

**Law and Democratic Services**  
Committee & Member Services  
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To: All Members of the Audit Committee

Please ask Steve Jones (01793 463602)  
for: email:  
stevejones@swindon.gov.uk

Dear Councillor,

**Audit Committee – Tuesday, 20 April 2010**

I refer to the agenda for the above meeting and enclose Appendix 1 in relation to the following Agenda Item:

**8. Work undertaken by other Committees (HIA-CE) (Pages 1 - 46)**

Yours faithfully,

Steve Jones  
for Director of Law and Democratic Services



**Stephen P. Taylor M.A (Oxon), Solicitor**  
Director of Law and Democratic Services



**Purpose**

- To receive a report on the work of the Committee in the period 2<sup>nd</sup> January 2010 to 31<sup>st</sup> March 2010.

**Recommendation**

- To note the proceedings of the Standards Committee held on 8<sup>th</sup> February 2010.

**1. Standards Committee Meeting– 8<sup>th</sup> February 2010**

a) Minutes

The Committee approved the minutes of the meeting held on 19<sup>th</sup> October 2009.

b) Anti-Fraud and Corruption Strategy and Whistleblowing Policy

The Committee received a report advising that the current Anti-Fraud and Corruption Strategy, Whistleblowing Policy and Fraud Response Plan were being reviewed, and the Committee made comments on the documents to be taken into account as part of the consultation. It was agreed that the results of the consultation be brought back to a future meeting, for the Committee to approve the final Strategy and Policy. The Committee also asked to receive a report on the operation of the Whistleblowing Policy during the year.

c) Standards for England Training DVD – Assessment Made Clear

The Committee deferred watching the training DVD. Instead they asked that the the Director of Law and Democratic Services arrange a dedicated training session in May or June 2010, following Annual Council, for the Committee to view the training DVD and discuss a Standards for England Case Study.

d) Ethical Framework Update

The Committee received an update on various matters relating to the Ethical Framework including:

- *Outcome of consultation and review of Codes and Protocols* – The Committee adopted the Monitoring Officer Protocol and Media Guidelines unchanged and adopted the Protocol for Member / Officer Relations and Councillor Role Definitions as amended, subject to the new Councillor Role Definitions for Chair and Members of the Planning Committee being referred to the Planning Committee for comment and being brought back to the next Committee for final approval.
- *Members Code of Conduct* – The Committee noted the delay in the outcome of the national review of Members Code of Conduct.
- *Standards Masterclass Action Plan* – The Committee endorsed the Action Plan and welcomed the progress against the targets and asked that the Director of Law and Democratic Services to report back on progress at 6 monthly intervals.

## Standards Committee Update

COUNCIL

Date: 22 April 2010

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- *Connecting People Connecting Places* – The Committee noted that no formal governance arrangements were currently required.
  - *Membership of the Standards Committee* – a) The Committee noted that the Monitoring Officer would be advertising for an independent member to take up position from May 2010, and affirmed its view that Independent Members could apply to serve more than two four years terms on the Committee, following a public advertisement of the position and interview if they wished to do so, b) The Committee recommended to Council that the membership of the Standards Committee be increased to include an additional Parish Council representative (from two to three representatives) in line with Standards for England recommended best practice, to be nominated by the Swindon Area Committee of the Wiltshire Association of Parish Councils, and to sit on the Standards Committee from May 2010.
  - *Notable Practice* - Research into notable practice within ten Local Authority Standards Committee entitled 'Assessing the Impact of Standards Committee' research outcomes was noted.
  - *Parish Council Training* – The Committee received an update on Ethical Training undertaken by Parish Councils, and asked that the Monitoring Officer follow up with specific Parish Councils where less than half had attended training, and to establish the nature of training carried out by the Parish Councils themselves.
  - *Reminders* – It was noted that reminders had been sent to members and staff to register gifts and hospitality and update registers of interests.
  - *Standards for England Bulletin Issue 46* – The contents were noted.
- e) Case Study  
The Committee explored an Appeals Tribunal decision from the Adjudication Panel for England made on 15<sup>th</sup> October 2009, regarding a case concerning Councillor Marc Cranfield-Adams of London Borough Richmond upon Thames, and how they would have approached this case. The Committee noted the outcome of the case following their discussion.
- f) Ethical Framework Compliance Update  
The Committee noted an exempt report (under Paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972) concerning the progress and outcome of various ethical framework compliance matters, including current whistleblowing, Code of Conduct Complaints and Member / Officer Protocol complaints.

### Background Papers and Information

- Standards Committee Reports and the related Minutes are available in full on the Committee and Member Information Pages of the Council's Intranet and Website ([www.swindon.gov.uk](http://www.swindon.gov.uk)) or on request from Committee and Member Services.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

**Purpose**

- To report issues considered by the Scrutiny Committee, the Health Scrutiny Committee and the Council's Overview and Scrutiny Committees, between 19 December and 1<sup>st</sup> April 2010 and, where appropriate, to report on the outcome of their deliberations.

**Minutes for Confirmation and Recommendation**

- To note the proceedings of the Scrutiny Committee, Health Overview and Scrutiny Committee and Overview and Scrutiny Committees held since the last meeting of the Council.
- There are no minutes of the Scrutiny Committee, Health Overview and Scrutiny Committee or Overview and Scrutiny Committees requiring the confirmation of the Council.

**1. SCRUTINY COMMITTEE**

**1.1 Meeting of 22<sup>nd</sup> December 2009:**

a) Consideration of Cabinet Decisions

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 22 December 2009.

*79. Swindon Single Status*

At the invitation of the Chair, Councillor Fionuala Foley, Deputy Leader of the Council, briefly outlined the reasons for the convening of a special meeting of the Cabinet on 22 December. Councillor Foley explained that, since the Council had been unable to reach agreement with the trade unions regarding the implementation of the single status pay and grading review, it had been necessary to agree revised arrangements, particularly in relation to the requirement of a formal consultation period of 90 days. Councillor Foley assured the Committee that there were no other changes and that the meeting had been convened solely to resolve an outstanding "technical issue".

Councillor Foley responded to further questions by the Chair and other members of the Committee in relation to:

- the revised car allowances scheme
- the implementation of the new structure by the formal dismissal and re-engagement of staff

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

- the Council's contingency plans in the event of industrial action in response to the new structure
- pay protection arrangements and the period of this protection
- the Deputy Leader's perception of the status of the Cabinet's relationship with the trade unions

The Committee resolved that Minute 79 of the Cabinet be noted.

**1.2 Meeting of 11 January 2010:**

a) Leader of the Council - Progress Report and Question and Answer Session

Councillor Roderick Bluh, the Leader of the Council, attended the meeting to report on the Council's progress to date in relation to its service planning and priorities for 2009/10 and beyond, as identified in his presentation to the June meeting of the Scrutiny Committee.

Councillor Bluh commented that 2009 had proven to be a very challenging year but although Swindon had felt the impact of the global economic recession, like everywhere else, the Council had continued to look forward and he felt that there had been some real successes, evidenced in the Council's achievement of its 3 star performance assessment. He reported that, prior to Christmas, the Council's fostering and adoption service had been rated as outstanding and, in the last week, its safeguarding and looked after children service had been ranked as "the best in England". Councillor Bluh paid tribute to the Group Director, Children, and his staff for their "phenomenal" work in achieving such high rankings in two of what he considered to be possibly the most difficult external inspection areas.

Although the Council's Regeneration programme had suffered setbacks due to recession, Councillor Bluh was confident that 2010 would be more positive and would see some significant delivery against the programme. He acknowledged the significant level of debate on the subject of the proposal to deliver a Wi-Fi network across the borough, particularly in relation to the decision-making process in reaching an agreement with Digital City (UK) Ltd, and reiterated his comments at the Scrutiny Committee meeting on 14 December, that the Council needed to identify additional revenue streams if it was to meet its continuing funding gap. He welcomed debate on how best to resolve issues of process that will allow the Council to take advantage of similar commercial opportunities that might arise in the future and stated his certainty that the Wi-Fi network would prove to be a great success, one that would not only produce a financial return that would underpin service delivery for the benefit of residents, but one which presented an exciting commercial opportunity for private and public sector businesses and organisations in Swindon. Councillor Bluh referred to the positive response of the national media to Swindon's participation in this venture and advised that several other local authorities had approached the Council for advice on

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

developing similar schemes. Councillor Bluh referred to the Council's continuing difficult financial position and the major cost efficiencies that had been achieved over the period of the last 5 years. He felt that, regardless of financial constraints, standards of service delivery had improved upon and commended the achievements of officers and councillors alike. However, he maintained that this practice was not sustainable in the longer term and that alternative revenue streams had to be identified. It was therefore essential, he felt, that the Council was prepared and able to pursue viable commercial opportunities, such as the Wi-Fi network, as they presented themselves.

Councillor Bluh continued his presentation, to outline the following significant achievements made by the Council in the period since June 2009, and the major challenges and service issues facing the Council in the second part of the Municipal Year.

**Achievements**

- recycling in the borough was approaching the 50% target, much better than the national average of 30%
- improved GCSE and Key Stage 2 results
  - above the national average levels of improvement – this despite the authority remaining one of the lowest funded education authorities
- 3 new primary schools delivered as well as the new Academy Campus
- new public realm works in Canal Walk and Regent Street
- major regeneration schemes due to start during 2010
- the success of the New Swindon Company
- 4 star rating achievement for the Housing Service
- progress in the development of integrated care services

**Challenges and Service Issues for rest of 2009/10 and 2010/11**

- the continuing development of Connecting People, Connecting Places
  - Swindon as the model for integrated service provision
- the delivery of a balanced budget and a fair and affordable level of council tax
  - likely to be lowest rate of council tax increase
- implementation of the Swindon strategic plan for accident reduction
- review of car parking strategy
- continuing the successful work of the Swindon Strategic Economic Partnership to combat recession
  - significant “buy-in” of local businesses
- the relocation of the Registry Office service within the civic offices
- continuation of the successful Family Life Project
  - improved outcomes for residents and reduced costs to Council and other public sector bodies as a result of the project

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- additional funding pledged for continuation of project
  - second project proposed that will target specific individuals

Councillor Bluh concluded his presentation by remarking on the Council's growing reputation as an innovative local authority, referring to the significant media coverage that the Borough had received, particularly in relation to its staging of the Radio 1 Big Weekend, the removal of speed cameras and the development of the accident reduction strategy, and the partnership with Digital City (UK) for the establishment of a Wi-Fi network. He felt the Council had been extremely successful in achieving its strategic objectives over the period of the last 5 years and he saw no reason that the Authority should not continue to be equally successful in future. Councillor Bluh thanked his Cabinet colleagues and fellow councillors, officers and public sector partners and the local business community for their part in the growing success and enhanced reputation of Swindon.

The Chair thanked Councillor Bluh for his remarks and invited members' comments on his assessment of progress and to put questions to him on some of the issues raised and of interest or concern to members.

The Chair referred to debate surrounding the Wi-Fi network. He agreed that the entire Council should be supportive of the scheme but commented on the manner in which the decision had been made and asked Councillor Bluh if he thought the decision making process could have been more transparent. Councillor Bluh responded that he agreed that more openness generally was to be welcomed but he maintained that, if the proposal had been debated in an open forum, the "deal would not have happened". He was aware of concerns about the decision making process and assured the Committee that the process would be reviewed. However, he remained convinced that the proposal, which he was sure would be to the benefit of the council and its residents, could not have been successfully concluded if it had been made public any sooner than it was.

In response to a question by the Chair, the Committee was assured that whilst SCS had been employed to deliver the installation of the necessary wireless equipment needed to deliver the Wi-Fi network there was no question of SCS entering into any kind of "joint venture agreement" with Digital City (UK) Limited.

In response to a further question by the Chair, Councillor Bluh assured the meeting that the Council would not be required to make any further financial commitment to the Wi-Fi scheme beyond the initial £450k loan.

Councillor Justin Tomlinson applauded the successes of the Council over the last five years and it's 3 star performance assessment. In respect of the Wi-Fi project, it was confirmed that the second phase rollout would be in Abbey Meads ward, commencing in February.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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Councillor Tomlinson commented that he was enthusiastic about the Connecting People, Connecting Places initiative but suggested that the proposed clusters were too large if the intention was that each should present a single “community” view, maintaining that, in some clusters, views would be simply too diverse. Councillor Bluh commented that it was not the intention that the clusters be considered a single community entity, confirming that they were, essentially, for administrative purpose and to facilitate formal decision making and that priorities would be identified through “sub-cluster” working.

In response to a further question by Councillor Tomlinson, Councillor Bluh advised that he was generally supportive of traditional sixth forms and the additional flexibility of choice that such arrangements provided.

Councillor Peter Mallinson asked if the central area car parking promotion over the Christmas and New Year holiday period had been evaluated. Councillor Fionuala Foley advised that the impact of the promotion on town centre footfall was underway. Whilst there had clearly been a cost to the Council in terms of its car parking revenue, she believed the promotion had had a positive impact on dwell times in the town centre over the period. She added that the Council was working with InSwindon to evaluate the findings and that these would form a basis for further promotions as well as feeding into the Council’s overall review of its car parking charges and how best to support the ongoing commercial viability of the town centre.

The Chair asked if the “high take-up” of broadband internet connections in Swindon was a consideration in determining whether to accept the Digital City (UK) business proposal. On behalf of the Leader, the Group Director, Business Transformation, advised that, of the 50% of households in Swindon without broadband access, some 20% had no connection at all, or very slow speeds, and therefore, although penetration was very high in Swindon, Digital City (UK) felt that the proposition of a borough wide network was commercially viable.

Councillor Des Moffatt remarked that the car parking strategy should not be solely concerned with Municipal car parks but also needed to address the growing demand for on-street car parking within urban areas generally.

In response to a comment by the Chair regarding the scheduling of works in Canal Walk over the Christmas period, Councillor Bluh responded that it was inevitable that the town centre regeneration would cause some disruption but every effort had been made to maintain accessibility and to ensure that no works were ongoing on peak Christmas shopping days. He advised that he had not received any complaints about the timing of the works.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

The Chair raised the issue of S106 contributions from developers and whether these were likely to be reduced as a result of the recession. The Deputy Chief Executive responded, advising that S106 monies were intended to mitigate an identified detrimental effect of a particular development, the subject of a planning application, not simply to enhance community facilities, but that the Council continued to be quite successful in its S106 negotiations.

The Chair asked for an assessment of the low staff morale he felt was evident as a result of imposition of Single Status. Councillor Fionuala Foley did not accept that staff morale was low, remarking that it had been known for some time that 25% of staff would be detrimentally affected single status. She felt that morale amongst staff was quite good, adding that, during the recent inclement weather, over 90% of SCS staff had turned up for work on the worst day and that, since the recycling vehicles could not go out on that day, most of the staff affected had chosen to support the Council's hand-gritting effort. In response to a further question by the Chair, Councillor Foley confirmed that Business Continuity plans were in place in the event of industrial action in respect of the revised pay and grading structure.

The Chair asked for an explanation of the Cabinet's decision to reverse its earlier decision in respect of funding for Dial-a-Ride. Councillor Foley replied that Cabinet had reviewed its budget proposals and determined that a wider strategic review was required of all the transport services offered by the Council and it had therefore decided to continue funding Dial-A-Ride pending the outcome of that review. Councillor Bluh added that the Council had a duty to ensure it was receiving value for money and that, in making large sums of money available to groups such as Dial-A-Ride, it had to be certain that such groups were being managed efficiently.

The Committee thanked Councillor Bluh, and his Cabinet colleagues, for attending the meeting, for the comprehensive report on progress to date in relation to the Council's plans and priorities for 2009/10, and for their full and open responses to Members' questions.

### **1.3 Meeting of 25 January 2010:**

#### **a) Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet Meeting held on 20<sup>th</sup> January 2010.

#### *Minute 88 – Waste Management Strategy – Towards Zero Waste to Landfill*

In response to comments by Councillor Mavis, Councillor Fionuala Foley briefly outlined measures that had been put in place to address any backlog of refuse collections as a result of the recent inclement weather.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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In response to a question by Councillor Stan Pajak regarding waste recycling, Councillor Peter Greenhalgh advised that the waste management strategy was concerned with diverting residual waste away from landfill sites and that it was the Council's intention to continue to improve its current excellent waste recycling levels.

Councillor Pajak enquired whether the Council would be making any move towards the removal of waste food products from the "waste stream". Councillor Greenhalgh responded that the strategy would address the issue of food waste, providing a more cost effective way of dealing with such residual waste, as opposed to having additional collection rounds or requiring people to store such waste in a particular way.

Councillor Des Moffatt asked that his support for this initiative be recorded.

Councillor Justin Tomlinson commended the Council's successful recycling practices but commented that there remained a Central Government responsibility to address the excessive packaging issue and perhaps seek to introduce legislation that will limit unnecessary packaging and "reduce waste at source". Councillor Greenhalgh responded that there was existing legislation to deal with manufacturers producing excessive packaging for goods but that, to his knowledge, there had been a very limited number of prosecutions, successful or otherwise. He agreed with Councillor Tomlinson that it would be very encouraging if whichever government was in power took positive measures to reduce unnecessary packaging of goods.

*84. – Revenue Budget Management 2009/10*

The Chair referred to the projected overspend in Children's Services and other areas and asked whether these deficits would be "written into the budget". Councillor Rod Bluh, the Leader of the Council, referred to the continuing and growing pressures on the Adult Social Care and Children's Services Budgets, commenting that, whilst significant efforts were being made to address the problems, and savings were continuing to be identified and transformational work being carried out as necessary, there still remained much work to be done. He recognised that it was an ongoing challenge and that annual increases in funding were simply insufficient to even keep pace with the growing demand. Councillor Bluh added that measures were in place to ensure that the budget would be balanced at year end but he recognised that this was becoming an annual challenge and that a long term solution was essential. It was his contention that if the Council was to deal with this issue, in the absence of any additional funding from Central Government, it was essential that new revenue streams were identified. He added that almost every local authority in the country had approached the government advising that its latest care proposals, including free care for the elderly, to be funded by local authorities through further efficiency savings, were completely ludicrous and not sustainable.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

The Chair asked if further staff reductions were likely in an attempt to drive down costs. Councillor Bluh responded that as a result of the funding challenge faced by the Council, staffing reductions were always possible, given that 74% of its costs are staff related. However, he added that when this year's budget was finally closed the 11% savings required on the Council's Non-Education Budget would have been delivered and that, from an establishment of over 8,000 employees, only some 80 posts had been deleted and, of these, 40 were currently vacant. He felt that this was an incredible achievement but emphasised that this could not be expected every year. He anticipated that the challenge would become ever more difficult, and felt that the Cabinet was doing everything it could to deal with the financial pressure on the Council in a responsible way and that it was achieving quite remarkable results.

Councillor Peter Mallinson referred to the significant Adult Social Care Budget and the increasing demand for services and, with reference to the £2 million variance in adult social care provision and the fact that the majority of provision was done through external contracts, asked if Cabinet was certain that the standard and level of service provision presented value for money. Councillor David Renard responded, confirming that most Adult Social Care Services were commissioned, adding that these were reviewed regularly to ensure that the needs of the service user hadn't changed and that the contracts still represented value for money. He recognised that service demands were growing, without any real change in the resources being made available to the Council, and that, consequently, obtaining value for money on each of its commissioned service contracts was essential. Councillor Mallinson asked whether the Council, as client, was able to influence the terms and contents of a contract to influence performance standards and ensure value for money and whether he could have specific examples where the Council had been able to exercise this type of influence over a service contract to better achieve value for money. Councillor Renard assured Councillor Mallinson that the Council was able to influence contracts and, in the absence of officers being present from the commissioning side, he agreed to provide a written response that would include specific examples.

The Chair referred to an issue raised at the recent Council meeting regarding the Council's Overview and Scrutiny function and the apparent disparity between the number of full time employees in the Council's Overview and Scrutiny Unit compared with other authorities. He asked if the Leader of the Council had any plans to increase Overview and Scrutiny resources. Councillor Bluh responded that, given current financial restraints, it was unlikely that Overview and Scrutiny resources would be increased at this time but he said that he would work with the Chair and the Scrutiny Unit to see how the Council might make best use of current resources. In response to a question by Councillor Justin Tomlinson, the Chair advised that the Opposition Group's Political Assistant was not considered to be part of the available Overview and Scrutiny support.

**85. – OFSTED Inspection of the Adoption Service**

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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The Chair welcomed the report on the outcome and findings of the OFSTED Inspection of the Council's Adoption Service and congratulated the Cabinet Member and his officers on the report's conclusion that the borough was delivering an outstanding service. Councillor Garry Perkins thanked the Chair for his comments and added that the "outstanding" assessment provided a solid base from which it was his intention to further improve the service.

*86. – OFSTED and Care Quality Commission Inspection of Safeguarding and Looked After Children Services*

Councillor Vera Tomlinson referred to the areas for improvement identified by the Inspector, particularly in relation to the need for the Corporate Parenting Board to provide a more effective challenge, and asked how this was intended to be done. Councillor Garry Perkins responded that he had discussed this particular issue with the Inspector, who had been of the opinion that members perhaps needed to question reports more robustly, and confirmed that additional training was to be provided for Members to help them to challenge officers recommendations "more vigorously".

The Chair referred to the "adequate" assessment in respect of case planning review and recording, in relation to both safeguarding services and services for Looked After Children, and asked how improvements would be delivered in these areas. Councillor Perkins responded that of the 32 outcomes in the Inspection Report, 8 were "outstanding", 22 were "good" and the issue raised by the Chair was one of only 2 areas rated only "adequate". He added that this issue related to technical difficulties in relation to the integrated children's system and that the Inspectors had fully understood the difficulties the Council had encountered in introducing the new integrated system and were confident that the Council was taking appropriate action to support Social Workers in maintaining robust electronic records.

*87. – Annual Performance Assessment and Areas for Improvement 2009*

In response to a question by the Chair regarding the performance of the Housing Benefits Service, Councillor Bluh commented that measures were being taken to improve the service and that new claims were now being dealt with at a rate comparable with the top rated authorities.

Councillor Des Moffatt referred to the contract with Capita for running the Benefits Service and his perception that the contract was flawed in relation to the allocation of responsibility for the recruitment and training of the number of staff necessary to deal with the anticipated increase in claims. Councillor Moffatt maintained that this issue had been raised within the Benefits Monitoring Group but despite an increased financial commitment to the contract by the Council he felt the contract remained under resourced. Councillor Mavis Childs acknowledged Councillor Moffatt's

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

comments but suggested that the problems had been evidenced since the service was first outsourced and that Capita could not be held solely responsible for the current problems. Councillor Keith Williams responded that claims were being processed at a rate that was within the target set by Central Government and that the Council was not paying any surcharge. It was further noted that the service was now “achieving stable processing of new claims and change events” and that “incoming documents are being cleared within 10 business days”.

In response to a question by Councillor Stan Pajak, Councillor Bluh confirmed that the Council was the third best performing Unitary Authority for value for money and use of resources and also the third best performing Unitary in terms of efficiencies that had been achieved. It had been ranked as either fifth or sixth best performing Unitary in terms of overall performance.

The Chair referred to the Council achieving only a 2 Star rating in relation to the management of resources. Councillor Bluh responded that this constituted only one part of the overall assessment and explained the reasons for this lower assessment, dealing with use of resources in relation to environmental issues and asset management, the lower rating being due to the limited evidence supporting the contention that asset management strategy was appropriately tied in with corporate objectives. He said that this would be supported in future by evidence from New Ways of Working and Connecting People Connecting Places and he anticipated that the score would improve with the next assessment.

Councillor Eric Shaw asked for an explanation of the disappointing NEET statistics. Councillor Bluh responded that he was also disappointed with the numbers, the figures having peaked at around 1700, falling to around 1400 at present, following the general reduction in unemployment. He felt this figure was still far too high and referred to the considerable work that was being carried out through the SSEP and he was pleased to report that Swindon was now the leading authority in the South West for taking up future job fund funding. He commented that several strategies had been promoted through the Recession Task Group, the SSEP and the future jobs fund to try and address the issue but he recognised that further work had to be done to ensure that children were leaving school with qualifications and skills that would best prepare them for securing employment. Councillor Bluh agreed to provide the Committee with an updated statement of the current NEET figures and an outline of strategies being developed to combat local youth unemployment.

*90. – An Update on the Pay and Grading Review*

In response to a question by Councillor Justin Tomlinson regarding the ability of employees not affiliated with a Trade Union to feed their comments into the review process, Councillor Fionuala Foley responded that the advice to these individuals was to make direct contact with Human Resources to discuss issues of concern.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

Councillor Tomlinson referred to the significant numbers of staff who were not members of Trade Unions and suggested that it might be appropriate to introduce a mechanism that would allow them a voice in the existing Union/Employer Forums. The Chair added that it was his understanding that UNISON had the right to negotiate, that this arrangement was the subject of national and local agreements and that, in his experience, this was the most effective and constructive way in dealing with large scale employment issues. The Director, Human Resource and Change, confirmed that Trade Unions were recognised for negotiating purposes and that it would be extremely difficult for the Council to negotiate with individuals. He suggested that disenfranchised members of staff might consider joining a Staff Association as way of accessing the negotiating framework. Councillor Foley agreed that the issue of Staff Associations should be further investigated by the Cabinet Member concerned.

Councillor Des Moffatt referred to the issue of tied accommodation within EPGDs, commenting that it was important, in making any decision regarding future service provision, that assessments should not be solely based on the economic value of the accommodation but should also address the intrinsic value of the service provided by the Wardens on site, regardless of contracted hours. Councillor Foley endorsed Councillor Moffatt's concerns and confirmed that this topic had been identified in the report to Cabinet as one of the main areas where further work was needed.

The Chair referred to the reasons given for Cabinet's consideration of this report as a matter of urgency and sought clarification regarding organisations that had been approached to benchmark allowances. Councillor Foley responded that the report addressed issues of concern raised by members and officers regarding the new pay and grading structure and was intended to initiate discussions with the Trade Union regarding specific priority areas, as identified in paragraph 2.5 of the report. She advised that a number of different comparable local authorities had been consulted regarding the Allowances Scheme including Croydon Council, Norfolk County Council, West Lindsey and West Yorkshire.

The Chair expressed his concern that Cabinet had decided to delegate authority to the Director of Human Resources and Change, in consultation with the Deputy Leader of the Council and the Director of Finance, "to consult on and then make and implement such changes to the pay and grading allowances policy as he considers appropriate". Councillor Foley responded that it was not a question of consulting with the Trade Unions but rather a move to open discussions with them in relation to those areas identified as requiring further work. She added that this arrangement was within the Council's normal administrative procedures and emphasised that any decision made by the Director would be in consultation with herself and the Director of Finance.

#### **1.4 Meeting of 15 February 2010:**

##### **(a) Consideration of Cabinet Decisions**

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

A. Decisions arising from the meeting of the Cabinet Panel on School  
Organisation held on 3 February 2010

The Director of Law and Democratic Services submitted a report introducing decisions arising from the meeting of the Cabinet Panel on School Organisation held on 3 February 2010.

*19. Proposal for the closure of the Northview Primary School and the permanent expansion of Westrop Primary School, Highworth*

Councillor Justin Tomlinson sought an assurance from officers that, in the event that the closure of the Northview Primary School goes ahead, resources would be made available to support the parents of children affected by the closure, and provide them with “one to one” advice on alternative schooling arrangements.

The Chair asked if the building could be used for community purposes. Councillor Garry Perkins, Cabinet member for Children’s Services, responded that, at this stage, there were no plans to either demolish the existing building or build on the site. He acknowledged that the building was in far better condition than other community facilities in Highworth and that, if the closure proceeds, consultation would be carried out with the residents regarding possible future community uses of the building. Councillor Fionuala Foley, Deputy Leader of the Council, added that, to date, there had been absolutely no discussions regarding the future use of the building and that discussions at this time were perhaps premature, however, she confirmed that the Cabinet would be prepared to have discussions at a later date on the future of the building.

The Chair asked if the Cabinet might be prepared to consider the building being used as a Community School in the event of there being a change in government at the next election. Councillor Perkins felt the question was premature, adding that if the Panel’s assessment that the school was surplus to requirements was endorsed he would not wish to see the cost of the future maintenance of the building as a continuing charge against the LEA Budget.

Councillor Des Moffatt commented that the building was still an education asset and asked if it had been valued as a housing block. Councillor Perkins assured Councillor Moffatt that this was not the case. Councillor Justin Tomlinson added that any future sale of the building would have to be agreed and signed off by the Secretary of State for Education.

Councillor Justin Tomlinson referred to the 99% of consultation responses against the Council’s proposals to close Northview Primary School, both at pre-statutory and statutory consultation stages, and asked what weight was given to the outcome of the consultation exercise. Councillor Perkins responded that the Council was legally



**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

required to carry out pre-statutory and statutory consultations on proposals involving a school closure, adding that the consultation results were taken into account along with all other evidence. He emphasised that the Council had a responsibility to ensure value for money across the whole of Swindon in relation to its education budgets and therefore the consultation had to be considered in line with the effect on the budgets for all other Swindon schools. Councillor Foley added that the Panel had considered all the consultation responses received from the Northview Action Group and that these had been taken into account by the Panel in reaching its decision. (35.01)

Councillor Tomlinson asked the support officers if there was any valid legal reason for the Scrutiny Committee to refer back the decision to the Panel on grounds that the results of the consultation had been given insufficient weighting as part of the decision making process. The Director of Law and Democratic Services advised that due process had been adhered to in reaching this decision but that ultimately it was a decision for the Scrutiny Committee as to whether they were confident that there had been proper consultation. In response to a further question by Councillor Justin Tomlinson, the Director of Law and Democratic Services confirmed that public consultation was one of a range of factors within the Government guidance that had to be considered by the Cabinet Panel in reaching its decision.

Councillor Eric Shaw acknowledged the efforts of the Northview Action Group but felt that it was neither economically or socially viable to maintain a school attended by less than 70 children and that the Council's consultation on the matter had been as extensive as it could have been. He felt it was an extremely difficult position for parents with children still attending Northview Primary School and that it was essential for them that a decision on the matter was resolved at the earliest opportunity. Councillor Shaw also referred to the future of the building and commented that it was equally important that residents were consulted on this issue as soon as possible.

Councillor Des Moffatt felt that, regardless of issues of due process, the continuing and significant debate around the proposed closure and the future of the building warranted the matter being referred back to the Cabinet Panel for further consideration.

Councillor Justin Tomlinson referred to the process for referring the matter back to the Cabinet Panel, and the likelihood that, in his opinion, the decision would be reaffirmed by the Panel, and sought clarification as to whether that delay might detrimentally affect parents with children at Northview Primary School in securing places at other alternative schools. The Director of Law and Democratic Services advised that, if the Committee wished, the matter would be referred back to the Cabinet Panel at the earliest opportunity, following which the outcome of that further deliberation would be submitted to Scrutiny Committee. Subject to the conclusions of Scrutiny Committee at that time, the matter might then be referred to the Full Council for confirmation. The Council's Manager, Asset Management, School Place Planning, advised that 9

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

parents had been offered places for schools in September 2010 but it was important that parents with children at the school at the moment be advised of the agreed position as soon as possible in order to prepare and that the later the decision was left, the more difficult it was likely to be for them in finding alternative arrangements.

In response to a comment by the Chair, Councillor Garry Perkins advised that he was aware that an approach had been made to the Church of England regarding the establishment of a mixed faith school at Northview but he felt that the main issue remained one of dwindling pupil numbers and that it was his opinion that there were insufficient pupils in Highworth to support the continuation of the school. The Council's Director, Access & Provision, advised the meeting that the financial analysis of the school's position indicated that, based on projected pupil numbers, if the school were to remain open, by 2014/15 there would be an estimated deficit of around £762,000.

The Chair seconded the motion put by Councillor Des Moffatt that the matter be referred back to the Cabinet Panel for further consideration and discussion on the future of the site and the school building.

Councillor Moffatt's resolution was put to the vote, with two Members voting for the motion, four voting against and three abstentions. The motion was declared lost.

The Committee resolved that Minute 20 of the Cabinet Panel on School Organisation be accepted.

*20. The permanent expansion of St Francis Church of England Primary School*

The Committee resolved that Minute 20 of the Cabinet Panel be accepted.

(In accordance with the National Code of Local Government Conduct, Councillors Glenn Smith and Justin Tomlinson made non-prejudicial declarations of interest in respect of the Committee's consideration of Minute 20 of the Cabinet Panel concerning the permanent expansion of St. Francis Church of England Primary School.)

*21. The addition of an ASD Unit at Greendown School.*

The Committee resolved that Minute 21 of the Cabinet Panel be accepted.

**B. Decisions arising from the meeting of the Cabinet held on 10 February 2010**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet Meeting held on 10<sup>th</sup> February 2010.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

**95.     *Revenue Budget Management 2009/10***

The Chair referred to money “set aside” for the Children Services and Social Care Budget and the overspend in recent years and asked why this had not been incorporated into the Council's Base Budget. Councillor David Renard, the Cabinet Member for Health, Housing and Adult Social Care, advised that the budget setting process involved the prediction of the demand for Adult Social Care in the coming year and that, unfortunately, demographic changes and the number of people coming into the service made it very difficult to forecast the likely demand for the services what was, in effect, 15 months in advance. He felt that budget setting was always going to be difficult in relation to a demand-led service. Councillor Mark Edwards, the Cabinet Member for Finance and Benefits, added that, in a change from previous years, the Council had ring-fenced a part of the contingency provision to reinforce the Adult Social Care Budget if necessary.

Councillor Peter Mallinson referred to the "fair pricing tool" and its use by the Council to negotiate pricing for Adult Social Care Services. Councillor Renard confirmed that that was the case and that the Brokerage Team had delivered significant savings by using the mechanism. Councillor Mallinson referred to a written response provided by Councillor Renard to questions he had put at an earlier meeting of the Committee and it was agreed that further clarification be provided to Councillor Mallinson in relation to some of the statistical information presented in that written response.

Councillor Glenn Smith asked what the Cabinet did to verify the data presented in the Budget Report. Councillor Foley responded that, in addition to the role played by the Financial Planning Advisory Group (FPAG), each Cabinet Member reviewed the figures relevant to their Directorate and analysed and reviewed overspends and savings. In response to a further question by Councillor Smith, it was confirmed that the overspends that had been reported to Cabinet had previously been reviewed by FPAG.

**97.     *Medium Term Resourcing Plan 2010/11 to 2013/14***

Councillor Des Moffatt commented on the accuracy of the projected growth and anticipated recovery levels in relation to the Collection Fund. In response to comments regarding expenditure on ICT and the limited effectiveness of the Council's ICT infrastructure, Councillor Moffatt was advised that this expenditure was part of the New Ways of Working budget proposals previously accepted by Scrutiny Committee.

**98.     *Revenue Budget 2010/11***

In response to a comment by Councillor Moffatt that consultation with non-Cabinet members on the budget proposals remained inadequate, Councillor Mark Edwards briefly outlined the consultation that had been undertaken and the opportunities that

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

had been afforded to members to provide feedback on the budget proposals. In response to Councillor Glenn Smith's comment that changes to the consultation process recommended by a Scrutiny Task Group, and accepted by Cabinet some 18 months previously, did not appear to have been introduced, Councillor Edwards agreed to investigate the matter and report back to the next meeting of the Committee.

*101. Housing Revenue Account – Rents and Charges 2010/11*

in response to a question by the Chair, Councillor David Renard confirmed that consultation had taken place with tenants of the Hay Lane site.

*103. The Wichelstowe Project*

Councillor Des Moffatt commented on the need for Thames Water to provide a further sewerage plant to meet the requirements of a growing population, particular in relation to increased demand as a result of the Eastern Development Area. Councillor Rod Bluh, the Leader of the Council, confirmed that the Infrastructure Delivery Board had considered this matter and had recognised the need for a new sewage works in North Swindon to meet any increased demand from the Eastern Development. It was agreed that, if necessary, Thames Water be asked to attend a future meeting of the Scrutiny Committee to discuss sewerage infrastructure requirements, particularly in relation to the Eastern Development Area.

**(b) Cabinet Member Question and Answer session**

Councillor Mark Edwards, Cabinet Member for Finance and Benefits, attended the meeting, responding to members' questions on issues within his portfolio of responsibility.

Councillor Glenn Smith referred to discussion at Councillor Edwards' last question and answer session regarding Project management within the Council and asked about progress in relation to the operation and effectiveness of the Council's Project Management Team. Councillor Edwards advised that significant progress had been made, that he was confident that projects, budgets and resources had now been clearly identified, and that this information would now to be developed into a clear working process that will allow projects to be aligned with corporate priorities. He confirmed that it was intended that the Project Management Office would have an involvement in all of the Council's projects, to a greater or lesser extent depending on the significance of the particular project. It was agreed that an item be included in the Committee's work programme for a future performance review of the Council's Project management arrangements.

In response to a question by the Chair regarding the performance of the Benefits Service, Councillor Edwards advised that significant progress had been made in

## **Report of Scrutiny and Overview Committees held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

relation to accuracy and the time it took to process claims, the two main problem areas identified by the Audit Commission. New claims were, on average, being processed within 20 days, and, where all the necessary supporting documentation was immediately available, new claims were being “turned around” within 10 days. He felt that accuracy remained a concern, due, at least in part, to the strict accuracy criteria applied by the Council, which were significantly more robust than those applied by other authorities. It was noted that the methodology for assessing accuracy was being reviewed. It was further noted that, over the period of the last 12 months, the Benefits Monitoring Group had seen an improvement in accuracy statistics, to an average of better than 80%, and that the Council was working with the Audit Commission to identify where further improvements might be made. Councillor Edwards was confident that the standard of service provided was moving in the right direction.

The Chair asked what percentage of council tax was currently being collected. Councillor Edwards advised that collection rates were around 98% although there had seen a slight drop due, mainly, he thought, to people’s inability to pay during this time of recession. The Leader of the Council commented that the collection rates of 98% were, at this time, quite remarkable and a testament to the hard work of staff.

In response to comments by Councillor Mavis Childs, Councillor Edwards briefly outlined the processes by which the client side monitored the performance of the benefits contract. He acknowledged that there remained room for improvement but, rather than seeking to penalise the contractor, he emphasised the importance of working together with the contractor, and with the Audit Commission, to assess outstanding performance issues and develop long-term solutions.

Councillor Des Moffatt commented that a number of issues raised by the Benefits Monitoring Group with the Contractor remained outstanding. Councillor Edwards assured the meeting that these issues would be addressed before the next meeting of the Monitoring Group.

The Chair thanked Councillor Edwards for attending the meeting and for his full and open responses to Members’ questions on service areas and issues within his portfolio of responsibility.

### **1.5 Meeting of 15 March 2010**

#### **(a) Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 10<sup>th</sup> March 2010.

#### **114. *An Update on the Pay and Grading Review and Allowances Policy***

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[iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

The Chair referred to the extension of time granted to the Director of Human Resources and Change to try and reach agreement with the Trade Unions on parts of the proposed Allowances Policy and asked if the Director felt it was likely that a unified position could be established within that extended period. The Director replied that although he could not be certain that an agreement could be reached he felt recent meetings with the Trade Unions had been quite successful and he was confident that agreement could be reached on most of the outstanding issues. The Chair asked if the Director was confident that industrial action might be avoided. The Director responded that the Trade Unions had agreed to take no industrial action during the period of the suspension of those parts of the Allowances Policy that were the subject of dispute. The Chair asked if, with hindsight, it was correct for the Council to "break away from the national agreement between the Trade Unions and Local Authorities". The Director replied that although he could not comment on political decisions made by the Council he felt that the directives issued by the Council had been carried out. Councillor Keith Williams, the Cabinet Member for Finance and Benefits added that the Cabinet was entirely confident that the decision to move away from solely using NJC for the determination of pay and grading was entirely correct, both in terms the cost to the Council and in its employee relations.

*108. Loan Advance to Digital City (UK) Ltd*

The Chair acknowledged the level of public concern regarding this issue and again apologised to the meeting for the delay in starting which had been necessary to allow for a full and proper briefing of Scrutiny Committee Members on the options available to the Committee in dealing with this issue. He proposed that this decision of the Cabinet be referred back to Cabinet "for it to consider whether the information that has since come to light about a directorship of Digital City (UK) Ltd would have made a difference to the decision made last Wednesday".

The Chair's motion was seconded by Councillor Justin Tomlinson.

Councillor Rod Bluh, the Leader of the Council, commented that the issue of the directorship clearly needed to be resolved. It was his understanding that the process that had been followed in reaching the decision had not been compromised by any confusion around the issue of the directorship but, under the circumstances, he had no objection to the matter being further considered by Cabinet as it was important that "due process was seen to be done and the matter cleared up once and for all".

The motion put by the Chair and seconded by Councillor Tomlinson was agreed unanimously.

Councillor Bob Wright commented that it was his concern that the decision was the subject of some suspicion "because obstacles seemed to have been placed in the way

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

of open scrutiny". He wanted to see a reconciliation when the matter is further debated at Cabinet and a way of moving forward identified that will ensure that the representation of the Council is "put back on an even keel". He felt that the only way this was likely to happen was for a "time-line" to be provided, including "details of the various participants", together with details of the Digital City Business Plan, so that all Members of the Council can be involved, leaving the Cabinet "unsullied" by what had taken place. Councillor Steve Wakefield agreed that it would be appropriate if the matter was the subject of a decision by all Members of the Council. He accepted the Scrutiny Committee's position and thanked the Leader for his comments in agreeing a further and fuller debate of the matter.

*109. Revenue Budget Management 2009/10*

Councillor Des Moffatt asked that his thanks to the Director of Finance be recorded in the minutes for offering him the opportunity to go through the Adult Social Care Services Budget in detail.

Councillor Nick Martin referred to the return of the Oakfield Campus from Bath University and the payment of £225,000 in respect of the lease and the use of this money to "absolve particular overspends in Departmental Budgets". He commented that the site was in less than perfect condition and in need of some restorative work and suggested that the use of the money to only clear overspends was disappointing. He asked if this was the correct approach and how the Cabinet Member had determined this was the correct action. Councillor Mark Edwards, the Cabinet Member for Benefits and Resources, acknowledged Councillor Martin's comments, commenting on the Council's challenging Budget position and the need to bring the Adult Social Care and Children Services Budgets under control in order to avoid the constant challenge of overspends. He felt that taking a "holistic approach to the Budget and the delivery of a balanced Budget position" was essential. He added that it had been a very difficult and challenging year in relation to Adult Social Care with a huge amount of work being carried out to bring this Budget into line and move forward, and whilst he acknowledged Councillor Martin's comments and the arguments for and against use of Budget resources in a particular way, his approach was that each individual part of the Budget needed to "start looking after itself" and that, at the moment, Adult Social Care was clearly at the top of the list of priorities.

*110. Forward Strategy for Delivering Economic Development and Regeneration in Swindon*

The Chair asked why he, as Leader of the Opposition, had been removed from the Board of Forward Swindon Ltd. The Leader of the Council responded that, under the new structure, the representation of the Council was being "slimmed down", limited to the Cabinet Member for Regeneration and himself. He added that they were seeking a different type of operation with a reduced Board Membership. In response to further

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

comments by the Chair regarding the possible future dismantling of the Regional Development Agency, the Leader of the Council advised that the funding had been protected for the period of the next five years.

Councillor Des Moffatt asked the following questions:-

- how distanced is the new company from the Borough Council and could a serving Councillor be employed by the organisation?
- can the position regarding asset ownership be clarified?
- what is the process for the appointment of the Chief Executive of this new organisation and who will make the appointment? What controls will be in place to control both the newly appointment Chief Executive and the organisation itself.

It was agreed that written answers be provided to Councillor Moffatt's questions. The Chief Executive commented that, on the basis that it was anticipated that this would be a wholly owned company by the Council, serving Councillors would not be eligible for employment by the company. On the issue of asset ownership, specifically assets bought on behalf of the New Swindon Company, it was confirmed that these would be transferred to the new organisation but would remain in the ownership of the Borough Council. The Borough Solicitor advised that information was awaited from the New Swindon Company on the issue of the transfer of land and building assets as part of the due diligence process.

Councillor Justin Tomlinson asked what benchmarks had been used in establishing the Budget for Forward Swindon, particularly in relation to salaries. The Chief Executive confirmed that the Director of Human Resource and Change had conducted a benchmarking exercise with the appointing agent on comparative jobs.

*112. Connecting People Connecting Places*

In response to comments by the Chair regarding the proposed new Community Centre in Pinehurst, Councillor Brian Mattock, the Cabinet Member for Connecting People Connecting Places, responded that the Pinehurst project was a good example of the way Connecting People, Connecting Places would improve outcomes and assured the meeting that the project was expected to be completed in accordance with the agreed timeframe.

In response to comments by Councillors Vera Tomlinson and Justin Tomlinson regarding the proposed involvement of local communities in the allocation of Section 106 monies, Councillor Mattock explained that the intention was to identify the aspirations and requirements of local communities so that these might be fed into the existing Section 106 allocation process at the earliest opportunity. He confirmed that



**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

the intention was only to ensure the best possible use of available monies within the particular development area and not to change reporting lines or the process for the allocation of Section 106 monies.

Councillor Justin Tomlinson supported the principle of Councillor Mattock's position but felt that it was important that the criteria for the allocation of Section 106 monies were completely transparent and open to scrutiny. Councillor Mattock assured the meeting that no changes had been made to the Section 106 process as a result of Connecting People, Connecting Places and that the responsibility for determining the allocation of available monies would not be delegated to any public forum.

In response to a further question by Councillor Justin Tomlinson, Councillor Mattock advised that the majority of appointed "cluster leads" had not received any pay increase as a result of their appointment but that some remunerative benefit had been given to Leaders appointed from below Director level.

**(b) Cabinet Member Question and Answer Session**

The Committee received a report on performance in relation to the Swindon 2010 promises relevant to the portfolio of Councillor Garry Perkins, the Cabinet Member for Children's Services. The Committee noted the report.

**2. HEALTH SCRUTINY COMMITTEE**

**2.1 Meeting of 3 February 2010**

**a) Wi-Fi Health Implications**

The Committee considered (a) a report of the Director of Law and Democratic Services setting out issues relating to potential public health consequences of Borough-wide Wi Fi coverage to be implemented in 2010, (b) issues raised during the Committee's Public Question Time and answers provided, (c) a presentation by Dr. Jenny Harries (Director of Public Health) and Dr. Bruce Bolam on the health implications of a proposed Borough wide Swindon Wi-Fi system, including the latest advice on emissions from national and international Authorities, (d) Information and evidence, including internet links to additional information against the progression of a Borough wide Wi-Fi system, submitted by Dr. Alex Parfitt, Martine Steinhardt and Rachel Briden which had been forwarded to Committee Members prior to the meeting, (e) questions from Councillors Bob Wright and Steve Wakefield regarding health issues pertaining to a Borough wide Wi-Fi system, (f) questions to and answers from Mr. Rikki Hunt (Digital City), and (g) answers to questions from Committee Members relating to the presentation and evidence submitted to the meeting.

The Chair advised Members that it was up to Members to determine the weight they gave to information and evidence provided by all those groups and individuals

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

submitting it when reaching their decision on this issue. Members might also take into account the questions raised by Members of the Public under Public Question Time and Councillors during the presentation of evidence in the same way.

The Committee resolved that, based upon the current scientific evidence before it, and given assurances from Digital City, it did not wish to raise any objections to the Borough wide Wi-Fi proposal on the grounds of health.

b) Specialised Commissioning: Service Improvement Proposal for Burn Care Services for Adults and Children

The Committee received (a) an Executive Summary of the Service Improvement Proposal for Burn Care Services for Adults and Children prepared by the South West Specialised Commissioning Group on behalf of the South Central Specialised Commissioning group and health Commission Wales and (b) a presentation by Sue Davies (Lead Officer Commission of Borough Service) and Dr. Keith Reid (Consultant Public Health) on (a) the options available for Burn Care Services in the South West, (b) options set out in the report, (c) current standards for Burns Care, (d) the National Review of Burns Care Services, (e) the potential for some hospitals to rise to Unit level and increase the service level provision for Burns Care, and (f) the current and future provision of burns care for Swindon residents.

The Committee thanked Sue Davies and Dr. Keith Reid for their presentation and resolved that it did not consider the proposals set out in the Executive Summary to be a substantial variation on existing service provision and approved the proposals to improve the Burns Care Service set out Executive Summary.

c) Personalisation and Personal Budgets

The Committee received a report from Angela King, Assistant Director Strategic Development and Personalisation, updating Members on how elements of the personalisation agenda interact and impact on each other and the wider provision of health and social care. The Committee also received an update on the progress of personalisation and personal budget reform to date in Swindon and on the four key priorities. These were being taken forward in partnership with customers. Although the milestone results looked negative this was the current position in a large and complex change and officers were confident that they were on track to successfully achieve the targets. This was a three-year programme but in real terms was a five year transformation.

The Committee resolved:-

(1) That the proposed reforms of Adult Social Care in respect of Personalisation and Personal Budgets and impact on the provision of health and social care support be noted.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

(2) That progress of the Personalisation and Personal Budgets Programme at a local level be noted.

d) Support available for older people to live independently

The Committee received a report of the support available for older people with particular reference to the Local Area Agreement 2 Indicator NI 139 (People over 65 who say that they receive information, assistance and support needed to exercise choice and control to live independently), and outlining areas of current and future development of the programme.

The Committee also received a briefing note from the Head of Regulated Service on the activity carried out and further planned in relation to the reprovision of day services previously provided at Evergreen Day Centre, Morris Street, now being provided from The Ridings, Scarborough Road and Clapham Hobbs Unit, and confirming actions taken as part of a review of the efficient use day services to provide improved venues, facilities and experience for service users

In respect of the question put by Mr. Jo Osorio at Public Question Time, regarding the assessment and process relating to the closure of the Evergreen Day Centre Services, Morris Street, Swindon, the Committee was advised that the Council had engaged with the Swindon community and the identified customer base on the proposal, with over 700 surveys being completed and returned, and that officers had attended road shows advising on future service provision. The Committee was also advised that information leaflets had been produced in support of the reprovision and the Council's Website was being updated with the latest information available. It was noted that Mr Osorio had been invited to meet with officers on site to try and address his concerns and clarify outstanding issues.

The Committee resolved:-

(1) That the activity underway and planned in relation to meeting the NI 139 Delivery Plan and related targets be noted.

(2) That the opportunities for the LINK to be involved in joint working to shape and implement further developments such as engagement and promotional activities required to ensure local people are aware of the information, assistance and support available for older people be supported.

(3) That the implications of the local and national context upon the delivery of the NI 139 target outcomes and other services be noted.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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e) Glaucoma Referral Refinement Project

The Committee received a report by the Performance Improvement Manager , NHS Swindon, setting out the development of a glaucoma referral refinement pathway in order to reduce unnecessary referrals to the hospital eye service and increase capacity within the hospital glaucoma clinics, helping to ensure that follow up care of patients with established glaucoma does not suffer. It was expected that the proposed changes would lead to an additional 18 –23 referrals a week.

The Committee resolved that it supported the proposals set out in the report and determined that it does not constitute a 'substantial variation' as outlined in the Health and Social Care Act 2001.

f) Work Programme update

The Committee received a report detailing its current work programme for the remainder of the Municipal Year 2009/10, updated to incorporate topics agreed by Members during the course of the year so far.

The Committee resolved that, subject to the additional of reports on Primary Care Practice Development and Relocation and Review of the Smoke Free Policy being added to the March Agenda (Minutes 55 and 56 refer), the Committee's Work Programme for 2009/10 be noted.

## **2.2 Meeting of 24 March 2010**

(a) Primary Care Practice Development and Relocation

Mr. Paul Clark, Assistant Director of Primary Care Commissioning for the PCT, introduced a report on NHS Swindon's responsibility for the strategic planning, development and commissioning of primary care services within its area and for ensuring that such premises are fit for purpose. The report advised the Committee of several practice relocations that had occurred in the last two years and that 3 new purpose built surgeries had been opened since 2008, in Old Town, Eldene and Moredon. Mr Clark reported that the PCT was responsible for both reviewing the suitability of the existing facilities from which Primary Care services were delivered and for planning to meet the primary health care needs of new development areas, including joint work with the Council to ensure the most effective use of developer contributions (S106 monies).

The Committee resolved:

(1) That the report be noted.

(2) That with reference to the Committee's consideration of the issue of developer contributions (S106) to the development of GP services in new residential areas, the

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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PCT be asked to discuss further with the Council's Planning Department the introduction of a protocol to instruct negotiations in relation to new planning applications where the developer(s) is/are unwilling to contribute towards the cost of providing the new primary care infrastructure.

(3) That members' comments regarding the future demand for GP services in Upper Wanborough and Freshbrook as a result of new residential developments be noted. That, in respect of members' comments regarding the current use by residents of Upper Wanborough of GP services provided by the neighbouring PCT, the officers review the matter and report to the next meeting on the capacity implications of any increased demand on this neighbouring service as a result of new housing development within the Eastern Development area.

(4) That, with regard to Members' comments regarding the detail of the map of current GP surgeries tabled at the meeting, the officers assist Mr Clark in obtaining a more current representation of the Swindon Unitary Authority area.

**(b) Provision of Mainstream Health Services to People with Learning Disabilities - Task Group update**

The Committee received a report presenting the final response to the review of the provision of mainstream health care services for people with learning disabilities. It was noted that significant progress had been made in relation to all of the task group recommendations within the remit of the Swindon PCT.

The Committee resolved:-

(1) That the report, and the significant progress made by the PCT in responding to the Task Group recommendations, be noted and welcomed.

(2) That the Swindon PCT be thanked for their support of the Task Group and commended on their emphatic response to the various recommendations arising from the review.

**(c) Dignity in Care Task Group**

The Committee received the Final report and recommendations of its "Dignity in Care" Task Group, established to examine the extent to which commissioners and providers of adult social care and healthcare services are providing high quality care to people over 50 in a manner that promotes dignity and respect. Councillor Mick Bray, the chair of the Task Group, introduced the report, providing a brief overview the Group's investigation and responding to members' questions on particular aspects of the review and comments regarding issues that might be the subject of further review and investigation by this continuing Task Group. In response to comments by Councillor Bray regarding the value of information obtained during visits made by the Task Group to various care homes and hospital wards, Mr Jo Osorio asked that it be recorded in the minutes that formal powers available to the LINK to "enter and view" had not been invoked to facilitate these visits.

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

The Committee resolved:-

(1) That the report be noted and that the members of the Dignity in Care Task Group be thanked for their hard work in conducting this review and congratulated on the production of a comprehensive review report.

(2) That the following recommendations of the Dignity in Care Task Group be endorsed:

- that the LINK officers continue to review the issue of Dignity in Care in health and social care services across Swindon for a further period of six months, reporting back to the Task Group after this time;
- that Health and Social Care Agencies in Swindon continue to raise the profile of the Dignity Campaign using existing publicity materials and practice guidance;
- that Health and Social Care Agencies in Swindon encourage their staff to become Dignity Champions, thus creating a network of Champions across the Borough; and
- that Care Agencies in Swindon to review time allocations per patient, taking into account sufficient time for travelling between patients, so that time for each patient is sufficient for that person to be treated with dignity.

(3) That the Task Group's wish to further investigate issues relating to the needs of carers be noted and that the question as to whether this be done as a continuing review or through the establishment of a newly constituted Task Group be considered as part of the Committee's determination of its work programme for the new Municipal Year.

(4) That it be recognised that the PCT has a number of ongoing dignity in care programmes and conducts annual and monthly surveys of effectiveness and that the results of the PCT's in-patient survey be made available to the Scrutiny Officer for incorporation into the Committee's work programme.

(d) Health Scrutiny Review of Year 2009/10

The Committee received a report summarising the work and key achievements of the Health Overview and Scrutiny Committee during 2009/10 for inclusion in the Overview and Scrutiny Annual Report to be submitted to Council and to be used to inform the Committee's work programme for 2010/11. The Chair congratulated members on their hard work and focus in completing what had proven to be a very significant workload in 2008/9 and thanked the representatives of the various partner organisations for their continued support of the Committee. Councillor David Renard, the Cabinet Member for Health, Housing and Adult Social Care, and the Chief Executive of the PCT echoed the Chair's comments, commending the Committee on its work throughout the year in bringing about real and constructive change in way in which health services are delivered in its area.

The Committee resolved:-

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

(1) That, subject to the inclusion of reference to the Committee's involvement in the PCT's assurance process (Care Quality Commission Assurance process), the key achievements listed in appendix 1 to the report be approved and that the Chair and Scrutiny Officer be authorised to produce a summary for inclusion in the Overview & Scrutiny Annual Report 2009/10.

(2) That the areas for development outlined in sections 2.2-2.6 of the report be endorsed for inclusion in the Committee's work programme for 2009/10.

(3) That members thanks to Sally Smith, Scrutiny Officer, for her hard work in support of the Committee, be recorded.

### **3. CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE**

#### **3.1 Meeting of 16 February 2010**

(a) Appointment of Co-Optee

The Committee considered a report of the Director of Law and Democratic Services with regard to the appointment of Mrs Fatima Pereira (Parent Governor) as a co-optee to the Children and Young People's Overview and Scrutiny Committee.

(b) National Private Fostering Week

Melissa Robb (Team Manager) and Fundiswa Mbooi (Social Worker) from the Safeguarding and Corporate Parenting Department gave an informative presentation regarding private fostering in Swindon. The Committee heard that private fostering occurs when a child under 16 lives with and is cared for by an adult who is not a close relative. This is a private arrangement between the parent (or legal guardian) and the private foster carer. It also noted that inspections to ensure compliance to standards would be undertaken by the Department of Children Schools and Families.

The Committee was informed that examples of private fostering included:

- Children and young people living apart from their families.
- Minority ethnic children with parents working or studying in the UK.
- Children with parents overseas.
- Children living with host families for a variety of reasons.

The Committee considered the report and presentation and made the following points:

- That a judgement on the suitability of the arrangement would be made by the private fostering officer to make sure the welfare of all privately fostered children were being satisfactorily safeguarded and promoted. This included:

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

1. ensuring all parties involved were aware of the implications of the arrangements and what it involved – this included taking account of the views of the child;
  2. carrying out an assessment of the prospective private foster carers' suitability for the role, and that of other members of their household; including checks on the private foster carers and their premises;
  3. providing the necessary support and advice to parents and the private foster carers.
- Councillor's concerns regarding Children in Care and children and young people with a disability, particularly as the Council had a Corporate Parenting responsibility. The Committee were advised that National Fostering Week would be celebrated between 21<sup>st</sup> and 28<sup>th</sup> February 2010. The Committee resolved that further information regarding private fostering, to include the fostering statement of purpose, be presented at a future meeting.

(c) Transfer and Transition within Educational Establishments

The Committee considered a report regarding transfers and transition within educational establishments. Deirdre Fitzpatrick, Senior Secondary Strategy Manager, commented on the assistance, referrals and advocacy undertaken to enhance students' opportunities for strong academic preparation and successful progress through the education system. The Committee was informed about the difference between transfers and transitions and the effects these had on children and young people, including lack of motivation. To address this, a number of local and national initiatives were being undertaken in order to strengthen the process. These would identify and support pupils at risk during transfer and transition. The Committee noted that Trevor Foley, Regional Adviser for National Strategies commended Swindon Borough Council for its good practice.

The Committee were advised that in order to implement effective practices, a policy was required which would support achievement objectives as set out in the Children and Young People's Plan. They heard that through consulting with children and young people, a further understanding of the strengths and weaknesses of provision at point of transfer would be identified. The synopsis of a draft action plan was considered as it highlighted actions to be undertaken. The Committee heard that good communication between teachers of different phases, and from year to year within a school or college, was essential. The information shared at point of transfer within and between schools, settings or colleges would include details of an individual's:

- preferred learning styles;
- particular strengths and weaknesses;
- work covered;

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- targets for further development.

Dissemination of this information was particularly important when related to vulnerable children and young people in Swindon.

The Committee considered the report and made the following points:

- That maintaining an effective relationship with large numbers of feeder schools for a smoother transfer and transition was important and good practice should be actively developed and shared.
- Their concerns regarding transition from secondary to sixth form/ college and the Committee welcomed the discussions being undertaken with local colleges to ensure a robust system was in place.
- A consistent standard of pastoral care to be available.

The Committee noted that a progress report be submitted to the Committee in October 2011 and that Councillor Russell Holland would liaise with the Senior Secondary Strategy Manager regarding developing productive communication with New College.

(d) School Standards and the Quality of Provision 2009

The Committee received a report of the Principal Advisor, Schools and Learning summarising the aggregate 2009 pupil performance data for Swindon school students and identifying key indicators of the overall quality of provision in schools. The report also outlined the successes, areas for development and issues that need to be tackled to ensure every school in Swindon is successful for all its students.

Gill Illic, Principal Advisor, Schools and Learning, informed the Committee that this report reflects outcomes of statutory assessment which were undertaken during the previous academic year which are compared to national data. She noted that the following points of this report were:

- Foundation Stage – improvement in 2009 and Swindon is above national average.
- Key Stage 1 – Improvement in some areas and Swindon is similar to national and statistical neighbours.
- Key Stage 2 – Results the same as last year in English and one percentage drop in Maths and Science. At Level 4, Swindon is ahead of or the same as statistical neighbours and the national averages.
- Key Stage 4 – Improvement by five percentage points which closed the gap with the national average and statistical neighbours.  
Key Stage 5 – Improvement in 2009 but still below national average.

The Committee welcomed the improvements seen in 2009 and made the following points:

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

- Further to paragraph 2.3, the percentage of young people not entering for the test. Gill Illic advised that the figures would be made available to be included in the minutes.
- The Committee enquired regarding the number of pupils in borough who were sitting GCSEs out of borough. Gill Illic advised that the figures would be made available for inclusion in the minutes.
- The Committee was concerned regarding Central Government funding compared to statistical neighbours, particularly in view of Ofsted's increased expectations.
- The Committee noted the increase of children in schools and how this was affecting the pupil / teacher ratio. They also noted that this had funding and teaching skills implications.
- Further to paragraph 2.17, the gap between girls and boys in Key Stages 2 and 4 was raised. The Committee enquired why girls outperformed boys. Gill Illic advised that the national trend confirms that girls outperform boys in most subjects but that boys do outperform girls in Maths at KS2. Swindon mirrors the national picture. She confirmed that through (her department) schools are both challenged and assisted to address these differences.
- The Committee noted the challenges that schools faced in light of the new Ofsted framework. The Committee was concerned at the ranking changes between 2008 and 2009 and asked what could be done to improve this situation. The Committee heard that that through School Improvement Partners, headteachers are challenged to set and achieve aspirational targets.

The Committee resolved that future copies of this report submitted to other Committees would be updated to include funding data for Swindon. The Committee asked that the Cabinet Member for Children's Services and Group Director Children writes to Swindon's two MP seeking their support in urging the Secretary of State for Children Schools and Families to review funding received. The Committee resolved that Cabinet members be forwarded a copy of the report with the comments of the Committee.

(e) Gifted and Talented Strategy - Update

Angela Jensen (Lead Advisor, Gifted, More Able and Talented Pupils) presented a report on the gifted and talented strategy. This report highlighted pupil attainment and progress made in 2009. The Committee heard that the Council was committed to high quality educational provision for all learners by raising standards in the five areas of the Every Child Matters agenda. It also noted that Swindon was held up as being a Pathfinder. This meant that, together with a few other authorities, it was a leader in this field of work.

The Committee noted that the key themes of this report were:

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

- 
- For the first time in three years, the proportion of pupils attaining Level 3 in Key Stage 1 was below the national average. This was an internal assessment completed by teachers.
  - At Key Stage 2, Swindon results were in line with the national average in English and there was improvement in progress from Level 2A and Level 2B in maths and writing. This was an external assessment.
  - Pupils attained above the national average at Key Stage 3 in science and there was improvement in Level 7 results in English, Maths and Science.
  - For the fourth consecutive year, at Key Stage 4, pupils attaining 3 or more GCSE's at A or A\* had increased for all pupils.

The Lead Advisor, Gifted, More Able and Talented Pupils stated that work was being undertaken with schools and focused training was available for school improvement partners. There were also opportunities to share good practice and discuss strategies. The Committee noted that through the Villiers Park Project, a bursary scheme was available for pupils to help them attend university.

The Committee resolved that a further report outlining progress made on the Villiers Park Project be submitted to the Committee at a future meeting and that the parliamentary response from Michael Willis regarding the Villiers Park Project be presented at the next meeting.

**(f) National Indicator 71 and the Runaways Action Plan - Briefing Paper**

The Committee considered a report by the Director of Safeguarding and Corporate Parenting regarding progress made on National Indicator 71 (concerning local provision and responses to children who run away from home or Care) and the Runaways Action Plan. Kevin Leaning, Head of Service Youth Offending Team, advised the Committee that this report also included information regarding the impact for Swindon Borough Council.

The Committee heard that whilst partnership working had been undertaken to strengthen this process, further development was needed to determine the number and trends of runaways. Protocols and the utilisation of the IT system were being discussed to ensure effective communication between the Council and Swindon and Wiltshire Police.

The Committee noted details of the Sexual Exploitation and Young Runaways Action Plan and a report to the Swindon LSCB (Local Safeguarding Children Board) Sexual Exploitation and Runaways Working Group that provided up-to-date information on young runaways in Swindon.

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## **Report of Scrutiny and Overview Committees held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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During consideration of this item, the Committee discussed the following salient issues:-

- the robustness of the system to record the number of runaways;
- data sharing by statutory organisations about young runaways;
- data collection to inform service provision, driven by the indicator in the National Indicator Set
- the problems of children and young people who are repeated runaways and identified proactive ways in dealing with their problems.
- Identify patterns of running away in local areas.
- Further to the 'Talk Don't Walk' initiative, provide children and young people with someone to turn to and somewhere safe to stay, if needed.
- The Committee's concerns that further to Appendix 1, data for Swindon relating to Missing Persons Report - Under 18s was not available for the periods quarter 3 and 4, 2009.

The Committee resolved that the Director of Safeguarding and Corporate Parenting submitted relevant documents to Councillor Ray Fisher summarising current case practices and proposed improvements in the processes and the impact these would have on future runaway situations. This was to be presented to the Chair of the Wiltshire Police Authority and that a further progress report, to include qualitative data, be submitted to the Committee in April 2011.

### **3.2.1 Meeting of 23 March 2010**

#### **(a) Strategy for Change**

Paddy Bradley (Director of Schools and Learning) submitted a report informing Members on the strategic education plan to transform learning in Swindon schools and on introducing different ways of organising schooling supported by new models of leadership.

The Committee heard that:

- The Council submitted an expression of interest to the Government to be part of the Building Schools for the Future (BSF) programme. Whilst this expression of interest had been unsuccessful, the exercise allowed the Council to establish the criteria for mapping out a priority list that would aid development.
- The technique implemented had been part of the BSF programme where the process for this work had been linked to areas of deprivation that schools were servicing, schools' performance and building condition.
- Feedback received indicated that the bid had been unsuccessful because other Local Authorities had greater needs in terms of deprivation.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- As the expression of interest had been limited in its attention to post 16 provision, a study had been commissioned into the range of provision and to outline options for the future. Mr Peter Wells would lead this work.
  - Leadership examples within Appendix 2 of the report of the Director of Schools and Learning already existed within Swindon schools with Headteachers taking a flexible modern approach.
  - The future would see fewer school leaders and schools merging and being led by a single leader.
  - Consultation to attract interested parties in school merges was to be undertaken.
  - The Local Authority would be a commissioner rather than a direct provider.
  - As the Academy covered pupils between 0-19 years, there were no transition issues.
  - The Committee heard about the actions being undertaken to address headteacher shortages. This included the formation of 'The Federation' that gives prospective Headteachers opportunities to lead a school.
  - Thirteen headteachers were appointed last year. This had been to address the shortage of headteachers in Swindon. The Leadership Models had contributed to aiding the recruitment process.

Members of the Committee raised the following points:

- Whether the shortage of headteachers had been age related.
- Development study and funding would be led by Mr Peter Wells.
- The Union involvement in the process. Mr Peter Wells advised the study was not at the consultation stage. It was still at the preliminary stage and was on a fact finding exercise to look at numbers and actions required.

Councillor Garry Perkins advised the Committee that future funding for the BSF programme would be limited. He added that diploma qualifications had been introduced in the past year and if the creation of specialist colleges/ secondary schools were to be an option, this would ensure that education aims met business goals. He confirmed that to ensure the number of NEET (Not in Education, Employment or Training) figures did not increase, the need for Post 16 education needed to be addressed.

Jan Shadick (Headteacher at the Swindon Academy) recommended that the Committee reviewed a 'UTube' extract entitled 'Shift Happens'. She advised that this extract related to "educating our children today, for jobs that do not yet exist, using technology not yet invented, to resolve as yet unidentified problems". She added that whilst 95% of 12 year old pupils wanted to learn, only 38% enjoyed coming to school. The Committee heard that this was the challenge currently being faced by education and that this should be the

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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agenda for the way forward in education. She advised that the challenge would be on the way pupils were educated.

Jan Shadick informed the Committee about her experiences as a headteacher at an Academy and discussed the curriculum and attainment of pupils. She advised that the Academy opened for 3 to 19 year old pupils in 2007. This had been extended to encompass 0-3 year old pupils through the partnership with Sure Start. She added that as an Academy, there had been the opportunity to rebrand and look at the wider market to build partnerships. The Committee heard about the ease of communication and engagement with parents across all school years; as one school covering 0 to 19 years, staff had collective responsibility for the pupils across the range of years; staff development was available and staff would be able to teach across all years.

Members of the Committee raised the following points:

- The challenge of recruitment for the Academy in future years.
- The performance of pupils at the transition stage when they relocate from satellite sites. The Committee heard that there were no issues usually associated with transition. Behaviour and attainment was positive.
- School Education Needs (SEN) funding and processes regarding Looked After Children.

The Committee resolved that it be noted that there was no change in the bid for the schools prioritisation for building development in the BSF Expression of Interest. The Committee noted that an interim report regarding progress made on the commissioned study, including information regarding Looked After Children and action taken to decrease the NEET figures to this Committee in June 2010. Additionally, the Director of Schools and Learning and Mr Peter Wells submit a joint progress report regarding progress and actions to be taken following the commissioned study, to the Committee in October 2010.

(b) Gifted, Talented and More Able

Angela Jensen (Lead Advisor, Gifted, More Able and Talented Pupils) presented a report on the implementation of the recommendations of the Gifted, Talented and More Able Task Group. The Committee was advised that the Lead Advisor drew up an action plan that implemented the seven recommendations from the Task Group.

The Committee noted that:

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- From September 2010, bursaries of £250 would be available to secondary schools to support pupils who were identified on the school's gifted and talented register and were eligible for free school meals.
  - Guidance papers had been issued to schools providing clear definitions of 'Gifted, More Able and Talented'.
  - School Improvement Partners had undertaken training take out in schools.
  - Schools and the Local Authority worked closely together on the School Improvement Plans.
  - The Swindon Merlin learning platform had been set up offering a range of downloadable contacts for schools to inform parents about.
  - To assist pupils with after school activities, various venues/ grants were available for schools.
  - Guidance documents had been issued highlighting best practice for a smooth transition process. Currently, schools were responsible for managing their own transition methods.
  - That further to training conducted during autumn 2009, School Improvement Partners would continue to aid schools in utilising self evaluation tools to report progress on Institutional and Classroom Quality Standards

The Committee resolved that the Director of Schools and Learning writes to parents of all pupils receiving Free School Meals advising them of additional entitlements that might be available to them and that the Lead Advisor, Gifted, More Able and Talented Pupils submits a further report outlining progress made on the recommendations to the Committee in March / June 2011.

**(c) Special Educational Needs**

Paddy Bradley (Director of Schools and Learning) presented an update on developments in the areas of Special Educational Needs. He explained that important developments had taken place over the past year which included the Behaviour, Social and Emotional Difficulties (BESD) Review.

The Committee considered the report and noted the following points:

- That the number of permanent exclusions had decreased significantly this year. The 'Fair Access Panel' had played a significant role in this achievement. This Panel was constituted from representatives from schools who received information on individual pupils who were on the cusp of exclusion or were previously excluded and needed support.
- That increased effective collaboration between schools had resulted in best practices on assisting students with BESD to be identified and shared. This had also highlighted what training would be required.
- That Primary School provision for BESD students would be reviewed

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

- 
- Consideration on supporting students with BESD, whether funding should be allocated to schools to help them undertake various projects.
  - That a future study be undertaken to address why pupils disengage at Key Stage 3 and Key Stage 4.
  - That work had been undertaken to ensure provision is tailored to the needs of students.
  - That a new Special Resource Provision had been created at Greendown School.
  - That Ruskin School had assisted in developing resource provision for Autistic Spectrum Disorder (ASD) pupils to access provision in their mainstream primary schools.
  - That due to progress attained, both Nyland School and Stratton Education Centre would be out of Special Measures by the end of 2010.
  - That subject to funding, the feasibility of having a social worker who understand SEN needs be attached to Special Schools to act as a conduit with Social Services, be investigated.
  - That Peter Crockett had been leading a collaboration to undertake work between Crowdys School and Chalet School regarding Autistic Spectrum Disorder.

The Committee resolved that a progress report on Special Educational Needs provisions be submitted in March 2011 and that a breakdown on spending be submitted to the Committee in March 2011 by the Special Educational Needs and inclusion Manager,

**4. ECONOMIC, ENVIRONMENTAL & SUSTAINABILITY OVERVIEW AND SCRUTINY COMMITTEE**

**4.1 Meeting of 11<sup>th</sup> February 2010**

**(a) Waste and Recycling**

Councillor Justin Tomlinson (Chair) circulated a list of questions that had been asked on TalkSwindon in response to his request for queries regarding the Waste and Recycling Services provided by Swindon Borough Council. Officers agreed to provide a full written response to each of these questions and to forward these responses to members of this Committee.

Councillor Fionuala Foley (Deputy Leader of the Council), Celia Carrington (Deputy Chief Executive and Group Director Environment and Leisure), Richard Fisher (Head of Wastes Management) and Jackie Moyles (Head of Streetsmart) provided the following responses to those questions put forward by the Chair:-

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- The current recycling figure was at 47.2%. Last year's figure was 40% and the average for the County was 38% in 2008/09. The first two quarters had been verified by the Environment Agency and the third quarter was in the process of being verified.
  - Research had identified that those people who were allocated two wheelie bins undertook the least amount of recycling. Waste wardens do home visits to advise people on recycling.
  - Food waste collection – this could be picked up as a separate topic.
  - 2<sup>nd</sup> recycling centre – research regarding tonnage and capacity had indicated that this was not required at present. Whilst there were queues at Waterside at peak times, there were other times when it was very quiet and it was about making the best use of the site. It had been a recommendation from Swindon Commercial Services to change the opening hours at Waterside as people were not using it at certain times and therefore a reduction in opening hours at non peak times was put forward as an efficiency saving.
  - With regard to queuing at the site, a text service had been introduced to inform people of the likelihood of queues and it was possible that this service could be expanded. Research had shown that there was a significant amount of commercial and trade waste that impacted upon queuing times and work was being undertaken with local businesses to rectify this problem.
  - There was no evidence that there had been an increase in fly tipping and the available data, as recorded on a monthly basis, had been around 200 per month for the last 2 to 3 years.
  - Noting Members' concerns that not all residents within Swindon knew where Waterside was located and therefore may use alternative sites such as Purton, officers agreed to check the information provided on the intranet.
  - It was not possible to put skips on vacant sites as they had to be licensed specifically for this purpose.
  - Participation in the plastic recycling scheme had increased and discussions with supermarkets about stocking the Council plastic bags had taken place although this may take some time to implement.
  - The Waste Wardens undertake a lot of work to encourage recycling including attending events and putting on displays at various venues such as supermarkets that would be repeated this summer. It is only through the Waste Wardens that a 2<sup>nd</sup> recycling bin can be approved. Roadshows were undertaken annually and these could target the poorer performing areas. Initiatives were also being introduced to those who increased the rate of recycling, for example vouchers for schools.
  - The Windsor Scheme was about rewarding residents directly for recycling but involved the use of chips in bins and a political decision had been taken not to use chips. To retrospectively fit chips would also be very costly but

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## **Report of Scrutiny and Overview Committees held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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officers were still actively monitoring this scheme to ascertain if it would be viable for Swindon.

- Lobbying of the local MP had taken place in the past regarding excess packaging and the MP had written to all local supermarkets regarding this issue. One successful prosecution had taken place in Swindon and this had been taken back to local businesses for information.
- Local Authorities do not have the power to introduce plastic bag free zones. Most supermarkets now ask if customers need bags and this was as a direct result of lobby groups. Members felt that more should be done through the Local Government Association (LGA) to lobby Central Government.
- The life expectancy of a wheelie bin was 9 years.
- The nappy scheme was now up and running as a self-sustaining scheme.
- Recycling provision was considered for all new developments as part of the planning process.

### **4.2.1 Meeting of 11<sup>th</sup> March 2010**

#### **(a) Steam Museum**

Councillor Philip Young (Cabinet Member for Culture, Regeneration and Economic Development) introduced the item and commented on the change in the management approach and the way the museum was marketed, it was now promoted as a visitor attraction rather than just a museum. The management structure had changed and it was now very commercially focused, with the aim of reducing the subsidy that was received from Swindon Council. It was agreed that the Business Plan would be attached to the minutes for Members information and comment.

Alan Greer (Leisure Manager – STEAM) provided Members with information on the performance details and changes that had taken place at Steam. Additional papers had been circulated prior to the meeting with details of costs and visitor numbers. Alan referred to the increase in visitor numbers for each year from 2004 and explained that bad weather had an adverse effect on numbers so a lower rate of increase was anticipated for the current year. He believed it would be possible to achieve somewhere around 175,000 visitors a year, but the difficulty would be in maintaining that figure. The educational side of the business was doing extremely well, having practically reached its target for this year.

The actual cost per visitor had reduced from a high of £7.50 in 2005/06 to £4.13 in 2008/09 and it was expected to reduce further in 2009/10. The number of adults attending museums in Swindon was on a par with Oxfordshire, at about 68%. It was recognised that financially it was not sustainable to rely on casual visitors but because there was no live steam on site, it was very difficult to attract large numbers of enthusiasts. STEAM was now working with Swindon and Cricklade Railway and a joint ticketing system would be in place this summer and there would be further joint

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

---

working for the 175 anniversary of GWR later this year. Councillor Nick Martin advised that a second amount of S106 money had just been released to Swindon and Cricklade Railway to enable it to complete the line at Moulden Hill and this would eventually provide five miles of steam travel.

Councillor John Short suggested that as an added attraction, a track could be installed on the open space in front of the museum to provide train rides. Both Alan Greer and councillor Philip Young explained that the land was still owned by the developers and although there was a right of way on it, previous negotiations had failed to reach a conclusion on the purchase or use of the land. Councillor Young stated that an agreement was urgently needed because of the dreadful condition of the area when the weather was bad.

Councillor Dale Heenan enquired whether it was possible to have a static display on the outside space and also whether there was any government support available so that the entrance fee could be reduced or abolished. He was advised that whilst it was possible to stage temporary exhibitions on the land, until the question of ownership had been resolved it was not possible to have a permanent display. With regard to government support, its policy was to support national collections and as this was in York, STEAM would not benefit.

Ian Surtees (Events Coordinator, STEAM) informed Members that there had been over 300 corporate bookings this year, as well as some major events taking place. The Antiques Roadshow was coming in April, the Beer Festival was happening for the third or fourth year and there was repeat booking from the National Trust for its AGM. There was a great diversity of events taking place, making full use of the rooms and space available within the museum. Councillor Young commented that although the BBC would be providing all its own equipment for the Antiques Roadshow, other users wanted equipment provided and in this respect, the purchase of tables and chairs had proved a worthwhile investment.

Councillor Stan Pajak commented on the importance of a name and asked whether STEAM had become established in people's minds. He also referred to the proposal to expand the art gallery into the museum and enquired whether this had been abandoned. It was a shame that so many paintings had to be stored because there wasn't the scope to mount a proper display. Alan Greer advised that discussions had taken place over the last year regarding the name and the possibility of a change, but over the last ten years it had become well known within the railway fraternity. Councillor Nick Martin referred to the area within the new Central Library where a recent Anne Franke exhibition had been held and suggested that the art gallery could use that space. The idea was liked and endorsed by the Members.

Catering requirements were provided by Swindon Commercial Services Ltd (SCS) although an alternative source would be used if it was considered necessary, as was

**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

happening for the gala dinner in august when a silver service was required. SCS had suggested that the museum ran its own catering facilities but they did not want to take on an unknown area of business. Comment was made regarding the good profit margins that could be made from refreshments. At present, the museum was only gaining about 10% profit but it was thought that as a major customer, it could negotiate for a higher percentage.

Members commented on the progress that had been made over the ten years that STEAM had been established and the good results that had been achieved during the last year, despite the recession. They were informed that to mark the tenth anniversary of the museum, a land train had been hired for that weekend, in conjunction with Forward Swindon and the Outlet Village.

It was agreed that a project team be created to investigate the issue of the STEAM frontage and that Cabinet be requested to review the STEAM business plan in 2010/11. It was also agreed that the Cabinet member for Culture, Regeneration and Economic Development monitor and review the catering arrangements at STEAM as the museum develops and that this Committee recorded its congratulations to the staff at STEAM regarding the work that had been done and for the success of the corporate and educational aspects.

**5. SAFER AND STRONGER COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE**

**5.1 Meeting of 30<sup>TH</sup> March 2010**

Councillor Bob Wright welcomed Councillor Colin Lovell to the meeting and indicated that he hoped there would be a useful two-way exchange of views.

Councillor Lovell noted that Councillor Fionuala Foley was unable to attend the meeting as a result of illness and had tendered her apologies. He thanked the Committee for its invitation to attend and offered his apologies for the absence of officers, with the exception of the Head of Commercial Regulation.

The Committee and Cabinet Member for Safer and Stronger Borough discussed the following issues:

- The link between Anti Social Behaviour and alcohol.
- The need to build upon recent events such as SWADS and the Big Alcohol debate at Steam in order to heighten public awareness and debate on alcohol related issues.
- The lack of feedback received from publicans. Councillor Lovell noted that officers would work to encourage greater participation from the publicans.
- The Dignity Campaign and SWADS visit by Members of this Committee.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- The need for more information relating to domestic violence cases involving alcohol.
  - The cost to the local economy relating to Anti Social Behaviour and the National Health Service in incidents relating to alcohol.
  - The “Cardiff Model” for reporting alcohol related incidents relating to hospital treatment.
  - That hospital statistics often log alcohol related treatment under injuries.
  - The hidden cost to the NHS of alcohol related treatment including specialist staff, security and transfer of funds within budgets for treatment.
  - The benefits of ensuring police and hospital records of alcohol related incidents are compatible.
  - It was noted that where two criminal offences occurred it was often the case that only 1 was being recorded potentially underestimating the harmful effects of the misuse of alcohol.
  - The benefits of tailoring questionnaires to obtain the most relevant information for Swindon.
  - The benefits, such as health and safety, to both the public and the police of door staff at public houses and nightclubs being visible. The “trades” opposition, largely on the grounds of image, to such measures was noted.
  - The powers available to aid the police through licensing and whether these needed to be examined as part of any wider review of the Council’s Licensing Policy.
  - It was noted that the main tool available to assist the police through Licensing was the Review process and additional conditions that might be added to any Premises Licence subject to consideration of appropriate evidence that a breach of one or more of the four Licensing Objectives has occurred.
  - The estimated cost of £66 million to the Swindon economy resulting from alcohol misuse.
  - Alcohol misuse leading to approximately 80 deaths locally, being the third biggest cause of preventable deaths.
  - The problems of alcohol misuse were highlighted by the fact that 16% of the Borough population participated in binge drinking at the weekend, 7% were dependent on alcohol, 10% of diseases were linked to alcohol misuse, and 47% of offences and 30% of violent crime being linked to alcohol.
  - Public perception was that 28% saw alcohol misuse as a fairly big problem and that 19% of noise complaints (45% in renewable areas) were linked to alcohol.
  - The establishment of a Task Group investigating the causes of binge drinking in order to fully grasp the facts and form a coherent strategy.
  - Councillor Wright indicated that he was due to visit the Hampshire Constabulary Domestic Violence Unit on 31<sup>st</sup> March and indicated he would report back any useful information.
  - The need to change the culture of young people in the suburbs and to offer viable and sustainable leisure options to them.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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- Policing options available at times of major incidents within the town and the effect this had on anti social behaviour.
  - The role of the local community and longer-term solutions such as the Family Life Programme as the associated resource implications.
  - The need to ensure local communities remained engaged in combating anti social behaviour.
  - The role of joint working in areas such as licensing.
  - The need for the Council and partner organisations to be seen to be proactive and tough in dealing with local problems associated with alcohol.
  - Government proposals to give Council's more powers under the Licensing Act 2006.
  - Problems associated with Premises being able to continue trading whilst appeals against decisions of the Licensing Authority are awaiting consideration by the Magistrates Court and the impression of inaction this creates.
  - The possible need to be more aggressive in dealing with underage sales of alcohol and methods used to identify offenders.
  - The need to fast track cases involving underage sales of alcohol to the review stage.
  - The possible creation of manned areas in supermarkets where alcohol/tobacco is displayed and sold.
  - The use of alcohol promotions as loss leaders by supermarkets.
  - The possible use of zero tolerance policies for incidents relating to alcohol misuse falling under the Council's jurisdiction.
  - The use of education as the most vital tool in reducing alcohol misuse.
  - The role of an expanded Alcohol Arrest Referral Scheme as an educational tool.
  - The use of a college/school for a meeting of the Committee to discuss alcohol within the context of a youth setting.
  - The need to be innovative in policy formulation, including education.
  - The need to encompass the entire Borough in the discussion on alcohol misuse noting that this was not only an urban issue.

Councillor Lovell's commented that these issues could be taken forward in a number of ways but that they all required funding in addition to that currently available. He also highlighted the role of irresponsible promotions in binge drinking and alcohol abuse.

Resolved – (1) That the Head of Commercial Regulation, in liaison with the Cabinet Member for Safer and Stronger Borough, investigate the linking of all relevant Borough Council and partner policies on alcohol, on the Council's Website.

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**Report of Scrutiny and Overview Committees  
held between 19 December and 1<sup>st</sup> April 2010**

**COUNCIL**

**Date 22 April 2010**

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(2) That the Head of Commercial Regulation investigate whether evidence from Council CCTV Cameras constitutes sufficient evidence to allow police enforcement action.

(3) That a joint letter from this Committee, Cabinet Member for Safer and Stronger Borough and Chair of Licensing be sent to Swindon's Members of Parliament urging them to strongly support Government legislation aimed at amending the Licensing Act 2006 to increase Council powers to deal with problems relating to hours of operation of Licensing Premises and irresponsible promotions.

(4) That the Head of Licensing be requested to investigate whether this Council can legally require supermarkets to identify, cordon off and permanently man during opening hours, an area designated for the promotion and sale of alcohol and tobacco.

(5) That the Scrutiny Officer investigate the use of a college or school for an early meeting of this Committee to discuss alcohol within the context of a youth setting.

**Background Papers and Information**

- Reports for all Scrutiny and Overview Committees and the related Minutes are available in full on the Committee and Member Information Pages of the Council's Intranet and Website ([www.swindon.gov.uk](http://www.swindon.gov.uk)) or on request from Committee and Member Services.

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