

## PEOPLE'S SCRUTINY COMMITTEE

5 September 2016

### Present:-

Councillors S Randall-Johnson (Chairman), F Biederman, A Connett, A Dewhirst, A Eastman, R Hannaford, A Hannan, R Hosking, J Mathews, R Rowe, M Squires and C Mabin

### Members attending in accordance with Standing Order 25

Councillors J Hart, J McInnes and B Parsons

### Apologies:-

Councillors E Barisic, J Hone, P Sanders and J Mannix

\* 10

### Minutes

**RESOLVED** that the minutes of the meeting held on 16 June 2016 be signed as a correct record.

\* 11

### Public Participation: Representations

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged oral representations made by Ms Bagwell on a matter to be considered by the Committee that day, namely the proposed closure of Compass House Crèche, (Minute 13 below refers) commenting from her own experience on the value of the facility.

The Chairman responded, thanking Ms Bagwell for her attendance and presentation which would be taken into account by the Committee during its subsequent deliberations.

\* 12

### Call In of Cabinet Member Decision: Post 16 Education Transport Policy for 2017/18 (Minute 51, 13 July 2016)

(Councillor McInnes, Cabinet Member for Children, Schools and Skills, attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee).

The Committee noted that, in accordance with the Scrutiny Procedure Rules, the requisite number of Members (Councillors Brazil, Connett, Dewhirst, Hook and Way) had invoked the call-in procedure in relation to the decision of the Cabinet (Minute 51, 13 July 2016), relating to Post 16 Education Transport Policy for 2017/18, on the grounds that in taking this decision the Cabinet had *'failed to consider the ability of colleges to make funding available for Post 16 student transport to 'plug the gap' created by the council decision. Further, the proposed new county scheme is so vague that it is wholly unclear what the benchmark is for students or their families to evidence there is no suitable transport for college. Additionally, the county states it will not provide transport even where, for example, where inconvenience is caused to the family. This fails to consider the potential economic and social impacts of each applicants own circumstances and is, therefore, unreasonable. The Cabinet has failed to consider the potential impact of this decision on discouraging young people from rural areas and/or families on low incomes from continuing in education'*.

The Cabinet Member for Children, Schools and Skills outlined the reasoning behind the Cabinet's decision and responded in detail to issues raised below upon the impact of the policy, commenting also on the Council's:

- statutory duty to provide transport support only where the absence of such support (through, for example, the College Bursary Scheme where schools now received funding direct from Government) would prevent a student remaining in education;
- that duty was enshrined and re-affirmed in the proposed policy now commended to the Cabinet. Students who were currently receiving support with transport would continue to do so until the end of their education;
- that, as now, students and parents had the primary responsibility for getting to and from College and they would have to demonstrate that all possible options had been explored before seeking financial assistance either from the Bursary Scheme or from the County Council;
- the Council was seen as the final 'safety-net' for claimants but where, for instance, students would be able to walk to and from College or public transport was available there would normally be no need for the Council to assist in any way.

The aforementioned issues raised related to the impact of the proposed change in policy upon:

- parents with inflexible working hours being unable to transport children to school;
- students with additional special educational needs would be supported;
- students' contributions towards transport costs;
- school's/college's funding.

It was **MOVED** by Councillor Randall Johnson and **SECONDED** by Councillor Rowe that the Cabinet's decision be endorsed with the addition of the wording that 'the Local Authority continue to lobby central government regarding the sparsity factor faced by a County Shire such as Devon.

\* **13** **Call in of Cabinet Member Decision for Adult Social Care and Health Services - Closure of Compass House Crèche**

(Councillor Hart, Leader of the Council, attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee).

The Committee noted that, in accordance with Scrutiny Procedure Rules, the requisite number of Members (Councillors Hannan, Westlake, Hannaford, Hill and Owen) had invoked the call-in procedure in relation to the decision of the Cabinet Member for Adult Social Care & Health Services, notified to councillors on 23 August 2016, relating to the proposed closure of the Compass House crèche, in accordance with Paragraph 11 of the Scheme of Delegation as set out in Part 3 of the County Council's Constitution, on the grounds that the decision '*fails to take sufficient account of the fact that women suffering from post-natal depression are routinely in need of on-site care for their children, as is available at Chestnut Children's Centre where Depression and Anxiety Service sessions are run alongside childcare provision. The existence of this arrangement other than at Compass House is actually denied in the Impact Assessment*'.

The Leader of the Council outlined reasons for the Cabinet Member's decision and responded to issues raised at the meeting including:

- the perceived importance of mothers' being able to access child care at the same facility as they were receiving treatment;
- the availability of child care providers willing to take children on a temporary short-term basis;
- the costs of private child care providers, which were often more expensive than Compass House.

It was **MOVED** by Councillor Channon and **SECONDED** by Councillor Squires and **RESOLVED** that the Cabinet Member decision be not endorsed and that the Cabinet be recommended to retain the Crèche for the present and that the Devon Partnership Trust be asked (i) to look at the possibility of it providing those therapy and counselling services (currently provided at Compass House) in premises elsewhere in the City of Exeter which had an Ofsted Registered Crèche and (ii) report back [to Cabinet] within a period of 3 months.

[NB: See also Minute 11 above.]

\* **14**      **Children's Standing Overview Group**

The Committee received the Report of discussions and decisions at the meeting on 12 July 2016 (CS/16/30) including Early Help Development, Child and Adolescent Mental Health Services', Performance Management in Children's Social Work and Child Protection and the Devon Children's Improvement Plan 2016/17.

\* **15**      **Adult's Standing Overview Group**

The Committee received the Report of discussions and decisions made at the meeting on 6 July 2016 (CS/16/29) including Adult Social Care Performance Framework, Market Sufficiency and Quality and concerns around the Brokerage Service.

\* **16**      **Appointment of the Commissioning Liaison Member**

The Cabinet Member for Performance and Engagement commented on the Corporate Service's 'Scrutiny in a Commissioning Council' Task Group which considered how the externalisation of services was impacting the role of scrutiny, and in particular how scrutiny committees could engage with the commissioning process and hold providers to account. The Task Group had identified a number of good practices, where scrutiny had been involved with commissioning processes and where providers had been willing to engage with scrutiny, but found that there were inconsistencies across service areas.

The Cabinet Member further advised that the Cabinet, having accepted the Task Group's recommendation to 'strengthen communication and collaboration between Cabinet Members and Heads of Service and Scrutiny Committees, in relation to commissioned services', outlined a proposed protocol involving each Scrutiny Committee appointing a 'Commissioning Liaison Member', to:

1. develop a fuller understanding of the Council's commissioning processes and priorities
2. build good working relationships with relevant Officers and Cabinet Members responsible for Commissioning, within the Scrutiny Committee's remit
3. act as an intermediary / link between Cabinet and their Scrutiny Committee and bring to the attention of the Scrutiny Chairman and Committee, any issues which could benefit from Scrutiny

It was **MOVED** by Councillor Randall Johnson, **SECONDED** by Councillor Channon, and

**RESOLVED** that Councillor Hannaford be appointed as the Commissioning Liaison Member for People's Scrutiny Committee.

\* **17**      **School Exclusions Review: Educational Outcomes Task Group**

The School Exclusion Review of the Educational Outcomes Task Group (CS/16/32) presented its report to this Committee on 21 March 2016 (Minute \*147 refers), with the recommendations endorsed by Cabinet on 13 April 2016. Following subsequently, the Task Group had received School Exclusion figures in June 2016 which revealed some potentially

troubling trends in Devon and therefore agreed to meet again, together with Devon County Council's Inclusion Officers, to review the matter further.

Data revealed that when comparing statistics from the whole school year 2014/15 against part of the 2015/16 school year (01/09/15 – 10/06/16), there had been a substantial rise in the overall number of permanent exclusions and to varying extents in each key stage. However, the statistics for Fixed Term Exclusions showed an opposite trend, with a slight decrease in the number given in each key stage.

The Chairman of the Task Group highlighted the following concerns:

- the possible impacts of new government policies to be introduced following the recommendations of the White Paper;
- the increasing pressures on the team of Inclusion Officers;
- the need to secure and if possible enhance the Supplementary Funding Pot;
- the costs of alternative provision;
- the possible relationship between domestic and pupil violence.

It was **MOVED** by Councillor Hannan, **SECONDED** by Councillor Randall Johnson and

**RESOLVED** that an update report be brought to the next Committee on 17 November 2016, on progress particularly addressing recommendation 3, 4, 5 and 6 of the Task Group Report and with a full data set to make comparisons between academic years 2014/15 and 2015/16 with regard to the number of school exclusions in Devon.

\* **18**      **Small Schools Task Group Report**

The Committee considered the Report of the Task Group on Small Schools (CS/16/31) which examined the issues said schools faced with the intention of designing a toolkit to help meet the challenges facing them in the future. The Committee recognised the importance of school governors in maintaining the high standards seen throughout Devon primary schools, with 91% graded 'good' or 'outstanding' by OFSTED.

Small schools formed an important and valuable part of the education system in Devon, particularly in rural parts of the County, with a large number of schools with less than 150 pupils. It was noted that strong partnership work between small schools through the federation process was vital in delivering excellent outcomes for children and young people.

It was **MOVED** by Councillor Randall Johnson, **SECONDED** by Councillor Hannaford

**RESOLVED** that the Task Group's findings and recommendations be commended to the Cabinet for approval and action.

\* **19**      **Residential and Nursing Care: Market Sufficiency and Commissioning Approach**

The Committee considered the Report of the Head of Social Care Commissioning (SCC/16/50) on market sufficiency and commissioning approach to residential and nursing care in Devon, which was the largest area of expenditure to the Council of £101,000,000 per year.

The Committee noted that feedback from providers, staff and service users had favoured either an open framework with the price agreed through consultation and engagement with providers based on the existing fee model or the use of a personal dependency profile to identify individual care needs and commission the number of hours, rather than slotting into just the current two banded rates.

It was noted that the procurement process was currently being designed in order to seek tendering in Autumn of 2016 to introduce a new joint health and social care contract from April 2017.

\* 20 **Children's Performance Report**

(Councillor McInnes, Cabinet Member for Children, Schools & Skills attended in accordance with Standing Order 25(2) and spoke to this item at the invitation of the Committee).

The Committee received and noted the Report of the Strategic Director, People's ([SCC/16/03](#)) summarising progress on work being delivered by Children's Social Work and Child Protection Services to the end of the first quarter of 2016/17.

The Cabinet Member for Children, Schools & Skills advised the Committee of the significant changes in senior management within this Service which had taken place since June 2016.

The Report covered the Early Help System; the number of Children in Need decreasing by 18% to 4,674 by the end of March 2015/16; referrals to statutory children's services remained consistent; Assessments; Child Protection enquiries; child protection conferences and Re-registration.

Members' discussion points with the Cabinet Member(s) and Officers included:

- the difficulties faced over recruiting high quality permanent Social Workers in Devon;
- the cost of agency staff;
- the high number of caseloads faced by Children's Social Work teams;
- ongoing development and training work with staff to enable staff progressions and increased retention within Devon County Council;
- an increase in Team Manager pay to help retain and attract staff to Devon;
- an increase in the number of MASH referrals.

\* 21 **Adult's Performance Report**

RESOLVED that consideration of this report be deferred to the next Adult Standing Overview Group on 28 September 2016.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.00 pm and finished at 6.00 pm