

# BRIGHTON & HOVE CITY COUNCIL

## OVERVIEW & SCRUTINY ORGANISATION COMMITTEE

5.00PM – 16 JANUARY 2006

### BRIGHTON TOWN HALL

#### MINUTES

Present: Councillor Watkins (Chair); Councillors Allen, Edmond-Smith, Giebeler, Hamilton, Mallender, McCaffery, Pennington, Simson and Young.

Also Present: Councillor Anne Meadows

#### PART ONE

#### ACTION

#### 52. PROCEDURAL BUSINESS

##### 52A. Declarations of Substitutes

52.1 There were none.

##### 52B. Declarations of Interest

52.2 There were none.

##### 52C. Exclusion of Press and Public

52.3 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.

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

#### 53. MINUTES

53.1 **RESOLVED** - That the minutes of the meeting held on 14 November 2005 be approved and signed by the Chair.

**54. PUBLIC QUESTIONS**

54.1 There were none.

**55. FORWARD PLAN:**

55.1 Members noted items planned for the next meeting on March 6th and that Environment would be the subject of overview. No new matters were brought forward.

**56. OVERVIEW: ADULT SOCIAL CARE**

56.1 The Chair welcomed Councillor Meadows, Chair of Adult Social Care and Health Committee to the meeting. The Head of Performance and Development described the national monitoring outcomes and referred to his briefing note. (See minute book)

56.2 The meeting congratulated all the staff involved in achieving the two star performance rating.

56.3 Answering questions as notified in advance, the Head of Performance and Development said the Commission for Social Care Inspection (CSCI) Annual Report had taken a general look at performance according to the type of local authority. For example Inner London authorities tended to perform well, County Councils were improving and Unitary Authorities' improved performance was generally flattening out. There was no properly researched explanation but it seemed that bigger authorities had greater capacity to deal with changes and record and analyse performance results.

**56A. QUARTERLY PERFORMANCE REPORT ON CORPORATE SERVICES**

56.4 The Head of Performance and Equalities introduced the extract from the quarterly performance report. The results related to staff sickness, equalities and finance. (See minute book)

56.5 Members noted that disputed invoices were excluded from the performance results table and asked what were the other main reasons that some invoices especially from small firms were not paid by the council within 30 days. Could action be taken to improve this? Information was requested about legislation regarding penalties for late payment.

**MvB**

56.6 The rationale behind the setting of the target for Council Tax collection was questioned; could the target be set higher?

**MvB**

56.7 Relating to staff sickness absence Members noted that unlike the other indicators, in this case a lower figure, less than the target, represented better performance. The Committee felt it would be useful to see trends in the number of working days lost due to sickness and

**MvB/ML**

comparisons year on year. A six-month report on sickness was scheduled for the next meeting and officers would be asked to include this information in their report.

56.8 Councillor Pennington reported he had received a note about equalities legislation relating to Members and he would be circulating this to all Members for information.

56.9 **RESOLVED** – that the report be noted.

#### **56B. BRIEFING NOTE ON ADULT SOCIAL CARE PERFORMANCE**

56.10 The Committee received a briefing note on Adult Social Care performance. The meeting noted that where possible in future the committee's agenda would include scrutiny member queries for example from the Forward Plan or Chair's meeting.

56.11 The Head of Performance and Development answered the questions notified. Band Two rating 'Ask questions about performance' related to unit costs, clients receiving and review and delayed transfers of care. The balance between cost and quality of services was thought now to be quite good, improving quality and increasing the range of services provided. New strategies were in place for older people and mental health services. Services had been developed following best value reviews and this gave some additional confidence re the balance between cost and quality.

56.12 The Head of Performance and Development said the unit cost comparison between councils was based on 4 groups of Councils with different thresholds for each banding; it was thought that Brighton & Hove was placed in a group which did not provide a fair comparison and take account of the high costs of living and housing in the city. If the City were placed in the 'outer London' group of councils then performance would be in bands 3 or 4.

56.13 Home care costs had risen significantly compared with inflation. But this did not reflect a year on year comparison. The definition of what could be included in this indicator had been changed nationally and many preventive services funded by the council (at relatively low unit cost) could no longer be included in the indicator.

56.14 Older People's Services would be inspected by CSCI in March at no cost to the council other than staff and setting up time. The CSCI made unannounced inspections of registered establishments at an annual cost according to the size of establishment up to around £2,000. Inspections of home care services cost £1,600. Good value for money depended on focussing inspections on the areas of poorer performance.

56.15 CSCI inspectors visited unannounced and reported on all older

peoples' homes twice annually, now moving to a frequency based on a risk assessment of prior performance. Reports are circulated and available on the website. In house quality assurance is undertaken once a month within 'regulation 26' with officers visiting unannounced. The team visited all establishments monthly and reported to management. Members visit according to a rota, and the Social Care Contracting Unit reports are taken regularly to Adult Social Care and Health Committee.

56.16 Asked about the closure of private care homes, the Head of Performance and Development said there had been only one or two closures during the year and the market had stabilised. Older People's services were now fairly stable but quality local provision was still needed for people with mental health needs.

56.17 Recruitment and retention of staff had formerly been an issue but more recently there had been a change and the CSCI findings were very positive about this. Delayed transfers of care had been reducing well following improved discharge planning across health and social care partnership.

56.18 Services were generally integrating very well with NHS. However joint performance management needed to be developed and double data input could be avoided by combining the two currently incompatible IT systems.

56.19 Chair of Adult Social Care and Health Committee Councillor Anne Meadows referred to the work of the Older People's Community Assessment Team and said contributions had recently been raised for each placement and this was helping residential homes.

56.20 Councillor Meadows said some services brought back in-house had helped reduce costs. Performance generally was improving well. Councillor Meadows thanked the staff for helping achieve the two star rating.

**56.21 RESOLVED** – that the staff be congratulated.

## **57. RACE EQUALITY SCHEME**

57.1 The Committee considered a report of the Director of Strategy & Governance concerning the Draft Race Equality Scheme. (See minute book)

57.2 The Head of Performance and Equalities reported that the Draft Scheme was now out for consultation together with health partners and would be reported to Policy and Resources Committee on 1<sup>st</sup> March. It was being taken to as many black and minority ethnic groups as possible. The Equalities Forum on 6<sup>th</sup> December had received a presentation from the council's equalities consultant who had done

work on which the scheme was based.

57.3 Members made suggestions for additional groups to contact for their comments such as travellers refugees and asylum seekers, including from Eastern Europe. Translating and interpreting services would be advertised in City News and on the Council's website.

**MS**

57.4 Members emphasised that it was important that the council be proactive in trying to foresee any service delivery issues that would impact on minority groups.

57.5 **RESOLVED** – that the report be noted

#### **57A. RECOMMENDATIONS OF THE EQUALITIES SCRUTINY REVIEW 2001**

57.6 The Head of Performance and Equalities referred to the recommendations of the scrutiny review of Equalities Implementation and Resourcing that had been completed in 2001.

57.7 She reported that policies and systems had changed considerably since then and while each recommendation did not now exactly equate to the current structure and practice, the essence of each recommendation had in general been taken forward.

57.8 The Council's Equalities Policy had been launched in Summer 2004 and to enable mainstreaming, standard formats and common standards for all equalities action plans had been introduced for use in each Department's team planning system.

57.9 The Environment Department had made particular progress and was due to report its initiative to the January Equalities Forum.

57.10 In discussing where progress was still to be made against the recommendations the Committee noted that 'Executive Councillors should be involved in and accountable for the equalities implications of the work of their departments.' This formed recommendation number 6 of the 2001 scrutiny review but it was not clear to what extent it had been carried out.

57.11 Recommendation 15 stated that 'annual reports should be submitted to the Policy and Resources Committee on the development and implementation of Equalities Action Plans.'

57.12 Members noted that all the scrutiny recommendations had been agreed in full by Policy and Resources Committee in July 2001 and that the introduction of the Inclusive Council Policy and 'mainstreaming' of equalities actions into Team Plans had been good positive steps.

57.13 The involvement of Executive Councillors and Committees may still need further development, especially in relation to

recommendations 6 and 15 as above. Members agreed that more progress was needed in taking them forward.

57.14 **RESOLVED** – that officers be asked to progress the agreed scrutiny recommendations on the role of Executive Councillors and Executive Committees in action on equalities issues.

**MvB/MS**

## **58. PATCHAM PLACE PAVILION SCRUTINY REVIEW 2003**

58.1 The Assistant Director, Quality of Life and Green Space Spaces and the Sports Customer Relations Officer referred to the scrutiny recommendations and outlined progress made. (See minute book) Since the Patcham Place Sports Pavilion had been rebuilt in line with the scrutiny recommendations, there had been an increase year on year in the use of the one senior and one junior football pitches at Patcham Place. There had been more than 60 uses this year so far. Cricket had been played 25 times last summer.

58.2 Sports Clubs were looking to expand their age groups. There was a shortage of junior pitches for ages 5 years and over and a few more senior sports pitches could be used around the City.

58.3 Football had been taken off Nevill Road cricket ground as far as possible as requested by Brighton and Hove Cricket Club (BHCC) however Sport England was reluctant to fund facilities for only one sport. BHCC was pleased with the improvement in the condition of the outfield; football matches on the outfield have been reducing and three pitches were taken out of play in mid-December 2005.

58.4 Councillor Hamilton who chaired the scrutiny review said he was concerned that the funding programme for sports pavilions had still not been set up despite the acceptance of the recommendation and agreement of full Council.

58.5 It was agreed that the Chair would write with a reminder to the Director and Chair of the Environment Committee.

58.6 The Assistant Director said the council was trying to reduce charges even though there were budgetary pressures. She pointed out the additional expenditure on sports facilities since 2004/2005.

58.7 The Committee said they were pleased that the parks including Hove Park, Preston Park and the Floral Clock had been looking at their best.

58.8 **RESOLVED** – That the executive committee be requested to implement the agreed recommendation to establish revenue and capital funding programmes for sports pavilions.

**MvB**

## **59. CLOSURE OF DISABLED TOILET AT NORFOLK SQUARE**

59.1 The Assistant Director of Quality of Life and Green Spaces replied to the question on the agenda and reported that the Environment departmental management team in April 2004 had discussed and agreed under delegated powers to close the Norfolk Square toilets to reduce anti-social behaviour in the area. The Community Safety team had received a national award for the scheme.

59.2 Change of use from public toilet to retail premises had been agreed at planning committee. Planning Committee would not have considered whether the toilets should be closed but whether retail was an appropriate use of the premises.

**59.3 RESOLVED** – that the report be noted.

## **60. PLANNING ENFORCEMENT**

60.1 The Head of Development Control told the meeting that she had written to the Office of the Deputy Prime Minister regarding amending legislation and procedures to improve effectiveness of planning enforcement. She had received no reply as yet.

60.2 She reported that enforcement action in the City was improving however staff problems were persisting. There were currently 4 full-time equivalent enforcement officer posts. Of these one was in post, one was part-time, one on long-term sick leave and there was a vacancy. Novel recruitment techniques had been tried with little success for permanent staff. A new and 'excellent' officer held a temporary post.

60.3 Members firmly agreed with the points made in the letter to ODPM and discussed how to take the matter forward. It was felt that the issues should be raised more widely amongst other local authorities. To this end it was suggested that this be put to the Local Government Association.

60.4 **RESOLVED** - that the Council's Local Government Association delegates be requested to propose a notice of motion based on the letter to ODPM on planning enforcement at this year's LGA annual conference.

**MvB/MB**

## **61 FURTHER REPORT OF eb4U SCRUTINY PANEL**

61.1 The Committee considered the further report of the eb4U Scrutiny Panel together with the Executive response. (See minute book)

61.2 The Panel Chair summarised the recommendations of the report and detailed how an issue surrounding grant funding of an eb4U funded organisation had been resolved.

61.3 Members noted that in the report Appendix 2, P&R responses to recommendation 2, the third sentence should read; 'The Chief Executive will resign from the board of eb4U Ltd and the board of the NDC programme by the end of the financial year.'

61.4 **RESOLVED** –

(1) That the report be endorsed.

(2) That the Committee ask for an update on the progress of the implementation of the recommendation in 6 months time.

## **62. AUDIT PANEL**

62.1 The Committee considered a report of the Director of Strategy and Governance proposing that Members be nominated as appropriate to serve on the new Audit Panel. (See minute book)

62.2 Councillors Hamilton, Watkins, and Young agreed to serve on the Audit Panel and the Green Group would nominate a member in due course. The first meeting would take place in non-public session on Tuesday 7<sup>th</sup> February at 3pm, Kings House.

**MvB**

62.3 **RESOLVED** – that the report be noted

## **63. DEVELOPMENT OF SCRUTINY AND UPDATE ON CURRENT SCRUTINY REVIEWS**

63.1 The Committee considered a report of the Director of Strategy and Governance on the progress made on current scrutiny reviews and giving an update on developments in the scrutiny function including the Education and Health Overview and Scrutiny Panels. (See minute book)

63.2 **RESOLVED** – that the report be noted

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

64.1 It was noted that the eb4U scrutiny report and Policy and Resources Committee response would be reported to council on 19<sup>th</sup> January.

64.2 **RESOLVED** - that as agreed at Education Overview and Scrutiny Panel on 6<sup>th</sup> December 2005, the following two items be referred for information to council on 19<sup>th</sup> January:

- The Annual Performance Assessment of Childrens' Services 2005

- Test & Examination Results 2005

The meeting concluded at 19.30

Signed

Chair

Dated this

day of

2006