



## **SCRUTINY MANAGEMENT BOARD**

### **Minutes of a meeting of the Scrutiny Management Board held on Wednesday, 4 November 2015 at 6.00pm in Meeting Room G4, Addenbrook House, Ironmasters Way, Telford, TF3 4NT**

**PRESENT:** Councillors S A W Reynolds (Chair), S Bentley, A Burford, N A M England, V A Fletcher, J M Seymour.

**ALSO PRESENT:** Councillor K Sahota, Leader Telford & Wrekin Council; Councillor P Watling, Cabinet Member Children, Young People & Family Services; R Partington, Managing Director; L Johnston, Director Children Services.

**IN ATTENDANCE:** Councillors S Barnes, J Francis, J Pinter, P Scott and Scrutiny Co-optee Mr S Rayner; F Bottrill, Scrutiny Group Specialist; S Jones, Scrutiny Officer.

#### **SMB-07      APOLOGIES FOR ABSENCE**

Cllrs. K Guy and J Greenaway

#### **SMB-08      DECLARATIONS OF INTEREST**

Cllr. S Bentley said he would declare an interest in item 5 should the need arise.

#### **SMB-09      MINUTES**

**RESOLVED – that the minutes of the meeting of the Scrutiny Management Board held on 27 March 2015 be confirmed and signed by the Chair.**

#### **SMB-10      HOLDING THE EXECUTIVE TO ACCOUNT: QUESTIONS TO THE LEADER CLLR. KULDIP SAHOTA**

The Chair welcomed everyone to the meeting and invited those present to introduce themselves. The purpose of the Holding to Account sessions was for scrutiny members to hold Cabinet members to account for their strategic role and also to extend the range of scrutiny by giving members an opportunity to ask questions about issues not covered in the Committees work programmes.

Cllr. Sahota and the Managing Director (MD) were present for this item. The Chair opened the questions by asking Cllr. Sahota what, as Leader, he felt he had achieved in the first six months of this administration. Cllr. Sahota replied that after the election he had paused to take stock of what the public were saying and the commitments in the administration's manifesto to consider the way forward. He felt a good start had been made over the last 6 months and highlighted the following key achievements:

- Development of the Local Plan was well underway and the final public phase of consultation had ended. The number of planned new homes had been reduced from 26,500 brought forward from the previous plan to 15,500 because of the number of people concerned about the level of proposed development.
- The Green Guarantee in the Local Plan committed to protect at least 150 green spaces and more would be done if possible
- Job Junctions were going well and youth unemployment was reducing
- In relation to the government's devolution agenda an application had been made in October for non-constituent membership of the West Midlands Combined Authority.

Members then questioned Cllr. Sahota further:

- The Chair asked Cllr. Sahota what he thought the key challenges would be for the Council over the next 4 years and if there were any matters that he would like to bring to the attention of scrutiny. Cllr. Sahota replied that the next 3-4 years would see further funding cuts and reshaping of the Council. Senior management had already been cut by 50%, on-going savings of £80m per year had been made and staffing levels reduced but they needed to be honest with the electorate that the administration would be looking at the budget and how to make the organisation leaner and keener.
- The Chair asked what sort of organisation the Council would be at the end of the administration and what success would look like. Cllr. Sahota replied that public satisfaction was key but further cuts of £110m were needed over the next three years which was a lot of money and frontline services would be affected. The Council had managed well so far but the public would now start to see the impact of the cuts. He did not want to make cuts but if the money was not coming in, they had to do something. The future would see a smaller, more efficient Council with officers doing more with less resource.
- The Chair asked if the budget cuts meant the Council would be in a position of only being able to deliver statutory services. Cllr. Sahota replied that he had asked the Managing Director to look at the position The MD commented that it was not as simple as looking at statutory and non-statutory services. There were challenges around adult social care and conversations were taking place around the country about what the system could look like with less money. The challenge was to reduce the demand for services and for people to take greater responsibility for themselves. This was a challenge for the whole country as the shape of public services changes. Funding cuts meant that spending in the borough had already reduced by £1,500 per household per year and the massive scale of the cuts meant that the Council needed to be realistic and people would notice the change.
- There were questions from several Councillors about the governance arrangements for the West Midlands Combined Authority (WMCA) and the role of scrutiny by non-constituent members. Cllr. Sahota replied that the application had only been made in August. Seven West Midlands authorities had applied for constituent status and Telford & Wrekin had applied for non-constituent status. The governance arrangements still needed to be worked out and were not yet

clear even for the 7 constituent members but that if Telford & Wrekin had not applied by then joining later was very unlikely and could have been a lost opportunity to influence decisions. Telford and Wrekin has the benefit of 400 acres of 'ready-to-go' commercial land – more than anywhere else in the West Midlands – and as a non-constituent member would be able to pick up on investment enquiries in a way that would not be possible if the authority was not at the table. It was stressed that as a non-constituent member Telford & Wrekin would not be transferring any powers to the WMCA and the WMCA would not be making any decisions for Telford & Wrekin. In terms of scrutiny the idea was that there would be a joint scrutiny committee of constituent members which would include elected members and co-optees. In response to further questions the MD clarified it was possible for an authority to apply for non-constituent membership of more than one Combined Authority and that the need to explain CAs, and non-constituent membership, to members of the public had been recognised nationally.

- Cllr. Seymour asked what the cost of non-constituent membership was. Cllr. Sahota replied that the cost for this year was £10k and then £25k annually.
- Cllr. Bentley said that he welcomed the introduction of the Local Plan and the reduction in housing numbers. He clarified for the record that the housing figures inherited from the Core Strategy referred to by Cllr. Sahota at the start of the meeting had not been set by the previous administration but had been set nationally. He said 15,500 new homes was about right but felt that evidence in the consultation report indicated the number could have been reduced further to 12,000.
- Cllr. N England asked Cllr. Sahota about the LEP decision making process, whether he felt it was transparent and if he thought that Telford & Wrekin got a fair deal from funding flowing through the LEP, for example from the £17m Growth Point fund. Cllr. Sahota explained that there is a business-led Board which included the Leaders of the three authorities within the LEP, the chairs of the business board in each authority area and other specialists such as finance officers. The Board is responsible for developing a Strategic Economic Plan which follows government guidelines and sets out the economic and employment priorities for the LEP area. Each authority submits bids for funding to deliver outcomes against the priorities in the strategy. Telford & Wrekin had been successful in securing £19m project funding from the Growth Point fund.
- The Chair asked about the impact of Individual Electoral Registration (IER) and whether there were any plans to increase enrolment to prevent voters falling off and not having a voice in elections. Cllr. Sahota replied that there were around 123,000 on the electoral register which in terms of numbers was up by around 700 under IER although the numbers did not take account of population growth. Under IER each person needs to register individually rather than as a household. There was a concern that young people may not be registering and there was a need to reach out to them, for example through colleges. Government grant was based on the number of voters so it was important that everyone registered. Officers had done a lot over the past few months to contact and engage people but some voters had not responded in spite of receiving 5 or 6 letters. The Chair

asked if the new IER system had made it harder for people to register and Cllr. Sahota said in his view it had been easier when one person registered everyone in the household including young people. If individuals did not register straightaway there was a risk that they may not get round to it at all.

- Cllr. Francis asked why potential investors would be attracted to Telford and Wrekin when there were a lot of derelict properties and brown-field sites in Wolverhampton. The Managing Director replied that brownfield sites could be much more costly to develop, for example decontamination costs, and Telford could offer un-developed land.
- Cllr. Francis asked Cllr. Sahota's view on compulsory voting and he replied he was not in favour and people should have – as they do – the right not to vote.
- Cllr. Burford asked what the Council's view was on the restructuring of hospital services. Cllr. Sahota replied that he was an elected representative of the people and people wanted to see A&E and acute services in Telford especially the Women & Children's services. He was in favour of keeping services in Telford and would fight to keep them here. This had been a pledge in the administration's manifesto.

There were no further questions and the Chair thanked Cllr. Sahota and the Managing Director for attending.

**SMB-11      HOLDING THE EXECUTIVE TO ACCOUNT: CLLR. PAUL WATLING, CABINET MEMBER CHILDREN, YOUNG PEOPLE AND FAMILIES**

Cllr. Watling and the Director of Children & Family Services were present for this item. The Chair opened the questions by asking Cllr. Watling what his main achievements as Cabinet Member had been in the first six months of the administration. In reply Cllr. Watling highlighted the following:

- A big achievement was the embedding of the systems at Family Connect. Over the last two weeks Cllr. Watling had attended two of the twice-daily multi-agency triage sessions to see the process in action and how data is triangulated. Family Connect was hugely important to the way services are accessed and delivered. He had initially had concerns about the risks and needed to be convinced that services would not be damaged but had been assured by officers and the experience of other authorities that it was the right approach. Now he felt the system was better in Telford & Wrekin than elsewhere. The triage system enabled solutions to be found through a multi-agency approach and he was pleased that a MASH (Multi-Agency Safeguarding Hub) would be developed within Family Connect to deal with the more complex children's cases. Quality Assurance systems developed over the previous four year had been embedded as had an integrated toolkit. The issue before had been the large number of cases referred to safeguarding which were not safeguarding issues but had taken up the time and resources of the safeguarding team. Now, information is reviewed at Family Connect so that cases are referred appropriately and only

cases meeting the threshold are referred to safeguarding. The other agencies involved in Family Connect were all aware of the threshold. He felt that the service was really moving forward.

- Phase 1 of Strengthening Families had been completed and there had been good feedback from the government. Phase 2, the outcomes framework, was being developed and embedded and the authority would be paid on outcomes. Cllr. Watling supported this approach of intensive family support.
- The Early Help Strategy was in place. The Early Help Board had been established and would report to the Health & Wellbeing Board. The relationship with education was important.
- The changes to the SEND process had been navigated and young people were in the process of moving from statements to EHC plans. The process had been made clearer for parents. The Department for Education had visited and feedback was that Telford & Wrekin was on track and things were going well which was not a position mirrored across the country and Cllr. Watling said he was proud of the officers responsible.

Members then questioned Cllr. Watling further:

- The Chair asked what challenges the service faced and if there were any concerns that Cllr. Watling would like to bring to scrutiny's attention. Cllr. Watling replied that three weeks ago he had attended the worst budget meeting ever to look at next year's budget. The budget had been cut by £2.6m. Spending had already been cut to the marrow and it was difficult to see how some services could continue. It would be more difficult to fund preventative work to reduce demand for statutory services. Cllr. Watling said he was now really concerned, and that it would be difficult to balance the budget without affecting statutory services. He could not guarantee that the cuts would not affect statutory services next year or in following years. The challenge was how to do it; how to protect the most vulnerable children and young people and what other ways could be found of doing it. He recognised that the authority had some really good officers. They would not be able to continue all universal services for example locality services and would need to talk to partners and local communities about how they could deliver services alongside the statutory services provided by the Council. Cllr. Watling assured members that there would be no cuts to frontline children's safeguarding. The corporate team (including Cabinet Members, Managing Director, Director, Assistant Directors and Finance officers) met every six weeks to monitor and manage the budget against the Cost Reduction Plan and this was the hardest year he had ever known.
- The Chair said she was reassured to hear there would be no cuts to the children's safeguarding budget but she was concerned about the cuts and wanted to know what the service would look like at the end of the administration and what success would look like. Cllr. Watling said he had faith in the community and that they would step up to work with the Council. He said this was a crisis and the cuts inflicted were the hardest ever. The Chair of the Local

Government Association's Children & Families Board had shared his concerns about the cuts. He felt that everyone should lobby their local MP and others, and he would welcome support from all members in doing this. It was getting to the point where it was harder and harder to deliver preventative services.

- Cllr. Bentley agreed that protecting vulnerable children was a priority and it was incumbent on Members to ensure that safeguarding has money. He asked if the Cabinet member was prepared to work with other political groups to do this, for example by cutting the Community Pride fund. Cllr. Watling replied that he would always talk to anyone and he had set up the cross-party Corporate Parenting group because it did not matter which party members belonged to, they were all corporate parents and it was positive that there were no longer political discussions about vulnerable children at full Council meetings.
- Cllr. Francis asked, when academies were out of local authority control, why the Telford Co-operative Multi-Academy Trust (TCMAT) had been set up. Cllr. Watling replied that the model had been chosen by the schools and made it quite clear that the Council had not chosen the model. The four schools had come together and the Council had worked with them as a partner. On the point of academies being outside local authority control, Cllr. Watling said he would love to have the power to convince the Department for Education, Education Funding Agency, school governing bodies etc. to change, but he did not. Cllr. Watling had agreed with the schools' decision to set up the TCMAT because he believed co-operation in education worked better than competition. He believed that Telford and Wrekin was lucky in the relationships that schools have with each other and that a new sponsor had been appointed for the three schools.
- Cllr. Barnes said that the DfE and EFA had described the Council's relationship with the TCMAT as 'unusual' and he asked for Cllr. Watling's comments on this. Cllr. Watling replied that he was not aware of the comment and asked Cllr. Barnes to email the relevant document to him. Cllr. Barnes explained that he had seen the comment in a Trustees report on the website and would forward the report to Cllr. Watling for his response. He further congratulated Cllr. Watling on Family Connect; the Children & Young People Scrutiny Committee had visited and thought the service was excellent.
- Cllr. Bentley asked if Cllr. Watling would agree that the TCMAT had been an unmitigated disaster and Cllr. Watling responded saying that the schools had had disappointing results. It had become clear that the Directors did not have the capacity to deal with the issues and that was why they had gone to the Regional Schools Commissioner.
- Cllr. Reynolds asked for clarification on the role of local authorities in commissioning and monitoring academies. Cllr. Watling explained that local authorities are responsible for standards but without having any powers. Telford & Wrekin tries to work closely with academies to support them but if they do not buy into the Council's school improvement service it was difficult to do anything. The Director explained that the authority Quality Assures all schools – maintained and academies – but schools could use other providers for support. The QA

methodology had worked well with primary schools and was now being used with secondary schools, and had been tested by Ofsted. Once the QA process has been completed, if a school decides not to co-operate they are written to in accordance with a clear protocol and if there is no response the Council talks to the Regional School Commissioner and Ofsted. The relationship with the Regional Schools Commissioner was developing. Some academies buy-in to the Council's School Improvement service but some academy trusts have their own providers. The Director was confident that the Council's service was good quality and many schools in the borough buy-in.

- Cllr. England asked about the relationship with the CAT (the new sponsor) and if Cllr. Watling was confident going forward. Cllr. Watling replied that he was positive about the direction of the schools. He Community Academies Trust (CAT) had taken over the three schools. He had met Philip Hamilton the Executive Head of the CAT and he was only interested in making the schools centres of community education such as the outstanding Polesworth School in Staffordshire which was run by the CAT. Cllr. Watling expressed his hope that this would progress and be positive for the schools. A Fujitsu Tablet Academy had opened in the Park School (the old Lakeside school) which would help raise aspirations in the community and he was pleased that Philip Hamilton had taken this on board. He was as comfortable as he could be with any academy process.
- Cllr. Fletcher asked more about local authority powers to intervene and at what stage the Regional School Co-ordinator would be brought in. Cllr. Watling replied if there were any concerns they would take action to provide support and challenge. The Director informed members that the School Improvement Quality Assurance Protocol was in place. The Protocol had been amended to include all schools and not just maintained. A copy of the Protocol could be provided after the meeting.
- Cllr. Fletcher said that presumably they had worked in partnership with the schools and asked what results they had had. Cllr. Watling responded that schools have school improvement partners and the Council had a QA role. It was easier if the school used the Council's own school improvement service and harder to intervene if the school was using their own school improvement partner. There had been huge improvement in primary outcomes over the last five years which was positive and good for the secondary schools but the secondaries were in a different place. Nearly all the primary schools buy into the Council's school improvement service and they were trying to sell the service to secondary schools and further afield outside the borough. The Director added that annual assessments would be carried out and a report with the relevant data prepared for all schools and the process would be included in the Protocol.
- Cllr. Fletcher asked if this would create an awareness of the progress of all children at the end of each term and year. Cllr. Watling replied that each school had its own system for monitoring pupil progress. The Director said that schools were in charge of the process and the Council had a QA role but would have high expectations that schools would report on progress.

- Cllr. Fletcher asked if academies reported to the authority if there were any issues and Cllr. Watling said they did not and issues would be reported to the Governors and Academy Trust as the accountable bodies.
- Cllr. Barnes asked if there was a risk of the primary schools becoming academies – he noted that most of the schools in the CAT were primary. Cllr. Watling replied that academies were here to stay and not going away. There were 7 or 8 different types of school in Telford and Wrekin – maintained, converter academies, sponsored academies, City Technology College etc. – and there is huge diversity within the borough. The service had to adapt to not being the local education authority but to working as a partner with a clear QA role. It was important to offer the right support. There was good evidence from the primary schools about the offer that needs to be shared with the secondary schools.
- The Chair asked about the 2015 exam results. Cllr. Watling tabled a summary of provisional GCSE results. Results were still being appealed and could change but there was a positive story with an upward trajectory although not as good as it could be. There had been a change to the marking system which meant that nationally there had been a 5% drop in attainment levels. The Chair said she knew of cases where results had been challenged and the grade had improved after re-marking and it was always worth challenging.
- Cllr. Seymour reflected on the costs associated with children in care, especially the cost of out of borough residential placements, and asked if the trend in numbers was rising and if so how this was being addressed. Cllr. Watling did not have the figures to hand but almost £1m had been saved on residential placements by working with families to look at the educational needs and best interest of young people and to develop local provision so that parents have a choice. The Council had partnered with HLC to develop specialist autism provision at Queensway School. The Director confirmed that number of children in residential care was down substantially and that more children were being placed with internal foster carers than agency carers. The internal carers were cheaper and better quality. Commissioners were negotiating on quality residential placements as an invest-to-save and were looking at how to do more. Cllr. Watling added that young people with complex needs were more difficult to place in Telford and Wrekin and they were looking at developing sustainable foster care provision locally for young people with the most complex needs. He said it had been a joy meeting the foster carers and hearing their stories.

There were no further questions and the Chair thanked Cllr. Watling and the Director for attending.

## **SMB-12      REVIEW OF SCRUTINY CO-OPTees**

The Scrutiny Officer gave an overview of report on the review of non-statutory co-optees circulated as Appendix B. The report summarised the recruitment process, the number of applications received and appointments made to date. Interviews were still on-going. It was clarified for Cllr. Fletcher that the provision to appoint up to 2 Town and Parish Councillors to the Health & Adult Care Scrutiny Committee

would be included within the total of four co-optees allowed by the Terms of Reference.

#### **RESOLVED**

- **That the Board note the contents of the report**
- **That the Board endorse the appointment of co-optees recommended by the Scrutiny Chairs set out in section 6 of the report**
- **That discretion be given to Scrutiny Chairs to make further appointments for confirmation by the Scrutiny Committees and reported back to the Board**

#### **SMB-13      SCRUTINY WORK PROGRAMME INTERIM UPDATE**

The Scrutiny Group Specialist summarised the report on the scrutiny work programme circulated as Appendix C which showed that work was on-track in terms of the number of meetings and the timetable for the Children & Young People Scrutiny Committee's review of CSE.

There was a discussion about the dates of the remaining Scrutiny Management Board meetings and the Cabinet members the Board would like to invite to the Holding to Account sessions. It was agreed that the January meeting should not go ahead as it clashed with the budget scrutiny and a new date should be found during February or March. It was agreed that Cllrs. Liz Clare and Shaun Davies would be invited to the February/March meeting and Cllrs. Richard Overton and Arnold England would be invited to the May meeting. It was agreed that this would be an opportunity to ask Cllr. Overton questions about Section 106 and the CIL which had been referred to the Board as a cross-cutting issue by the Customer, Community & Partnership Scrutiny Committee.

There was a discussion about the Scrutiny Suggestion Forms received from members of the public. The suggestions largely related to a planning application which had yet to be decided by the Planning Committee. The Board agreed that the suggestions were not appropriate for scrutiny as it is not within the role of local government scrutiny to consider issues relating to individual planning applications. However, it was noted that one of the issues set out by the Local Government Ombudsman that scrutiny may consider in relation to planning was the number of complaints received by the Council about decisions on planning applications, what the outcomes were and how the Council has used them to improve its services. At the end of the discussion it was agreed that the people making the scrutiny suggestions would be notified that the suggestions would not be considered by scrutiny for the reason discussed, that it was not the role of scrutiny to consider matters relating to individual planning applications, but that they would be provided with details of the complaints procedure for planning matters and that a report on the complaints received relating to planning, as set out by the LGO, would be requested to come back to the Board as part of the Holding to Account Session with Cllr. Overton next year.

#### **RESOLVED**

- That the Scrutiny Suggestions be dealt with as agreed during the discussion
- That Cabinet Members be invited to future meetings as agreed during the discussion

**SMB-13      CHAIRS' UPDATES**

There were no updates provided further to the matters discussed during the previous item.

The meeting ended at 8.10pm

**Chairman:** .....

**Date:** .....