

## **SCRUTINY COMMITTEE**

**MONDAY, 21 MARCH 2016**

**PRESENT:-** Councillors Robert Wright (Chair), John Ballman, Richard Hurley, Colin Lovell, Gemma McCracken, Des Moffatt, Kevin Parry, Vera Tomlinson, Maureen Penny, Carol Shelley and Chris Watts

Councillor Russell Holland, Cabinet Member for Finance, Councillor Fionuala Foley, the Cabinet Member for Children's Services and Councillor Steph Exell were in attendance.

Apologies for absence were received from Councillors Stan Pajak and Oliver Donachie.

### **56. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

(1) The following declarations of interest were made in respect of Agenda Item 7 - the Cabinet Member for Children's Services question and answer session:

- Councillor Maureen Penny made a personal declaration of interest in her capacity as Chair of Governors of Southfield Junior School.
- Councillor Carol Shelley made a personal declaration of interest in her capacity as a school Governor of Gorse Hill School and Swindon Academy.
- Councillor Kevin Parry made a personal declaration of interest in his capacity as a school Governor of Covingham Park Primary School and Nythe Primary School.

(2) Councillor Exell made a personal declaration of interest with regard to the Committee's consideration of Cabinet Minute 81 - Regionalising Adoption Agencies in her capacity as a user of adoption services.

### **57. Public Question Time**

Mr Paul Exell, a local resident, asked a number of questions about the future of post-adoption services, any reduction in post adoption services outside of therapy, the impact of regionalisation and consultation with adoptive families.

The Chair thanked Mr Exell for his questions which were answered by Councillor Fionuala Foley at the meeting.

### **58. Minutes**

Resolved – That the minutes of the meeting held on 15<sup>th</sup> February 2016, be confirmed and signed as a correct record, subject to the reference to Councillor

Martin at Minute 54, paragraph 3 being removed and replaced with Councillor Faramarzi.

## **59. Consideration of Cabinet Decisions**

The Director of Law and Democratic Services submitted a report introducing decisions arising from the Cabinet meeting held on 16<sup>th</sup> March 2016.

### *74. Update on Fire Combination and Fire-Police Collaboration*

Councillor Brian Mattock, Deputy Leader of the Council, Vice-Chair of the Cabinet and Cabinet Member for Adult Health and Social Care responded to questions put by the Chair about the expected response times for incidents in Swindon following the formation of the new Dorset & Wiltshire Fire and Rescue Service.

Resolved – That Minute 74 of the Cabinet be noted.

### *75. Free Schools Update*

Councillor Fionuala Foley, Cabinet Member for Children's Services, responded to questions put by the Chair, Councillors Carol Shelley and Des Moffatt on the following matters:

- The applications for primary free schools and their capacity to meet current and future needs.
- The ability to raise standards for those schools not achieving national performance targets.
- Concern about the number of free school applications whilst there were current issues relating to (i) the need to improve a number of secondary school exam results and (ii) school spaces.

Resolved – That Minute 75 of the Cabinet be noted.

### *76. Budget Management 2015/16*

Resolved – That Minute 76 of the Cabinet be noted.

### *77. Capital Programme Monitoring 3<sup>rd</sup> Quarter 2015/16*

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, responded to questions put by the Chair about the effects of the changes to the Disabled Facilities Grant for 2016/17 and the removal of the Adult Social Care Capital grant.

Resolved – That Minute 77 of the Cabinet be noted.

### *78. Treasury Strategy Statement 2016/17(Minute for Confirmation)*

Resolved – That Minute 78 of the Cabinet be noted.

#### *79. Future of Swindon Borough Council Operated Nurseries*

Councillor Fionuala Foley, Cabinet Member for Children's Services, responded to questions put by the Chair on the following matters:

- The availability of local nurseries for parents unable to access transport links.
- Budget savings and investment required to maintain the Children's Nursery to an acceptable standard.

Resolved – That Minute 79 of the Cabinet be noted.

#### *80. Swindon Cycling Framework*

Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, responded to questions put by the Chair and Councillors Des Moffatt and Maureen Penny on the following matters:

- The challenges of cycling from the outlying areas of Swindon to the Town Centre.
- Concern about the lack of cycle paths in the rural areas of Swindon.
- The small number of responses received to the Cycling Framework Consultation compared to the number of cyclists in Swindon.
- The future plans for the development of a programme to connect schools to the cycle network.

Resolved – That Minute 80 of the Cabinet be noted.

#### *81. Regionalising Adoption Agencies*

Councillor Fionuala Foley, Cabinet Member for Children's Services, responded to questions put by the Chair and Councillors Des Moffatt, Carol Shelley, Chris Watts, Steph Exell and Vera Tomlinson on the following matters:

- The governance arrangements for the new Regional Adoption Agency.
- Swindon Borough Council representation on the new Regional Adoption Agency.
- The support offered to guardians post adoption.
- Current practices and the requirement for change to Regional Adoption Agencies.
- The impact of regionalisation on the speed of the adoption process.
- The corporate management process and the responsibility for decision making.
- The transition process from the current operation of adoption services to the operation of the Regional Adoption Agency.
- The performance ratings of individual Adoption Agencies in the South East or the South West to help inform the Council's decision as to which operating model to align itself with.
- Maintaining the current high standards of delivery of the adoption service in the future.
- The need for more detailed analysis of each agency to be included in the

report.

Resolved – That Minute 81 of the Cabinet be noted.

*82. Regulation of Investigatory Powers Act 2000*

Councillor Brian Mattock, Deputy Leader of the Council, Vice-Chair of the Cabinet and Cabinet Member for Adult Health and Social Care responded to questions put by the Chair and Councillors Des Moffatt and Chris Watts on the following matters:

- The surveillance activities undertaken by the Council in accordance with the Regulation of Investigatory Powers Act 200 with particular reference to dog fouling.
- Fly tipping issues and the measures in place to tackle residents' concerns.
- The procedural advice offered by the Council to individuals about how they can be represented at interviews with Council Enforcement Officers.

Resolved – That Minute 82 of the Cabinet be noted.

It was agreed that information requested by individual members during the course of the Committee's consideration of the Cabinet decisions should be forwarded to the Committee Clerk for distribution to Scrutiny Committee members.

**60. Cabinet Member Question and Answer Session - Cabinet Member for Children's Services**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, was in attendance and the Committee considered a detailed report summarising progress and performance in respect of each of the following service areas within her portfolio of responsibility:

- Children and Family Services
- Education and Schools
- Children and Young People's Partnership Board and Children's Trust Board
- Early Years Development
- Fostering and Adoption Services
- Music Services
- Plas Pencelli Outdoor Education Centre
- Play Services
- Youth Offending Team
- Youth Services
- Troubled Families
- Governor Support Services

Before considering the report, Councillor Foley invited the Committee to watch a LIFE Programme DVD. The Committee were informed that the Council had worked with a social enterprise, Participle, to design the Life Programme to support families living with complex needs. Participle produced the film to support this work which showed the daily challenges that families live with and the changes that services would need to make to support the families effectively.

At the request of the Chair, Councillor Foley, supported by her officer team, responded to members' specific questions and observations on the following topics:

- The recruitment of local foster carers.
- The challenges being faced by secondary schools when comparing the outcomes/assessments between Key Stage 2/3 and Key Stage 4.
- The process of using pupil premium payments to raise the attainment of disadvantaged pupils and close the gap between them and their peers.
- The potential impact on Swindon schools of pupils attending schools outside of the Borough.
- The drive to improve standards and measure progress to enable all schools to provide equal opportunities for all pupils.
- Concern about the progress being made with post 16 education.
- The number of pupils with both a statement of special educational needs and an Education, Health and Care Plan.
- The absence rate of pupils with both a statement of special educational needs and an Education, Health and Care Plan.
- Fixed Term Exclusions and the measures in place to tackle the high rates experienced in Swindon.
- The number of students attending 6<sup>th</sup> Form Colleges.
- Concerns about the financial consequences and impact on budgets in relation to the large number of pupils in Swindon receiving education other than at school.
- Examples of a healthy diet provided to pupils by schools catering suppliers.
- The young people receiving help from the Swindon Sexual and Reproductive Health Strategy and the possibility of raising the age for receiving help to 17.

Resolved – (1) That Councillor Foley, and her support team of officers, 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 members via the Committee Clerk.

#### **61. Cabinet Member Question and Answer Session - Cabinet Member for Finance, People and Performance**

Councillor Russell Holland, Cabinet Member for Finance, was in attendance and the Committee considered a detailed report summarising progress and performance in respect of each of the following service areas within his portfolio of responsibility:

- Financial Management (Revenue and Capital Programme).
- Finance Management Overview.
- Preparing Future Year's Budget and Medium Term Financial Plan.
- Procurement.
- Human Resources, Personnel & Trade Union Relations (including Staff Nursery)
- Schools HR
- Revenue and Benefits Services.
- The Council's Demand Management Agenda including Stronger Together
- Corporate Performance Management

- Risk Management; and
- Developing welfare and benefits policy.

At the request of the Chair, Councillor Holland responded to members' specific questions and observations on the following matters.

- The need to consider all possible options for the future delivery of the Libraries Service including outsourcing.
- The role of the Town Twinning Network and associated budget.
- Reporting on the Council's gender pay gap on an annual basis from 2017.
- The new procurement processes and updating of procedures rules.
- The number of families affected by the reduction in the Benefit Cap of £20,000 per annum and the impact on other Council services and the assistance offered.
- The promotion and availability of emergency assistance to those on low incomes and in crisis.
- The necessary improvements required to the procedures for processing refugees once they become citizens and the potential for additional financial hardships.
- The possibility of the Committee considering the Council's Risk Register at a future meeting.
- The Performance Dashboard and its role in policy development and scrutiny.

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

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

## **62. Possible Changes to the Council's Overview and Scrutiny Functions**

The Chair referred to a report considered by the Corporate Governance Working Group at their meeting held on 13<sup>th</sup> March 2016. The report set out the current approach to Cabinet decision-making and the role played by the Scrutiny Committee and the Overview and Scrutiny committees in that process and seeking members' views on possible changes to this process, as suggested by the Chair of the Scrutiny Committee following his own investigation of scrutiny practices utilised by other local authorities.

The Committee noted that the Chair of the Scrutiny Committee was proposing the introduction of "pre-scrutiny" arrangements and that the proposal would be considered at a further meeting of the CGRWG to be held in advance of the next Full Council meeting.

**63. 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 outstanding issues and member requests for information be noted.