

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday 16 November 2022

Present:- Councillor Clark (in the Chair); Councillors T. Collingham, Baker-Rogers, Cowen, Baum-Dixon, A Carter, Cooksey, Elliott, Pitchley, Wyatt, Yasseen and Tinsley.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

100. MINUTES OF THE PREVIOUS MEETING HELD ON 12 OCTOBER 2022

Resolved: - That the Minutes of the meeting of the Overview and Scrutiny Management Board held on 12 October 2022 be approved as a true record.

101. DECLARATIONS OF INTEREST

There were no declarations of interest.

102. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or press.

103. EXCLUSION OF THE PRESS AND PUBLIC

There were no exempt items on the agenda.

104 CORPORATE SAFEGUARDING PROTOCOL

The Leader introduced the report and highlighted that the new Corporate Safeguarding Protocol was a framework for the Council to ensure that safeguarding was embedded across all services and staff and Councillors were aware of their responsibilities.

The report outlined the duty of the Council to make appropriate arrangements to safeguard and promote the welfare of children, young people and adults. A range of development interventions, procedures and good practice were in place to ensure that every service and employee can demonstrate that they understood their responsibilities in respect of these safeguarding duties.

The Chief Executive cited the outcomes of the recent Office for Standards in Education, Children's Services and Skills (Ofsted) which judged Children and Young People's Services as "good". She noted that the support of the whole organisation was needed to achieve this standard.

The Chair invited questions from the Board. It was noted that the report

listed fundamental rights that should be afforded to children and young people and reflected in the way that services work with them. It was outlined that the expectations cited arose from a piece of work with children and young people, however, the principles also extended to adults.

Further details were sought to establish what changes had been made to the refreshed protocol. It was outlined that there was a commitment to ensure that individual responsibilities and accountability for safeguarding were clarified and more focussed. The Chief Executive referred to the examples cited in her introduction which also included closer monitoring of e-learning activity.

An example was given of a safeguarding issue involving a local adult resident and the difficulties in seeking support. The Chief Executive asked that further discussions take place outside the meeting to establish the circumstances.

Clarification was requested to establish the frequency of reviews of criminal record disclosures (“DBS check”). It was explained that there was a three-year rolling programme of review for roles requiring enhanced checks, with basic checks taking place at the point of employment.

It was acknowledged that the report showed a journey of improvement across the Council. Assurance was sought about the process of transition from children to adult services. The Assistant Director for Children’s Safeguarding outlined that the process was well developed between services for those children receiving support who will have assessed needs as adults.

In addition to the Ofsted judgement of “good”, further details were requested on what additional measures were in place to benchmark performance. It was highlighted that performance was monitored on a continuous basis. This process included close monitoring of a suite of performance measures; participation in regional benchmarking groups and review and practice days. Ofsted also conducted an annual review and the authority was required to undertake a self-assessment.

Assurance was sought if staff were clear on what routes were available to raise concerns or seek advice if issues required escalation. It was explained that staff were actively encouraged to speak to colleagues in the MASH (children’s safeguarding hub) or First Contact (referrals to adult services) to establish what route was most appropriate. It was outlined that the Employee Survey questioned staff of their level of confidence to raise concerns and if improvements had been made year-on-year. This data was used alongside practice and learning sessions to feed into improvements.

The Chair welcomed the commitment to training and outlined that Elected Members were actively looking at ways to strengthening their own

commitment to learning and development in respect of safeguarding issues.

Resolved:

1. That the updated Corporate Safeguarding Protocol be approved by Cabinet.
2. That the outcome of 'Good' from the recent Ofsted Inspection of Children and Young People's Services be noted.

105. SEPTEMBER 2022/23 FINANCIAL MONITORING REPORT

The report set out the financial position at the end of September 2022 and forecast for the remainder of the financial year, based on actual costs and income for the first six months of 2022/23. Financial performance was a key element within the assessment of the Council's overall performance framework and essential to achievement of the objectives within the Council's policy agenda. This was the third financial monitoring report of a series of monitoring reports for the current financial year.

As of September 2022, the Council estimated an overspend of £18.2m for the financial year 2022/23. Whilst the core directorates services had a forecast year-end overspend of £8.1m on the General Fund, there was £10.1m of estimated unbudgeted cost resulting from the wider financial impact of the war in Ukraine, inflation, energy price increases and the impact of the 2022/23 pay award, costs that the Council could not have projected within its Medium Term Financial Planning. These additional financial challenges have been factored into the current forecast following a review of the impact of these pressures on the current year and Medium-Term Financial Planning. It was noted that at the time of publication, the local government settlement had not been announced.

The Leader introduced the report, highlighting that although the revenue position had worsened since it was last reported, action was being taken within directorates to address the overspend in the revenue budget. Assurance was also given that careful consideration was given to capital expenditure and progress on capital projects.

The Chair thanked the Leader for his introduction and opened the report for questions.

Further clarification was sought to establish what was being considered to achieve savings and the potential impact of these on staff and services. The Leader confirmed that all staff were invited to identify savings and efficiencies. There was a programme of measures outlined in the report to mitigate in-year pressures. In addition, he noted that in the short term, recruitment to some vacancies had been temporarily delayed. Other measures considered included deferring professional accreditation to the following year. However, given the significant budget challenges, the

Council may have to consider if it could no longer afford to support some activities.

Details were sought on the use of the Homelessness Rough Sleepers Initiative Grant. It was highlighted that the authority had a good track record of accommodating rough sleepers however, the focus of this work was to ensure that people were supported before they become street homeless. The Chief Executive noted that there was also a challenge supporting people to find secure accommodation, however, staff were in place to do this.

In the respect of the overspend and budget pressures, it was asked how Rotherham compared with similar authorities, noting that that it should be recognised that this was a national issue. The Strategic Director for Finance and Customer Services confirmed that a number of councils were reporting significant overspends and a corresponding impact on services. She highlighted prudent assumptions had been made in setting the Council's budget however, a large proportion of the pressures were due to external factors outside the control of the authority. It was anticipated that there would be an improvement in the October forecast as controllable overspend was managed. December's monitoring report would inform budget setting proposals.

A view was expressed that the funding gap was not caused by the Council being imprudent or irresponsible with its finances. The steps taken to build adequate reserves would allow the Council to mitigate some of the impact. Clarification was sought to establish if action was being taken by the Local Government Association to raise concerns with the Government. The Leader confirmed that this is the case. The Leader noted that a substantial proportion of the £8m forecasted pressures could be attributed to placement costs for looked after children. Steps to reduce these pressures had been considered by the committee previously. It was noted that other authorities were facing similar pressures with social care costs.

Details were sought about the impact of the war in Ukraine on the budget. It was outlined that the pressures were linked largely to energy costs and inflation, rather than the costs associated with the refugee support programmes.

Clarification was sought if the Council's asset based was being reviewed to look at income generation, particularly in light of greater number of staff adopting hybrid working patterns. Details were also sought if any capital projects could be accelerated to reduce revenue spend, for example decarbonisation projects. It was stated that all options were being considered including longer term proposals which would require decision. It was highlighted that the focus was on what savings could be achieved this financial year to reduce the overspend without having an impact on service delivery.

It was reiterated that the over a number of years, the Council had made sure that it had adequate reserves to cover pressures. However, the pay award, rising inflation and energy costs could not have been foreseen. It was noted that the Council revenue budget ran to thousands of items, therefore line-by-line scrutiny by Members would be time-consuming and unhelpful. Officers summarised variations within the budget by Directorate clearly signposting Members to pressure and trends. It was difficult to forecast the level of Council Tax as Government announcements were awaited. However, there was an assumption of a 3% increase built into the existing Medium Term Financial Strategy.

Resolved:

1. The current General Fund Revenue Budget forecast overspend of £18.2m be noted by Cabinet.
2. That actions will continue to be taken to reduce the overspend position but that it is likely that the Council will need to draw on its reserves to balance the 2022/23 financial position be noted by Cabinet.
3. The updated Capital Programme be noted by Cabinet.
4. The proposed use of the Market Sustainability and Fair Cost of Care Fund be approved by Cabinet.
5. The proposed use of the Homelessness Rough Sleepers Initiative Grant be approved by Cabinet.

106. MEDIUM TERM FINANCIAL STRATEGY

The Leader introduced the report which set out a review and update of the Council's Medium Term Financial Strategy to 2025/26. It included technical updates and detailed the volatility in the UK and international markets caused by the war in Ukraine, high inflation and rising energy costs.

The MTFS sat alongside the Financial Monitoring reported considered by the Board. It was envisaged a significant financial overspend that would require the use of the Council's reserves to achieve a balanced financial outturn position for 2022/23 and was also likely for 2023/24. Government funding announcements were expected shortly. The MTFS made assumptions that the Government grant forecasts would be remain the same (as based on its three-year spending review); the level of anticipated resources from council tax and business rates and that planned council tax annual increases remained at 3%.

It was noted that progress was being made to achieve savings across services for example children services and home-to-school transport. It was reiterated that without the inflationary pressures, the Council would have been on course to achieve a balanced budget. The provisional settlement from Government was expected in December. The £10m gap would have to be managed through reserves in the short term.

It was observed that without the final settlement, it was difficult to anticipate what mitigations were required. It was clarified that the call on reserves would reflect the level of funding pressures. Whilst this currently stood at £18m, it was anticipated that this would reduce because of the actions taken within directorates. It was also outlined that planning assumptions were made on collection rates and council tax base which would include growth.

Resolved:

1. That the MTFs update be noted by Cabinet.
2. The requirement to use reserves in order to balance the Council's outturn position for 2022/23 be noted by Cabinet.

107. RECOMMENDATIONS FROM IMPROVING LIVES SELECT COMMISSION - EARLY HELP STRATEGY

The Chair of Improving Lives Select Commission (ILSC) introduced the report. Members of the Commission met on 21 September 2022 to scrutinise the draft Early Help Strategy in advance of its submission to Cabinet. The report detailed the recommendations arising from this review and asked that they be submitted to Cabinet. The Chair of ILSC thanked officers and Members for their contributions. She observed that the approach taken in the undertaking this scrutiny activity was received positively.

In response to questions, it was outlined that the strategy included best practice from other local authorities. A commitment was given to providing further information about take-up of free school meals which would be circulated to the Board.

Resolved:

That the recommendations outlined be agreed by Overview and Scrutiny Management Board and forwarded to Cabinet for consideration and decision.

108. SOCIAL VALUE - MID YEAR REPORT

At the meeting on 23 March 2022, OSMB received the Social Value Annual Report. This set out achievements over the previous year and recommended priorities for the year ahead. In considering the report and making recommendations to Cabinet, OSMB resolved to receive a mid-year report on progress. This report provided details of progress at mid-year.

The Leader introduced the report. He highlighted that in adopting this policy, the expectation was that the value of contracts awarded in line with Social Value principles would increase in Rotherham and the wider sub-

region. The Chief Executive outlined that the definition of social value and social responsibilities had been clarified on the website as a result of feedback from this Board.

The Chief Executive put on record her thanks to officers for their support in this initiative. It was noted that whilst this was a technical report, officers were keen to capture the 'stories' of the positive impact social value policies can have. For example, developing employment opportunities for young people. It was hoped that by doing illustrating the impact through these stories, it would influence other organisations to participate.

The impact of the policy was measured through the National Themes, Outcomes and Measures (TOMs) Framework. The Council had selected those measures which will have a positive impact on the economic, social and environmental well-being of the Rotherham community.

The Chief Executive gave a brief overview of progress since the previous report was submitted. This included analysis of local spend, supporting voluntary sector and community groups and the launch of a toolkit to ensure that staff have a good understanding of the social value principles and were able to measure impact. A network has been developed to share learning, intelligence and gaps. Through this work, collaboration with the business sector had taken place.

It was noted that the principles underpinning this project were longer term and the outcomes may take time to be realised. Work was underway to identify opportunities to demonstrate the impact of social value across the thousands of contracts the Council held to get more impact from the money it spent locally.

Prior to opening this item to questions, the Chair put on a record her thanks to the Head of Procurement for her contribution to the recent spotlight review of arrangements to tackle modern slavery.

She invited questions from the Board. In response to a question about engagement of local providers, it was outlined that this was done through various means including market engagement, working through the Rotherham Investment and Development Office (RIDO) and for lower value activities, internet searches. This took place with the Borough and across the South Yorkshire footprint, using local intelligence to raise awareness of contracts to local businesses. It was explained that for contracts under £10,000 at least one quote should be from a Rotherham based supplier.

Clarification was sought on how the social value policy addressed deprivation in wards. It was noted that the Boston Castle ward had seen greater investment because of town centre improvements, however, it was questioned if local residents directly benefited in terms of alleviation of deprivation (for example were engaged as contractors or employed directly as a result of social value initiatives).

The Chief Executive outlined that the Council wanted to use its spending to benefit Rotherham. It was acknowledged that at the moment it was difficult to illustrate these wider benefits in terms of precise number of jobs, skills development or the impact of projects in specific areas. However, through the work being undertaken with businesses, more examples will come through of tangible benefits to show the real impact for the Borough. It was noted that the Council was further ahead in developing this policy compared with many other authorities.

Further details were sought of the number of contractors from Black, Asian or Minority Ethnic communities and how a “market-place” can be facilitated with contractors who do not usually engaged with the Council. It was outlined that there were market engagement events and contractors were encouraged to contact the procurement team for support.

A request was made for regular progress reports to be submitted about the impact of local projects and how these could benefit the wider economy. An example was given of project that had engaged local sub-contractors and was using locally sourced materials.

Details were sought of the work underway to engage with the local Chamber of Commerce and businesses, parish councils and the use of social media platforms such as LinkedIn. It was confirmed that this was ongoing work, citing examples of recent engagement events and activities, and was addressed in the action plan underpinning the policy.

It was noted that the level of investment had declined in one of the most deprived wards, further details were asked about how this could be improved. It was explained that this was due to a contract ending rather than lower investment. It was asked if details of events could be shared with ward councillors to disseminate to local networks to encourage suppliers to bid.

Resolved:

1. That the Social Value mid-year report be received.
2. That briefings on progress of social value linked projects be submitted to ward members on a regular basis.
3. That consideration be given to raising awareness of the Council’s social value commitments by:
 - i. facilitating local networks and information sharing events with small local businesses across the borough including those from under-represented groups;
 - ii. liaising with Parish Councils to publicise opportunities to local contractors;
 - iii. using social media platforms such as LinkedIn to widen local

business intelligence.

109. WORK PROGRAMME

The Board considered its Work Programme.

Resolved: - That the Work Programme be approved.

110. WORK IN PROGRESS - SELECT COMMISSIONS

An update was received from each of the Chairs of Select Commissions outlining current areas of work.

Improving Places Select Commission: a spotlight review on selective licensing was underway. The Nature Crisis review would be considered in the New Year.

Improving Lives Select Commission: an outline of the LGA sessions on “Effective Scrutiny of Children’s Services” was provided, along with feedback on the Commission’s work. The Chair thanked all who attended.

Health Select Commission: the Commission had considered a report on access to dental care. A spotlight review on oral health was to be undertaken.

Resolved: That the update be noted.

111. FORWARD PLAN OF KEY DECISIONS - 1 NOVEMBER 2022 - 31 JANUARY 2023

Resolved: That the Forward Plan be noted.

112. CALL-IN ISSUES

There were no call-in issues.

113. URGENT BUSINESS

There were no urgent items.

114. DATE AND TIME OF NEXT MEETING

Resolved: - That the next meeting of the Overview and Scrutiny Management Board will be held at 10.00am on Thursday 1 December 2022 at Rotherham Town Hall.