

## PSC3

### PERFORMANCE SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Thursday, 12 March 2020 commencing at 10.00 am and finishing at 12.45 pm

**Present:**

**Voting Members:** Councillor Liz Brighthouse OBE – in the Chair  
Councillor Jenny Hannaby (Deputy Chairman)  
Councillor Nick Carter  
Councillor Mike Fox-Davies  
Councillor Tony Ilott  
Councillor Liz Leffman  
Councillor Charles Mathew  
Councillor Glynis Phillips  
Councillor Judy Roberts  
Councillor Michael Waine  
Councillor Jeannette Matelot

**Officers:**

Whole of meeting Colm Ó Caomhánaigh, Committee Officer

Part of meeting

**Agenda Item**

	<b>Officer Attending</b>
5	Stephen Chandler, Corporate Director for Adult Services; Vince Clark, Service Improvement Lead; Jayne Howarth, Head of SEND; Stephen Fairhurst Jones, Senior Policy Officer
5, 6	Nick Graham, Director of Law and Governance; Robin Rogers, Strategy Manager
7	Rob MacDougall, Chief Fire Officer; Don Crook, Organisational Risk & Assurance Officer
8	Andrew Colling, Head of Quality and Contracts

*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.*

#### **13/20 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS** (Agenda No. 1)

There were no apologies for absence from Members of the Committee.

**14/20 DECLARATIONS OF INTEREST - GUIDANCE NOTE ON BACK PAGE OF THE AGENDA**  
(Agenda No. 2)

There were no declarations of interest.

**15/20 MINUTES**  
(Agenda No. 3)

The minutes of the meeting held on 4 February 2020 were approved and signed with the addition of apologies from Councillor Charles Mathew.

**16/20 BUSINESS MANAGEMENT AND MONITORING REPORT - JANUARY**  
(Agenda No. 5)

Robin Rogers introduced the report. The Chairman asked that the recommendation for this report, and future reports, be amended to include reference to the Committee's role in bringing issues to the attention of the Cabinet.

**Delayed Transfers of Care**

Stephen Chandler described three main reasons for the lack of improvement in the situation. He believed there was an over-reliance on bed-based support. Oxfordshire has more people in hospital and care home beds than would be expected given the demographics. The Council is working with clinical staff and social workers to ensure that the risks of hospital care as against home care are properly assessed, taking into account the negative impact that can result from long stays in hospital.

The second issue is that the HART reablement system has lower outcomes than are seen nationally. A very high number of people are sent there for reablement and in some cases it may be inappropriate, for example those who really need end-of-life care.

The HART contract ends in September and work has started on recommissioning including visits to other parts of the country to study systems with good outcomes. In the meantime, the Council is challenging the procedures surrounding discharges.

The availability of home care is the third issue. Although the rate of pay is good, the workforce is simply not there with almost 100% employment in Oxfordshire. The Council is switching to a strengths-based approach to ask people what they think they need themselves. The hope is to avoid people receiving more support than they actually need.

The figures will not improve quickly. Some improvement should be seen in six months or so but the new contract will not have a big impact until this time next year.

Stephen Chandler responded to Members' questions as follows:

## PSC3

- Not every care home will be capable of providing end-of-life care but the Council is willing to discuss this.
- Even though the current system is not improving, the Council will continue to work with the trusts as it cannot afford to lose the skills and expertise that they have.
- While there may be problems in the counting of cases and assigning responsibility, that does not change the overall picture. The goal is to have people in the right place with the right care. The Council will challenge every discharge plan to ensure that anyone who can go home with the right level of support can do so.
- Improvements that should be seen in the next six months would be: getting people home quicker, fewer going through HART and more support from Age Concern to help people at home.
- The new contract will insist on transparency in regard to the pay rates paid by providers.
- The draft contract will be brought to the Committee for Members' input.

Councillor Glynis Phillips urged that the new money coming into the NHS be invested in increasing clinical staff in the community to support the shift away from hospital beds to better care at home.

### **Covid-19**

Stephen Chandler gave an update on the situation. It is not known when the number of cases will spike but it is likely to be in the next two to four weeks. Discussions are taking place with providers to ensure staffing and equipment are available. Government and Public Health England advice is being followed. Guidance has been provided to care workers. No payments will be stopped – any adjustments necessary will be made afterwards.

### **Children's Services**

Vince Clark gave apologies from Lucy Butler, Corporate Director for Children's Services, and provided an update on issues in that directorate.

Family Safeguarding Plus is on target to go live towards the end of June. This is a major service change and the impact will be seen within 8 to 12 months.

The increase in the numbers of Looked After Children has levelled off but the complexity of needs remains high. Foster home placements are used where possible. In-house residential placements are being used to capacity with additional private capacity being used. Crisis beds are not registered children's homes but are only used as a last resort.

Vince Clark responded to issues raised by Members as follows:

- While some private providers may give better value, all services are regulated and monitored by Ofsted. The Council prefers to place with providers rated 'good' or 'better'. However, a provider could be downgraded in which case the Council works with them to make improvements.

## PSC3

- Unregistered placements are monitored by senior managers on a daily basis. Unregistered placements require 'pop up' provision (e.g. a hotel) that require 2:1 staffing arrangements around the clock. Unregistered placements occur when the young person's behaviour mitigates against an appropriate placement being found (for example they present a significant risk to other young people placed with them).
- Fostering provision has declined since 2014 but payments have recently been enhanced and we anticipate an increase in applications to become a foster carer.
- Some children and young people are unable to be placed in a substitute family placement (e.g. fostering) and therefore have to be placed in a residential placement or other suitable provision. The reasons for young people being placed in residential vary but they include violent or aggressive behaviour, breakdown in foster placements, managing extreme harm to self or others, managing the risks related to sexually exploitation, requirement for specialist therapeutic placement (e.g. managing sexually predatory behaviour), criminal behaviour and fire setting.
- Independent providers can mean that the child is placed out-of-county.

The Chairman asked for a briefing on the breakdown of placements with reasons and costs. Vince Clark agreed to provide this.

### Education Health and Care Plans

Jayne Howarth provided an update. There was a 30% increase in applications for EHCPs in 2019 – way above the prediction. This created a timeliness issue. The Educational Psychologist service was only able to report on 26% of cases within the 6 week target which delayed the completion of EHCPs. An action plan was implemented and the figures for March have improved dramatically.

This February there has been a large increase with 95 applications received. The peak is usually in June/July so this has caused concern about this summer. Cabinet has given additional money and recruitment has started.

Members raised a number of points and Jayne Howarth responded as follows:

- The schools with high rates of requests for EHCPs are being challenged. About 50% relate to Year 5 students looking for special schools when transferring to secondary.
- A Cabinet proposal for more early intervention was agreed. The Council is working with Hampshire and Norfolk on this and benchmarking against them.
- There is concern that those attending independent out of county special schools can lack basic independence skills when they leave – such as using public transport.
- The proportion of children in Oxfordshire with EHCPs is 2.5% while the national average is 3.1% and the South East Region average is 3.3%. Oxfordshire still has a high number of children on SEN Support.

Councillor Michael Waine expressed disappointment that there has been no update to wording in the corporate plan with respect to the council's relationship with schools, as discussed in the Committee. He asked Robin Rogers to take this up.

## PSC3

The Chairman and Councillor Michael Waine, Chairman of the Education Scrutiny Committee, agreed to meet and see what information is needed for the committees to scrutinise this issue. They will then work with officers on a prospectus for a joint working group and ask Members who is interested in participating.

### **Other issues**

The Chairman noted that the Growth Deal had the highest risk rating. She asked for the figures behind the commentary. Councillor Liz Leffman asked that figures for social and affordable houses be provided.

Councillor Charles Mathew asked for more information on the 80% target versus the 20% rate under “rate of delivery against the Growth Deal infrastructure programme”. Stephen Fairhurst Jones agreed to get answers on that.

Councillor Nick Carter asked about a number of areas of overspend and underperformance such as Community Operations, the Parking Account and Debt and Loan Write-offs. It was agreed to take these issues at the next Committee meeting and to focus on Environment and Economy.

**RESOLVED: to note the report and consider any matters for future attention by the Committee or by the Cabinet.**

### **17/20 FUTURE OF THE JOINT AUDIT & GOVERNANCE AND PERFORMANCE SCRUTINY (TRANSFORMATION) SUB-COMMITTEE** (Agenda No. 6)

The proposal that future oversight of matters that were part of the Transformation Programme should revert back to the two parent committees was agreed. The implications of this to be discussed under the Work Programme item.

**RESOLVED: to**

- a) **agree, in conjunction with the Audit & Governance Committee, that the work of the Transformation Sub-Committee is complete in having overseen the start-up phase of the council’s Transformation Programme and that future oversight now reverts back to its two parent committees; and**
- b) **consider on an ongoing basis which specific change activities it wishes to include on its forward plan.**

### **18/20 COMMUNITY RISK MANAGEMENT PLAN (CRMP)** (Agenda No. 7)

Rob MacDougall and Don Crook introduced the report and responded to Members’ questions as follows:

### PSC3

- The Fire Service will only respond to calls relating to people being locked in or out of buildings or cars in cases of emergency, such as a child being locked inside a house.
- There were only a few incidents related to the recent flooding and figures would include all water rescues.
- The service is developing a long-term property plan. The risk profile has been completed. It is accepted that some buildings are very old. Crews have in some cases agreed to “spruce up” stations themselves.
- Project 5 – Establishing Community Safety Advocates or Wardens is a pilot project in Henley. There are other local projects such as ‘adopt of village’ in Banbury where members of the service attend parish council meetings for example.
- With on-call staff it is understood that the first two years are crucial. If they stay after that then they are likely to stay long-term.
- A recruitment for whole-time staff will be launched on Monday. It is hoped that this will improve diversity in the service. There should be 12 to 16 apprentices in place by September.
- The service in Banbury has been working with the local mosque including holding a have-a-go day there. As a consequence, issues of specific concern to the Muslim community that may act as a barrier to recruitment have been identified. Facial hair is also an issue with breathing apparatus and the service is talking to manufacturers about this.
- The annual report will include recruitment data, an update on the Henley pilot and a report on the volunteer coordinator role.

Members thanked the officers for their work on behalf of residents.

**RESOLVED: to accept the projects and adopt in the final version of the CRMP Action Plan 2020-21.**

#### **19/20 MILTON HEIGHTS CARE HOME** (Agenda No. 8)

Andrew Colling gave a verbal update. There are 14 users of the residential service and 72 users of the day service. Most are Oxfordshire residents but some come from outside. Hft gave notice to close at the end of March. That has been pushed back a little but alternative services must be found by 13 April. The day service will continue until 31 May.

A project group was set up and assessed everyone in the residential service and has identified alternatives for all but one user. All those using the day service have been contacted and all have made alternative arrangements.

For others with families the Council is confident the target date will be met. There is a strong support group which met on 14 February.

Councillor Jenny Hannaby stated that the situation was very upsetting. Some service users had been there 25 years. She confirmed that parents were pleased with the Council’s involvement and with the alternative arrangements made. There were still some monetary issues to be resolved but staff had worked very hard on this.

**PSC3**

Councillor Mike Fox-Davies expressed disappointment that he had not been informed by the Council although his division was affected. Andrew Colling accepted that there had been a delay in that.

The Chairman thanked staff for their work on this matter.

**20/20 WORK PROGRAMME**

(Agenda No. 9)

The following changes were agreed to the Work Programme:

**14 May 2020**

- Safeguarding Missing Children
- Educational Health and Care Plans
- Commercial Development, Assets and Investment
- Workforce – capacity and recruitment
- IT Strategy

This meeting may need to continue into the afternoon.

**9 July 2020**

- Oxfordshire Local Transport and Connectivity Plan including NO2 emissions
- Housing Delivery
- Use of S106 monies.

**10 September 2020**

- Children’s Services

..... in the Chair

Date of signing ..... 2020