

# BRIGHTON & HOVE CITY COUNCIL

## CHILDREN AND YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE

5.00PM – 19 SEPTEMBER 2006

### BRIGHTON TOWN HALL

#### MINUTES

Present: Councillor Battle (Chair); Allen, Giebeler, Peltzer Dunn, Simson, and Wrighton.

Statutory Co-optees with Voting Rights: Mr N Sarjudeen – Diocese of Chichester; Mr F Myers – Diocese of Arundel and Brighton; Sophie Ricca-McCarthy – Parent Governor Representative.

Non-Voting Non-Statutory Co-optees: Mrs A Antonio – National Union of Teachers; Mrs S Llewellyn-Powell – Association of Teachers and Lecturers; Ms S Messenger – NASUWT.

#### PART ONE

#### ACTION

#### 9. PROCEDURAL BUSINESS

#### 9A. Declarations of Substitutes

9.1 Substitute Councillor      For Councillor

Cllr Denise Cobbs	Cllr Peter Willows
Cllr Geoff Wells	Cllr Jan Young

Apologies Cllr Jeane Lepper, Ms C Jackson

#### 9B. Declarations of Interest

9.2 There were none.

#### 9C. Exclusion of Press and Public

9.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3)

or 100 1 of the Local Government Act 1972.

9.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any of the items on the agenda.

9.5 The Chair informed the Committee that it had been a busy summer with two member working groups developing reports for this meeting on the work programme and co-opted membership of the Committee. The Chair commented that this meeting was about finalising the planning of CYPOSC and that the Committee's work would start in earnest after this meeting.

## **10. MINUTES**

10.1 **RESOLVED** - That the minutes of the meeting held on 13 June 2006 be approved and signed by the Chair.

## **11. PUBLIC QUESTIONS**

11.1 There were none.

## **12. THE CHILDREN AND YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE WORK PROGRAMME**

12.1 The Committee considered a report of the Director of Strategy and Governance concerning the outcomes of the member working group appointed at the last meeting to draft a work programme for the Committee for 2006/07 and into 2007/08 (See minute book).

12.2 The Chair introduced the report which had been produced by the work programme working group. The group considered a number of inputs including the Children's Services Joint Area Review Self-Assessment and corporate performance indicators and proposed the cross-cutting central theme for the work programme on vulnerable children and young people. The work programme also included specific items such as school meals and healthy eating; a progress reports and review of children and young people's service integration; audit of schools PFI contract compliance; and Special Educational Needs review implementation. The work programme was intended to be flexible in order that it may be added to and amended as required.

12.3 The Committee discussed how the performance of schools would be monitored; and the new remit of the Committee, which now covers social care and health as well as education and that which the cross-cutting theme of vulnerable children and young people was intended to reflect. Members also considered the flexibility of the programme and agreed it was

important that this was maintained to enable issues to be examined as they arose, or were suggested to the Committee. The Chair noted it was important that the Committee did not duplicate the work of the Children and Young People's Trust Board.

12.4 **RESOLVED** – (1) that the work programme, and the recommendations in paragraph 2 of the report, be agreed.

(2) that the report be referred to the next meeting of the Overview and Scrutiny Organisation Committee on 30 October 2006 for information.

OSOC

**13. FUTURE CO-OPTED MEMBERSHIP OF THE CHILDREN AND YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE**

13.1 The Committee considered a report of the Director of Strategy and Governance concerning the outcomes of the member working group appointed at the last meeting to review and make recommendations for future co-opted membership of the Committee. (See minute book)

13.2 The Chair introduced the report from the working group and outlined the proposed co-opted membership which was intended to reflect the new areas of responsibility of the Committee over and above those of the previous Education Overview and Scrutiny Committee (EOSP). The working group acknowledged the valuable input of the non-statutory education co-optees and had considered carefully how to proceed without losing their input. The protocol at Appendix 1 of the report, which outlined an undertaking for the Committee to secure the views and participation of all relevant stakeholders, was intended to reflect this.

13.3 Members discussed the dilemma that had faced the working group over how to include representatives from social care, health and youth into the Committee, without losing the expertise of those non-statutory education co-optees whom the report suggested were replaced. The non-statutory education co-optees commented that in addition to their primary role as teachers in education, their work included elements of social care and health and vulnerable and looked after children. The discussion included the possibility of adding to the existing co-optees, rather than replacing the non-statutory education co-optees. The Principal Solicitor confirmed that the four statutory education co-optees would continue to have voting rights on education matters.

The report included a recommendation to review the

arrangements for co-optees at the end of the municipal year. It was agreed to amend paragraph 2.5 of the report from "end of the municipal year" to "end of 2007".

The Committee voted to agree the recommendations of the report with paragraph 2.5 amended from "end of the municipal year" to "end of 2007":

Yes – 7      No – 3      Abstention – 1

- 13.4 **RESOLVED** – that the report be agreed as amended and referred to the 30 October 2006 meeting of the Overview and Scrutiny Organisation Committee. OSOC

#### **14. COMART PFI SCRUTINY PANEL RECOMMENDATIONS UPDATE**

14.1 The Committee considered a report of the Director of the Children and Young People's Trust concerning the progress made against the recommendations of the COMART PFI Scrutiny Panel in their report of May 2005. (See minute book)

14.2 The Assistant Director, Schools and the Head of Capital Strategy and Development Planning introduced the report and gave detailed updates and action taken on each of the recommendations of the scrutiny panel. They concluded that the Council did not envisage embarking on a PFI project of this kind in the future, but if this should occur, they would take on board the recommendations of the Scrutiny Panel.

14.3 There was a discussion about capital programmes and education and it was agreed that Chair's meetings would discuss reports that are going to the Children and Young People's Trust and decide which should also go to CYPOSC for information.

14.4 **RESOLVED** - (1) that the report be noted.

(2) that the CYPOSC Chair's meetings consider which reports of the Children and Young People's Trust Board or Children, Families and Schools Committee could also usefully be brought to CYPOSC for information.

#### **15. CHILDREN'S TRUST SECTION 31 AGREEMENT**

15.1 The Committee considered a report of the Director of the Children and Young People's Trust and the Director of Strategy and Governance concerning the proposed Section 31 Agreement between the Council, Brighton & Hove City Primary Care Trust and South Downs NHS Health Trust. (See minute book)

The Committee were informed that the report was for information only.

- 15.2 The Head of Law introduced the report which outlined the legal agreement that was required to allow the delivery of integrated services under the Children and Young People's Trust. It included an agreement that properties owned by the three organisations may be used free of charge by them. Agreement had also been reached over TUPE (Transfer of Undertaking (Protection of Employment) Regulations, governing the rights of employees in transfer situations) and the issue of insurance. The fully integrated Children and Young People's Trust would be officially in operation on 1 October 2006, with certain aspects due to be reviewed in December 2006. The Chair noted that the Committee's work programme included a progress report of the Children and Young Person's Trust at six months and a review after twelve months.

Members raised questions on the use of properties not wholly owned by the local authority; the role of the Schools' Forum, and on the financial arrangements for pooled and non-pooled resources. The Committee agreed to request a explanatory note on the use of pooled and non-pooled resources and the role of the Schools' Forum.

- 15.3 Members noted that in paragraph 3.1.1 the number "14" was incorrect and should be "16".

- 15.4 **RESOLVED** – (1) to request a further explanatory note concerning pooled and non-pooled funding arrangements under the Trust.

**Nigel  
Manvell**

(2) to note the report, as amended, subject to the explanatory note.

## **16. ITEMS TO GO FORWARD TO COUNCIL**

- 16.1 There were none.

**The meeting concluded at 7.00pm**

**Signed**

**Chair**

**Dated this                      day of    2006**