



OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE 30 JUNE 2016

PRESENT: COUNCILLOR P J O'CONNOR (CHAIRMAN)

Councillors Mrs A M Newton (Vice-Chairman), C J T H Brewis, Mrs J Brockway,
M Brookes, R L Foulkes, A G Hagues, A J Jesson, C E D Mair,
Mrs M J Overton MBE, R B Parker and C L Strange.

Added Members

Church Representatives: Mr S C Rudman.

Parent Governor Representatives: Mrs P J Barnett.

Officers in attendance:-

Miriam Binsztok (Senior Commissioning Officer), Simon Evans (Health Scrutiny Officer), Tracy Johnson (Senior Scrutiny Officer), Heather Sandy (Chief Commissioning Officer for Learning), Daniel Steel (Scrutiny Officer), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), Richard Wills (Executive Director, Environment and Economy), Catherine Wilman (Democratic Services Officer) and James Sharples (Senior Project Manager).

12 APOLOGIES FOR ABSENCE/REPLACEMENT COUNCILLORS

Apologies for absence were received from:

Councillors A Bridges, P M Dilks, C E H Marfleet, Mrs C A Talbot, R Wootten;

Added Members: Mr P Thompson, Dr E van der Zee.

13 DECLARATION OF MEMBERS' INTERESTS

No interests were declared.

14 MINUTES OF THE MEETING HELD ON 26 MAY 2016

RESOLVED

That the minutes of the meeting held on 26 May 2016 be approved and signed by the Chairman as a correct record, subject to an amendment to include Added Member, Mr Steve Rudman in the attendance.

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15 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that at its last meeting on 7 June 2016, the Executive had considered the Blue Light Collaboration Project which had been previously considered by the Community and Public Safety Scrutiny Committee on 1 June. Copies of the comments raised by the Scrutiny Committee were circulated to members of the Executive at the meeting for their consideration. The Scrutiny Committee had been praised for the work carried out in relation to this item and the positive outcomes reached as a result of good scrutiny.

16 CONSIDERATION OF CALL-INS

No Call-Ins had been received.

17 PROPOSAL FOR SCRUTINY REVIEWS

No Scrutiny Reviews had been proposed.

18 CONSIDERATION OF COUNCILLOR CALLS FOR ACTION

No Councillor Calls for Action had been received.

19 DEVELOPING A MODEL FOR THE CHARGING OF LINCOLNSHIRE COUNTY COUNCIL SERVICES TO SCHOOLS

A report was considered which invited the Committee to consider a report on Developing a Model for the Charging of Lincolnshire County Council Services to Schools which was due to be considered by the Executive on 5 July 2016. The views of the Committee would be reported to the Executive as part of its consideration of the item.

The Overview and Scrutiny Management Committee wished to record its qualified support for the proposals, on the basis that the Committee would have wanted more information in the decision report on the financial support for small schools, especially those in rural areas; which services might be discontinued as a result of the introduction of charges; and the overall costs and the charges for individual services. The Committee would like to see a further report, in particular covering the charges for individual services.

The Committee concluded that it supported recommendations 1, 2, 3, 4 and 5. In relation to recommendations 6, 7 and 8 the Committee wished the Executive to note the following comments:

- (1) The Committee believed that the report should be seen as dealing with the principles of charging, but the Executive should ensure that there is a business plan before services are finally offered. Any business plan should be based on the following principle:

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- Prices should be based on market rate and affordability with costs adjusted to match; it could not be based on the existing cost divided by an unknown number of users.
- (2) The Overview and Scrutiny Management Committee also wished the following concerns to be evaluated by the Executive:
- There should be risk assessments of viability of services for schools that wish to buy services, if other schools do not purchase those services.
 - Monitoring should take place of the effect of the new policy on children (including safeguarding and equality of opportunity).

Individual members of the Committee also raised the following additional comments.

- Everyone involved in the process should bear in mind there should not be any detrimental effect on pupils as a result of the implementation of the charging arrangements;
- It was important that the information available on services to schools be of high quality, particularly as other local authorities and providers issued brochures of the services offered;
- It was also important to prioritise the proposed e-commerce arrangements, so that schools could easily opt into the services;
- In the case of very small schools or other appropriate instances, the model could include the waiver of charges in specially defined circumstances;
- Some services, such as the advice service on energy efficiency, were of high quality and were likely to thrive;
- It was quite likely that some of the services offered, which were non-essential, would not be bought by schools, and these services would as a result be discontinued;
- Where a school opts for an alternative provider, and the alternative provider fails or offers poor service provision, the County Council would not be exposed to additional risk beyond its statutory obligations. The context for introducing charges at this time should be borne in mind, when several schools have experienced difficulties with a certain contractor, which is also used by the County Council;
- There should be further consideration of this topic by the Overview and Scrutiny Management Committee at future meetings, regarding the business plan and level of charges.

Individual members of the Committee made several observations on the level of information contained in the report:

- The report should have included information on the proposed level of charges, supported by case studies for certain types of school; and the sorts of services they would be expected to purchase;

- Ideally the report should have included feedback from a sample of schools, particularly small rural primary schools, with their views on the proposed charging arrangements, and possibly the level of charges;
- The report could have included information on the approaches of other local authorities and providers, for example, with information on the sorts of charges they were making and the level of their charges;

Points of Clarification by Officers at Overview and Scrutiny Management Committee

- (1) The purpose of the programme was to recover the costs of services from schools. It was not possible for the Council to make a surplus on any charges to schools. The provision of services on a commercial basis could only be achieved by the creation of a commercial entity and there was no intention to create one as part of this programme;
- (2) Where a statutory duty fell to a school or academy, it was the responsibility of the head teacher and governing body of the school or academy to deliver that duty. Similarly it was the responsibility of the local authority to deliver its own statutory duties. The local authority's liability was limited to the delivery of its own statutory duties, although it would seek to assist schools where services purchased from elsewhere led to difficulties;
- (3) In relation to "Education Support – Free School Meal Eligibility Checking Service for Schools" the officers stated that the indicative charge would be 50 pence per eligible pupil, with no charge made to the school for those pupils found not to be eligible for free school meals. The justification for this charge would be that schools would receive additional funding as a result of the identification of each eligible pupil;
- (4) In relation to the "Domestic Abuse MARAC Training for Staff in Schools" this item related to bespoke training for schools on safeguarding matters, in addition to the website training already available, which would meet the statutory duty for schools and academies.
- (5) The proposed flat rate charge of £6,500 for schools converting to academy status, if adopted, would be applied in all instances and related to the local authority's own costs. It did not include the advice that schools might need to access to facilitate their conversion to an academy;
- (6) The additional funding for academies through the Education Support Grant was gradually being removed. The same level of charges would be applied to schools and academies, except for instances where there was a duty for the local authority to support schools;
- (7) As schools prioritised their activities based on their own individual needs, which differ from school to school, a case study of a typical primary school, for example, would not be representative;

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- (8) Thorough monitoring service activity and finances, as well as tracking website activity, management reports would be compiled to demonstrate the viability of each service offered. Based on this information, service leads could decide whether to continue with the delivery of a service.

RESOLVED

1. That the Committee supports in principle the recommendations in the report to the Executive.
2. That the above comments be passed onto the Executive for its consideration;
3. That a report on the individual charges be brought to a future meeting of the Committee.

20 VERBAL UPDATE ON REVIEW OF SCRUTINY WORKING GROUP

The Head of Democratic Services and Statutory Scrutiny Officer reported that the Review of Scrutiny Working Group was continuing to look at the culture of scrutiny within the authority. A delegation had visited City of Lincoln Council, which had won an award for a piece of scrutiny work around poverty in Lincoln. Also being undertaken was research on cultures at other authorities and the Working Group would continue on this theme going forward.

RESOLVED

That the verbal update on the Review of Scrutiny Working Group be noted.

21 OVERVIEW AND SCRUTINY WORK PROGRAMME

Consideration was given to a report which enabled the Committee to consider its own work programme and the work programmes from the scrutiny committees for 2016.

With reference to Minute 10 from the minutes of the meeting on 26 May 2016, issues were raised regarding the shadow Combined Authority, which had emerged from the Devolution proposals, and the lack of scrutiny in place to hold the shadow combined authority to account. The Chairman agreed to raise this issue with the Leader.

Overview and Scrutiny Management Committee

An informal budget workshop had been organised for the Committee on 27 July and it was suggested that this be open to all Members of the Council to attend.

Discussions took place regarding the effects that the recent vote to leave the EU would have on the authority and it was agreed that briefing notes be provided for Members on how current EU law affected the authority and how the long term effects of leaving the EU could be planned for.

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It was agreed the East Lindsey Local Plan be added to the work programme for 28 July meeting.

Adults Scrutiny Committee

There were no amendments to the published work programme.

Children and Young People Scrutiny Committee

There were two amendments to the published work programme;

The report on Post 16 Strategic Priorities and Area Based Review had been removed from the agenda for 15 July. There would now be a small working group set up instead to meet with officers in July to discuss and inform this work prior to the Executive Councillor Decision report coming to the September meeting.

The report on Children's Health Services had been deferred from the 9 September meeting to the 21 October meeting.

Community and Public Safety Scrutiny Committee

There were no changes to the published work programme. It was noted that the Blue Light Collaboration Project and the Integrated Risk Management Plan were linked.

The Integrated Risk Management Plan would be considered at a special meeting of the Community and Public Safety Scrutiny Committee on 26 July, 2016 at 2.30pm.

Economic Scrutiny Committee

There were no changes to the published work programme.

Environmental Scrutiny Committee

There were no changes to the published work programme.

Flood and Drainage Management Scrutiny Committee

There were no changes to the published work programme.

Health Scrutiny Committee for Lincolnshire

There were no changes to the published work programme.

The members of the Quality Accounts Working Group were thanked for their work.

In relation to the item on 20 July 2016 on the Response of the East Midlands Ambulance Service (EMAS) to their Care and Quality Commissioning Inspection, the Health Scrutiny Committee was required to bear in mind the contribution of LIVES

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(Lincolnshire Voluntary Emergency Services) and Lincolnshire Fire and Rescue Co-Responders to the EMAS response time information.

Highways and Transport Scrutiny Committee

There was no change to the published work programme.

Value for Money Scrutiny Committee

There was no change to the published work programme.

RESOLVED

1. That the content of the Overview and Scrutiny Management Committee Work Programme as set out in Appendix A of the report be noted.
2. That the work programmes from the Overview and Scrutiny Management Committee set out at Appendix B of the report be noted.
3. That the Working Group activity set out at Appendix C of the report be noted.
4. That the work programmes, in light of the Executive Forward Plan, as set out in Appendix D of the report, be noted.

The meeting closed at 12.00 pm.

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