

SCRUTINY

MONDAY, 22 OCTOBER 2018

PRESENT:- Councillors Robert Wright (Chair), Emma Faramarzi (Vice-Chair), Emma Bushell, Fionuala Foley, Brian Mattock, Jane Milner-Barry, Des Moffatt, James Robbins, Timothy Swinyard, Chris Watts, Steve Weisinger, Mary Friend and Caryl Sydney-Smith

Councillor Stan Pajak was also in attendance.

Apologies for absence were received from Councillors Barbara Parry and Vera Tomlinson.

28. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. The following declarations were made:

Councillor Tim Swinyard made a personal, non-prejudicial declaration of interest in respect of agenda item 6 (Consideration of Cabinet Minutes) as he worked for the company named in the report in respect of Cabinet Minute 43 (Kimmerfields Purchase Opportunity).

Councillors Jim Robbins and Caryl Sydney Smith made a personal, non-prejudicial declarations of interest in respect of agenda item 7 (Cabinet Member Questions and Answer Session – Cabinet Member for Children’s Services and School Attainment) as they were School Governors.

Councillor Jim Robbins made a personal, non-prejudicial declaration of interest in respect of agenda item 7 (Cabinet Member Questions and Answer Session – Cabinet Member for Children’s Services and School Attainment) as he was a Foster Carer.

Councillors Brian Mattock and Steve Weisinger made personal, non-prejudicial declarations of interest in respect of agenda item 10 (Call-in Request: Cabinet Member Decision) as they were Council appointment representatives serving on the Swindon Housing Board.

29. Minutes

Resolved – That the minutes of the meeting held on 10th September 2018 be confirmed and signed as a correct record.

30. Public Question Time

There were no public questions.

31. Exempt Items - Exclusion of Press and Public

That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Items 6 (Cabinet Minutes 43 and 44) and 10 of the Notice of the Meeting on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 (of Part 1 of Schedule 12A to the Act. (Minutes 32 and 36 refer.)

32. Consideration of Cabinet Decisions

The Committee considered a report introducing decisions arising from the Cabinet meeting held on 17th October 2018.

40. Budget Management Update

The Leader of the Council and Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance, responded to questions put by Councillors Jane Milner-Barry, Des Moffatt, Jim Robbins and the Chair on the following matters:

- The impact on the current homelessness figures and Council budget arising from the previous Housing Property Voids Contract signed with an external contractor.
- The use of emergency accommodation and in particular Membury Service Station to house homeless families with children.
- The level to which Council's Investment Strategy could be considered ethical and the whether the Council could divestment its investment funds from fossil fuels.
- The direct receipt of Dedicated Schools Grant by schools and the effect this would have on Council services provided to schools.
- The Housing Revenue Account overlap with the Housing General Fund Budget.
- The cost of Special Case Reviews involving children.
- The Council's projected financial outlook to 2020 in the light of Local Government funding from Central Government issued by the Local Government Association.
- The retention of monies arising from the growth of Business Rates collected within the Borough.
- Meetings of the Commercial Investment Strategy Board and its oversight of officer decisions.

Resolved – (1) That Minute 40 of the Cabinet be noted.

(2) That information requested by members during the course of the Committee's consideration of this item be forwarded to them via the Committee Clerk.

41. Polling District and Places Review (Minute for Confirmation)

Councillor David Renard, the Leader of the Council, responded to questions put by Councillors Emma Famarzi and Jim Robbins, on the following matter:

- The diversity Impact Study undertaken during the process of choosing a Public House as a Polling Station.

Resolved – That Minute 41 of the Cabinet be noted.

42. Swindon Borough Council (Southern Connector Road, New Eastern Villages) Compulsory Purchase Order 2018

Resolved – That Minute 42 of the Cabinet be noted.

43. Kimmerfields – Purchase Opportunity

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance, responded to questions put by Councillors Des Moffatt, Jim Robbins and the Chair on the following matters:

- Swindon Borough Council and private sector costs to date in respect of the Kimmerfields Development.
- The costs associated with the proposed purchase set out within the report together with the financial modelling undertaken in respect of the proposal.
- Infrastructure proposals should the development referred to be undertaken.

Resolved – That Minute 43 of the Cabinet be noted.

44. Wichelstowe Parcels Proposed Phase 0

Councillor Gary Sumner, the Cabinet Member for Strategic Planning, responded to questions put by Councillors Des Moffatt and the Chair on the following matters:

- The land comprising the Phase 0 development.
- The elements of development forming Phase 0.
- The work of the Joint Development Board.
- The delay in a Cabinet Member response to questions previously put by Councillor Robbins.

Resolved – That Minute 44 of the Cabinet be noted.

(Cabinet Minutes 43 and 44 were considered without the press or public in attendance.)

(Councillor Tim Swinyard made a personal, non-prejudicial declaration of interest in respect of this item as he worked for the company named in the report in respect of Cabinet Minute 43 (Kimmerfields Purchase Opportunity.)

33. Cabinet Member Question and Answer Session - Cabinet Member for Children's Services and School Attainment

Councillor Mary Martin (Cabinet Member for Children and School Attainment), was in attendance and presented to the Committee a report summarising progress and performance in respect of each of the following service areas within her portfolio of responsibility:

- Provide strategic leadership and be the statutory lead Member for Children's Services.
- Provide the political leadership for the improvement plan.
- Through the senior officers, ensure Children are Safeguarded.
- Provide political leadership for the contract/compliance/procurement workstream of the Swindon Programme.
- Provide the political leadership for the strategic provision of:

- a) Corporate Parenting
- b) Early Help
- c) Youth Justice
- Promote Children's Health and Wellbeing.
- Provide political leadership through the Swindon Challenge Board in raising school attainment.
- Ensure that the Council's agreed priorities within the portfolio are delivered.
- To work with the Cabinet Member for Highways and the Environment to provide political leadership for the Demand Management workstream of the Swindon Programme.

To deliver these Councillor Mary Martin has been allocated the following specific responsibilities:

- Children and Family Services including Early Help, Youth Offending Team, Young Person Substance Misuse team, Targeted Mental Health, Education Welfare, Educational Psychology, Youth Engagement, Services for Disabled Children
- Children's Social Work services
- Community Health Services including Health Visitors, School Nurses and Family Nurse Partnership, Paediatric Therapy Services, Speech and Language and Portage
- Local Safeguarding Children's Board
- Multi Agency Safeguarding Hub (MASH)
- Education Services including, Provision for Early Years, LA Maintained Schools, Provision for children with Special Educational Needs and Disabilities, Education Other Than At School, Tuition Service, Championing Excellence and Promoting High Standards
- Children Voluntary Sector Contracts
- Fostering and adoption services
- Troubled Families
- Schools' Forum
- Music Services
- Plas Pencelli Outdoor Education Centre
- Traded Services

In overseeing these areas, the Cabinet Member for Children and School Attainment is responsible for delivering the following Priorities and Pledges of Swindon's vision for 2016-2020:

- 15 In addition to the two new free secondary schools, build one secondary and 12 primary schools to meet the needs of our increasing population.
- 17 Improve educational attainment, in particular at ages 16-19 so we are above the average in England within five years.
- 28 Increase the number of foster carers in Swindon so that every 'child looked after' who should be, is placed in their home borough.
- 29 Work with all of the 1270 families in Swindon who are in most need of support by 2020 in phase 2 of the Troubled Families Programme

Councillor Martin responded to the observations and questions put by Councillors Emma Faramarzi, Fionuala Foley, Mary Friend, Brian Mattock, Jane Milner-Barry, Des Moffatt, Stan Pajak, Jim Robbins, Tim Swinyard, Chris Watts and the Chair on the following matters:

- The proposed composition and role, including independent scrutiny and chairing, of the Council's new Local Safeguarding Children's Board following the Wood Review and changes to the 2018 Act.
- Examination of the outcomes of pathfinder Local Authorities in respect of their establishment of new models for Local Safeguarding Children's Boards together with future funding options.
- The outcomes of the recent campaign to encourage members of the public to report concerns and issues involving children's health and wellbeing within the Borough.
- The response times for public reporting the Multi Agency Safeguarding Team as part of the recent campaign.
- The effective on service delivery arising from the use of agency Social Workers within the Borough and in particular arising from placement changes, changes to Social Workers working with Children Looked After and placement breakdowns and improvements both in place and planned for service delivery.
- Examination results for Children Looked After.
- Work to increase the permanency of Social Workers employed by the Council and measures to retain agency staff where permanent staff cannot be recruited to ensure stability within the department.
- The benefits of re-establishing Memorandum of Understanding with other Local Authorities in the South West to prevent the poaching of Social Worker staff through increased terms and conditions and market factor supplements.
- National and region comparisons with Swindon of Special Educational Needs and Disability Statements and the reasons for Swindon having a higher statistical level than its neighbouring authorities.
- The commissioning of an outreach worker at Butterflies Family Centre and additional funding to provide this service by South Swindon Parish and Central Swindon North Parish Councils.
- An explanation of the percentage figures within progress against the service's top five improvement priorities and preventative work to reduce future demand for services.
- Children's Services Serious Case Reviews undertaken over the previous twelve months, the reporting process involved in such reviews and the process for learning lessons from Serious Case Reviews.
- The Cabinet Members priorities within the Strategic Plan's improvement pillars.
- The monitoring process for Social Workers home visits to Children Looked After and the impact on the child arising from such visits.
- The split within the school budget for work relating to prevention, intervention and work with those pupils at risk from moving past the intervention stage.
- The number of individuals and families that used Sure Start Centres and how outreach work and public participation was currently undertaken.
- Progress on improving Secondary School examination results and the reasons for such improvement.
- Pressures on parents and their children when pupils are forced to take English Baccalaureate courses instead of other subjects where they may excel and how this may impact the overall school results.
- The focus on staff training and leadership to ensure progress in teaching quality and examination results are sustainable.

Resolved – (1) That Councillor Mary Martin be thanked for attending the meeting to present her performance report and for her full and open responses to members' questions and observations on the issues raised.

(2) That information requested by members during the course of the Committee's consideration of this item be forwarded to them via the Committee Clerk.

(Councillors Jim Robbins and Caryl Sydney Smith made personal, non-prejudicial declarations of interest in respect of this item as they were School Governors.)

(Councillor Jim Robbins made a personal, non-prejudicial declaration of interest in respect of this item as he was a Foster Carer.)

34. Work Programme 2018/2019

The Committee considered a report of the Director of Law and Democratic Services setting out the topics for inclusion in the 2018/2019 Scrutiny Work Programme, as agreed by the Committee at its meeting on 18th June 2018, and updated during the course of the Municipal Year.

Resolved – That the Work Programme for 2018/19 be noted.

35. Status of Requests for Action and / or Information

The Committee received an updated report advising on the status of outstanding issues and member requests for information.

Resolved – That the report on the status of outstanding issues and member requests for information be noted.

36. Call-in Request: Cabinet Member Decision

The Committee considered a report of the Director of Law and Democratic Services regarding a call-in request in respect of a decision made by Councillor Russell Holland, Cabinet Member for Finance concerning the transfer of five sites to the Swindon Housing Company.

The Interim Director of Law advised members that, in accordance with the Council's call-in procedure, the Committee was invited to consider the evidence provided by the four councillors as to why the decision failed to meet the requirements of the Council's principles of decision making, as set out in Article 13 (Decision Making) of the Council's Constitution, with particular regard to the carrying out of due process in reaching the decision and/or failing to fully appreciate the implications of the decision, and determine whether the matter should be referred back for further consideration.

Councillors Jim Grant, Des Moffatt and Stan Pajak, three of the four members who submitted the call-in request, expanded on their reasons for making the request and, in particular, sought clarification around the reasons for the proposed transfer of land and financial impact on the Council. The Leader of the Council and Councillors

Emma Faramarzi, Brian Mattock, Jane Milner- Barry, Jim Robbins and the Chair put questions regarding the decision

Councillor Russell Holland, Cabinet Member for Finance, responded on the issues raised, particularly in relation to the consultation undertaken in respect of the proposal. He advised the meeting that opposition spokespersons and ward members along with appropriate officers within the Council had been consulted during the consultation exercise.

Resolved - That the Committee does not support the case put forward in the notice of call-in and therefore does not refer the matter back to the Cabinet Member for further consideration.

(Councillors Brian Mattock, David Renard and Steve Weisinger made a personal, non-prejudicial declarations of interest in respect of this item as they were Council appointment representatives serving on the Swindon Housing Board.)