

## STRATEGY & PARTNERSHIPS SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Thursday, 2 February 2012 commencing at 1.30 pm and finishing at 2.45 pm

**Present:**

**Voting Members:** Councillor Nick Carter – in the Chair

Councillor Sandy Lovatt (Deputy Chairman)  
Councillor Jean Fooks  
Councillor Norman Bolster  
Councillor Liz Brighthouse OBE  
Councillor Chip Sherwood  
Councillor David Wilmshurst  
Councillor Ian Hudspeth (In place of Councillor Dr Peter Skolar)  
Councillor Don Seale (In place of Councillor Tim Hallchurch MBE)

**Other Members in Attendance:** Councillor Keith R Mitchell CBE (Leader of the Council)  
Councillor David Robertson (Deputy Leader of the Council)  
Councillor Jim Couchman (Cabinet Member for Finance and Property)

**By Invitation:**

**Officers:**

Whole of meeting      Huw Jones (Director of Environment & Economy)  
Sue Scane (Assistant Chief Executive and Chief Finance Officer)  
Martin Tugwell ( Deputy Director Growth & Infrastructure)  
Mike Salter (Assistant Head of Property – Delivery)  
Phil Longford (Corporate Facilities Manager)  
Peter Fryer (Unison Branch Secretary)  
Julia Lim (Scrutiny Officer)

Part of meeting

*The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting [, together with a schedule of addenda tabled at the meeting/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.*

**13/12 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 1)

Apologies were received from Councillor Hallchurch (Councillor Seale substituting), Councillor Skolar (Councillor Hudspeth substituting) and Councillor Hibbert-Biles.

**14/12 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE ON THE BACK PAGE**

(Agenda No. 2)

None.

**15/12 SPEAKING TO OR PETITIONING THE COMMITTEE**

(Agenda No. 3)

None.

**16/12 FOOD WITH THOUGHT AND THE NEW PROPERTY & FACILITIES SINGLE SERVICE PROVIDER CONTRACT**

(Agenda No. 4)

The scrutiny committee had before it the report of the Director of Environment and Economy to go to Cabinet on 6<sup>th</sup> February 2012.

The committee received verbal updates from Martin Tugwell (Deputy Director Growth and Infrastructure) and Mike Salter (Assistant Head of Property Services) on the site visits to facilities already receiving services from the potential providers and feedback to date from the Schools Forum which had responded positively to the opportunity to increase accountability and transparency in any new contract arrangements.

Peter Fryer (Unison Branch Secretary) was also invited to give his views on the procurement process so far and the evidence of service provision he had seen on the site visits. He expressed his satisfaction with what he had seen and the quality of challenge provided by Oxfordshire County Council officers.

Members of the committee then asked questions.

Councillor Hudspeth asked about the performance management systems in place to ensure 100% adherence to food standards (KPI 15). He also queried why the council would share risks as highlighted in paragraph 30 of the report.

Mike Salter explained the system for daily performance reporting, monthly formal reports and financial penalties if performance issues are not resolved.

Martin Tugwell discussed the strong emphasis on service growth within the new contract as the level of take up in schools is not currently as high as the authority would like it to be. Huw Jones highlighted that the council and provider will actually share the opportunity represented by increased growth in the service, (in terms of financial paybacks), service risks sit with the provider alone.

### SYP3

Councillor Brighthouse asked if all providers were able to demonstrate, on the site visits, that they could provide meals for children aged 3-19 years? It was confirmed that this was the case.

Councillor Brighthouse also asked about the future ownership of school kitchens. Mike Salter stated that under the contract all assets would remain under the ownership of Oxfordshire County Council. If the school becomes an Academy then the assets come under their ownership.

Councillor Brighthouse drew the committee's attention to section 35 of the 2011 Education Act which gives schools more powers to set school meals prices in future and asked if this had been considered. Huw Jones (Director Environment and Economy) explained that the school meal price would be set for the first year of the contract and then reviewed (the current legal context will be taken into account at this time). The SLA agreement allows schools to individually negotiate prices based on their school and its needs.

Huw Jones committed to look further into the Education Act 2011 school meals pricing requirements and any implications for the contract.

Councillor Wilmshurst was keen to hear about the specific feedback received from service users. He also asked whether schools could pull out of the contract.

Phil Longford (Corporate Facilities Manager) highlighted some of the views given by the children he spoke to on site visits. They were positive about the daily choices provided.

Huw Jones explained that schools are able to drop out and set contract lengths they feel comfortable with. The opportunities to grow the service were stressed especially as the provider can develop a broader customer base than just schools, this builds more resilience into the contract.

Councillor Fooks expressed concern that the option of keep Food with Thought out of scope had not been sufficiently considered.

Huw Jones explained that it was agreed to look at Food with Thought in parallel with the wider Property and Facilities single service provider contract. On the basis of the quality demonstrated officers are recommending that it is in scope of the contract.

Sue Scane highlighted that if Oxfordshire County Council were to continue with Food with Thought (an internal provider) this would expose the council to considerable risk as schools become academies. Leading to there being insufficient mass to maintain the current service levels and potentially threatening other services. External provision transfers the risk.

Councillor Carter thanked the officers for their input and asked the committee to consider its comments to Cabinet.

The committee agreed the following comments to be passed to Cabinet to inform their discussion on the paper on 6<sup>th</sup> February 2012.

SYP3

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- The implications of the new school meal pricing powers under the Education Act 2011 must be considered.
- Cabinet should be confident that any provider can address the current low levels of school meals take up (based on a current county average of 33%) and is committed to growth.
- The Committee heard that the externalisation of the Food with Thought service would reduce the Council's exposure to risk as schools become autonomous Academies and potentially choose different service providers. The Cabinet should therefore:
  - (1) be satisfied that these risks would be mitigated by including Food with Thought in the Property and Facilities external services contract and the service level information given by possible providers.
  - (2) consider the impact that schools' conversion to academies (with the expectation that all secondary schools are academies by 2015) may have on the contract.

**17/12 CLOSE OF MEETING**  
 (Agenda No. 5)

2.45pm

..... in the Chair

Date of signing