

Notes of the Commissioners' Public Meeting with Councillors
Monday, 16th January, 2017
Council Chamber, Town Hall, Rotherham

Present: Lead Commissioner Sir Derek Myers (Chair), Commissioners Julie Kenny and Mary Ney

Also in

Attendance: Councillors Alam, Albiston, Allcock, Allen, Beaumont, Beck, Bird, Clark, Cooksey, Cowles, Cusworth, Ellis, Fenwick-Green, Hoddinott, Jarvis, Jones, Keenan, Khan, Lelliott, Mallinder, McNeely, Read, Reeder, Roche, Rushforth, Sansome, Sheppard, Short, Simpson, Taylor, Walsh, Whysall, Williams, Wyatt and Yasseen.

Apologies for

Absence:- Commissioner Bradwell, Councillors Brookes, Jepson, Marriott, Price and Watson.

1. WELCOME

- 1.1 Lead Commissioner Sir Derek Myers welcomed everyone and re-stated that the purpose of the meeting was to allow the Commissioners to place in the public domain progress on their work and receive questions and/or comments from Elected Members and the public.
- 1.2 The meeting was also an opportunity for the political party leaders to provide updates on their party's progress.

2. COMMISSIONERS - PROGRESS SINCE LAST MEETING

- 2.1 Commissioner Myers reported on Children and Young People's Services (on behalf of Commissioner Bradwell):
 - (a) Overall steady progress was being made in the directorate.
 - (b) The introduction of the new case management system had been successful and rolled out to frontline staff to enable work to be tracked and recorded. This is comparable to other local authorities.
 - (c) More staff had been recruited who were being better led doing better work. A number of agency staff remained, but were being replaced with permanent staff. Some managers and frontline staff needed confidence building and further training, but the Council now probably has the best workforce than in recent times.
 - (d) A further inspection from Ofsted was not expected until the second half of 2017. Children's Services has set the ambition of Rotherham to be rated as 'outstanding', which is ambitious but was endorsed and it was the intention to do all work well or better.

- (e) The first of four monitoring visits Ofsted had made focused on Looked After Children. Written comments are on the Ofsted website. There were some areas of weakness with work not being discharged consistently and well enough both historically and today.
- (f) Ofsted's second monitoring visit will focus on Assessment and Early Help service, which was an area which had seen the most improvement. There would be two further monitoring visits before the final comprehensive inspection.
- (g) The Council was committed to further work and training, following a nationally recognised training scheme for staff.
- (h) Demand remained high and new work had to be prioritised, which also included the contribution to the work around historic abuse, support to survivors and assessments of risk to see justice being done.
- (i) Negotiations are taking place with Government and the Home Office around the possibility of receiving extra national funding through a 'fusion bid' which will support the work being done to investigate historical abuse, including support of those survivors who are now adults. Commissioners hoped they were closer to a successful resolution.
- (j) The directorate remained overspent through a combination of new demand and a continuing reliance on high cost agency staff. This was a burden on the Council which has lower reserves and reduced options going forward.
- (k) Pressures remained on Legal staff who were trying to keep up with flow of work through the courts. Tribute was paid to the Council, partners, other agencies and in particular the political leadership through Councillor Watson's important contribution.
- (l) The workforce was moving forward, taking ownership of quality work and would aspire to producing creative solutions in Rotherham.

2.2 Commissioner Myers updated members on Adult Social Care.

- (a) There was no picture of past failure with the service and good work had taken place. However the service was very traditional compared with the rest of Local Government which had modernised and moved away from institutionalised solutions to individual arrangements, reinforcing independence.
- (b) The service was in the process of change, with new management in place and the contribution of Councillor Roche and Scrutiny recognised.

- (c) The Care Quality Commission has undertaken inspections periodically and always give favourable feedback.
- 2.3 Commissioner Myers referred to his satisfaction in other areas of the Council:
- (a) Areas of work highlighted as failures in the past were now making good progress, including report writing, decision making, the individual behaviour of Councillors and improving relationships. Longstanding Members should take credit for the progress and the contribution to the work of a better council. There were exceptions, but the Standards and Ethics Committee had no matters to enquire into. One Councillor had resigned following a conviction, which was appropriate.
 - (b) Confidence in the Council led to some powers being returned in February 2016 and the progress report submitted to the Secretary of State in November 2016 recommended a further number of functions being returned. Whilst Commissioner interest would continue to be maintained, Cabinet Members would be able to take responsibility for decision making and full operation of the Scrutiny call-in process. These were matters for the Secretary of State and after a recent meeting with his Minister, Commissioners are awaiting determination on the recommendations. A period of ten days consultation (representation) would ensue if the Secretary of State was minded to accept all/ some of the recommendations, with a resultant amendment to the Order of intervention.
 - (c) Areas not yet being recommended for restoration were Asset Management, Human Resources and Children and Young People's Services. Outside appointments had not been recommended for restoration, but this was a matter that could be consulted upon by the Council with the Secretary of State. Appointments to Statutory Officer posts were still retained by Commissioners under the current Directions.
 - (d) Going forward, the Council has been asked to look at the potential options of alternative management arrangements for Children and Young People's Services. This is following the publication of a DfE policy paper in light of the high number of Children and Young People's Services in the same position as Rotherham. Where there was persistent failure the Government may insist on alternative management arrangements, which includes another Council take responsibility, another Council appointed as an improvement partner, or the Council transfers Children's Services to a not for profit distribution trust with the removal of right to run services, but not the removal of legal responsibilities. Examples of this practice included Doncaster, Richmond in Kingston, Sunderland, Birmingham and more recently in Slough. The government is not yet at the stage of making a judgement on progress and whether the pace of change has been quick enough, but will make that judgement any time from April 2017, once

Scrutiny concludes its preliminary look on the advantages and disadvantages of all the options, and report to DfE.

2.4 Commissioner Ney reported on the following licensing matters.

- (a) Powers were returned by the Secretary of State in December 2016, with continued Commissioner oversight and advice.
- (b) Recognition of the hard work over the past two years from Council officers, Councillor Sue Ellis, Chair, and the Committee to make sure the licensing function was fit for purpose and the licensing trade was safe for public, drivers and vehicles.
- (c) The Licensing Policy was now fully implemented. From the 811 licensed vehicles 794 had cameras installed or a commercial agreement to install. To date, there had been one request to download data from a camera, following an attack on a driver by a passenger.
- (d) 98% of safeguarding training now completed. Licenses would be suspended for those who did not complete training. Similarly, good progress made on the BTEC qualification with 16 new applicants completing the training and 50% of new drivers signed up to the online DBS service.
- (e) Since February 2015, 41 appeals had been heard in the Magistrates Court of which 28 were upheld in the Council's favour (68% success rate) and another 13 outstanding. In December the Council won eight appeals against taxi cameras in vehicles and those were now being installed.
- (f) The Council was contributing to a series of conferences organised by the Local Government Association for Councils and Councillors on licensing matters. Councillors Hoddinott and Ellis were taking part. This showed clear recognition of progress and the standards being set by Rotherham.

2.5 For Community Safety, Waste and Street Scene, Commissioner Ney reported the following.

- (a) The Safer Rotherham Partnership under its Chair Councillor Hoddinott was making good progress. In August 2016 a new strategy was signed off resulting in a new performance framework being embedded in the Council and South Yorkshire Police.
- (b) New appointments were strengthening the partnership role and driving progress forward with a clear path for review and scrutiny.
- (c) Waste and Street Scene services were making good progress with the new Heads of Services in place with joint work taking place.

2.6 For Human Resources, Commissioner Ney reported that this function will remain with Commissioners for the moment. The time would allow for greater assistance across the Council in dealing with Human Resources and build confidence in managers in dealing with staffing issues. This will be supported with the appointment of the Head of Human Resources.

2.7 Commissioner Kenny reported on the following.

- (a) Significant progress made since the appointment of the Strategic Director of Regeneration and Environment, with key plans being developed including the Local Plan Sites and Policies, Housing Strategy, Growth Plan and the Town Centre Masterplan.
- (b) Pursuance of several options to ensure the town centre was supported through new and existing regeneration projects, including the proposed acquisition of Forge Island for a mixed used development and redevelopment of the existing bus interchange. Significant funding had been incorporated into the Medium Term Financial Strategy to ensure delivery of key projects, including submitting direct bids to draw down funding from the Sheffield City Region for Forge Island and proposed development of HE Campus.
- (c) In March, 2016 Rotherham was named overall winner in the Town and City Management's Annual Awards as well as coming first in the Diversifying Business Mix category.
- (d) The Housing Strategy supported Rotherham being included in the first wave of Government starter homes supporting 220 homes in town centre. Congratulations were given to Councillor Beck and the Housing Team for this success.
- (e) Five 'on time' bids had been submitted for City Region Funding and three had been successful with work beginning and completed by 31st March 2017.
- (f) The Council would continue to be involved in the Advanced Manufacturing Park and an application to purchase and manage the Advanced Manufacturing Park Training Centre on behalf of the Sheffield City Region had been submitted.
- (g) Two key contracts for the borough had been signed for the HE Campus and the Gullivers investment. A planning application for Gullivers had been submitted and work would commence next year.
- (h) Successful management of the regional and national response to the Tata restructuring helping individuals affected by redundancy seeking employment and self-employment.
- (i) Significant progress made on long outstanding projects that were awaiting completion with decisions from Council and Cabinet recently made.

- (j) Sheffield City Region Skills Board supported by Leader promoting enterprise activities with schools and businesses.
- (k) The flagship Local Advisory Forum event involved over 1000 young people and 70 businesses attending in March 2016.
- (l) Energy and effort provided by the Cabinet Member Councillor Lelliott in driving changes forward. With all this progress made, the Commissioner was able to recommend a return of economic growth and town centre to the Council.
- (m) Increased partnership involvement in the Sheffield City Region, particularly around engagement, influence and impact and the devolution deal where the Leader and Chief Executive have played prominent roles.
- (n) One year plan launch of the Rotherham Together Partnership chaired by Leader in 2016 involved hundreds of people working, walking, talking and having tea together.
- (o) Publication of the new Community Strategy (the 'Rotherham Plan') in March 2017.
- (q) Development of place shaping strategy for Rotherham, with themes being developed in February 2017 as the Business led Place Board is established.
- (r) Success of Dinnington Town Council in submitting a neighbour area application which was approved in July 2016. Maltby Town Council had now also submitted an application for approval in Spring, 2017 showing commitment to getting local people involved.
- (s) The Rotherham Compact is due to be finalised in next few months and would promote the strong relationship between the Council, voluntary and community sector and other partners.
- (t) The latest LGA Residents Satisfaction Survey highlighted the improvements in trust and confidence in the Council.
- (u) With good progress, recommendation made to the Secretary of State to the return of economic growth, the town centre and partnerships back to the Council.

3. QUESTIONS FROM ELECTED MEMBERS

3.1 There were no questions from Elected Members.

4. PARTY LEADERS - REPORT ON PROGRESS

4.1 Each Party Leader provided an update on their progress.

- 4.2 Councillor Read, Leader of the Labour Group and Council, provided an update on the progress in the last ten months, key milestones achieved, return of executive powers and more recently further progress through the return of licensing powers and the conclusion of senior staff appointments. Pre-scrutiny had opened up decision making and democratic accountability and oversight was strengthened through the Constitution Working Group. A submission had also been made to the Local Boundary Commission as to the shape of the authority from 2020 and beyond.
- 4.3 Eight more perpetrators in relation to CSE had been convicted and with the investment into Children and Young People's Services the most vulnerable of children would be protected.
- 4.4 The Leader would continue to lead budget debates and challenge and improve the lives of residents through the Rotherham Together Partnership and the four partnership boards.
- 4.5 The legal challenge by Derbyshire County Council was putting the City Region Mayoral election arrangements on hold. The leader was clear that there was only one devolution deal on the table; the one negotiated with neighbouring closest local authorities. The best deal for Rotherham was the one the Council had negotiated before. The opportunities and prosperity of the Sheffield City Region was paying dividends with the securing of the funding for the HE Campus, Pithouse West, Forge Island and the investment in the Advanced Manufacturing Park.
- 4.6 Councillor Cowles, leader of the UKIP Minority Party, reported on the greater degree of co-operation between two groups, participation in Scrutiny and health care and the opportunities for constructive opposition to input views and aims into decision making processes to benefit the town. Have offered support on matters such as the constitution and showed a willingness to participate. This has helped the opposition to become more constructive and be able to be part of the decision making process.
- 4.7 The opposition will try to remain well informed and engage with the electorate. As Leader he would get involved in matters outside his ward, like the Leader of the Council. He will disagree with matters but will try to take each issue on merit which may lead to clashes in the Chamber, but not outside it. There are still areas for criticism, and questioned why no one had been made accountable for CSE following the findings from the Jay and Casey reports.
- 4.8 Reference was made to the budget and current financial position, along with the need for the implementation of robust controls to be standard practice. Unachievable budgets had been set which constituted misrepresentation of the financial position of the organisation and it was uncertain if the Secretary of State was aware of this position.
- 4.9 With regards to demand for services this may not be as complicated as forecasted when numbers were downloaded.

4.10 Commissioner Myers confirmed the Secretary of State was aware of the Council's financial position as he updated regularly. He acknowledged the difficulties in forecasting for demand and the difficulties in the financial administration of the Council up to the last two years, and the progress now being made in ensuring the right money was in the right place.

5. QUESTIONS FROM COMMISSIONERS/ ELECTED MEMBERS

5.1 The following issues were raised by Members.

- (a) The financial situation of the Council, the challenges being faced and the significant difference since the new financial director appointed.
- (b) Introduction of the pre-scrutiny process giving Members opportunity to comment on reports prior to their consideration by the Cabinet.

6. PUBLIC QUESTION TIME

6.1 A member of the public asked a question which covered the following areas.

- (a) Ofsted Inspection Regime and their grading judgements.
- (b) Outsourcing Children and Young People's Services and the responsibility remaining with the Council.
- (c) Ongoing dispute over documentary advice for the Lead Commissioner from Civil Servants.

6.2 Commissioner Myers responded as appropriate.

7. CLOSE

7.1 Commissioner Sir Derek Myers thanked everyone for their attendance and formally closed the meeting at 11.10 a.m.