



Minutes of the Overview and Scrutiny Board

Thursday, 28 July 2011

-: Present :-

Councillor Thomas (J) (Chairman)

Councillors Barnby, Bent, Butt, Darling (Vice-Chair), Kingscote, Parrott, Pentney and Pountney

(Also in attendance: Councillors Tyerman, Hernandez, Scouler and Lewis,
plus Mayor Gordon Oliver)

190 Apologies

An apology for absence was received from Penny Burnside.

191 Minutes

The Minutes of the Meeting of the Board held on 29 June 2011 were confirmed as a correct record and signed by the Chairman.

192 Active Ageing Strategy Progress report

The Board considered an update on the development of the Active Ageing Strategy. The Board was advised of engagement activity that had occurred, including the use of the Council's Viewpoint panel, Torbay's Older Citizens Forum, Torbay Local Involvement Network, Age UK, and workshops. The Board was advised that four priorities had been identified from the engagement activities: good health in mind and body; dignity, choice and control; social integration; and safe and secure.

Members questioned the delay in undertaking and analysing the surveys and the representativeness of the views obtained. In reply, the Board was informed that Viewpoint provided a good representation of views within the Bay. Members questioned when Viewpoint was last refreshed and were advised that this information would be obtained.

In response to members questioning the slippage in the development of the strategy, the meeting was advised by the Deputy Chief Executive, Torbay Care Trust, that confidence in meeting the revised timetable for the project was high.

With reference to the age profile of respondents to engagement activities, Board members suggested the value of including younger adults and children.

193 Torbay Economic Development Company Business Plan 2011/12

The Board considered the draft Torbay Economic Development Company Business Plan for 2011/12. The Chief Executive Officer, Torbay Economic Development Company, TEDC, outlined the draft business plan and indicated that the Bay's economy remained extremely weak and the activities of TEDC were unlikely to lead to significant improvement in economic performance. The Board was advised that the activities of TEDC could bring about change, improve skills, and influence others. The Chairman of TEDC advised the Board of the benefits of an economic development company. The Mayor outlined the approach, role, and value of TEDC within the context of current economic circumstances.

Members questioned where in-year budget savings or efficiencies were identified in the business plan. In response, the Chief Executive Officer (TEDC) advised the meeting that the business plan budget for 2011/12 incorporated savings agreed previously and that possible savings of up to fifteen per cent had been identified for TEDC's 2012/13 budget, which was being prepared.

In reply to questions concerning the risks contained within the draft business plan, the Board was advised that certain risks were not new and had been judged high for a number of years.

Members questioned where the TEDC's commitment to help deprived communities appeared in the business plan. In reply the Board was advised by the Chief Executive Officer, TEDC, of examples of help to target deprived wards, including the Cockington Sea Change Project, and received an acknowledgment that such a commitment could be reflected more fully in the final business plan. Board members were advised that contractors working on Council programmes were being asked to work with deprived wards, including the provision of training programmes.

Board members asked for confirmation that Oldway would be vacated by the end of September and were advised that the programme of relocating staff was under review. The Board was advised that TEDC was not involved in the relocation of staff from Oldway. In response to questions about the amount of money put aside for the physical regeneration of Torquay Harbour, the Board was advised that a pre-feasibility study was being undertaken by TEDC.

In reply to questions about the lack of previous financial accounts, Board members were advised that TEDC was a new company and that figures for the former Torbay Development Agency budgets had been used to form indicative accounts. The Board was informed that the value of buildings and other assets of TEDC would be ascertained during 2011/12.

In response to a suggestion that the TEDC should recognise the need to reduce the fees that the Council paid to the company, the Chairman of TEDC indicated to the Board that empire building or maintaining funding levels was not a TEDC ambition.

The Executive Lead Member for Involved and Healthy Communities suggested the value of appointing a voluntary or community sector representative to the TEDC Board. In response, the Chairman of TEDC indicated he welcomed the proposal in principle.

Resolved: (i) that with reference to its business plan, the TEDC be recommended to further promote its role in ensuring there are pathways to employment for people living in deprived areas;

(ii) that TEDC be recommended to consider appointing a third sector representative to its Board;

(iii) that the Overview and Scrutiny Board members be provided with details and criteria for the 500 plus jobs reportedly safeguarded by the TEDC; and

(iv) that with reference to TEDC business planning, the Overview and Scrutiny Board members be provided with information showing the financial amount budgeted per job created.

(**Note:** Prior to consideration of the item in Minute 193, Councillor Tyerman declared a personal interest as a Council appointed Director of Torbay Economic Development Company Ltd.)

194 Performance Overview and Monitoring

The Board considered reports which summarised the performance of the performance indicators and projects in the Council's strategic scorecard, the Council's approved capital programme for the first quarter of 2011/12, and the Council's revenue budget for the same period.

The Executive Lead Member for Children, Schools and Families and the Acting Director of Children's Services attended to provide additional information and respond to Board members questions. The Board was advised by the Executive Lead Member for Children, Schools and Families that the backlog in safeguarding cases would be clear by the end of August 2011. The Board was informed that safeguarding issues would take eighteen months to rectify and require additional funds.

Members questioned the timetable put forward to address safeguarding issues and the likelihood of success. In reply to questions, the Acting Director of Children's Services indicated that professionals within Children's Services had become risk adverse. He advised that intensive work with families to enable the child to stay in the family was often the best route. Members suggested that action sooner to achieve a permanent solution, along the lines of the Denmark early intervention model, was most effective.

Members questioned the shortage of foster care and were advised that a number of staff were focusing on foster care recruitment and that a recent campaign had been successful.

Board members questioned whether corporate resources were helping to address safeguarding issues. In response the Chief Executive Officer advised that all Commissioners and Executive Heads had been challenged to help and that the issue was not confined to a single unit in Children's Services.

With reference to previous assurances and targets, Board members questioned the likelihood and intellectual capacity of the Council to deliver successful safeguarding. In response, the Board was advised that the backlog of cases would be rectified shortly and an eighteen month plan was needed.

With reference to a projected overspend of £1.5m in Children's Services for 2011/12 and previous statements that an overspend was likely, Board members questioned whether the budget set had been realistic. In response to questions about the possible closure of Children's Centres within Torbay as an in-year saving, the Executive Lead Member for Children, Schools and Families advised the meeting that the operations of the centres were under review but they would not close. The Acting Director of Children's Services advised that measures to address the budget overspend including all expenditure over £500 requiring his authorisation. The Board was advised that the possibility of charging academies for services was being investigated.

Board members were advised by the Acting Director of Children's Services that due to the budget process, historical overspends indicating difficulties within safeguarding had been absorbed within the overall Children's Services budget.

With reference to adult social care the Board was advised by the Deputy Chief Executive Officer, Torbay Care Trust, of capacity issues and increasing waiting lists. The Board was informed that the projected overspend for adult social care for 2011/12 was £1.5m, with a current year to date overspend of £575,000.

In response to questions concerning bed blocking, the Board was advised that there were not delayed discharges within Torbay's community hospitals, but there were within the eleven community hospitals within southern Devon.

Members discussed the financial risk sharing arrangements between the Council and the Care Trust and potential proposals to reduce commissioned adult social care spending. With particular reference to the Annual Strategic Agreement between the Council and the Care Trust, Board members expressed concern at the lack of information available during the budget process for 2011/12.

Members discussed the possible impact of moving to critical care only during the current financial year. The Executive Lead Member for Adult Social Care and Older People indicated that both substantial and critical care should be protected.

In reply to questioning, the Deputy Chief Executive Officer, Torbay Care Trust, confirmed that certain services would cease over the next 2-3 years.

The Executive Lead Member for Finance and Audit indicated that current budgets were unrealistic and undesirable and the executive would be looking across the Council to identify savings. In response to questions, he advised that the Council had not borrowed since May 2010. Board members asked what the cost of capital borrowings was to the revenue budget and were advised £6.9m.

Members asked for evidence of the added value of the capital plan, such as jobs created, and suggested performance indicators could be created to clarify such benefits.

Members alluded to possible financial liabilities and penalties to Councillors such as incurred in the Clay Cross dispute and agreed to request the advice of the Monitoring Officer on the issue.

Resolved: (i) that the Chief Executive Officer be recommended to ensure appraisals of Executive Heads and higher posts include children's and adults' safeguarding and positive engagement with corporate parenting; and

(ii) that monthly updates of performance indicators and projects relating to children's safeguarding be provided to Overview and Scrutiny Board members.

(Note: Prior to consideration of the item in Minute 194, Councillor Pentney declared a personal interest due to her grandchild receiving care from Children's Services.)