

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 14 December 2005.

PRESENT

Dr. M. O'Callaghan CC (in the Chair)

Mr. J. G. Coxon CC  
Mr. S. J. Galton CC  
Mr. Mike Jones CC  
Mr. J.S. Moore CC  
Mrs. R. Page CC

Mrs. J.A. Dickinson CC  
Dr. S. Hill CC  
Mr. John Legrys CC  
Mr. P. C. Osborne CC  
Mr. E. D. Snartt CC

**By Invitation**

Mr. D.R. Parsons CC	-	Leader of the Council.
Dr. R.K.A.Feltham CC	-	Cabinet Lead Member for Resources, Efficiency Savings and Performance Management.
Mr. I.D. Ould CC	-	Cabinet Lead Member for Children's Services.
Mr. N.J. Brown	-	Chairman of the Education Scrutiny Committee.
Mr. D. Bown	-	Labour Spokesman on the Highways, Transportation and Waste Management Scrutiny Committee.

22. Minutes.

The minutes of the meeting held on 14 October 2005 were taken as read, confirmed and signed as a correct record.

23. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

24. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

25. Urgent Items.

The Chairman advised that he had agreed to consider as an urgent item the process followed in placing an advertisement inviting expressions of interest for the management of the Pupil Referral Unit.

26. Declarations of interest.

There were no declarations of interest.

27. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the Party Whip.

28. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that there were no petitions to be presented.

29. Change in order of business.

The Chairman advised that he had agreed to change the order of business from that set out on the agenda.

30. Management of the Pupil Referral Units.

The Commission considered this matter, the Chairman having decided it was an urgent matter. This related to concerns expressed regarding the decision making process leading to the placement of an advertisement in the Guardian inviting expressions of interest to manage the Authority's Pupil Referral Unit.

The Commission considered the following documents in relation to this matter:-

- Copy of the advertisement placed in the Guardian newspaper on Tuesday 6<sup>th</sup> December 2005.
- Copy of a letter from the Director of Children's Services (Designate) to all members of staff in the Advisory and Inspection Service dated 7<sup>th</sup> December 2005.

Copies of these documents are filed with these minutes.

Mr. P. C. Osborne CC declared a personal and prejudicial interest in this matter in view of comments he had made on this issue in his capacity as Chairman of the PRU Management Committee. At the request of the Chairman and with the agreement of the Commission he remained in the room and agreed to answer questions as a witness.

The Chairman welcomed to the meeting Mr. I.D. Ould CC, Cabinet Lead Member of Children's Services who had kindly agreed to attend the meeting and assist the Commission in its deliberations.

The Director of Children's Services (Designate) advised the Committee that, in the context of change in the Education Service, discussions had been held within his Senior Management Team on options regarding the operation and management of various units within the Department. In the course of these discussions the possibility of exploring a different approach for the PRU was discussed. That discussion had been prompted by difficulties being experienced in managing the PRU. Whilst discussions had taken place, the Director assured members that neither the Management Team nor the Cabinet had taken any decision regarding the option of externalising the management of the PRU. The decision to place the advertisement had been taken in error, by an Interim Manager, who had recently joined the Department with a remit to review the operation and management of the Advisory and Inspection Service,

which included the PRU. As soon as the error had come to light the Cabinet Lead Member was advised and letters were sent out to staff explaining the advertisement had been placed prematurely and that no decision had been taken to outsource the management of the PRU. The staff were advised that they would be consulted beforehand if, following a review, a decision were to be made to explore this option. The Director apologised for the error and for the distress caused. The officer responsible had been reprimanded and the Director gave an assurance that measures were being put in place to ensure there was no repetition.

In response to questions by the members the Director advised the Committee that:-

- i) Officers in ESPO had assumed that the Interim Manager had the authority to place the advertisement.
- ii) All senior staff within the department had been reminded of the limits of their delegated powers.
- iii) An independent review of the PRU had identified areas of weakness and the need for significant improvements in the operation and the management of the service. An OFSTED inspection had also recently been completed. The formal OFSTED report was awaited. Officers would study that report carefully before preparing an Action Plan on which staff would be consulted.
- iv) The Department had employed 3 Interim Managers/Consultants to assist the Director. Each of these had been provided with an induction which included the decision making process within the County Council.
- v) A letter had been sent to all staff in the Advice and Inspection Service recognising the distress which the advertisement had caused.

The Chairman then invited Mr. Osborne CC, in his capacity as Chairman of the PRU Management Committee to answer questions from members. In response Mr. Osborne advised that he had not been aware of the advertisement until it had been drawn to his attention. The staff at the PRU were also not aware and the advertisement had caused a great deal of anxiety. As Chairman of the PRU Management Committee he was aware of some of the concerns regarding the operation of the PRU but was of the view that significant progress had been made and that he had advised the OFSTED Inspectors of his unreserved support.

The Chairman thanked the Director of Children's Services (Designate) for his open and frank answers, and emphasised the importance of ensuring that changes in relation to Education provision in the Children's Services Department were carefully managed.

RESOLVED:-

- a) That the information now provided be noted

- b) That the Director of Children's Services be requested to submit a report to the Education Scrutiny Committee the report of the Independent Consultant engaged to review the activities of the PRU and the subsequent OFSTED inspection report.
- c) That the Resources Scrutiny Committee be asked to look at the process of engaging and monitoring the work of consultants, particularly in senior management roles.

31. Improving Life in Leicestershire - Medium Term Corporate Strategy in 2009.

The Commission considered a draft of the County Council's Medium Term Corporate Strategy (to 2009) which had been agreed by the Cabinet as a basis for consultation. A copy of the Strategy marked 'C' is filed with these minutes.

The Chairman welcomed to the meeting, Mr D. R. Parsons CC and Dr R. K. A. Feltham CC, who had kindly agreed to attend the meeting and assist the Commission in its deliberations.

The Chairman also welcomed Messrs. Brown and Bown to the meeting.

During the ensuing debate on the draft Strategy various points were made by members to which the Leader of the Council and the Cabinet Lead Member for Resources, Efficiency Savings and Performance Management responded. The details are summarised below:-

a) General

The document was not written in user friendly language and assumed a level of knowledge and understanding of local authorities procedures and practices. The point was acknowledged and the Commission was advised that following consultation it was hoped to produce a shorter version for the public which would highlight the key improvements.

b) Introduction

The sentence in the third paragraph which reads "This has all been achieved despite low levels of funding from Government" should be amended to reflect the fact that whilst overall funding had increased, Leicestershire received relatively low levels of funding as compared to other Authorities. The Leader accepted this amendment.

c) Children and Young People

- (i) Page 4 Second Paragraph – First Sentence – should be amended to read "Our aim is by 2010 children and young people make better progress in our schools than in the rest of England." This suggestion was accepted.
- (ii) Page 4 - 1<sup>st</sup> bullet point – the proposed target that at least 20 of our schools should be in the top 5% of schools throughout the country needed to be clarified. Existing data suggested that between 14-16

primary schools were already achieving this standard. No secondary schools are currently in the top 5% at Key Stage 3 and Key Stage 4. Consideration should be given to amending the target so that it specifies how many primary and how many secondary schools are to achieve this target. The Leader acknowledged the need to look further at this target.

- (iii) Page 4 – 2<sup>nd</sup> bullet point – The view was that this was not a particularly challenging target as current data seems to suggest that only 1 secondary and 5 Primary Schools are not meeting the target score of Level 3. Given the Authority 's commitment to school improvement consideration should be given to stretching this target to ensure a proportion of schools achieving Level 2 or even Level 1. The Leader acknowledged the points made and agreed to look further at this.
- (iv) Page 4 – 4<sup>th</sup> bullet point – As there appears to be no specific Ofsted or other benchmark it would be helpful if further information could be provided on how it was proposed to measure quality.
- (v) Page 4 – 6<sup>th</sup> bullet point – it was suggested that there should be specific targets set out for the reduction of SEN Out County Placements. The Leader commented that the development of the new area special schools would reduce the need for out-county placements. However, it was not possible to give specific numbers as this was demand led.
- (vi) Page 4 – 8<sup>th</sup> bullet point – the reference 'improvement in schools meals' should be amended to read 'improvement in the quality and the take up of school meals'. The Leader accepted this amendment.
- (vii) Page 4 – 11<sup>th</sup> bullet point – it was suggested that there should be a target date of 2008/9 for the completion of the roll-out of 4+ education across the County. The Leader noted this point and agreed to consider further, but suggested that it may be inappropriate to set such a date as it is reliant on school capital resources being available.
- (viii) Page 5 – 3<sup>rd</sup> bullet point – it was suggested that the words 'seek to' be deleted to show a firm commitment. The Leader agreed.
- (ix) Page 5 – High Priorities Table – Academic Achievement target – there is a need to clarify whether the targets relate to improved attainment or improved progress between Key Stages.

d) Older People

The proposed priorities and targets were welcomed.

e) Vulnerable Adults and Carers

The proposal priorities and targets were welcomed.

f) Quality of Life in Communities

The proposed priorities and targets were welcomed. Consideration should be given to providing a brief explanation of the key partnerships and their role. This point was accepted.

g) Culture and Leisure

The proposed priorities and targets were welcomed.

h) Transport

(i) Page 13 – 3<sup>rd</sup> bullet point – the aim should be to reduce not only noise nuisance from traffic but also improve air quality particularly for communities living around the M1. This point was accepted.

(ii) Page 14 – Written questions had been submitted by Mr. M. Hunt CC regarding the high priority objective ‘Reducing Congestion.’ A copy of the questions and answers thereto were circulated to all members and a copy is filed with these minutes. It was agreed to amend the wording in the table to read – “Tackling congestion and Improving Air Quality.”

(iii) Whilst noting the aim to increase bus patronage it may be more appropriate in a public document to state the proposed increase in terms of the number of passenger journeys rather than an apparently low figure of 1%. This point was noted and would be considered.

(iv) Consideration should be given to including a commitment to promote walking and cycling. This point was noted and would be considered.

i) Environment and Waste Management

(i) Whilst welcoming the priorities and targets concern remained at the ability to deliver on waste recycling targets. In addition there appeared to be little progress towards achieving a single collection contract for all Districts. This point was noted and it was agreed that it would be worth pursuing this in the medium term.

(ii) Consideration be given to whether the extra 30,000 tonnes of waste to be diverted from landfill could be expressed as a percentage of the total amount of work going to landfill.

j) Safer Communities

The proposed priorities and targets were welcomed subject to inclusion of work to reduce under age sale of cigarettes. The Leader accepted this point.

k) Budgets, Council Tax and Efficiency

(i) Page 18 – reference the real terms increase in Capital Programme Resources and its implications could be included as a additional bullet

point. This point was noted.

- (ii) Page 18 – reference could usefully be made to Local Area Agreements and consequences for the County Council budgets.
- (iii) Page 20 – an indication should be given in the narrative as to how the 7.5% efficiency gain by 2008 would be measured. This point was noted and would be considered.
- (iv) Page 20 – the 10% reduction in sickness absence should be quantified. This point was noted and would be considered.

RESOLVED:

- a) That the draft Medium Term Corporate Strategy to 2009 be welcomed.
- b) That the Cabinet be asked to consider the detailed comments now made.

32. East Midlands Regional Plan to 2026 Options for Change.

The Commission considered a report of the Chief Executive summarising the key issues and main implications for Leicestershire of the 'Review of the East Midlands Regional Plan to 2026 – Options for Change' document and a draft response thereto. A copy of the report marked 'A' is filed with these minutes.

Members expressed concern about the basis for calculating housing growth particularly its reliance on old household projection figures and on recent annual build rates. Any proposed increase in housing growth beyond that set out in the current structure plan would place pressure on greenfield sites.

RESOLVED:-

That the proposed response to the Options for Change document be noted and that the concerns now expressed about housing growth beyond that allowed for in the Structure Plan be drawn to the attention of the Leicestershire Together Board and the Cabinet.

33. Regional Funding Allocations Advice

The Commission considered a report of the Chief Executive and Director of Highways, Transportation and Waste Management concerning a consultation paper issued by GOEM on the allocation of regional funding for transport, housing and economic development and the draft response of the Cabinet thereto. A copy of the report marked 'B' is filed with these minutes.

The Commission also considered copies of slides used in a presentation by Steer Davies Gleave in their presentation on this issue to an East Midlands Regional Assembly Stakeholder event. A copy of the slide presentation is also filed with these minutes.

RESOLVED:-

That the Cabinet's response to the consultation paper on the allocation of

regional funding of transport, housing and economic development be supported.

34. Date of Next Meeting.

RESOLVED:

That the next meeting of the Commission be held on Wednesday 18 January 2006 at 2.00 p.m.