CABINET

Venue: Town Hall, Moorgate Street, Rotherham. S60 2TH

Date: Wednesday, 5 September 2012

Time: 10.30 a.m.

A G E N D A

1. To consider questions from Members of the Public.

2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.

3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.

4. Minutes of the previous meeting held on 18th July, 2012 (copy supplied separately)

5. Minutes of a meeting of the Groundworks Trusts Panel held on 18th July, 2012 (herewith) (Pages 1 - 5)
    -   Strategic Director of Environment and Development Services to report.

6. eMarketplace, Connect to Support (CtS) (report herewith) (Pages 6 - 11)
    -   Strategic Director of Resources to report.

7. Annual Governance Statement (report herewith) (Pages 12 - 28)
    -   Strategic Director of Resources to report.

8. Delegation of Powers - Revenues (report herewith) (Pages 29 - 30)
    -   Strategic Director of Resources to report.

9. Diabetes Scrutiny Review (report herewith) (Pages 31 - 35)
    -   Strategic Director of Resources to report.

10. Scrutiny Review - Role of School Governors (report herewith) (Pages 36 - 55)
    -   Strategic Director of Resources to report.

11. Budget Setting Process - Report of Self-Regulation Budget Sub-Group (report herewith) (Pages 56 - 66)
    -   Strategic Director of Resources to report.

12. Forge Island (report herewith) (Pages 67 - 71)
    -   Strategic Director of Environment and Development Services to report.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	CABINET
2.	Date:	5TH SEPTEMBER, 2012
3.	Title:	**GROUNDWORK TRUSTS PANEL – MINUTES OF MEETING HELD ON 18TH JULY, 2012**
4.	Directorate:	**ENVIRONMENT AND DEVELOPMENT SERVICES**

5. Summary

Minutes of the quarterly meetings with the Groundwork Trusts Panel are submitted to Cabinet for consideration.

6. Recommendation:-

That the minutes of the meeting of the Groundwork Trusts Panel held on 18th July, 2012, be received, and the continued excellent partnership work of both Groundwork Trusts be noted.

7. Proposals and Details

The Panel was established in March 2000 to provide a forum to discuss the on-going partnership between the Council and the two Groundwork Trusts in pursuit of the economic, social and environmental regeneration of the Borough.

The two Groundwork Trusts – Groundwork Dearne Valley and Groundwork Creswell - are able to use the quarterly meetings to raise and discuss issues with Councillors and officers.

The Groundwork Trusts make an important contribution to the regeneration of the Borough and to individual local communities. The Groundwork Trusts Panel provides an important opportunity to exchange ideas and experiences, and co-ordinate actions to maximise impact and efficiency.

8. Finance

A small fund was established to enable community groups to access third party funding in support of WREN bids. The partnership working arrangements with the two Trusts enables the delivery of a wide range of projects and initiatives.

9. Risks and Uncertainties

Without the partnership working with the two Trusts many community based and environmental projects would not be able to be delivered.

Risk that funding for projects may be withdrawn and future funding sources may not be found.

Constraints on budgets of both Groundworks Trusts and the Council.

10. Policy and Performance Agenda Implications

Sustainability is the heart of the work and operations of the two Groundwork Trusts. The Council and Groundwork Dearne Valley jointly fund a Local Action 21 officer for example.

The joint working of the Council and the Groundwork Trusts provides effective environmental protection, addresses social needs and creates employment opportunities for local people.

11.   Background Papers and Consultation

A copy of the minutes of the meeting of the Groundwork Trusts Panel held on 18th July, 2012, is attached.

Contacts:- Karl Battersby, Strategic Director, Environment and Development Services, Ext. 23801
Nick Barnes, Greenspaces. Ext. 22882
Tracie Seals, Neighbourhood Services. Ext. 34969

GROUNDWORKS TRUSTS PANEL
WEDNESDAY, 18TH JULY, 2012

Present:- Councillor Sharman (in the Chair); Councillors Beck, Rushforth and Swift.

Jamie Ferneyhough	Groundwork Dearne Valley
Alan Hartley	Groundwork Dearne Valley
Janet Johnson	Groundwork Dearne Valley
Jamie Trowsdale	Groundwork Creswell, Ashfield and Mansfield
Nick Barnes	Green Spaces, RMBC

1.   INTRODUCTIONS/APOLOGIES

The Chairman welcomed everyone to the meeting and introductions were made. Apologies for absence were received from Councillors Akhtar, Clark, R. S. Russell and Smith.

2.   MINUTES OF THE PREVIOUS MEETING OF THE PANEL HELD ON 11TH APRIL, 2012

The minutes of the previous meeting of the Groundworks Trusts Panel, held on 11th April, 2012, were agreed as a correct record.

3.   QUARTERLY REPORT - GROUNDWORK CRESWELL

Jamie Trowsdale, Groundwork Creswell, Ashfield and Mansfield and Crestra Limited reported on the quarterly progress of the various projects for the period 1st April to 30th June, 2012, which included:-

- One World Schools-Youth Re-engagement Programme - Breakthrough youth re-engagement group - continuing to work with young people supporting local community groups with any projects.

- Education and Training - working in partnership with CTS Training on the Foundation Learning Programme.

- Apprenticeships - newly opened Apprenticeship Centre continues to go from strength to strength with strong subject areas of Construction and Horticulture, but other areas for consideration in the future.

- Various bids in progress working with pre and post 16 NEET Young People as well as venerable adults and looking to support them into gaining sustained employment. Progress on outcomes to be provided in the next quarterly report.

- Development Construction Services – various projects including rebuilding the Treeton Cemetery wall, electrical work at Treeton Youth Centre, installation of land drains at the football pitch off Washfield Lane, Treeton and energy saving measures to ten properties in Maltby on behalf of South Yorkshire Housing Association.

- Tenders & PQQ's - Groundwork CAM and Crestra Limited keen to be added to other Rotherham MBC Department's tender lists.

- Community Learning – promoting community relationships.

Discussion ensued on the allocation of apprentices and the preparation work being done for moving on and the information that could be provided regarding awareness raising with Parish Councils via the Parish Council Network.

Agreed:- That the contents of the report be noted and the progress being made be welcomed.

4. **QUARTERLY REPORT - GROUNDWORK DEARNE VALLEY**

Janet Johnson, Jamie Fernyhough and Rob Saw, Groundwork Dearne Valley, reported on the progress of projects for the period 1st April to 30th June, 2012, set out in detail as part of the report, which included:-

- Main progress/achievements for this period.
- Number of work areas under development in this period.
- Individual summaries for each work area.
- New project proposals from the trust.

In addition, a briefing note was circulated which set out activities in Rotherham for 2012/13 and their respective objectives, activities part funded by the Council's contributions and other activities not linked to the Council's contributions, which were grouped together in five key themes;-

- Neighbourhoods and Community Wellbeing.
- Natural Environments and Green Spaces.
- Learning and Skills.
- Energy and Sustainable Development.
- Enterprise and Employment.

The Panel welcomed the good work taking place in Rotherham and took account of the detail contained in the briefing note which should be shard with all Elected Members.

Agreed:- (1) That the report and the briefing note circulated at the meeting be noted and the progress made be welcomed.

(2) That the briefing note be circulated to all Members of the Council for information.

5. **ANY OTHER BUSINESS**

There were no other matters to discuss.

6.   **DATES AND TIMES OF FUTURE MEETINGS**

Agreed:- That the future meetings of the Groundworks Trusts Panel take place at the Town Hall on the following dates:-

Wednesday, 10th October, 2012 at 2.30 p.m.
Wednesday, 16th January, 2013 at 2.30 p.m.
Wednesday, 10th April, 2013 at 2.30 p.m.
Wednesday, 17th July, 2013 at 2.30 p.m.

Agenda Item 6

	ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET	

1.	Meeting:	CABINET
2.	Date:	05 September 2012
3.	Title:	eMarketplace, Connect to Support (CtS)
4.	Programme Area:	Resources Directorate

5.   Summary

This paper sets out progress to date, next steps and timeline for the internal and public launch of Rotherhams eMarketplace, Connect to Support (CtS)

6.   Recommendations

 That CABINET:

- Note progress to date on the development and implementation of an eMarketplace, Connect to Support (CtS) in Rotherham
- Endorse the option for accreditation, registration and Rotherham branding
- Support the configuration of the site
- Support promotion and marketing campaigns
- Note the timeline for a public launch in January 2013 of the Rotherham emarketplace, Connect to Support (CtS)

7. Proposals and Details

7.1 Background

In order to respond to the significant challenge of personalisation, changing demographics and future demand in the context of constrained public funding the Council needs to maximise the opportunity that a technological solution provides to improve choice and outcomes for service users and self-funders and to achieve substantial efficiencies in transactions and back office costs.

An eMarketplace, Connect to Support (CtS) is an online web based e-commerce model that contributes directly to Putting People First and the transformation of adult social care. Customers using their personal budget and self-funders can purchase goods and services to meet their needs from Providers, and/or seek information, guidance and advice or be signposted to appropriate services including community groups. CtS will provide a dynamic mechanism that supports Social Workers, commissioning, individual customers and self funders as purchasers, and it facilitates reshaping of the local market for personalisation; matching needs with what local providers are able to provide. The new technology will accelerate the implementation of 'personalised' markets, increasingly so, as IT literacy in the population increases. The intention is that the online web based solution, will become integral to how we support all citizens to achieve independence and improved outcomes including a high quality of health and well-being in Rotherham.

The eMarketplace was procured regionally across 15 authorities of Yorkshire and Humber plus Manchester City Council. This shared procurement approach is in line with the Council's shared service approach. The provision of this model will meet the outcomes of the Council Corporate Plan for ensuring care and protection is available for those people who need it most:

- People in need of support and care have more choice and control to help them live at home
- People in need get help earlier, before reaching crisis
- Carers get the help and support they need

The regional procurement was hosted by Doncaster and Shop4Support (s4s) was appointed. There have been significant advances in Doncaster, Lincolnshire and Kirklees, Doncaster's site is available to access at https://www.connecttosupport.org/c2s/ui/content/MyCouncil/Common.aspx

Rotherham is now in the process of configuring the local site in preparation for the internal launch late Autumn 2012 with a public launch of the Rotherham site in January 2013.

A key issue for all authorities is around accreditation and registration of providers and branding on the Connect to Support site. A report has recently been presented to the Council's Senior Leadership Team (SLT), outlining the various options and it was agreed that a de-regulated, low

administrative control and low cost to the Council model would be adopted in Rotherham.

The chosen model will mean that the 'Rotherham' site will not be branded as a Rotherham Council site. The accreditation of providers will be via a vendor rating such as CQC inspection rating or specialist business sector quality mark from an umbrella organisation such as Age UK. Registration will be automatic via the Shop4Support model where basic information will be validated. In order to safeguard customers purchasing goods and/or services from providers registered on the site a Caveat Emptor (buyer beware) statement will be clearly displayed.

The Council's in-house legal team support this decision and have advised that the model supplies the public with the necessary information to source appropriate providers. There is scope for ratings awarded by external accreditation to be published and also quality marks to give reassurance. There is a low risk to the Council as we are not recommending any of the providers and we are merely providing a forum for the information.

7.2 Proposals

In Rotherham a programme and project management approach has been put in place and significant progress has been achieved with the initial technical blueprint sign off of the site design and content achieved at the end of May. However, there are several separate elements remaining to ensure the system is fit for purpose before the launch of the site. Outstanding actions include:

- Configuration of the sites managed information and advice content
- Consultation and usability testing with staff and customers
- Promotion and marketing campaign
- Registration protocol

i   Configuration of the sites managed information and advice content;

Crucial to the success of the site is ensuring that the information, signposting and advice content are accurate, valid and easy to access. It is of the utmost importance that people who visit the site are provided with relevant information and advice or are signposted to meet their needs. Content managers have been identified across the council who will be responsible for full content in line with the current arrangements for the RMBC website.

ii   Consultation and usability testing with providers, staff and customers;

Numerous consultation events have taken place over the last few months to raise awareness to providers, customers and staff about the benefits of CtS. Initial consultations have taken place with over 200 stakeholders consisting of known commissioned providers and Health and Wellbeing staff. In addition, against a target of 20 providers Rotherham has over 196 local providers

already signed up to the site, of which 17 have live stores. Further consultations will take place with voluntary and community groups, independent sector providers and the citizens of Rotherham to raise the profile of CtS and to sell the benefits of the system's capabilities for all stakeholders.

iii   Promotion and marketing campaign;

Establishing the communication and engagement strategy, raising awareness and promoting the benefits of CtS externally and internally are essential to ensure the success of the site. The strategy has recently been finalised by the Implementation Group and includes actions and milestones to ensure a cross section of activities are carried out to maximise promotion and marketing opportunities. The promotion and marketing campaign will consist of a range of internal and external activities including but not restricted to, public transport poster campaigns, a series of planned press releases, internal and external weekly e-newsletters, e-learning package, radio interviews, promotion leaflets and newspaper advertising and text campaigns.

iv   Registration protocol;

Although the Council's SLT has agreed to adopt a de-regulated, low administrative control and low cost to the Council model in Rotherham and the registration of providers will be automatic via Shop4Support, a registration protocol, including guidance on vendor ratings will need to be established for Shop4Support.

v   Timeline for internal and public launch;

Rotherham were part of a regional implementation schedule as 'Mid-implementers'. Sign off requirements consisted of testing and agreeing the basic system functionality against the pre-established quality criteria, registration of a minimum of 20 local providers and agreeing the basic tiers of the beta site. Rotherham successfully completed sign-off at the end of May 2012.

Go Live and Internal Launch; A target date for going live is proposed for October 2012; this will involve the beta site changing to live working site available on the internet.   This will require promotion, awareness raising and training to staff and direct payment users, all of which will be built into the Communications and Engagement strategy and plan. Feedback will be collated on their experiences and comments and improvements made before a public launch.

Public Launch; A second date will be identified which establishes the public 'go live date' to the citizens of Rotherham. The target date for the external launch is proposed for January 2013 and it is intended that the public launch will be a high profile event.

8. Finance

Capital of £500K has been funded by the Y&H Joint Improvement Partnership (JIP). The eMarketplace, Connect to Support (CtS) solution is to be cost neutral to the participating authorities. A transaction cost of 2.5% is applied to providers by s4s.

Funding from the Social Care Reward Grant has been ring fenced to deliver the Connect to Support (CtS) project in Rotherham. Dedicated resources also include a project officer in Resources, CPP and capacity within the strategic commissioning manager role in Resources, CPP.

For participating authorities it is anticipated that the application of the e-commerce model to purchase services will reduce transactions costs. It is proposed here that the Connect to Support (CtS) solution will be beneficial for service users and deliver efficiencies.

There will be a requirement for the system to have a resource in house for day to day issues but this resource should be held within current RMBC ITC services.

9. Risks and Uncertainties

That if the capacity delivered by a project manager is not ongoing the project will not be delivered.

10. Policy and Performance Agenda Implications

Putting People First – Transforming Social Care
ADASS Personalisation Milestones
CQC Outcomes Framework Choice and Control:

- Councils are delivering efficiencies by actively reshaping services towards prevention and with partners supporting people to live independently; thereby reducing the number of people entering long-term support or requiring ongoing support from social care. VfM (PPF)
- The council is shaping the local market to ensure that services are in place to support independence, choice and control and that they are affordable in the long term
- Commissioners work with providers and partner agencies to ensure that the services commissioned meet needs. Higher quality care is delivered at increased efficiency and effectiveness. VfM (PPF/safeguarding)
- Councils have evaluated how successful personal budgets and self directed support are at improving choice and control for individuals. Evidence shows people are able to use the various self directed support options and find that local services can meet their needs PPF (safeguarding/VfM)

11.   Background Papers and Consultation

SLT Paper (11-07-11) Emarketplace Service Solution
TLAP (Think Local Act Personal) (2011) – Making it Real
DH (2010) Equality and Excellence – Liberating the NHS
Gradus Consulting Bid – Progressing and eMarketplace in Yorkshire and Humber
HMG (2007) 'Putting People First':
DH (2008) Transforming Social Care LAC (DH) (2008 and 2009) 1
DH (2008) Independent Living Strategy
DH (2009) Use of Resources in Adult Social Care
DCLG (2006) Creating Strong, Safe and Prosperous Communities
DH (2008) Commissioning for Personalisation: A Framework for Local Authority Commissioners
In Control (2008) Smart Commissioning: exploring the impact of personalisation on commissioning
NAS (2008) Adult Services Commissioning Strategy 2008-23
NAS (2009) Rotherham Market Facilitation Plan and Action Plan 2010-13

Contact Name: Chrissy Wright, Strategic Commissioning Manager, Resources Directorate 01709 822308, chrissy.wright@rotherham.gov.uk

Agenda Item 7

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET

1.	**Meeting:**	Cabinet
2.	**Date:**	5 September 2012
3.	**Title:**	Annual Governance Statement 2011/12
4.	**Directorate:**	Resources

5 Summary:

The attached Annual Governance Statement for 2011/12 outlines the Council's view of the application of good governance standards in Rotherham MBC. The process has included the certification of statements of assurance by Cabinet Members and senior management and has taken into account comments made by Members and officers.

The overall position is positive, with good progress being made on the significant issues raised in last year's Statement. Only one additional issue has been added this year, relating to Care Quality Commission outcomes at two care resource centres.

Recommended practice requires the Leader of the Council and the Chief Executive to sign the statement, prior to its publication with the Statement of Accounts, in September 2012. Cabinet should consider and agree the Statement before it is signed by the Leader and Chief Executive.

6 Recommendations

Cabinet is asked:

- **To agree the 2011/12 draft Annual Governance Statement**
- **To note that the draft Statement was presented to the Audit Committee on 30 May 2012 for review**
- **To confirm that the Leader and the Chief Executive should sign the statement.**

7   **Proposals and Details**

7.1   General principles

The Accounts and Audit Regulations 2011 require local authorities to:

"conduct a review at least once in a year of the effectiveness of its system of internal control" (Reg 4(2)), and

"following the review, the body or committee must approve an annual governance statement, prepared in accordance with proper practices in relation to internal control" (Reg 4(3)).

The Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively.

In discharging these responsibilities, the Council must ensure that there is good governance and a sound system of internal control in place, which facilitate the effective exercise of the Council's functions and which include arrangements for the management of risk.

The Council's governance arrangements in place during 2011/12 have been reviewed and an Annual Governance Statement (AGS) has been drafted and is attached to this report at **Appendix A**.

7.2   Procedure

The AGS outlines the Council's view of the application of good governance and internal control in Rotherham MBC in 2011/12.

'Proper practice' requires the Leader and the Chief Executive to sign the statement to confirm their satisfaction with the governance framework and the procedures for reviewing it, and their acceptance of the significant issues highlighted in the statement, along with actions for tackling the issues raised. Cabinet should consider and agree the Statement before it is signed by the Leader and Chief Executive.

The process for completing the AGS has included the certification of statements of assurance by Cabinet Members and senior management and has taken into account comments made by Members and officers.

In common with recent years and recommended practice, the Audit Committee received a draft Statement at its meeting on 30 May 2012, to enable the Committee to carry out a review of the Statement and supporting evidence. Councillor Gilding, a member of the Audit Committee, asked for more information to be included about the 2010 Rotherham Ltd deficit which transferred to the Council when the ALMO services were re-integrated (Section 5.1.2 of the

Statement refers – see extract below). The majority of Audit Committee members did not feel this was necessary as the deficit transfer essentially represented an internal transaction between the Council and the ALMO. Consequently, and after further review by officers, the draft statement presented to the Audit Committee has not been revised.

7.3   Structure of the Annual Governance Statement
The attached AGS is laid out in accordance with proper practice as set out by CIPFA. There are 5 sections:

- Section 1:   Scope of the Council's responsibility
- Section 2:   Purpose of the Governance Framework
- Section 3:   The Council's Governance Framework which identifies the governance arrangements in place at the Council
- Section 4:   Review of effectiveness. This looks at the process that has been applied in maintaining and reviewing the effectiveness of the governance framework
- Section 5:   Significant governance issues. These are the main issues that require improving.

Sections 1 and 2 are standard and replicate the CIPFA 'model' AGS. Sections 3 and 4 highlight the governance arrangements in place at Rotherham (Section 3) and how they have operated during the year (Section 4). Section 5 highlights the significant issues arising this year and provides an update on items from the 2010/11 AGS that merited additional assurances.

The Strategic Leadership Team's attention is drawn particularly to Section 5 of the AGS.

7.4   Significant governance issues
The overall position is positive, with the review confirming that the Council has appropriate internal control arrangements in place and that the arrangements were found to be operating satisfactorily during 2011/12.

Positive progress has been made on significant issues raised in recent years' Statements (see items 5.1.1 to 5.1.3 below). Only one further issue has been added this year (see 5.2.1 below):

5.1.1   Swinton Community School
Swinton Community School has made positive progress in addressing a sizeable deficit accumulated over the previous 3 years. An internal audit of the Swinton Community School raised concerns regarding the financial planning and monitoring at the School, which had accumulated a deficit of over £876,000 by 31 March 2011.

Following a collective approach to the management of the situation by the School and the Council's Resources and Children and Young

People's Directorates, the School has reduced the deficit to £512,000 and expects to achieve a balanced position by the end of the 2013/14 financial year.

5.1.2 2010 Rotherham Ltd

2010 Rotherham Ltd existed from 2005 to manage the Council's housing stock and deliver the £280m Decent Homes Programme of improvements to council houses in Rotherham. During its life, 2010 Rotherham Ltd accumulated a significant financial deficit.

During 2010/11 the Council made a decision to dissolve the company and re-integrate services into the Council during 2011/12. The company has now been wound up and all debts have been accounted for. Financial arrangements are now managed directly by the Council and it is anticipated that there will be a positive financial outcome in 2012/13.

5.1.3 Children and Young People's Services

There continues to be significant financial pressure on Children's Services. In response the Council is providing additional investment in the services and is carrying out work to move towards a more cost-effective prevention and early intervention approach.

5.2.1 Health and Wellbeing

All social care facilities are subject to external inspection by the Care Quality Commission. During the year two of the Council's establishments; Treefields and Quarry Hill Resource Centres, had some areas of non-compliance with the CQC's standards. These are subject to improvement plans and will be re-inspected by the Care Quality Commission in due course.

7.5 Review and monitoring

The Audit Committee will monitor progress on actions to improve areas included in the 2011/12 statement and will review the effectiveness of governance arrangements during 2012/13.

8 Finance

There are no direct financial implications. Any financial implications arising from any future development of internal controls would feature in subsequent reports to Members.

9 Risks & Uncertainties

Failure to apply sound internal controls and good governance places the Council at greater risk of fraud and/or error. The Council could also suffer significant

reputation damage caused by any actual incidences arising out of weaknesses in its arrangements.

Failure to produce an Annual Governance Statement would leave the Council subject to criticism by the external auditor and potential action by the Department for Communities and Local Government.

10   Policy & Performance Agenda Implications
Good Governance is wholly related to the achievement of the objectives in the Council's Corporate Plan.

11   Background and Consultation
This report has been informed by the views of the Chief Executive, Strategic Directors, Service Directors and the External Auditor.

Following consideration by SLT the draft Annual Governance Statement will be considered by the Audit Committee and Cabinet.

Following consideration and agreement by Cabinet the Chief Executive and the Council's Leader will be asked to sign the statement to signify Cabinet's agreement, before the statement is published as a final document in September 2012.

Contact Names:
Colin Earl, Director of Audit and Asset Management, Ext 22033
Andrew Shaw, Insurance and Risk Manager, Ext 22088

Appendix A
Annual Governance Statement 2011/12

APPENDIX A

ROTHERHAM MBC ANNUAL GOVERNANCE STATEMENT 2011/12

1   **SCOPE OF RESPONSIBILITY**
        Rotherham Metropolitan Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. Rotherham Metropolitan Borough Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

        In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

        Rotherham Metropolitan Borough Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is on our website at:

        http://intranet.rotherhamconnect.com/C6/Risk%20Management/Strategic%20Documents/CIPFA-SOLACE%20Delivering%20Good%20Governance%20Framework.pdf

        This statement explains how Rotherham Metropolitan Borough Council has complied with the code and also meets the requirements of the Accounts and Audit Regulations 2011 in relation to the publication of an Annual Governance Statement.

2   **THE PURPOSE OF THE GOVERNANCE FRAMEWORK**
        The governance framework comprises the systems and processes, and culture and values by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

        The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the

risks to the achievement of Rotherham Metropolitan Borough Council policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at Rotherham Metropolitan Borough Council for the year ended 31 March 2012 and up to the date of approval of the Statement of Accounts

3 THE GOVERNANCE FRAMEWORK

The key elements of the systems and processes that comprise the Council's governance arrangements include arrangements for:

3.1 Identifying and communicating the Council's vision of its purpose and intended outcomes for citizens and service users

The Council and its partners have worked together to develop a vision and community strategy for the Borough which will steer progress over the next 10 years.

To deliver improved quality of life and services that meet local needs, the Council works with a range of partners within the Local Strategic Partnership members including local businesses, South Yorkshire Police, Voluntary & Community Sectors, and the National Health Service.

The Local Strategic Partnership has reviewed its priorities and governance arrangements, the purpose of the review being to ensure that the LSPs priorities and arrangements remain relevant and robust in line with current government requirements.

3.2 Reviewing the Council's vision and its implications for the Council's governance arrangements

The Council periodically updates its vision, objectives and performance targets by reviewing the Community Strategy, Corporate Plan and Local Area Agreement. Progress on key priorities is monitored and reported to Members on a regular basis.

3.3 Measuring the quality of services for users, for ensuring they are delivered in accordance with the Council's objectives and for ensuring that they represent the best use of resources.

The Council's performance management and financial management frameworks are linked through the Medium Term Financial Strategy (MTFS).
The Council has responded to the Government's consultation process on the Single Data Set identifying which indicators are most relevant to Rotherham. The Council's performance management system is linked to corporate priorities and reports are aligned to corporate plan priorities.

3.4 **Defining and documenting the roles and responsibilities of the executive, non-executive, scrutiny and officer functions, with clear delegation arrangements and protocols for effective communication**

The Council operates what is known as the "strong leader" model of local government following changes arising from the Local Government and Public Involvement in Health Act 2007.

The Council's Constitution sets out how the Council operates regarding how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. The Constitution sets out the basic rules governing the manner in which the Council conducts its business.

The Constitution includes a Scheme of Delegation whereby functions and decision-making responsibilities are allocated between the full Council, the Cabinet, individual Cabinet Members, regulatory boards and committees and officers.

The Council has a Member/officer protocol which has been provided to all Members of the Council and forms an appendix to the Officer Code of Conduct. The protocol encourages the effective transaction of business by setting out the respective roles of Members and officers and guidelines for good working relationships between them.

The Council publishes a Forward Plan which contains details of key decisions to be made by the Cabinet, and Chief Officers under their delegated powers.

3.5 **Developing, communicating and embedding codes of conduct, defining the standards of behaviour for members and staff**

The Localism Act abolishes the requirement for councils to have a statutory standards committee, although it is still a statutory requirement to have a code of conduct for councillors, the only stipulations being that the code when viewed as a whole must comply with the seven principles of public life (the Nolan Committee principles) and contain appropriate provisions in relation to pecuniary and non-pecuniary interests.

The Council has resolved to have a voluntary standards committee to replace its statutory standards committee when the standards provisions in the new Act come into force, and its standards arrangements are currently being reviewed in light of the changes made by the Act.

The Council's current statutory Standards Committee comprises of councilors, parish council representatives and independent members. It is cross-party and has 15 members comprising of:

- 4 Borough Councillors (2 Labour and 2 Conservative)
- 8 Independent Members (Chair and Vice - Chair)
- 3 Parish Councillors

3.6 **Reviewing and updating Standing Orders, Financial Regulations, a scheme of delegation and supporting procedure notes / manuals, which clearly define how decisions are taken and the processes and controls required to manage risks**

The financial management of the Council is conducted in accordance with the rules set out in the Constitution, Standing Orders and Financial Regulations. The Council has designated the Strategic Director of Finance as the officer responsible for the proper administration of the Council's financial affairs in accordance with Section 151 of the Local Government Act 1972.

The Council has in place a 3-year Medium Term Financial Strategy, updated annually, to support the medium-term aims of the Corporate Plan.

The Council is required to set a budget in line with its objectives which is both balanced and sustainable, and takes account of advice given by the Strategic Director of Finance on the appropriateness of the level of the Council's reserves following an assessment of the risks inherent within the proposed budget. Once the budget has been agreed each service area monitors and manages its spending and income to remain within the allocated budget.

Asset management planning optimises the utilisation of assets in terms of service benefits and financial return.

The Council has a robust system for identifying, evaluating and managing all significant risks. The Council maintains and reviews a register of its corporate business risks linking them to strategic objectives and assigning ownership for each risk. All service plans identify risks which service directors are actively managing.

3.7 **Ensuring that the Council's financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010)**

The Council's Chief Financial Officer:

- Is a key member of Leadership team, helping it to develop and implement strategy and resource to deliver the Council's strategic objectives sustainably and in the public interest
- Is actively involved in and able to bring influence to bear on all material business decisions, to ensure immediate and longer term implications, opportunities and risk are fully considered, and alignment with the Council's financial strategy
- Leads the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

To deliver these responsibilities the Chief Financial Officer:

- Leads and directs the finance function that is resourced to be fit for purpose
- Is professionally qualified and suitably experienced

3.8 Undertaking the core functions of an audit committee, as identified in CIPFA's Audit Committees – Practical Guidance for Local Authorities
The Council's Audit Committee provides independent assurance of the adequacy of the audit and risk management frameworks and the associated control environment. The Audit Committee also oversees the financial reporting process and provides independent scrutiny of the Council's financial and non-financial performance.

3.9 Ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful
The Council has designated the Director of Legal and Democratic Services as Monitoring Officer. It is the function of the Monitoring officer to ensure compliance with established policies, procedures, laws and regulations.
All reports to Cabinet requiring decisions take account of a range of control factors including risks and uncertainties, financial implications, and policy and performance implications.

3.10 Whistle-blowing and for receiving and investigating complaints from   the public
The Council has a Confidential Reporting code for staff and a comprehensive Complaints Procedure.

3.11 Identifying the development needs of Members and senior officers in relation to their strategic roles, supported by appropriate training
Services are delivered by trained and experienced people. All posts have a detailed job description and person specification. Training needs are identified through the Performance and Development Review Scheme. Individuals' targets are derived from service and team plans. The Council has a partnership with Leeds City College for the provision of bespoke and accredited management training.

Induction courses and e-learning packages are available for new Members and officers. A comprehensive programme of development activities (including induction) and training are specifically designed to improve the knowledge, skills and abilities of elected Members in their individual or collective roles in meeting the Council's corporate objectives. The programme is also designed to ensure that all Members are fully supported to carry out their increasingly complex roles. Members' individual development needs are identified in personal development plans.

A programme of seminars is run each year on topical governance issues for both Members and officers.

3.12 Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation

The Council entered into a range of public consultation exercises in developing the vision for Rotherham. The Corporate Plan reflects important issues identified by local communities.

Rotherham's Communications and Marketing Strategy is aimed at ensuring that citizens link continuous service improvements with the Council's core and associated brands, leading to increased satisfaction rates and enhanced reputation.

3.13 Incorporating good governance arrangements in respect of partnerships and other group working as identified by the Audit Commission's report on the governance of partnerships and reflecting these in the authority's overall governance arrangements.

The Council has issued comprehensive guidance to Directors covering expected good practice in respect of managing the four key areas of Partnerships risk:

• Governance Arrangements
• Financial Management Arrangements
• Performance Management Arrangements
• Ethical Arrangements

The guidance was updated in January 2009 and detailed self assessments were undertaken by lead officers of significant partnerships.

4 REVIEW OF EFFECTIVENESS

Rotherham Metropolitan Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the authority who have responsibility for the development and maintenance of the governance environment, the Director of Internal Audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

The review processes that have been applied in maintaining and reviewing the effectiveness of the governance framework are outlined below in relation to the role of:

4.1 The Executive (Council / Cabinet)

Cabinet has continued to update the Community Strategy, Corporate Plan and Local Area Agreement. The plans have been updated in line with the 2008 -11 Local Area Agreement timeframe. The Council's Policy Framework is reviewed annually.

Cabinet has considered the findings from reviews undertaken by the External Auditor and other Inspectors.

The Council has reviewed its Local Code of Corporate Governance and has paid particular attention to ensuring that the Council's financial management arrangement conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010).

Cabinet received regular Revenue and Capital Budget Monitoring Reports throughout the financial year. The Council responded positively to the Credit Crunch and the Economic Downturn, including making budget provision to support the response.

Cabinet receives regular progress reports on the implementation of the Local Development Framework, which that is a key driver to delivering sustainable development.

4.2 **The Strategic Leadership Team**
During the past year the Strategic Leadership Team received reports regarding the management of the following good governance related issues:

Vision / Strategy:	Financial Management :
• Local Development Framework • Rotherham School Partnership • Service Planning • Commissioning, Policy and Performance Review • Work Programme to Achieve Efficiencies in CYPS 4 Year Strategy • Deprivation Strategy • RMBC ICT Strategy 2011 to 2015 • LDF – Publication Core Strategy • Rotherham/Sheffield Emergency Planning Shared Service • Business Support Redesign Update • Procedures for Dealing with Government Consultations	• Medium Term Financial Strategy • Suggested VFM Reviews • Consultation of Council Tax Base for 2012/13 • Capital Programme – Capital Receipts Update • Budget Proposals & action plans • Property Revenue Savings Target • Outturn of Major External Regimes • PCT Non Recurrent Money • Reserves & Balances • Academies Funding School Crossing Patrol – Funding Requirements • Costs of Childcare Proceedings • Rotherham 2010 Implications
Performance Management :	Risk Management :
• Audit & Inspection Update • Quarterly performance reports • Corporate Performance Report • Schools Performance • RBT • Delivering the Important Things Well, with Far Less Money	• Corporate Risk Register
Corporate Governance :	Capacity and Capability :
• Annual Governance Statement • Partnerships' Governance • Localism Act	• Corporate Workforce Strategy Refresh • Rotherham School Improvement Partnership Model • Sustaining School Improvement

External Inspections / Reviews :	Communications and Engagement :
• Operational Estate Review • Management Review • Financial Services Review • Localities Review Update • Savings Management & Business Administration Reviews • Annual Review of Councils Website • Scrutiny Review Regeneration Funding & Neighbourhood Renewal • Leisure & Green Spaces & Community Delivery Review • Cross Cutting Savings and Staffing Reviews • Winter Weather Scrutiny Review • Children's Peer Challenge October 2011	• Customer Feedback Annual Report • Customer Service Excellence Standard • Customer Services Consolidation Review • Consultation on the future of Public Audits • RMBC Customer Access Strategy 2011-12
Internal Audit :	**Commissioning / Procurement :**
• Internal Audit Annual Report • Internal Audit Plan • Audit Committee Annual Report • Annual Review of the effectiveness of the system of Internal Audit	• Commissioning Framework • Procurement

4.3 The Audit Committee

During 2011/12 the Audit Committee provided independent assurance about the following good governance related issues:

Internal Control, Corporate Governance & Risk Management :	Financial Management :
• Annual Fraud Report • Risk Management Update • Localism Bill - Standards Regime • Managing the Risk of Fraud – Anti Fraud and Corruption Arrangements /Strategy • Significant Partnerships Governance • Corporate Risk Register • Annual Statement of Assurance • Annual Governance Statement • Reintegration of 2010 Rotherham Ltd with RMBC • Better Governance Forum • Customer Inspection Service	• Treasury Management Report, Actual Prudential Indicators/ and Investment Strategy • Mid Year Treasury Management Report Prudential Indicators Monitoring Report • International Financial Reporting Standards • Final Accounts Closedown • Statement of Accounts and Unaudited Statement of Accounts • Sundry Accounts • Bribery Act

Internal Audit :	External Audit :
• Internal Audit Strategy and Audit Plan • Audit Committee Work Plan • Audit Committee Self Assessment • Annual Review of Internal Audit • Audit Committee Annual Report • Internal Audit Annual Report • Communities and Local Government - Consultation and on the Future of Local Public Audit and Response to the Consultation • Protecting the Public Purse – Fighting Fraud Against Local Government	• KPMG Annual Audit Letter • Audit & Inspection Plan • Audit and Inspection recommendations update • Statement of Accounts and Unaudited Statement of Accounts • KPMG Grants Report • KPMG Interim External Audit Report

4.4   Overview and Scrutiny Management Board
During 2011/12 the Overview and Scrutiny Management Board considered and reviewed the following good governance related issues:

Vision / Strategy :	Performance Management :
• Review of PE and Sport in Schools • Scrutiny Review • Scrutiny and Health Reforms • Rotherham Partnership Community Strategy • 11 million take over day • Overview and Scrutiny Management Board Work Programme • Review of Overview and Scrutiny • Preparing Overview and Scrutiny for the "New Localism" • Local Democracy Campaign 11/12 • Scrutiny Review – Winter Weather • NHS Winter Plan • Scrutiny Review – Private Rented Sector in Rotherham • Designated Public Place Order and Results of Consultation • Consultation on a New Mandatory Power of Possession for Anti Social Behaviour • Consultation – Allocation of Accommodation and Social Housing Fraud • School Councils • Home Office Consultation – Police Powers to Promote and Maintain Public Order	• RBT Performance • Council Performance • Sector Self Regulation and Improvement • Best Value – New draft Statutory • Regeneration Review • CYPS Peer Review • Regeneration Review

Financial Management :	Risk Management :
• Budget • Economic Downturn • Fuel Poverty • Transfer of Private Sewers to Water Companies	• Corporate Risk Register • Flood Risk Assessments
Corporate Governance : • Future of Overview and Scrutiny • Localism Bill • Localism Act 2011 • Housing Benefit Reform	**Communications and Engagement :** • Equality Act • Public Engagement and Co-option • Scrutiny Review of Regeneration Funding and Neighbourhoods Renewal • Right To Buy Consultation • Localizing Support for Council Tax

4.5 The Standards Committee

During the last year the Standards Committee considered and reviewed the following good governance related issues:

Corporate Governance :	Capacity and Capability :
• Review of Complaints against Elected Members • Partnerships' Governance • Localism Bill • Confidential Reporting Code • Annual Governance Statement • Parish Compact Questionnaire • Voluntary Code of Conduct • Bribery Act 2010 • Localism Act 2011 • Independent Persons • Register of Gifts and Hospitality • ACSES Draft Code of Conduct • ACSES Description of Independent Person	• Standards Committee Annual Report • Standards Committee Work plan • Maintaining High Ethical Standards in Local Government • Future of the Standards Committee • Standards Committee Terms of Reference • Independent Members Forum

4.6 Internal Audit

During 2011/12 Internal Audit reviewed all the Council's main financial systems, i.e. Council Tax; Business Rates; Creditors; Payroll; Housing and Council Tax Benefits; Housing Rents. Internal Audit concluded that the overall control environment was satisfactory in all of these systems. One report is to be completed on debtors where the audit found opportunity to strengthen current recovery procedures relating to outstanding accounts.

4.7   External Audit (and other external review / assurance mechanisms)

KPMG carried out a review of the work undertaken by Internal Audit. This included an assessment of audit files, continual liaison with key personnel, review of documents and attendance at Audit Committee. They concluded that Internal Audit was compliant with the Code of Practice for Internal Audit in Local Government. KPMG did not identify any significant issues with internal audit's work and were able to place reliance on internal audit's work on the key financial systems. KPMG has also commended the Council's financial systems and arrangements leading to the preparation of the Council's accounts.

5   SIGNIFICANT GOVERNANCE ISSUES

5.1   Follow up on the 2010/11 significant governance issues
Although the 2010/11 AGS did not identify any additional governance issues, three significant issues have remained from earlier years that merited further assurances. Further positive progress has been made in these areas during 2011/12, as follows:

5.1.1   Swinton Community School
Swinton Community School has made positive progress in addressing a sizeable deficit accumulated over the previous 3 years. An internal audit of the Swinton Community School raised concerns regarding the financial planning and monitoring at the School, which had accumulated a deficit of over £876,000 by 31 March 2011.

Following a collective approach to the management of the situation by the School and the Council's Resources and Children and Young People's Directorates, the School has reduced the deficit to £512,000 and expects to achieve a balanced position by the end of the 2013/14 financial year.

5.1.2   2010 Rotherham Ltd
2010 Rotherham Ltd existed from 2005 to manage the Council's housing stock and deliver the £280m Decent Homes Programme of improvements to council houses in Rotherham. During its life, 2010 Rotherham Ltd accumulated a significant financial deficit.

During 2010/11 the Council made a decision to dissolve the company and re-integrate services into the Council during 2011/12. The company has now been wound up and all debts have been accounted for. Financial arrangements are now managed directly by the Council and it is anticipated that there will be a positive financial outcome in 2012/13.

5.1.3   Children and Young People's Services
There continues to be significant financial pressure on Children's Services. In response the Council is providing additional investment in the services

and is carrying out work to move towards a more cost-effective prevention and early intervention approach.

5.2 Significant governance issues arising from the 2011/12 review of the effectiveness of the governance framework.
The following issue is raised for the first time this year:

5.2.1 Health and Wellbeing
All social care facilities are subject to external inspection by the Care Quality Commission. During the year two of the Council's establishments; Treefields and Quarry Hill Resource Centres, had some areas of non-compliance with the CQC's standards. These are subject to improvement plans and will be re-inspected by the Care Quality Commission in due course.

6 LEADER AND CHIEF EXECUTIVE ASSURANCE STATEMENT

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed   …………………………………………..
Councillor Roger Stone, Leader, Rotherham Metropolitan Borough Council

Signed   …………………………………………..
Martin Kimber, Chief Executive, Rotherham Metropolitan Borough Council

Agenda Item 8

	ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS	

1.	Meeting:	Cabinet
2.	Date:	5th September 2012
3.	Title:	Delegation of Powers - Revenues
4.	Directorate:	Resources

5. Summary

To authorise postholders to appear in the Magistrates' Court on behalf of the Council on cases relating to recovery and enforcement of Council Tax, Non-Domestic Rates and related issues.

6. Recommendations

That the persons named in recommendation (3), being the holders of the posts of Service & Development Manager, Operational Managers – Account Management and Local Taxation, Team Leaders – Account Management and Local Taxation, Senior Technical Officers – Account Management and Local Taxation, Technical Officers – Account Management and Local Taxation, be authorised:-

(1)   **Under the provisions of Section 101 and 223 of the Local Government Act 1972, to institute, carry on, prosecute and defend proceedings in relation to the recovery of Council Tax, Community Charge, National Non-Domestic Rates and General Rates which the Council, as Billing, Charging, Collecting and formerly Rating Authority, is itself authorised to institute, carry on, prosecute and defend.**

(2)   **To act on behalf of the Billing, Charging and Collecting Authority in proceedings undertaken at the Valuation Tribunal in respect of Council Tax, Community Charge and National Non-Domestic Rate Appeals.**

(3)   **The authorised persons for the purposes of recommendations (1) and (2) are:**

Mr Robert Cutts	Mr Steven Ward
Mrs Rachel Humphries	Mrs Melanie Kennedy
Mr Alan Norcliffe	Mrs Sharon Coombes
Mrs Gill Leivers	Mrs Julie Chapman
Mrs Sally Olivia	Miss Suzanne Styring
Mrs Diane Woolley	Mrs Christy Ward

7. Proposals and Details

At present certain named officers have delegated authority from the Council to undertake proceedings in relation to the recovery of Council Tax, Community Charge, National and Non-Domestic Rates and General Rates which the Council, as bill, charging, collecting and formerly rating authority is itself authorised to institute, carry on, prosecute and defend.

The officers are further authorised to act on behalf of the Council in proceedings undertaken at the Valuation Tribunal in respect of Council Tax, Community Charge and National Non-Domestic Rate Appeals.

From time to time fresh resolutions need to be passed as staff leave and new staff are appointed. Accordingly, the Cabinet Member is requested to reaffirm existing appointees and authorise new appointee(s), i.e. the officers named in recommendation (3) to this report, to represent and act on behalf of the Council in relation to the functions mentioned in recommendations (1) and (2).

8. Finance

The delegation of powers to officers enables the Council to respond quickly when Court proceedings are necessary and thus assists with the prompt collection of Council Tax and National Non-Domestic Rates.

9. Risks and Uncertainties

The lack of sufficient officers with delegated powers to represent the Council in proceedings for recovery and enforcement of Council Tax and Non-Domestic Rates would have an adverse effect on the Council's cash flow and performance.

10. Policy and Performance Agenda Implications

The Council is empowered by resolution to authorise officers to appear in legal proceedings before a Magistrates' Court and to conduct any such proceedings, although not a solicitor hold a current Practising Certificate.

11. Background Papers and Consultation

The proposals have been discussed with RBT (Connect) Limited.

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Director of Legal and Democratic Services
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	ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS	

1.	**Meeting:**	Cabinet
2.	**Date:**	5th September, 2012
3.	**Title:**	**Scrutiny of Diabetes**
4.	**Programme Area:**	**Scrutiny**

5. Summary

Over 12,000 people in Rotherham suffer from diabetes. Diabetes is the commonest cause of avoidable blindness as well as a significant risk factor for heart attacks and stroke. Prevention, screening of high risk individuals, identification, treatment and treatment or prevention of complications are key Public Health priorities for the Borough.

In 2013 Rotherham MBC will be responsible for ensuring that everyone aged 40 to 75 in the Borough are offered an NHS Healthcheck once every five years. This includes height and weight measurement and appropriate lifestyle advice as well as blood sugar measurement.

The Health Trainer Service in Rotherham offers lifestyle support for those identified at risk of diabetes and heart disease particularly amongst the most deprived communities. In 2011/12 9% of the Health Trainer Service clients were from BME groups and 23% considered themselves disabled.

6. Recommendations

Cabinet is asked to welcome support all the recommendations in the report.

7. Proposals and Details:
The detailed analysis of the scrutiny recommendations is in the attached template.

8. Finance
Good diabetes management costs the NHS far less than treating the complications.

9. Risks and Uncertainties
The national trend of increasing weight is reflected locally and will impact on levels of diabetes.

10. Policy and Performance Agenda Implications
Adoption of the recommendations would support the Strategic Outcomes that have been identified as a result of the JSNA, Health Inequalities Consultation and emerging Health and Well-Being Strategy.

11.   Background Papers and Consultation
Diabetes scrutiny report

Contact Name :
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nagpal.hoysal@rotherham.nhs.uk

Cabinet's Response to Scrutiny Recommendations   Appendix B

Recommendation		Cabinet Decision *(Accepted/ Rejected/ Deferred)*	Cabinet Response *(detailing proposed action if accepted, rationale for rejection, and why and when issue will be reconsidered if deferred)* CCG Clinical Commissioning Group TRFT The Rotherham Foundation Trust DPHDirector of Public Health	Officer Responsible	Action by *(Date)*
	Education and Prevention				
4.1	Ensure the remit of the Health and Wellbeing Board focuses on the **promotion** of healthy lifestyles such as good diet, physical activity and the prevention of obesity, through the development of the partnership Health and Wellbeing Strategy	Accepted	These represent core duties of the Health and Wellbeing Board	HWBB	Strategy in Place
4.2	NHS Rotherham diabetes lead to ensures links are made with the community weight management services such as Reshape and the Carnegie Clubs to ensure those at risk due to being overweight or obese are made aware of the risks and sign-posted to early support where this may be appropriate	Accepted	Discussion about the increased risk of diabetes (and other long term conditions) that is associated with lifestyle is part of the referral process for weight management; however, where appropriate, there is reinforcement of this advice. The primary focus of these services is to help people to modify their lifestyle and allocating additional time to discuss the risks of their lifestyle would dilute the care provided.	Dr Hoysal	Complete
4.3	RMBC to investigate the possibility of putting diabetic awareness on PSHE curriculum.	Accepted	Diet and exercise form key components of the PSHE curriculum. It is unlikely that we will be able to make significant changes to this across the Borough.	Healthy Schools Co-ordinator	September 2012
4.4	Ensure GPs continue to raise awareness and inform patients of the risk factors and early symptoms, through the GP consortium and Health and Wellbeing Board once established	Accepted	Patients who attend the GP that are overweight or obese are already able to receive support from the Health Trainer Service. NHS Health checks include brief anvice to support lifestyle shange	DPH	NHS Healthchecks include advice on lifestyle

Early Diagnosis

4.5	Investigate ways of encouraging people to seek advice through the range of sources available, such as GP practices, pharmacies and NHS Direct, though the council and NHSR websites and the use of posters/leaflets available through Diabetes UK	Accepted	Advice on Diabetes forms pat of the service offered by Public Health to GP practices in QTV. Suggest that this also includes the promotion of NHS health checks.	DPH	PH website in development. QTV program agreed by April 2013
4.6	Consider ways of utilising the NHSR Diabetes testing machine as widely as possible with high risk groups and communities, such as BME and older people – and investigate the possibility of training other staff (RMBC/NHSR) and volunteers to use the machine due to a lack of staff resource currently available to deliver this.	Accepted	We only have one machine and while it has been used in limited settings it is available for use within the borough.It is acknowledged that this opportunistic screening could be expanded. NHS Healthcheck will deliver this aim for more widespread testing. Monitoring of uptake for NHS Healthchecks will form part of the program particularly in the South Asian Community. Work with the Rotherham mosques has been undertaken to raise awareness of healthchecks.	DPH	Ongoing
4.7	NHSR and the Health and Wellbeing Board (once established) to Investigate ways of maximising the take-up of the NHS Health Checks Programme which can identify those at risk, as well as early symptoms	Accepted	The National Target is too screen 90% of the eligiable population aged 40-75 years by 2012. A review of the current programme is underway.	DPH	Ongoing Rotherham has one of the highest uptakes of Healthchecks in Yorkshire and the Humber.

Spreading Good Practice

4.8	Support recommendations included in the redesign of diabetes services which was undertaken by NHSR and ensure that this is implemented by holding the GP consortium and relevant providers to account through the Health and Wellbeing Board once established Ensure the Health and Wellbeing Board looks at performance in relation to service and patient	Accepted	RFT to report back to the HWBB about progress In September. TRFT – the integrated specialist diabetes service was launched in June 2011 and all members of the team Consultant ,Specialist nurse, podiatrist, dietician) can now be accessed via the one referral route . The team is also working more closely with A and E and the inpatient wards in the Hospital to provide holistic care to diabetic patients who may be admitted to Hospital.	HWBB	September2012

	improvements, resulting from the redesign of services, and refers relevant issues to Health Scrutiny where they feel it is necessary				
4.9	NHSR to look at ways of encouraging newly diagnosed patients to go for structured education (delivered through GP practices) and ensuring GPs are promoting this service and reassuring those who may perceive barriers to attending (such as lack of time and feelings of anxiety)	Accepted	TRFT are working with both patients and GPs to promote all forms of structured education and the benefits to be gained by individual patients in terms of the management of their condition through education.	TRFT	All new patients offered this.
Better Self-management					
4.10	Ensure NHSR are engaged with the Rotherham branch of Diabetes UK and other patient groups, such as LINks (and HealthWatch once established) to raise awareness as well as understand patient experience of their condition and the services provided for them	Accepted	NHSR and TRFT are actively engaging the Rotherham branch of Diabetes UK and their Chair is a member of the local diabetes clinical group/improvement team.	CCG and TRFT	From April 2013

Agenda Item 10

ROTHERHAM BOROUGH COUNCIL – REPORT

1.	**Meeting:**	**Cabinet**
2.	**Date:**	**5th September 2012**
3.	**Title:**	**Scrutiny Review - Role of School Governors**
4.	**Directorate:**	**Resources** **All wards**

5. **Summary**

The report sets out the findings and recommendations of the scrutiny review into Support for School Governors, undertaken by Improving Lives Select Commission (attached as Appendix 1).

6. **Recommendations**

a. **That Cabinet receives the report and recommendations**

b. **That Cabinet's response to the recommendations is fed back to OSMB within two months of its submission.**

7.   Proposals and Details

At its first meeting in July 2011, the Improving Lives Select Commission Members included in their work programme a commitment to undertake a review to examine the role of school governors and the support provided to Governing Bodies by the Council. This followed a report examining proposed changes set out in the Government's Importance of Teaching White Paper 2010.

Arising from the White Paper and subsequent Education Act 2011, was the need to clarify the accountability and responsibilities of school governing bodies and the local authority's changing role to commission support services for continuing training and support for school governors.

The review recognises and values the role of school governors in providing leadership and challenge in schools. As a volunteer body they play a vital role to improve outcomes for children and young people in Rotherham. The review also acknowledges the financial constraints experienced by schools and education support services within Rotherham. This is the context in which this review was undertaken.

7.1   The purpose of the review, chaired by Cllr Ann Russell, was to examine:

- Against a national background of changing policy, the role of the local authority in supporting governing bodies to undertake their leadership and challenge role in schools and achieve the best outcomes for pupils;
- The impact of the changing policy context for education and the Education Act 2011;
- The current role of Governing Bodies;
- The current support, training and development opportunities available to governors;
- The views of existing governors on their own expectations of the role and effectiveness of governing bodies in respect of their leadership and challenge responsibilities;
- The support required to enable Governing Bodies future role and development.

7.2   The review began its evidence gathering in September 2011, concluding in April 2012. This included:

- Consultation with key officers with overview of Rotherham context;
- Desktop based research - looking at national and local good practice and Government Legislation;
- Outcomes of the Key Stage 2 Performance Clinics;
- Issuing a questionnaire to 150 chairs and vice chairs of school governing bodies; the response rate was 46% (69/150);
- Interviews with Cabinet Members Chairs and Vice Chairs of School Governing Bodies, and CYPS Officers

7.3 The recommendations from the report are contained in Section 7 of the full report. In summary, these cover

- School Governor's Taskforce
- Recruitment
- Local Authority Governors
- Induction and Training
- Role of the Clerk of Governing Bodies
- Services provided by the Council

8. Finance

A number of the review recommendations may have financial implications if adopted. This would require further exploration by the Strategic Leadership Team and Schools on the cost, risks and benefits of their implementation.

9. Risks and Uncertainties

The Education Act 2011 sets out a number of challenges for school governance arrangements. In order to maintain a body of governors who are able to challenge underperformance, the local authority will need to make decisions on what services it should offer in the light of reduced funding, current local partnership arrangements and steer from the Department of Education.

10. Policy and Performance Agenda Implications

Corporate Plan Outcomes
- Ensure the best start in life for children and families
- Provide additional support to the most vulnerable in our community
- Help local people and local businesses benefit from a growing economy

11. Background Papers and Consultation

Education Act 2011
Importance of Teaching White Paper 2010

Improving Lives Select Commission 11th July 2012.
OSMB 20th July 2012

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Rotherham
Metropolitan
Borough Council

Scrutiny review: Role of School Governors

Review of Improving Lives Select Commission

CONTENTS

EXECUTIVE SUMMARY

The review was initiated to examine the increasing responsibilities of school governing bodies and the local authority's changing role in light of the 'Importance of Teaching' White Paper and subsequent Education Act, 2011.

The aim of the review was:

To assess the role of the local authority in supporting governing bodies to undertake their leadership and challenge role in schools and achieve the best outcomes for pupils.

The review group was made up of the following members of

- Cllr Ann Russell (Chair)
- Cllr Thomas Fennoughty[1]
- Cllr Simon Currie

- Cllr Neil License
- Cllr Chris Read

The review based its evidence on the following:

- Consultation with key officers with overview of Rotherham context;
- Desktop based research - looking at national and local good practice and Government Legislation;
- Outcomes of the Key Stage 2 Performance Clinics;
- Issuing a questionnaire to 150 chairs and vice chairs of school governing bodies;
- Interviews with Cabinet Members Chairs and Vice Chairs of School Governing Bodies, and CYPS Officers

The help and co-operation of all who participated in the review is gratefully acknowledged.

Summary of Findings and Recommendations

All contributors agree that governors have a key role in addressing underperformance and improving outcomes for children and young people in Rotherham. The review also acknowledges the financial constraints experienced by schools and education support services within Rotherham. However, whilst attainment in many areas is improving, Rotherham faces some entrenched areas of difficulties in some of its schools, indicating that the there is still a gap in leadership and effective challenge.

There are sixteen recommendations, detailed in Section 7 of the report. The recommendations address the following areas:

- School Governor's Taskforce
- Recruitment
- Local Authority Governors
- Induction and Training
- Role of the Clerk of Governing Bodies
- Services provided by the Council

The responsibilities and expectations of governors are changing and growing; the report sets out some practical steps to consolidate their skills, knowledge and understanding. The relationship between schools and councils is also shifting. In light of this, the local authority will need to make decisions on how it can maximise its influence and what leadership, services and support it should offer to governing bodies.

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[1] stood down as a councillor May 2012

1   ORIGINAL CONCERNS – WHY MEMBERS WANTED TO LOOK AT THIS ISSUE

In January 2011, the former Children and Young People's Scrutiny Panel received a report examining proposed changes set out in the Government's Importance of Teaching White Paper 2010.

Specific areas of interest raised at this meeting were around the White Paper's proposals to clarify the accountability and responsibilities of school governing bodies and the local authority's changing role.

At its first meeting in July 2011, the Improving Lives Select Commission Members agreed to examine the role of school governors in relation to their leadership and challenge role and to examine the support provided to Governing Bodies by the Council.

Each of the review group were currently or had previously been school governors; either as Local Authority appointees, community or Parent Governors. All were able to comment and questions from a position of knowledge and understanding of the role.

2   TERMS OF REFERENCE

The primary objective of the review was:

To assess the role of the local authority in supporting governing bodies to undertake their leadership and challenge role in schools and achieve the best outcomes for pupils.

The scope of the review included:

- Assess the impact of the changing policy context for education and the Education Act 2011;
- The current role of Governing Bodies;
- Consideration of the current support, training and development opportunities available to governors;
- Establish the views of existing governors on their own expectations of the role and effectiveness of governing bodies in respect of their leadership and challenge responsibilities;
- Make recommendations to support and enable Governing Bodies future role and development.

2.1   Methodology

The review began its evidence gathering in September 2011, concluding in April 2012. This included:

- Consultation with key officers with overview of Rotherham context;
- Desktop based research - looking at national and local good practice and Government Legislation;
- Outcomes of the Key Stage 2 Performance Clinics;
- Issuing a questionnaire to 150 chairs and vice chairs of school governing bodies;

- Interviews with Chairs and Vice Chairs of School Governing Bodies, and CYPS Officers;
- Interviews with the Cabinet Member for Safeguarding Children and Adults and Cabinet Member for Lifelong Learning and Culture.

3   BACKGROUND

The Government sees the current system of school education as seriously underperforming. They evidenced this by England's fall in the OECD's PISA[2] international rankings; the failure to raise attainment of the 20% most deprived pupils; and loss of confidence in the secondary curriculum and qualifications.

In response to this, the Government's 2010 Schools White Paper, 'The Importance of Teaching' set out its intention to enact 'profound structural change' and 'rigorous attention to standards', with schools given greater autonomy to determine the structure of support they require in the future.

In this document, the Government states its intention to "Make it easier for schools to adopt models of governance which work for them – including smaller, more focused governing bodies, which clearly hold the school to account for children's progress." (p13, 2010)

The subsequent Education Act 2011 makes some fundamental changes to the way in which Governing Bodies may be constituted; reflecting the Government's aim to increase local accountability and the autonomy of schools. The Act supports the Department for Education's commitment to reduce bureaucratic burdens on schools by removing a number of previous legal requirements on governing bodies, teachers and schools.

In a recent speech to the National Governor's Association, Sir Michael Wilshaw, Her Majesty's Chief Inspector, OFSTED reiterated the important role school governors have in challenging poor performance and improving outcomes. He suggested that the OFSTED regime will support leaders and governors who are focusing on these key issues (and confront those who are not).   He also observed that underperformance is often prevalent in more deprived communities (which is reflected in Rotherham); and to tackle this, there is a requirement to recruit "the best governors in these schools".

Against this backdrop, there is a debate about the role LAs can play, particularly as more schools adopt academy status or are established as free schools.   The Department for Education (DfE) has yet to clarify which functions should stay with local authorities in the long term, but has established a Ministerial Advisory Group on the role of LA's which is due to report shortly.

In its 'think piece' "The future role of the local authority in education" (2012), the Association of Directors of Children's Services (ADCS), examines how this

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[2] OECD'S PISA – Programme for International Assessment - More than 70 countries and economies have taken part in PISA so far and the surveys, which are given every three years, allow them to track their progress in meeting key learning goals, to measure the knowledge and skills of 15-year-olds, an age at which students in most countries are nearing the end of their compulsory time in school.

relationship could develop over the next five years and the changes that LAs will have to make if they wish to continue to exert an influence. It concludes that "there is a huge opportunity here for local authorities if they can meet schools' needs."

These issues are fundamental to this scrutiny review. To ensure that educational outcomes for the borough's children are improved, it is vital that there is a supply of governors who possess the skills and knowledge to challenge underperformance and raise standards. As the relationship with schools change, the local authority will need to make decisions on how it can maximise its influence and what leadership, services and support it should offer to governing bodies, in the light of reduced funding, current local partnership arrangements and legislative steer from the DfE.

4 SCHOOL GOVERNING BODIES IN ROTHERHAM

4.1 What Do Governing Bodies Do?

All community, foundation and voluntary schools in England have a governing body. Governors are volunteers, comprising more than 300,000 school governors in England. They are one of the largest groups of volunteers and one of the best examples of civic engagement in the country.

Governing bodies are corporate bodies with a legal identity separate to that of its individual members. Because of this, individual governors are generally protected from personal liability as a result of the governing body's decisions and actions. Provided governors act honestly, reasonably and in good faith, any liability would fall on the governing body rather than on individual members.

A governing body has a range of duties and powers and a general responsibility for the conduct of the school with a view to promoting high standards of educational achievement, including setting targets for pupil achievement, managing the school's finances, appointing staff and many more. They are held to account by OFSTED via school inspection.

The Governing Body fulfils its responsibilities in three main ways:

- By working strategically to set the school's values, vision and aims and agreeing challenging targets, policies and plans; and making creative use of the school's resources

- By acting as a "critical friend" to the head teacher and senior leadership team - monitoring and evaluating progress towards achieving the school's vision, aims and targets; providing support to the head teacher and staff as well as challenging their expectations

- By holding to account the head teacher and staff for the school's performance and for the decisions they take by asking challenging questions where appropriate.

4.2 The Local Authority Role in Governing Bodies

The local authority has a number of specific roles in relation to governing bodies:

- Appointment (and removal where appropriate) of local authority governors

- Ensure that governing bodies have access, free of charge to the individual, to the information and training they need to operate effectively

- In Maintained Nursery, Community and Voluntary Controlled Schools, determine the arrangements for electing parent and staff governors

- Ensure that each school (with the exception of Academies) has an Instrument of Government that complies with statutory regulations

- Conduct elections for Parent Governor Representatives onto appropriate local authority scrutiny committees

In addition, the local authority has powers of intervention where a school is causing concern and specifically where there has been a serious breakdown in the way the school is being governed. These powers of intervention include:

- The appointment of additional governors

- Suspension of the school's delegated budget

- Requiring the governing body to enter into partnership arrangements i.e. collaboration or federation

- Appointing an Interim Executive Board

As stated earlier, the Government has established a Ministerial Advisory Group to on the role of the local authority which is expected to report shortly. This may lead to changes in the relationship between Governing Bodies and the Local Authority.

4.3   Local Framework for School Governing Bodies

In Rotherham, 14 geographical and 2 faith-based "Learning Communities" have been developed which cover the 123 schools in the Borough. These groups of schools establish formal and informal agreements to work together in partnership. The Learning Communities are overseen by the 'umbrella' Rotherham School Improvement Partnership (RoSIP), a collaboration between the small School Effectiveness Service, schools and other key partners, set up to progress the Transforming Rotherham Learning principles. In Rotherham, there are 123 governing bodies, one for each school. There are 1867 governor places, with 241 vacancies (as at 31 March 2012) representing an overall vacancy rate of 12.96%

In Rotherham, most schools still retain the 'single school' standard model with one school, one head teacher and one governing body. However, other leadership models have now emerged. These include:

- Five formal partnerships using the Collaboration Regulations, with powers delegated to them by the constituent governing bodies.

- A Federation where two or more schools are governed collectively under a single governing body.

- Four Secondary School Academies in Rotherham, along with one Foundation Secondary School.

The composition of each school's governing body is set out in the school's Instrument of Government (or the Articles of Association for an Academy).

For the majority of schools in Rotherham, the governing body consists of parents, staff, community or co-opted and local authority (LA) governors. They may also include representatives from private sector companies or sponsor governors. For Voluntary Aided Schools (or 'faith school'), there will be additional representatives from the sponsoring faith body.

Academy Schools have different arrangements. These are state funded independent schools receiving its budget directly from central government in accordance with its funding agreement. The composition of the governing body can be flexible and is determined by the governing body of the school, in consultation with the DfE, prior to conversion. Free schools will also have the flexibility to determine the composition of their governing bodies. In Rotherham, each of the academies have committed to continue to work collectively with each other and the Local Authority into the future; supported by the Transforming Rotherham Learning core values and principles.

There is no maximum size for the governing body. However, when negotiating the size of a governing body the Department for Education (DfE) advise that large numbers can make governing bodies unwieldy and difficult to manage. The DfE also advises that membership of the governing body should include at least two parent governors and the principal, but academy trusts are free to choose whether to have a local authority governor, staff governor or co-opted governor.

Importantly, the Education Act states that in order to ensure that LA proposed governors have the right balance of skills and knowledge, that governing bodies of maintained schools may set an 'eligibility criteria'; in effect reserving the right for governing bodies to reject 'unsuitable candidates'. In order to maintain the link between LA and governors and to maximise the LA's influence, it is suggested that there should be a dialogue between the school and local authority, prior to appointment, as to the skills and experience being sought. This will ensure that a suitable candidate or pool of candidates is available.

5   FINDINGS

In light of the changing role of Governors and emerging new relationships with schools, the review group asked some key questions to RMBC officers and Cabinet Members to ascertain:

- The role of Governing Bodies in school improvement? How do Rotherham Governors match up to this?

- The leadership qualities that differentiate a Governing Body in a high performing school compared with a school which is not performing well?

- How do we recruit and retain governors of the right 'calibre'?

- The support is given to Governing Bodies? From LA? From schools? How do we know if the support is effective? Gaps and areas of improvement?

- How does the LA hold Governing Bodies to account for pupil progress? What action do we take to support Governing Bodies in poorly performing schools?

- Given the changes outlined in the "Importance of Teaching" White Paper and the Education Act, what is the future role of Local Authorities in supporting Governing Bodies? What influence can the local authority exert?

The responses to these questions were wide-ranging. It is clear from the discussions that whilst there are some good examples of effective challenge and leadership from governing bodies (as evidenced by OFSTED inspections and the progress made in raising attainment at Key Stage 2 in schools such as Thornhill); however, this was not consistent across the board. Particularly issues were raised about supporting chairs and other governors to question and challenge; enhancing

skills and understanding and how learning and development opportunities are cascaded amongst governors.

The reduced role of the school effectiveness service was highlighted repeatedly. Schools still have a duty to cooperate with the LA (with the exception of Academies), but the LA may not become aware of difficulties within a school until they present as substantial issues. This means that communication and good working relationships are paramount. In Rotherham, it was acknowledged that this working relationship is positive and is reflected through the work of the Rotherham School Improvement Partnership (RoSIP).

5.1   Supporting underperforming schools

Within these discussions, the role of the Governor Development Service (GDS) was raised. The role of the Governor Development Service is essential. Yet service reductions have meant that the resource is extremely stretched (one officer is undertaking this role). The review group recognise and value the role of the GDS and would ask that appropriate investment is made by both the LA and schools to ensure that the service has the sustained capacity to provide appropriate and quality support and guidance to school governing bodies. The review group also acknowledged that the wider learning community also needs to be involved in building capacity of school governing bodies, in partnership with the GDS, to provide the level of challenge and leadership required to ensure improved outcomes and attainment; whether this is through inter-school collaboration, cluster events or other interventions. Suggestions for additional models of support included:

- Collaboration between schools/clusters to identify underperforming schools and generating support from an effective Governing body in a nearby school; an example of good practice was given as Hilltop and Kelford schools, where joint working has worked very well and a good working relationship has been achieved.

- Encouraging Peer Challenge/skills audit;

- Encouraging schools to self-evaluate against set criteria (via National Governors Association or via websites such as "The Governor").

The Previous Government developed a "Governor net" website for governing bodies. Although this had been withdrawn following the formation of the Coalition, it was suggested that many of the resources on the site could be used as a basis for local guidelines. It was felt that these could be used alongside self-evaluation tools, to set out a checklist of expected performance and standards for governing bodies. Ideally this would cover expectations in terms of strategic responsibilities for finance, human resources and performance issues as well as complementing guidance issues on other roles such as pastoral care, safeguarding or responsibilities to looked after children.

One area for training in this respect was identified as Governors needing the ability to capture information from the Head Teacher's reports and be able to ask relevant questions and challenge. The issue around Governors understanding of their strategic role was discussed at length. Indications were that not all Governors understand this, with some Governors attending meetings and whilst supportive, did not ask questions and challenge school practices and outcomes. OFSTED also highlight this lack of challenge amongst school governing bodies.

Drawing on the notion of peer support, the review group were keen to explore if it was feasible to establish of a taskforce of governors enabling and supporting other

governing bodies to learn and improve their role. Clearly how this is to be resourced is a key issue – however, the review group consider there is merit in exploring this further.

5.2 Recruitment and retention

School improvement was seen to be closely linked with recruitment and training of school governors; this means that governors are required to be confident and committed to asking challenging questions. The review group felt strongly that in the interests of children and young people in our schools, it was essential to recruit governors in line using a person specification to ensure the right mix of relevant experience and skills.

The review discussed with witnesses the recruitment process for selecting school governors. There was a consensus that a simple person specification or role description would be a useful tool; allied with a selection procedure which would assess skills and understanding required to fulfil the role. A connection to the local community was considered to be a priority requirement.

Representation of young people on the Body was also raised as an important issue to address in many Governing Bodies. It was suggested we have a bank of Governors drawn from existing bodies to enable additional support and skills to be allocated schools as required. We need to fully communicate to prospective governors how time consuming the role is and the effort involved.

As the relationship between the LA and schools is shifting, the review group were of the view that the ability to appoint LA governors could be an area where influence and support could be consolidated. This requires clarity about the specific role and responsibilities of LA appointees. It is incumbent on the LA to ensure that its appointees are of high calibre and possess the skills, knowledge and commitment to undertake this responsibility effectively; with appropriate measures taken to support those who are not meeting expectations or in some circumstances remove them from governing bodies.

5.3 Governor development

Local authorities can offer other services to governing bodies. These services can be offered on a traded basis, usually via a Service Level Agreement. However, governing bodies are free to determine how much support they require and where to obtain that support from.

The School Effectiveness Service, via Governor Development, offers a package of support to governing bodies in Rotherham to support the development of their own effectiveness. This package consists of:

A training and development programme, incorporating:

- Induction training for new governors
- Training for chairs and vice chairs of governors
- A blended range of training opportunities aimed at individual governors, governing bodies and Learning communities
- A range of E-learning opportunities via Modern Governor, complementing the LA training and development programme

- Training and continued support for clerks to governing bodies

- A range of guidance documents aimed at increasing governing body effectiveness, including an Induction Pack for newly appointed governors and Governing Body Self Evaluation materials

- On-going development of a website to support effective governance

- Support to head teachers

A range of other providers of governor support are available nationally that governing bodies can access. The National Governors Association (NGA) is an independent organisation representing school governors in England. Governors can join the NGA as individuals or as members of a governing body. In addition there are a range of websites which enable governing bodies to access a range of support and advice. For example, the Department for Education (DfE) website contains a section for school governors, as does the National College for School Leadership. The Schools White Paper "The Importance of Teaching", gave the National College a role in developing training for Chairs of Governors. Discussions are underway with the DfE regarding the focus of this work and the funding available.

Over the 2010/11 financial year, there were a total of 1007 attendances at training and development events offered by Governor Development. In addition, over the same time period 251 governors accessed E-learning opportunities via Modern Governor. However, attendance at courses is not mandatory and take-up of some development opportunities is poor. Whilst appreciating that governors are a volunteer body and meet their commitments in their own time, often taking time from paid employment to do this; there needs to be a co-ordinated approach to learning and development with schools and clusters taking the lead, to consolidate core skills. The review group felt strongly that the role of governor was of sufficient importance that development activity isn't an 'optional extra'. Governors should be strongly encouraged to undertake development to support their role, with governing bodies agreeing a programme of continuous personal development, with expectations of participation levels.

5.4 The Role of the Clerk to Governing Bodies

Rotherham ceased providing a clerking service to governing bodies a number of years ago, and each school currently determines its own clerking arrangements, for which purpose funding is provided as an element of the funding formula used to determine schools' delegated budgets.

Members of the review group felt that the clerk has an important part to play in making sure the governing body's work is well organised. It is helpful if the clerk is able to offer information and advice to the governing body, particularly on matters involving the law and procedures to be followed at meetings. The role of the Governing Body Clerk is seen by the NGA as a means of providing expertise and professionalism to Governing Bodies.

As part of its desk-top review, the review group noted that a number of local authorities have supported the expansion of the clerk's role, in recognition of the increased complexity of school governance arrangements. Manchester City Council for instance, has introduced a dedicated Adviser to attend all meetings of the Governing Bodies across a 'patch' of schools. The Adviser assists the Chair in setting the agenda and act as a source of accurate advice to the governing body on constitutional matters and its duties, powers and responsibilities. This would include ensuring that governing bodies receive and consider reports from the Council on

matters relating to their duties. It would also be the part of this role to challenge ineffective arrangements and breaches of Regulations.

In this instance, schools retain a clerk to minute meetings as a separate arrangement. Manchester City Council operates a Service Level Agreement with schools to fund the enhanced role; with schools buying back services from the LA. Members of the review group supported this approach and suggest that this model for clerking arrangements would be beneficial to the future development of our own governing bodies. This is reflected in the review recommendations. However, it acknowledges that the funding mechanism would require further exploration with the School's Forum as it would not be possible to support this through the current Children and Young People's Services' budget.

5.5   Results from questionnaire

In addition to conducting face-to-face interviews, the review group also sent a questionnaire to 150 Chairs and Vice-Chairs of Governing Bodies to gain an insight into the perceptions and experiences of local school governors. The summary below is based on a response rate of 46% (69 responses).

How long have you been a Local Authority Appointee/Non Local Authority (community/professional/parent)?

1-4 years	4-8 years	8+ years	
22.9% (8)	22.9% (8)	54.3% (19)	Local Authority
11.9% (5)	28.6% (12)	59.5% (25)	Non Local Authority

Why did you become a school governor?

Many of the responses were similar and have been grouped together under the following five themes:-

- To contribute to school improvement and quality of teaching (28 responses)

- Loyalty to local school or community (21 responses)

- Invited by LA, school or elected by political party (5 responses)

- Wishing to get involved in school as a parent (12 responses)

- Personal professional development (3 responses)

What support do you receive to help you in your role?

Regular Meetings(teacher/head)	91.3%	(63)
Literature	84.1%	(58)
Seminars/Conference invites	78.3%	(54)
Induction	63.8%	(44)
Peer support (other Governors)	52.2%	(36)
Regular appraisals	7.2%	(5)

In addition to the above, other responses included references to the support network provided by the Rotherham Association of School Governors (no longer in existence); support from the clerk to Governors; Diocese of Hallam Schools' service; the Chair and Vice Chairs Governing Body and the Governor Development Service.

Have you received any training whilst in post? If yes, where

Local Authority	87%	(60)
In school	72.5%	(50)
External	30.4%	(21)

Other sources included: Continual professional development in the workplace; Diocese of Hallam; Modern Governor Website; other training centres.

How well do you feel you can influence the management of the school?

(as a School Governor)			(as a Governing Body)		
High impact	49.3%	(34)	High Impact	47.8%	(33)
Medium impact	37.7%	(26)	Medium impact	37.7%	(26)
Average	7.2%	(5)	Average	8.7%	(6)
Limited impact	4.3%	(3)	Limited impact	4.3%	(3)
No impact	1.4%	(1)	No impact	1.4%	(1)

Do you feel governing bodies can influence recommendations or key decisions made by the Head/Management

Very well	50.7%	(35)	Rarely	10.1%	(7)
Often	37.7%	(26)	Not at all	1.4%	(1)

Have you ever challenged recommendations or decisions?
Yes   62.3% (43)   No   37.7% (26)

Has a major recommendation ever been rejected by the Headteacher/Management?
Yes 7.2% (5)   No   92.8% (64)

5.6   Emerging Themes

Interestingly, a large majority of respondents suggested that they worked in partnership with headteachers and senior management in schools, and were able to exert an influence on key decisions. In earlier Key Stage 2 Performance Clinics, the issue of strengthening leadership and governance in schools was a key area for development.   It was noted that in underperforming schools, governors had not provided challenge consistently and were often unaware of areas of weakness.

The review group were surprised at the relatively low rate of induction provided to incoming governors. Although the induction is not mandatory (although the review group would argue that it should be), governing bodies should ensure that each new or returning governor understands their role; particularly around areas of responsibilities such as safeguarding or looked after children. A number of chairs suggested that they felt that they required further support to carry out their responsibilities. It is clear that there are a large number of governors with great experience and commitment; many with several years experience. To ensure that governors keep pace with the shifting education environment, it is vital that support and learning opportunities are in place and take-up is encouraged robustly.

"I became chair of governors and I am very proud to carry out the role for the school and children of my local community. I feel there is very little support when you are new to such an important role"

"I undertook Induction when I first started, after that nothing, even now in the role of chair there is nothing available."

One respondent stated "I feel the LEA are failing in providing the training necessary for all governors to be effective, many governing bodies pay for the gold standard support but never get any, when courses are advertised they seem to get filled up quickly."

Overall, most governors had received training at some point in their governor career, but this is not consistent or necessarily available/communicated to all.

Many respondents (whether relatively new or longer serving) had experience of challenging a key decision/recommendation. The desired outcome had usually been achieved through regular meetings, negotiations and coming to a consensus. Although this is reassuring to observe, we received other evidence from Performance Clinics that this is not consistent across the board, and is an area requiring further consolidation.

- "I have worked hard to ensure that confrontation is avoided, although this is not to suggest that we have not had to deal with challenging issues".

- "I consider the relationship between the head and the governing body is very important. It should be based on mutual trust and respect for the positions they hold. In addition, the head must feel that the governing body has the experience and knowledge of the school to support and challenge appropriately. The aims and objectives of the school and the governing body should be concurrent and a team approach throughout school, SLT and governors is paramount to the success of the school and its leadership."

- "In an ever changing environment we need to ensure that as governors we are up to date/fully briefed and have channels/network/training to ensure we offer the schools our best and work in partnership with the head teacher, staff and management. We must ensure we are an effective governing body for the school - be a critical friend."

The responses demonstrated range that there was a range of experience and skills spread amongst existing school governors, with many respondents indicating that they would be willing to offer peer support to others. This is an approach supported by the review group

- "We are a strong governing body who supports and challenges the leadership of the school. We feel supported by SLT and in turn support them. Children are at the forefront of our decisions and I am proud to be a governor of a Rotherham School. I feel that we are in a position to support less successful governing bodies".

- "Induction is offered to new governors and refresher courses for more experienced governors. I am happy to offer peer support to other governors and within our cluster"

6   CONCLUSIONS

All contributors agree that governors have a key role in addressing underperformance and improving outcomes and it is clear that there is a shared commitment to these ideals amongst all respondents. However, whilst attainment in many areas is improving, Rotherham faces some entrenched areas of difficulties in

some of its schools, indicating that the there is still a gap in leadership and effective challenge.

The responsibilities and expectations of governors are changing and growing. The report sets out some practical steps to consolidate the skills, knowledge and understanding of governors to support them in this vital role.

By the same token, the role of the Local Authority has also changed and its relationship with schools has altered dramatically. In recognition of this, the report sets out recommendations to consolidate its position and influence to provide strategic co-ordination and oversight of governor development; strengthen the role of LA appointees and continue provide quality advice and support to governing bodies. Through these steps, it is hoped that the local authority will continue to work in partnership with schools to ensure that opportunities for Rotherham children are maximised across the board.

7   RECOMMENDATIONS

School Governor's Taskforce

1   That a Taskforce comprising of representatives of governing bodies already accredited with developing good practice is established. Their role and responsibilities should include:

- Create local Good Practice Guidelines, including a checklist of the elements that comprise an effective governing body

- Benchmark and cascade good practice, knowledge/skills to others and train new governors

- Provide peer support and high challenge through the Learning Communities

- Working with the School Improvement Partnership Board/Teaching School Alliance to look at barriers to improvement e.g. removing ineffective governors

- Encourage governing bodies from underperforming schools to collaborate with their peers from high performing schools;

- Specifically support governing bodies to tackle safeguarding issues in schools.

- Commission support and development activities through Rotherham School Improvement Partnership (RoSIP)

- Identify and seek funding for Governor support and development through National Leadership Fund

Recruitment

2   A generic person specification is developed by the LA Governor Development Service in consultation with Governing Bodies. As a minimum, prospective governors must display confidence to ask questions and query outcomes.

3   Each school be encouraged to develop a more specific role description, detailing the expectations attached to any specific responsibilities (e.g SEN, Safeguarding, improving outcomes for Looked After Children or finance).

4 Consideration be given to encourage Local Authority officers to become Governors, with appropriate time off for attendance for meetings during the school day;

5 Consideration should be given (by both schools and the LA) to the payment of expenses arising from undertaking the role, such as child care or travel;

Local Authority Governors

6 That the Cabinet Member for Children, Young People and Families clarifies what expectations the Local Authority has of its appointees, including attendance at learning and development events

7 That prior to recruitment, LA appointed Governors complete an expression of interest form and undergo a recruitment process that clearly outlines the roles and responsibilities of LA Governors.

Induction and Training

8 That the induction programme, co-ordinated and delivered by the Governor Development Service, should include council and school processes that impact on governing body and information on support services. Each new or returning governor should be strongly encouraged to attend induction.

9 A programme for Continued Professional Development (CPD) be developed, including the greater use of e-learning and resources from the National College. This programme should include learning resources to support any specific roles or responsibilities (eg performance management, HR, chairing skills)

10 Head Teachers to receive training or guidance in working with Governing Bodies

11 Training in Self Evaluation techniques should be undertaken by all Governing Bodies with a view to undertaking this exercise every two years in line with National Governors Association criteria (or other resources)

12 A Personal Development Review (PDR) to be undertaken (by appropriate staff/governor in school or through peer arrangements) ideally every two years with each Governor to ensure training and skills are kept up to date.

13 Greater use should be made of online training by all school governors through the NGA and Modern Governor. Assessment and targets for online training should be discussed and agreed through the PDR process;

Role of the Clerk of Governing Bodies

14 The Review recommends that further work is undertaken by the Governor Development Service, with the School's Forum, to look at options to provide enhanced support to clerks. The review group suggest that this role could be undertaken across a cluster of schools by one 'adviser', whilst each body retains its clerk to undertake administrative tasks.

Services provided by the Council

15 The review supports the continuation and strengthening of the Governor Development Service within the current learning communities and other partnership arrangements.

16 That the webpages hosted on the Council's own and associated websites (eg Rotherham Connected Learning) are updated to ensure that relevant resources (such as role descriptions, guidance and links to other sites) are available online.

8 THANKS

- Cllr Paul Lakin, Cabinet Member for Children, Young People and Family Services
- Cllr Amy Rushforth, in previous portfolio role of Cabinet Member for Lifelong Learning and Culture
- Dorothy Smith, Director of Schools and Lifelong Learning
- Paul Carney, Co-ordinator of Governor Services
- Karen Borthwick, School Effectiveness Service
- Iain StJohn, Chair of School Governing Body
- Susan Gladwin, Chair of School Governing Body
- Violet Chapman , Chair of School Governing Body
- Bronwen Moss

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Agenda Item 11

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	MEETING:	Cabinet
2.	DATE:	5th September, 2012
3.	TITLE:	Scrutiny of the Budget Setting Process: report from the Self-Regulation Select Commission Budget Sub-Group
4.	DIRECTORATE:	Resources All Wards

5.   SUMMARY

This report outlines the main findings and recommendations arising from the Self-Regulation Select Commission budget sub-group's discussions with portfolio holders on the 2012/13 Budget Setting Process.   The report and its recommendations have been considered by the Self-Regulation Select Commission and Overview and Scrutiny Management Board on July 20, 2012.

6.   RECOMMENDATIONS

That Cabinet:

a.   Receives the report and considers its recommendations;

b.   That Cabinet's response to the recommendations is fed back to OSMB within two months of its submission.

7.   BACKGROUND

Since the formation of the Coalition Government in May 2010, the removal of funding and grants has amounted to a resources gap in the Council's finances of more than £60m over the period 2010-2013. Whilst the funding from central government has declined; the pressure on services does not diminish, particularly in adult social care and the challenges of safeguarding vulnerable children in the Borough.

The Council has made a commitment to maintain delivery in priority areas and "protect services for those most in need". Clearly the decisions taken by the Cabinet about the allocation of resources has been very difficult and the scrutiny sub-group appreciates the huge challenge of formulating a budget under these circumstances.

8.   TERMS OF REFERENCE

8.1   One of the key roles of scrutiny is to ensure that the Council is using its resources wisely and getting value for money. The pressure to make savings makes the need to provide analysis and challenge on behalf of the public all the more critical; balancing the delivery of services to meet council priorities, whilst meeting residents' expectations on the quality and level of services provided.

To this end, proposals were made to change the way that scrutiny of the budget was undertaken. As select commissions were no longer directly aligned to portfolios and directorates, the Self-Regulation Select Commission was delegated with budget scrutiny responsibility, with Overview and Scrutiny Management Board (OSMB) maintaining an overview of discussions and developments.

8.2   In its report, 'On the Money: The Scrutiny of Local Government Finance', the Centre for Public Scrutiny has identified four key areas where scrutiny can add value to the council's financial management arrangements. These are:

- challenging whether processes are effective and accessible and ensuring that there is a level of integration between corporate and service planning and performance and financial management

- challenging how resources are allocated and used and examining their impact

- testing whether the council is directing its resources effectively to meet its priorities and is achieving value for money

- providing an additional and transparent challenge to the executive's management of the council's finances.

This is the basis on which the Select Commission conducted the budget scrutiny exercise.

9.   PROCESS

9.1   In preparation for the budget exercise the 2011-12 Chair, (Cllr Darren Hughes) received briefings from Andrew Bedford, Strategic Director for Resources and Stuart Booth, Director of Finance. The Director of Finance also delivered a training session outlining an overview of local government finance and RMBC's budget process. All members of the Self-Regulation Select Commission were invited to attend.

9.2   Following a discussion on the revenue outturn 2010/11 at the meeting of SRSC of 15 September, a sub-group consisting of Councillors Atkin, Ellis, J. Hamilton, Hughes and Sharman was set up to consider the Select Commission's involvement in the budget setting process. Cllr Hughes subsequently made a presentation to the OSMB on its suggested approach, which was endorsed. Councillors Falvey and A. Russell were nominated from the OSMB to join the sub-group, ensuring that a balance of members was represented.

9.3   A two-tiered approach was taken, questioning Cabinet Members in turn on their portfolio budget proposals, concluding with a session with the Council Leader.

9.4   Part One examined budgetary issues arising from the 2010/11 outturn and if directorates were on course to make 2011/12 savings. The discussions focussed on:

- spending in accordance with the agreed 2011/12 budget in each portfolio area
- whether there are any significant under spends/overspends
- impact on services/priorities
- risk and mitigation

9.5   The meetings with the portfolio holders commenced on Friday 4 November and concluded on Thursday 17 November. In summary, issues emerging from these discussions include:

- Pressures related to the resourcing of Children and Young People's Services, particularly in respect of Looked after Children and the early intervention and prevention agenda
- Asset management and the disposal of council properties or land at maximum value at a time of economic difficulty
- Service restructures – managing continuity and capacity with fewer staff and resources
- Commissioning – getting better value for money
- Relationship with voluntary sector and Parish Councils
- Continuing health care needs
- Prioritisation of services and impact on service users
- Completion of strategic partnerships and associated risks

- Impact of decisions taken by partners on council services (health, policing etc)

9.6 On the basis of these discussions, a second round of meetings was set up, week commencing Monday 19 March and concluding on Wednesday April 25, 2012. The meetings broadly focussed on the following:

- In-depth scrutiny of savings proposals and delivery of corporate priorities in line with the MTFS; with reference to equality assessments, legislative requirements, service and performance implications;

- Issues emerging from budget consultation;

- Consideration of alternative forms of service delivery or design

- Opportunities for income generation;

- Challenges for each portfolio area - 2012/13 and beyond

9.7 Because of the scale of the challenge in setting a balanced budget, the second round of meetings did not take place prior to the proposed 2012/13 revenue and capital budgets receiving Council's approval. This is regrettable. However, all members whether executive or scrutiny, have learnt from this process and many of the administrative difficulties encountered will be avoided as the 2013/14 round is entered, thereby ensuring further improvements to scrutiny arrangements.

9.8 The sub-group would like to thank the Leader and Cabinet Members for their co-operation and willingness to share their views on the challenges so openly. They also extend appreciation to officers who supported this process.

10. OUTLINE OF DISCUSSIONS

The following section provides an overview of discussions with aligned recommendations, relating to specific comments on moving forward in 2013/14 and the information shared with the scrutiny sub-group.

10.1 Clarifying the 'core offer'.

Several Cabinet Members commented that year-on-year reductions in funding meant that driving out further efficiencies across 'back-office' and customer facing services was not viable in the long term. Despite doing 'more for less' over recent years, this option is becoming more difficult. Although the sub-group received the Budget Matrix outlining statutory and non-statutory services, entitled "Opportunities for new working arrangements", and many Cabinet Members spoke about defining the Council's "core offer"; further work is required to establish greater clarity about what this means in practice.

> *Recommendation 1.*
> *The sub-group considers that a tipping point has been reached; where decisions about transforming delivery or even ceasing provision in some areas will need to be articulated, as 'salami slicing' services cannot be sustainable.*

10.2   Risk and business continuity.

The sub-group were told throughout the exercise that staffing in many services is pared to the bone, with, for example, reductions averaging 12% across the Resources Directorate in 2012/13, bringing overall reductions to 30%, and in some cases 50% over the last two years. Given some services have been restructured two or three times since the 2010, it is difficult to understand where further efficiencies are to be found and whether the same level of services can be delivered with reduced resources. Whilst supporting efforts to avoid compulsory redundancies wherever possible, the sub-group is concerned that some business-critical officers have been released without the full consequences of these decisions being understood by all Members.

Recommendation 2.
In these circumstances, the scrutiny members would argue for a realistic assessment of the risks attached to these reductions, particularly in relation to delivering Council priorities and sustaining performance.

10.3   Saving from 2011/12

A key question asked early in the process was whether the savings from 2011/12 would be realised. The sub-group were informed that there were risks attached to this that may have further ramifications for the 2012/13 budget.

Recommendation 3.
That Cabinet Members examine whether 2011/12 savings have been realised and explore the impact on services and priorities if this is not the case. The results of these deliberations to be reported to Self-Regulation Select Commission at the earliest opportunity.

10.4   Communication issues

The sub-group reiterate that the scale of the challenge in reaching a balanced budget is not to be underestimated. However, there are concerns about how the Council deals with service spending reductions which are sensitive and may impact on its wider reputation. For example, Scrutiny Members are aware from their surgery reports that there are public concerns about frontline services, be it libraries, highway maintenance or levels of litter or fly tipping. These issues could quickly have a negative impact within our communities if decisions about how resources are allocated are not communicated clearly (to the public and ward members).

Recommendation 4.
Whilst appreciating that difficult decisions have been taken to reduce spending; the sub-group seek assurances that how we communicate service changes as a result of these spending reductions, is taken into account and clearly evidenced when the budget is being considered.

10.5 'Unforeseen consequences'

Members were concerned to ensure that Cabinet Members routinely consider the impact of decisions taken in one portfolio and its potential impact on another, particularly across areas such as health and well-being, community safety, early intervention and tackling areas of disadvantage. Although, there were many good examples of cross-cutting working, when we put the question to each of the Cabinet Members we spoke to it was felt that this was an area that could be further improved. The sub-group appreciate that changes have been made to the portfolios by the Leader early in 2012/13 municipal year and hopes that this addresses any areas of uncertainty or overlap.

> *Recommendation 5.*
> *That portfolio responsibilities are clarified and communicated to ensure that duplication is minimised*

Deprived Neighbourhoods Agenda – the Cabinet has endorsed efforts to 'do things differently'; working with partners and communities and re-allocating limited resources in an attempt to address many of the entrenched difficulties experienced by a substantial proportion of people in Rotherham. The review group supports these efforts to build community resilience, however it is important that the work to improve the physical environment of neighbourhoods is not overlooked. However in the allocation of resources, needs to be tailored to need rather than a 'one-size fits all' approach. The scrutiny members were concerned that decisions taken to reduce spend in one area, may impact negatively on the ability to deliver this agenda.

> *Recommendation 6.*
> *That wider consideration is given to the impact of service reductions within other portfolio areas which may negatively impact on the Council's ability to deliver key priorities; and any risks and uncertainties arising from these discussions are clearly evidenced when budget proposals are being discussed.*
>
> *Recommendation 7.*
> *Given all parts of the public sector are facing budget pressures and seeking to make savings; the sub-group would seek reassurance that in the Council's work with partners (for example around policing and anti-social behaviour) that early discussions take place about the consequences of decisions taken by respective bodies which may have an impact on joint operations or services and these are clearly evidenced when the budget is being considered.*

The review group were uncertain if the impact of decisions about the delivery of services, (for example issues around motorbike nuisance or grounds maintenance) had been explored with Parish Councils sufficiently prior to budget decisions being made.

> ### *Recommendation 8.*
> *The sub-group would seek reassurance that the impact of decisions on parish councils has been explored by each of the relevant portfolio holders and directorates and risks mitigated when the budget is being considered.*

The sub-group appreciates that the work on developing a response to the Welfare Reform agenda is still at an early stage; the issue of the impact of welfare changes was raised in a number of the discussions, particularly the negative effects on income for a significant proportion of households in the borough. Because of the fast changing picture, questions were asked to ascertain if the projections of deprivation were based on previous models and assumptions. Members were thanked for their timely interventions and reassured that this would be taken into consideration.

> ### *Recommendation 9.*
> *The sub-group recommends that the development of core strategies and needs analyses, including the Joint Strategic Needs Assessment, reflect the developing Welfare Reform agenda.*
>
> ### *Recommendation 10.*
> *Similarly, given reductions in grant allocation to the Voluntary Sector, the sub-group would seek reassurance that the impact on advice and guidance services has been explored and risks mitigated.*

10.6   Equality impact assessments (EIA)

Although the sub-group were reassured verbally that EIAs were taking place on those services subject to budget reductions, in full compliance with legislative requirements and good practice, they did not see the documentation prior to the budget being set. As the impact of proposed reductions could be far reaching, it is vital that the Council ensure that no group is adversely affected. The papers presented to Cabinet on the Proposed Revenue Budget and Council tax for 2012/13 did not include mention of any Equality Impact Assessments undertaken to support the budget proposals. Given the legal challenges to other authorities, the sub-group consider that reference to the completion of EIAs should be made more explicit in the Budget Report, and there should be opportunity to consider the impact of the proposed changes, especially on those groups considered to be the most vulnerable*.*

> ### *Recommendation 11.*
> *The sub-group believes that steps should be taken to ensure that EIA requirements are taken into account and clearly evidenced in reports when the budget is being considered.*

10.7   Voluntary Sector

On similar lines to the issues raised in connection with EIA, the sub-group could not assess the impact of the proposed reduction in funding to voluntary sector organisations prior to the budget being agreed.   Several core strategies

particularly in relation to early intervention/prevention, advice and guidance, domestic violence, mental health and alcohol and drug misuse are dependent on voluntary sector delivery. Members were not clear whether the delivery of Council priorities would be compromised if voluntary sector partners were unable to provide services.

> ### *Recommendation 12.*
> *The sub-group believes that steps should be taken to ensure that these requirements are taken into account and clearly evidenced when the budget is being considered.*

Furthermore, they were unclear how the local authority ensures that it gets value for money from its contribution to the voluntary sector and other partnership arrangements.

> ### *Recommendation 13.*
> *The sub-group believes that voluntary sector partners should demonstrate outcomes as a result of Council expenditure or grants and these are taken into account when the budget is being considered.*

10.8   Children and Young People's Services

Despite efforts to manage the overspend in Children and Young People's Services, the sub-group has concerns that the agreed budget has some optimistic assumptions about the level of need, particularly in respect of pressures of looked after children and safeguarding. They were reassured that the Cabinet Member and Strategic Director were making considerable efforts to transform the service and address some of the historic areas of overspend. However, it was felt that this will not be achieved in the next 12 months and the scrutiny review group would support a longer approach to resolving this.

> ### *Recommendation 14.*
> *The sub-group would support a longer approach to resolving the areas of historic overspend in Children and Young People's Services.*

10.9   Adult Services

The pressures of an aging population are considerable; in response it is clear that a great deal of work has been done around the 'personalisation agenda' to ensure that people are supported to live independently. However, the sub-group are unclear whether the Welfare Reform agenda may undermine this initiative and put further pressure on services as benefits are withdrawn.

The Cabinet Member for Adult Services expressed concerns about older people's residential care and continuing health care pressures. Both of these areas are placing considerable financial demands on the Council. It is clear that these demands have been managed within the overall Adult Services budget. However it is likely that these pressures will prove more difficult to manage in the long term; for example the unit cost of in-house older people's residential care services

appears high compared with other similar areas. This may not be financially sustainable, particularly as resources become more stretched.

Recommendation 15.
The sub-group would ask for proposals to be put forward to address budget pressures related to older people's residential care in the medium term financial strategy.

10.10   Asset disposal

Given the depressed property market, the sub-group questions whether the savings put forward dependant on the disposal of assets is too ambitious. The sub-group were also concerned that the cost of site maintenance of vacant buildings awaiting disposal appeared under EDS (and now Resources) rather than being 'owned' corporately, potentially leading to 'artificial' budget pressures that are out of control of the host directorate.

Recommendation 16.
The sub-group asks that a realistic assessment of asset disposal and maintenance cost is undertaken, and reflected in future budget deliberations.

10.11   Emerging agendas

The Cabinet Member for Health and Well-being had good oversight of the emerging health agendas and how this linked to the Council priorities and wider delivery of services. However, a number of the innovatory projects set up to address some of the borough's entrenched health inequalities may not be sustainable as current funding is non-recurrent spend.

Recommendation 17.
That in areas reliant on grant funding or non-recurrent spend, that clear exit strategies are developed and implemented, and that these strategies are clearly evidenced in budget deliberations

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In addition, although the Cabinet Member has clearly good oversight of the imminent transition of public health services, the review seek reassurances that steps are being taken to mitigate any financial risk attached to its transfer to the Council.

Recommendation 18.
The sub-group asks that a realistic assessment of risks attached to the transfer of public health is undertaken, and reflected in budget projections.

The Localism Act potentially heralds further changes to delivery of services and disposal of assets at a local level which may lead to budget savings. The review group would suggest that opportunities for partnership working or alternative service delivery, particularly with Parish Councils are explored in future budget deliberations. This may ensure that priority services – for example litter picking,

grass cutting or valued local assets, are maintained, albeit delivered or operated in partnership with other providers.

> ### *Recommendation 19.*
> *The sub-group believes that steps should be taken, in line with Council priorities, to ensure that opportunities for partnership working or alternative service delivery are taken into account and clearly evidenced when the budget is being considered in future years.*

10.12 Consultation

The sub-group recognise that efforts were made to discuss service priorities with key stakeholders and communities of interest to inform budget decisions. Unfortunately, the outcomes of the consultation could not be considered by the sub-group until after the process was concluded. They also understand that the number participating was relatively small, so it is difficult to determine whether the proposals reflect public priorities. Whilst they are satisfied that efforts were made to take stakeholder comments into account, the sub-group would suggest that to make the budget scrutiny process more robust in future years,

> ### *Recommendation 20.*
> *That the outcomes of budget consultations are able to be used at a more timely point to inform our questioning of budget options particularly around more sensitive areas.*

10.13 Budget process

The report outlining the Proposed Revenue Budget and Council tax for 2012/13, solely outlined areas for savings rather giving information or an overview of areas that would continue to be funded. This made it difficult to make judgement about priorities and need, impact on equalities or if budget proposals would impact on other services.

The sub-group appreciate the complexity of the information and the difficulty of arriving at a set of proposals across all council services. Although they were given a budget timetable, it would have been unreasonable to expect that each stage would be met within timescales.

> ### *Recommendation 21.*
> *If Members are to undertake proper and robust scrutiny of budget proposals in future years, there needs to be a clear and shared understanding of what information can be expected, in what format and at what stage of the process.*

11. FINANCE

See above. Any recommendations arising from the scrutiny of the budget process will be forwarded to Cabinet and SLT for detailed consideration.

12. RISKS AND UNCERTAINTIES

Consideration has been given to the risk attached to meeting the agreed spend in each of the respective portfolio areas.

13. POLICY AND PERFORMANCE AGENDA IMPLICATIONS

Overview and Scrutiny can test out and make explicit whether the Council is directing its resources effectively to meet its priorities and demonstrate whether it is achieving value for money. This process should ensure there is an alignment of resources to those priorities already agreed in Corporate Plan and relevant strategies.

14. BACKGROUND PAPERS AND CONSULTATION

- Interviews with Cabinet Members: October-November 2011 and March-April 2012

- Budget reports

- Self-Regulation Select Commission: 12 July, 2012

- OSMB: 20 July, 2012

- Centre for Public Scrutiny (2007); 'On the Money: The Scrutiny of Local Government Finance'

- Local Government Association (2010); Scrutiny of Finance: Councillor Workbook

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Agenda Item 12

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS		

1.	**Meeting:**	**Cabinet**
2.	**Date:**	**5th September, 2012**
3.	**Title:**	**Forge Island**
4.	**Directorate:**	**Environment and Development Services**

5. Summary

The delivery of a cinema and a new theatre are key regeneration objectives for the town centre.

After looking at a number of town centre options, a preferred location has been identified as Forge Island which has capacity for a cinema and associated car parking which is a crucial factor in encouraging an end user to locate in the town centre. The site also benefits from the proximity of both the bus and train stations.

Development and feasibility work will also be undertaken into the possibility of co-locating a cinema and theatre on Forge Island. Initial studies show that both a cinema and theatre can physically be accommodated on the site.

6. Recommendations

1) That Cabinet note progress to date in the delivery of a town centre cinema.

2) That Cabinet confirm Forge Island as the preferred site for a town centre cinema and theatre development

3) That once site investigations on Forge Island and further financial analysis have been completed a further report is brought back to Cabinet

7   Proposals and Details

The Council are currently seeking to deliver a new cinema for Rotherham town centre. A similar project group is looking at future Theatre provision for Rotherham. An opportunity exists to look at the two together.

7.1   Location

The Rotherham Renaissance masterplan identified Forge Island as a key location for culture/leisure activity in the town centre. During the course of several officer meetings, backed up by informal discussions with cinema operators, Forge Island was re-affirmed as the best location available in the town centre. It benefits from the proximity of both rail and bus stations and if properly designed will provide its own intrinsic car parking. There are also adjacent sites with potential for development of ancillary uses such as restaurants.

7.2   Delivery Model

There are currently two models to deliver a cinema,

a)   a developer led scheme which incorporates a cinema in the "anchor" role. This option would develop the entire Forge Island site and include ancillary uses such as restaurants, retail, residential, other leisure, car parking etc. There are currently three developers who have expressed an interest in taking this site forward on this basis. .

For this model the developer will require to factor in their own profit margins and a reverse premium for a cinema operator.They will have to secure significant levels of pre lets and design issues will be complex as all users need to be flood protected.

b)   the second model involves disposing of all, or part, of the site to an independent operator. The operator would then finance the development through their own funding sources and seek to operate at a profit. This is the model used to deliver the cinema at Worksop, where the Council gifted the land to the developer but there was no reverse premium on the development.

The key to this development is provision of adequate car parking (deemed essential), good public transport links and the right demographics.

The experience from Worksop (Savoy Cinemas) and other sites is that the cinema would attract other uses to adjacent sites and act as an anchor in its vicinity. The obvious sites adjacent to Forge Island include Weirside, Keppel Wharf and Riverside Precinct which could all benefit from leisure development on

Forge Island. Such a development would also link well with the Guest & Chrimes site and the new stadium development.

Continued use of part of the site as a car park would help address both flood issues and continued support of businesses on this side of the town as well as having a positive impact on cost issues.

7.3   Programme

The programme is reliant on support from Tesco and the speedy and successful conclusion of a site licence enabling access to the site for the purpose of undertaking site investigation works. It is anticipated that site investigation works and flood feasibility works could be programmed for completion by the close of 2012, with an options and cost review exercise completed for Cabinet consideration in March 2013. Works could then begin mid 2014 and be completed mid 2015.

The earliest that the Council can exercise its option is when Tesco sign their Underlease with TCN. Tesco are hoping to gain access to the new store for fit out in late 2013/early 2014 so the earliest likely date when the Council could exercise its option is January/February 2014.

7.4   Next steps

Discussions with an independent cinema operator have established that the town's demographics seem suitable to support a cinema, with Forge Island the most appropriate town centre site.

We have contacted Tesco to seek permission to enter on to site to undertake surveys. We are still awaiting a response.

We have also been in touch with Jacobs who are willing to share the information they hold regarding perimeter river walls and certain SI`s undertaken around the perimeter. This will be of considerable help in determining where we are missing information and will help determine where to undertake our own SIs.

Finally we have submitted a bid into the Environment Agency for funding (£20K) of studies into flood matters affecting this site and the flood cell it is a part of. We are still awaiting a decision on this bid

All of the above will be pulled together over the next couple of months and will enable the Council to take an informed decision as to whether we acquire the site, the scale of development and likely development model.

8 .   **Finance**

The initial cost to the Council of exercising its option to acquire Forge Island will be £1.5m. The Development agreement with Tesco allows for overage to

be paid in the event of any "superprofits" being generated if the site was sold on as an investment. However this is likely to be limited given the state of the site and likely remediation costs and therefore impact on values associated with abnormal costs

The cost of undertaking site remediation is currently unknown at this stage .

Further work is required on the development, funding models and types of supporting/enabling development that may assist in funding the overall development.

RERF funding has already been secured to fund the site investigations on Forge Island. Other possible sources of funding will be investigated although gap funding is no longer available as grant and this will introduce additional risk for any developer.

9.   Risks and Uncertainties

There are potentially considerable risks in the ground conditions, flood issues and condition of the river wall. Officers are making every effort to gain access to the site to undertake detailed site investigations and are awaiting a response from Tesco.

Following these studies, officers will be better able to identify the implications of dealing with any abnormal costs and as a result decide whether delivery of a cinema and theatre on this site is commercially viable.

There are further risks in identifying a suitable operator/developer who can come forward with a financially viable business case.

There will be the normal risks to programme normally associated with the procurement process.

In the event that the Council choose not to exercise its option there is the risk that Tesco will be unable to introduce a new occupier into the site and this key location remains empty.

10. Policy and Performance Agenda Implication,

The provision of a town centre cinema and theatre contributes to the wider strategic vision for Rotherham town Centre. It would contribute to the Community Strategy and Corporate Plan.

11. Background Papers and Consultation

The financial implications section has been agreed by Financial Services.

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