stressed that in future officers must err on the side of informing councillors to avoid a similar situation; Sue Scane undertook to consider how local councillors could be informed of S50 notices in their area.
- in noting that there was protocol on member engagement the Committee requested that the Audit & Governance Committee look at the effectiveness of the protocol generally.

The Performance & Scrutiny Committee AGREED to:

- (a) note the report and its conclusions;
- (b) recommend to the Director of Environment and Economy in conjunction with the Cabinet Member with responsibility for highways to action the proposed recommendations for changes to process in this report; and
- (c) request the Audit & Governance Committee to look at the effectiveness of the protocol on member engagement and to ask officers to include a review of key decisions in the next constitutional review.

..... in the Chair

Date of signing

2016