

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
27th April, 2012

Present:- Councillor Whelbourn (in the Chair); Councillors Falvey, Gilding, Hughes, Jack, License, G. A. Russell, Steele and Whysall.

An apology for absence was received from Councillor J. Hamilton.

178. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

179. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no members of the public or press present at the meeting.

180. BRONWEN MOSS, SCRUTINY ADVISER

The Chairman wished to place on record his thanks and appreciation on behalf of the Management Board to Bronwen Moss, Scrutiny Adviser, who was to leave the Authority on Friday, 27th April, 2012.

Resolved:- That Bronwen Moss be wished her well in her new ventures.

181. WINTER WEATHER REVIEW

Further to Minute No. C196 of the meeting of the Cabinet held on 25th April, 2012, consideration was given to the report presented by Colin Earl, Director of Internal Audit and Asset Management, and accompanied by Anthony McDermott, Emergency and Safety Manager, which set out in the action plan the response to the scrutiny review of the severe weather experienced by Rotherham and neighbouring districts in late November/early December, 2010.

The scrutiny review commended the efforts of officers and communities during the event, while raising a number of learning points. In addition to the scrutiny review, there had been a full de-brief of all agencies by the Local Resilience Forum (LRF). The Local Resilience Forum de-brief concluded that, although a number of problems were experienced, the overall outcome was a success.

Both the scrutiny report and the report following the Local Resilience Forum de-brief made recommendations to further strengthen the agencies' ability to respond to incidents of this nature. For its part, the Council implemented many actions in the period following the incident and would now take further actions to consolidate its preparedness for severe weather events. The Council would also continue to work with partner agencies to develop a collective resilience to similar incidents occurring in the future.

The Emergency Planning Team was currently co-ordinating a refresh of the Emergency Plan and action based on scrutiny review recommendations was to be taken on board as part of the refresh.

The Management Board raised the same issues as the Cabinet relating to the omission of implementation timescales and allocated responsibility and suggested that the action plan be revised accordingly and continue to be monitored by the relevant Select Commission.

Clarification was sought on the numbers of farmers who were able to provide assistance with heavy snowfall removal and how/when this would be communicated to Parish Councils.

Resolved:- (1) That the response to the scrutiny report and the actions being taken as a result of the scrutiny review be noted.

(2) That the revised action plan be submitted to the next meeting of the Improving Places Select Commission scheduled to take place on Wednesday, 13th June, 2012, for continuing monitoring and progression of the recommendations.

182. LOCAL DEVELOPMENT FRAMEWORK SPOTLIGHT REVIEW

Consideration was given to a report presented by Councillor Whysall, Chairman of the Improving Places Select Commission, which detailed the Spotlight Review which had examined the Local Development Framework consultation process undertaken between July and mid-September, 2011.

The purpose of the spotlight review was to debrief Members about how the Local Development Framework consultation process was received by the wider public and to reflect on any improvements to the consultation process that could be made next time the exercise was undertaken. The discussion considered Member involvement and their experience of the Local Development Framework consultation programme of activities.

The consultation generated a significant public response, nearly 7,500 representations were received. Whilst this was very welcome in terms of the level of interest and involvement by local communities, it did lead Members and officers to conclude that further reflection on how consultation with local people was needed.

It was recognised that public meetings should be held in a structured manner with clear criteria for holding such a meeting. If this was not the case issues around health and safety arose along with a lack of clarity as to how notes and comments made at the meeting were being fed into the overall consultation process. The review group had made recommendations to address these points.

The role of the Area Assemblies in the consultation process was recognised to be invaluable with planners attending co-ordinating group meetings to brief Members and partners on the process. However, although the opportunities for residents to get involved in the consultations were extensive there was a feeling from some members of the community that some areas had missed out. There were several requests for bespoke meetings - some were facilitated, but not all requests could be resourced by staff.

Particular reference was made to officer attendance at public meetings and the membership of the Group to strengthen the representation Borough-wide.

A meeting had also taken place with the Director with responsibility for Planning to discuss the concept of the recommendations.

The Management Board welcomed the spotlight review, but pointed out that the process for re-evaluating land usage only took place every ten to fifteen years and expressed some concern that some of the recommendations made may not be addressed.

However, in considering the review's content a number of comments were made relating to:-

- Colour coding used on maps, especially those depicting urban greenspace and retail and industrial development.
- Membership representation, particularly for areas of some concern.
- Results of key LDF consultations being reported to the Overview and Scrutiny Management Board.

Resolved:- (1) That the review and its contents be endorsed.

(2) That the report and comments be submitted to the Cabinet to determine what action they wished to take in light of the review recommendations.

183. DEPARTMENT FOR EDUCATION CONSULTATION ON IMPROVING THE ASSURANCE SYSTEM FOR FINANCIAL MANAGEMENT IN LOCAL AUTHORITY MAINTAINED SCHOOLS

Consideration was given to a report presented by Vera Njegic, Principal Finance Officer, which provided detail of the Government's draft proposals for Improving the Assurance System for Financial Management in Local Authority Maintained Schools.

A draft response to the consultation was set out in detail as part of the report which had a deadline for submission as being 11th May, 2012.

The Department for Education felt that strengthening the assurance system for financial management in maintained schools system would help to ensure that Local Authorities and their schools were managing the very large amounts of public funding they received appropriately, securing value for money across all of their spending.

The consultation posed a number of questions based on plans to use the information already collected, or due to be collected, to identify in which Local Authorities there may be problems with financial management in the Local Authorities and/or their schools.

The Department for Education planned to use information already collected by the Department or planned to collect, to identify in which Local Authorities there may be problems with financial management in the Local Authorities and/or their schools. The Department then proposed they would then approach the Local Authorities where there appeared to be problems, to understand the issues and seek appropriate additional assurances.

The specific criteria the Department for Education planned to use was set out in detail as part of the report along with Rotherham's position in comparison.

The Management Committee considered the response in detail and asked that a little more information be added to the comments box for Questions 12, 13, 18 and 20 to set out the position in Rotherham.

Resolved:- (1) That the content of the consultation document and the current draft response be noted.

(2) That the proposed response be updated with the comments from today's meeting ahead of finalisation of the response to the Department for Education (DfE).

(3) That the report be submitted to the Cabinet Member for Safeguarding Children and Adults for final approval.

184. DEPARTMENT FOR EDUCATION CONSULTATION ON REFORM OF ALTERNATIVE PROVISION

Consideration was given to a report presented by Vera Njegic, Principal Finance Officer, which provided detail of the Government's draft proposals for the Reform of Alternative Provision (Pupil Referral Units and Education Other than at School).

A draft response to the consultation was set out in detail as part of the report which had a deadline for submission as being 15th May, 2012.

Children in alternative provision (AP) were some of the most vulnerable in the education system with many from deprived backgrounds with a range of underlying issues that may affect their education. The reform would allow those commissioning provision to choose between a range of providers to find the best way to meet a child's needs. Pupil Referral Units would be given autonomy to make purchasing decisions. The Department for Education expected that most of the proposals would come into effect by September, 2012 with budgets being delegated by April, 2013, possibly to coincide with a new funding system for Alternative Provision and allow Free Schools, the voluntary sector and independent providers to offer Alternative Provision.

The report provided a summary of the main proposals along with details on:-

- Failing and Underperforming Pupil Referral Units.
- Pupil Referral Unit Management Committees.
- Length of Stay of Pupils in Alternative Provision.
- Delegated Budgets and Control over Staffing.
- Initial Teacher Training and Teaching Schools.
- Revised Guidance including statutory guidance, where implementation depends upon good practice by Local Authorities, schools or Pupil Referral Units.

The Management Committee considered the response in detail and asked whether this was a move to privatise services giving control to the private sector and expressed concern about the arrangements and whether this could

lead to a selection process. It was also suggested that concerns relating to the process of potential financial inducements against returning children back into mainstream be incorporated into the overall response.

Resolved:- (1) That the content of the consultation document and the current draft response be noted.

(2) That the proposed response be updated with the comments from today's meeting ahead of finalisation of the response to the Department for Education (DfE).

(3) That the report be submitted to the Cabinet Member for Safeguarding Children and Adults for final approval.

185. DEPARTMENT FOR EDUCATION CONSULTATION: SCHOOL FUNDING REFORM: NEXT STEPS TOWARD A FAIRER SYSTEM

Consideration was given to a revised report presented by Vera Njegic, Principal Finance Officer, which provided detail of the Government's draft proposals for School Funding Reform.

The Department for Education was consulting on the following areas in respect of the move towards a national funding formula which would be introduced during the next spending review period:-

- Simplification of the local funding arrangements.
- Improving the way in which local areas were funded.
- Improving arrangements for funding pupils and students with high needs.
- Simplification of the arrangements for the funding of early years provision.

Further information was provided on the key points to the consultation and the changes which were aimed at making it easier for Head Teachers, maintained schools, Academies and proposers, in respect of Free Schools University Technical Colleges (UTCs) and Studio Schools, to understand the funding system, simplification of the funding formulae and the exceptions, budget pro-forma, Minimum Funding Guarantee, powers of Schools Forums and the impact on Rotherham and Rotherham Schools.

A draft response to the consultation was set out in detail as part of the report which had a deadline for submission as being 21st May, 2012.

The Management Board asked a number of questions specifically about funding distributions and how these would raise school attainment, the impact on Rotherham and Rotherham Schools and how the process being managed in a way that was not bureaucratic and took account of local need.

It was suggested that some of the gaps in the consultation response be completed arising from the discussion today.

Resolved:- (1) That the content of the consultation document and the current draft response be noted.

(2) That the proposed response be updated with the comments from today's meeting ahead of finalisation of the response to the Department for Education (DfE).

(3) That the report be submitted to the Cabinet Member for Safeguarding Children and Adults for final approval.

186. WORK PROGRAMME

Consideration was given to a report presented by Deborah Fellowes, Scrutiny and Policy Manager, which summarised progress made with the Scrutiny Work Programme for 2011/12 and which asked that consideration be given to issues rolling forward into the plan for 2012/13.

The report set out in detail a summary of what had been completed during the year and contained all the items that have either not yet been completed or have not been started this year.

The Chairs of the various Select Commissions requested that in relation to:-

- Self Regulation – Use of Consultants be removed as completed and District Heating be added.
- Improving Lives – Autistic Spectrum Disorder Review move to Health.
- Improving Places – Tourism be added to the list.

It was pointed out that the Select Commissions needed solid plans to be completed much earlier than last year to prevent any unnecessary delays, but were mindful of the resources available to perform the activity proposed and suggested that certain areas be given priority.

Resolved:- (1) That the achievements with the Work Programme for 2011/12 be noted.

(2) That issues be rolled forward and to feed into discussions with Cabinet and SLT

(3) That consideration of the work plan for the individual Select Commissions for 2012/13 be deferred and that it be one of the first items for discussion at the first meeting of the Management Board in the new municipal year scheduled for Friday, 25th May, 2012.

187. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

There were no items raised in relation to the Youth Cabinet or young people's issues.

However, the Scrutiny and Policy Manager confirmed that the issues raised about anti-social behaviour in parks by gangs and youths would take place at the Youth Cabinet scheduled to take place on Tuesday, 15th May, 2012.

The potential for inviting young people to be part of scrutiny reviews as co-optees was a possibility into the new year.

188. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH APRIL, 2012

Resolved:- That the minutes of the meeting of the Overview and Scrutiny Management Board held on 13th April, 2012, be approved as a correct signature by the Chairman.

With regards to Minute No. 175 (Minutes of the Previous Meeting) it was noted that in order to address the concerns of consultations bypassing the Cabinet Member, it had been suggested to Children and Young People's Services that they include a recommendation of referral to the Cabinet Member in their reports so that this could be picked up and officially minuted.

Reference was also made to Minute No. 176 (Work in Progress) where it was noted that tourism in the Borough, particularly around Yorkshire South, would be included in the Improving Places Work Programme.

189. WORK IN PROGRESS

The Chairmen of the relevant Select Commissions provided updates and drew attention to:-

Self Regulation Select Commission:-

The work programme contents would be carried forward with the inclusion of the District Heating Review.

Deborah Fellowes and Caroline Webb were formally thanked for their support during the last municipal year.

It was also confirmed that the review of the Town Centre, with a clear definition, would focus on how money had been spent and include other town centres in the borough.

Improving Lives:-

The Governors Review would shortly be completed.

The details of the forthcoming work programme would be looked at in more detail shortly.

Health:-

The Women's Counselling Service had received funding for a further five years.

Zlakha Ahmed, Chief Executive of Apna Haq had also been appointed to N.I.C.E. to advise on prevention of domestic abuse and violence.

Improving Places:-

A workshop on fuel poverty took place on Monday, 23rd April, 2012, which raised some serious issues for consideration. It appeared that fuel poverty was a huge problem and some joint working would take place with Doncaster M.B.C., which include Councillors Whelbourn and Whysall in the membership list.

190. CALL-IN ISSUES

There were no formal call-in requests.