

## PERFORMANCE SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Thursday, 5 July 2018 commencing at 10.00 am and finishing at 1.20 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 Charles Mathew  
Councillor Glynis Phillips  
Councillor Emily Smith  
Councillor Michael Waine  
Councillor John Howson (In place of Councillor Liz Leffman)

**Other Members in Attendance:** Councillor Steve Harrod (for Agenda Item 6)

**By Invitation:** Chris Ingram, Oxfordshire Association of Care Providers; Helen Sanderson, Chief Executive Helen Sanderson Associates.

**Officers:**

Whole of meeting Katie Read, Senior Policy Officer; Colm Ó Caomhánaigh, Committee Officer

Part of meeting

| <b>Agenda Item</b> | <b>Officer Attending</b>  |
|--------------------|---|
| 6                  | Lucy Butler, Director for Children's Services; Clare Rowntree, Strategy Manager; Neil Darlington, Strategic Lead for Vulnerable Learners. |
| 7                  | Kate Terroni, Director for Adult Services   |
| 8                  | Ben Threadgold, Policy and Performance Service Manager  |
| 9                  | Robert MacDougall, Assistant Chief Fire Officer   |
| 10                 | Paul Fermer, Service Manager – Major Infrastructure Delivery; Steve Smith, Head of Commissioning  |

*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.*

### **35/18 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 1)

Apologies were received from Councillor Liz Leffman (substituted by Councillor John Howson) and Councillor Liam Walker.

### **36/18 DECLARATIONS OF INTEREST - GUIDANCE NOTE ON BACK PAGE OF THE AGENDA**

(Agenda No. 2)

There were no declarations of interest.

### **37/18 MINUTES**

(Agenda No. 3)

The minutes of the meeting on 24 May 2018 were approved and signed as a correct record.

Councillor Nick Carter apologised for not having a report from the 'deep-dive' on young carers but it had proven to be difficult to get all the relevant people together. He assured the Committee that he will have a report for the 12 September meeting.

### **38/18 PETITIONS AND PUBLIC ADDRESS**

(Agenda No. 4)

A request was received from Councillor Emma Turnbull to speak on Item 6 – Call-in of a decision by the Cabinet: Home to School Transport and Travel Policy. It was agreed to receive her presentation at the start of that item.

### **39/18 FOR INFORMATION: EQUALITIES ACTION PLAN**

(Agenda No. 5)

The Chairman stated that the plan was included in the agenda for information purposes so that Members could keep it in mind when discussing all the issues that come before it.

### **40/18 CALL-IN OF A DECISION BY THE CABINET: HOME TO SCHOOL TRANSPORT AND TRAVEL POLICY**

(Agenda No. 6)

Councillor John Howson stood aside as a Substitute Member of the Committee for this item in order to represent the Education Scrutiny Committee in the discussion.

Councillor Emma Turnbull stated that there was a gap between the text of the policy stated and the verbal assurances given at the Cabinet meeting by the Director for Children's Services, in particular that no child would fail to have a post-16 placement at an appropriate school or college because of transport costs. Councillor Turnbull said that the policy should not be about the nearest available school place but should be about the appropriate placement for a child's needs. Applying the same rules as for mainstream transport is not being fair to children with Special Education Needs.

She also expressed concern about the financial burden some families would face as a result of the policy change and that parental choice has been taken away as families are obliged to accept the SEN school place allocated to them.

Councillor John Howson, Vice-Chairman of the Education Scrutiny Committee outlined the reasons for the Call-in. He stated that interpretations of the policy given by the relevant Director at the Cabinet discussion had not been available to the Education Scrutiny Committee when it discussed the policy. Various funds were referred to as possible sources of funding for home to school transport but some were discretionary and limited or may be used already for respite care or after-school activities. It was unclear what parents should do to access the various sources of funding.

Councillor Steve Harrod, Cabinet Member for Children and Family Services, stated that there had been poor communication on this highly contentious issue. He had been originally against the proposals but on hearing the points made by the relevant officers he had changed his view. The current policy had been interpreted generously but the Council could no longer afford that. Some changes to the policy simply sought to state the rules more clearly. Other changes were made to the way in which existing provision will be funded. The costs of implementing the changes will be only marginal as most of the system is already in place. He gave reassurances that no child would be left stranded as a result of the change in policy, but post-16 children would be able to apply for bursaries from their school or college to help their families meet the cost of transport.

A number of Members stated that they had been told by Headteachers that bursaries were being fully utilised already and if funds are drawn down for school transport then they will be diverted from other uses such as access to after-school clubs. Concern was also expressed that, while £700 may seem a small amount to some, for many families it may be “the straw that breaks the camel’s back”.

Councillor Harrod; Lucy Butler, Director for Children’s Services; Clare Rowntree, Strategy Manager and Neil Darlington, who was Admissions and Transport Services Manager when the policy was drafted, responded to Members’ questions as follows:

- Currently if a child’s Education Health and Care Plan specifies a school, the Council will pay for transport there. If a parent does not send their child to the nearest school the Council does not pay. None of this will change.
- The majority of post-16 SEND students can apply for bursaries to meet transport costs and it is envisaged that most will be successful.
- There are already officers working with parents of SEND children and they have the capacity to deal with the issues arising out of the policy changes.
- The changes will not come into effect until September 2019 and the Council will work out issues with schools in the meantime.
- If parents are not successful accessing bursaries then the Council will assume the family needs assistance and look to fund the young person’s transport. The Council has an obligation to ensure that everyone is treated equitably.
- Central government does not provide funding to local authorities for home to school transport for post-16 students. This Council has been providing funding anyway but can no longer afford to do so.

- If parents get Universal Credit then the Council already funds the transport.
- Council officers understand the extra stresses experienced by parents of SEND children and will support them in these changes to policy. They are also working with special schools to understand the broader impacts of the policy change on them.
- It is estimated that parents of around 240 post-16 children could contribute £700 to transport. The rest of the £300,000 saving will be made by other measures such as more efficient route planning.
- Additional money has been made available to fund 2 full time equivalent travel trainer positions who will work with 30 to 40 young people with SEND each year to ensure they can travel independently safely.
- While free transport will only be provided to and from home addresses, officers will take special cases into account such as separated parents.

Councillor Michael Waine stated on behalf of the Education Scrutiny Committee that their comments were not referred to at the Cabinet discussion. He believed that the proposals were overly bureaucratic.

Councillor John Howson stated that the Education Scrutiny Committee's questions had not been satisfactorily answered. There was still a great deal of confusion. It appeared that parents would be faced with the prospect of paying for transport and hoping that they would be refunded from bursaries.

Following consideration, the Committee AGREED to refer the decision back to Cabinet on the grounds that insufficient information has been available on the impact of the proposals.

#### Summary of the Material Concerns

- a) There is insufficient information about the impact of the Policy change on the families of post-16 SEND children and on their education.
- b) The capacity of schools' and colleges' discretionary bursaries to fund additional requests for support with transport costs is not well understood, including whether this will divert funding from support to meet other needs of SEND children.
- c) There is a lack of clarity about the number of children expected to have their transport funded through bursaries and how this relates to the anticipated savings.
- d) There is insufficient information about the costs of implementing the Policy change and a breakdown of how the £300,000 saving will be achieved.
- e) The effect of the change on the Council's duties in regard to participation of all post-16 students is not clear.

## **41/18 ADULT SOCIAL CARE WORKFORCE**

(Agenda No. 7)

Councillor John Howson resumed his place as a Substitute Member of the Committee.

Kate Terroni, Director for Adult Services, introduced representatives of two providers of adult care services: Chris Ingram, Chief Executive of Style Acre and member of the Board of Directors of the Oxfordshire Association of Care Providers and Helen Sanderson, Chief Executive of Helen Sanderson Associates. They gave a presentation on the current workforce issues.

Housing was identified as the biggest problem for recruitment with Oxford being the most expensive area outside London. Care providers find it difficult to compete, with the retail sector now paying higher rates. The uncertainty around Brexit has led to a drop off in new applicants from EU states though it is not expected that current staff will leave.

Despite the pressures, feedback from those receiving care is largely positive. The latest recruitment campaign has been very successful. Measures are being taken to make care jobs more attractive providing better development opportunities, eliminating split shifts and improving team support.

The three presenters responded to Members' questions as follows:

- Regarding the diversity of new recruits, 20% of the first Wellbeing Team are Black or Minority Ethnic (BME). 20% of applications were from men with two waiting for posts.
- Attracting men is a challenge and they can have an important part to play as a role model.
- All volunteers are DBS checked and Chris Ingram stated that he has had no safeguarding issues with any volunteers. Many report that it has enriched their lives.
- There have been meetings with OxLEP on the affordable housing issue and there are proposals in the new Growth Deal. Kate Terroni said that she would be happy to come back to the Committee on this issue.
- It would help if social care had a recognisable brand similar to the NHS.
- An analysis of the employment market is currently being undertaken to determine options. It is expected that recommendations will be made in the autumn to be implemented from April 2019.

Members suggested that local councillors could be a useful resource for care providers given their local knowledge.

The Chairman thanked the Director and the guests for the presentation which very clearly explained the challenges and how they are being tackled.

**42/18 OXFORDSHIRE COUNTY COUNCIL CORPORATE PLAN 2018-2021 AND OUTCOMES FRAMEWORK**  
(Agenda No. 8)

Ben Threadgold presented the report and circulated a printed copy of the final version to go to Council. He thanked the working groups for their input and drew the Committee's attention in particular to the summary of outcomes on page 105 of the agenda. Many of the indicators are broader than the County Council. These will provide an evidence base against which RAG ratings can be provided.

Members complimented the plan and the in-house design of the document. It was agreed that it should be primarily accessed on-line. Libraries could print off copies if members of the public wanted hardcopies.

The Chairman thanked officers for taking on board the comments of the Committee from the previous scrutiny of the plan.

#### **43/18 HER MAJESTY'S INSPECTORATE OF CONSTABULARY AND FIRE AND RESCUE SERVICES** (Agenda No. 9)

Rob MacDougall, Assistant Chief Fire Officer, introduced the report. The new inspection regime is the first for over a decade. The inspectorate will award ratings similar to OFSTED for schools. The report identifies associated risks. For example, if the service received anything lower than a 'Good' rating it could threaten non-core fire service activity. It is expected that the Oxfordshire inspection will be between October and December 2018.

Rob MacDougall responded to Members' questions as follows:

- There have been three pilot inspections so far to help develop the methodology.
- The service has had a lot of engagement with the inspectorate to ensure that they understand differences in fire and rescue services, for example between urban and rural areas.
- It is hard to quantify how much of the service's work is now in non-core services because it has become so integrated in the work of the County Council.
- The inspection will focus on fire and rescue responsibilities under current legislation. Non-core activities will only be examined in the context of ensuring that they do not interfere with core services.

The Chairman asked if the self-assessment, which will form part of the inspection, could be shared with the Committee when it is available.

#### **44/18 HIGHWAYS CUSTOMER SATISFACTION** (Agenda No. 10)

A video was played to the meeting in which Owen Jenkins, Director for Infrastructure Delivery, gave a presentation on the life of a road and the cost of upkeep.

Steve Smith, Service Manager Network Asset Management and Paul Fermer, Service Manager Major Infrastructure Delivery responded to Members' questions as follows:

- Officers would welcome a 'deep dive' on this issue and Members can also input into the latest plans and will have an input with regard to the Growth Deal funds.
- Environmental enforcement can be quite complex and officers are exploring possible technological solutions.
- Most potholes are related to road openings by utility companies. The Council conducts audits on their resurfacing work.

- Even if the white lines denoting a recorded pothole have washed away, the record will still be in the system.
- They are enabling Skanska to deal with other potholes adjacent to known potholes and two additional work gangs are being introduced for reactive work.
- Utility companies are fined if they go over the agreed time on road openings.
- The Council liaises with Highways England in agreeing diversion routes from major roads such as the A34. They need to be suitable for HGVs so sometimes the diversions can be quite long and some people may take shorter alternatives.

It was agreed that Councillor Jenny Hannaby will lead a ‘deep dive’ with a view to reporting to the Committee at its November meeting and Councillor Liam Walker will be invited to participate.

**45/18 COMMITTEE WORK PROGRAMME**  
(Agenda No. 11)

..... in the Chair

Date of signing ..... 20