

Minutes of a meeting of the Scrutiny Commission

At 7.00 pm on Tuesday 2nd August, 2022 in the
Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

Present:-

Members

Councillor Wendy Brackenbury (Chair)	
Councillor Valerie Anslow	Councillor Andy Mercer
Councillor John Currall	Councillor Gill Mercer
Councillor Jim Hakewill	Councillor Lee Wilkes
Councillor Zoe McGhee	

Officers

Adele Wylie – Director of Governance and HR (Monitoring Officer)
AnnMarie Dodds – Executive Director of Children
Paul Goult – Democratic Services Manager
Louise Tyers – Senior Democratic Services Officer

14 Welcome

The Chair welcomed Councillor Andy Mercer to his first meeting of the Scrutiny Commission.

15 Apologies for non-attendance

Apologies for non-attendance were received from Councillors Robin Carter, Mark Dearing, Philip Irwin and Kevin Watt.

16 Members' Declarations of Interest

The Chair invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations of interest were made.

17 Notifications of requests to address the meeting

There were no requests to address the meeting.

18 Minutes of the meeting held on 5 July 2022

RESOLVED:

That the minutes of the meeting held on 5 July 2022 were approved as a correct record and signed, subject to the heading of the minutes being amended from May to July.

19 Special Educational Needs

The Scrutiny Commission considered a report of the Executive Director of Children's Services which provided an update on the performance and processing of Education Health Care Plans (EHCP). The report explained the process for obtaining a Plan, the Special Educational Needs and Disabilities (SEND) delivery plan and the performance in EHCPs.

The key points made included:

- Over the last 12 months there had been changes in the way that NNC interpreted the relevant legislation. There had also been significant investment in SEN.
- There had been a significant increase in the number of EHCPs requested. In April 2021, there had been 36 requests each month and by the end of last year, this had increased to 121 requests each month.
- It was acknowledged that in some cases, high needs funding was often used to support schools, with the funding not moving to support the child's needs.
- NNC had recently made two expressions of interest for special needs free schools. However, this did not mean that there was a deficiency of places.

During discussion, the following principle points were noted:

- i. In response to a question as to when the backlog of EHCPs would be cleared, the Executive Director confirmed that the backlog would be cleared during August this year.
- ii. It was clarified that the provision had to be named in the EHCP before it could be completed. Any changes in needs would also be subject to review. Parents were able to express a preference as to the provision and could appeal to the Tribunal Service, who could then order a school to take a child, often into a school which was already oversubscribed.
- iii. The Executive Director undertook to provide members of the Commission with information on the percentage of children getting extra help within 10, 20, 50 and 100 weeks.
- iv. It was confirmed that EHCP funding was specific to the individual child and should go with them throughout their education. If a child moved to another local authority area, the new authority would know that a child had a plan but there may be differences in funding and availability.
- v. In response to a question about the department's relationship with the Child and Adolescent Mental Health Service (CAMHS), the Executive Director confirmed that they did work with CAMHS but there was currently a significant waiting list.
- vi. Members were pleased that there was early help in place. Often, mainstream school was the right place for children with an EHCP. It was acknowledged that there was a more inclusive approach to SEN, and it was often best to keep the child in their own community with their peers.
- vii. If a child went to a school which was out of NNC's area but lived within North Northamptonshire, the child's EHCP would be completed by NNC but parents

could express a preference if they wished for their child to go to a school out of area.

- viii. In response to a question as to what the future number of requests for EHCPs could be, the Executive Director stated that that would be difficult to project. As we became more sophisticated in how we worked, we could do some more projections, however we could not account for the number of children who moved into the area. Some children also may require short term help and do not require a Plan. It was looking to rebalance the system to understand needs.
- ix. If the two free schools were approved, it was clarified that the government would build the schools and they would be run by academies and not the authority.
- x. In response as to whether the increase in the number of requests for plans was following a national trend or whether we were an outlier, it was confirmed that we were an outlier. Under the former Northamptonshire County Council, schools were encouraged not to apply for EHCPs and would be given extra funding instead. The culture was to only ask for a plan when a space in a special school was required and it was about managing the money rather than the needs of children. Some schools received significant funds not to request plans. The significant increase in requests for plans could be those children who should have had a plan under Northamptonshire County. Members thanked the Executive Director for her direct response.

The Commission thanked the Executive Director and Executive Member for their comprehensive report. The work undertaken to date and the improved direction of travel going forward was welcomed.

RESOLVED:

To note the report.

20 Performance Indicators Report 2022/23 (Period 2)

The Scrutiny Commission considered a report of the Assistant Chief Executive which provided an update on the Council's performance across a wide range of services, as measured by performance indicators.

The report provided a summary of the performance of Council services and further detail including trend lines and exception reports. Performance measures were being developed to better reflect the desired outcomes set out at a high level through the Council's recently adopted Corporate Plan.

During discussion, the following principle points were noted:

- i. Comments on several specific indicators were made, including:
 - Rates of suspensions and exclusions (BBF15-17) – there had been over 100% increase from last month on each of these indicators. In response the Executive Director of Children's Services explained that these indicators included those children not in school and educated at home. For those children whose parents opted for elective home education, once they left school their places were held open for longer in case home education did

not work out. When a child was excluded, they often went into alternative provision, but all three of these academies were rated inadequate on the grounds of safeguarding.

- % of young people now aged 17 – 21 and living in suitable accommodation who were looked after when aged 16 (BBF09) – what was deemed to be suitable accommodation? In response, the Executive Director undertook to come back to members with the definition as this was the responsibility of the Children’s Trust.
- % of deaths registered within 5 working days (CNC03) – members questioned whether this indicator now enabled people to register deaths online. It was confirmed by the Director of Governance and HR, that people were now able to make an appointment to register a birth, death or marriage online, however, due to the requirements of the legislation, they were still required to attend in person to undertake the actual registration. Also, some people chose to attend after the deadline to make the registration.
- Establishment figures – clarification was sought as to what the three headings regarding establishment meant. The Director undertook to send members explanations as to what the headings meant. Members also noted that the total number of vacancies had increased in number and enquired who was scrutinising why we were not recruiting to vacancies. In response, the Director explained that full, accurate data was not yet there, and further cleansing needed to be done. Also, during restructures new posts were built into the system and during this process there was often a time of double counting. Pay and grading and terms and conditions were also being looked at to see how NNC could be competitive as an employer. Pay and grading proposals would be taken to Council in November and it may be useful to bring those proposals to Scrutiny as well.
- There was a need to look at the vacancies which were being covered by agency staff as these were posts which needed to be filled.
- It was noted that the post of Director of Public Health was currently being covered by an agency appointment, it was important that the recruitment process for this post was undertaken quickly. The Director advised that the post was being reviewed under the Chief Executive’s current Leadership Review to make it a more attractive post, following feedback from previous applicants.
- Members asked for a definition of what a ‘bucket post’ was. In response, it was explained that these posts were those that were filled when needed, on a casual basis, e.g. canvassers for elections.
- The report only showed those agency posts which were recruited through Opus. Those recruited off-contract should also be included in the data.
- There were no indicators in relation to Covid and Long Covid, which was the biggest public health issue. It was suggested that this may benefit from a one-off report to a future meeting.
- Number of Voids (Corby) and Voids turnaround time (Corby) (STP36 & STP37) – it would be useful to receive an explanation as to any problems with the number of voids and turnaround time.
- % of complaints upheld (MPS35) – it would be useful to have a report to a future meeting on complaints including which areas most complaints came from. The Director advised that the Local Government and Social Care Ombudsman’s report had now been received and would be going to the Executive in September. This report could be brought to a future meeting for Scrutiny.

RESOLVED:

To note the performance of the Council and its services.

21 Garden Waste Future Service Provision

At their meeting on 14 July 2022, the Executive referred to Scrutiny the proposed decision on Green Waste Future Service Provision.

It was confirmed that if a decision was made to refer the report to the Finance and Resources Scrutiny Committee, Scrutiny Commission members who were not members of that Committee, would be able to attend the meeting in an ex-officio capacity. It was also clarified that the decision was an Executive decision and could only be made by them.

It was noted that during the recent hot weather in another part of the country, a fire had started, allegedly due to an overheated compost pile, and members enquired as to whether the fire service had been consulted on the issues.

RESOLVED:

- (i) To note the referral by the Executive on the 14 July 2022 to Scrutiny of the item on Green Waste Future Service Provision.
- (ii) To refer consideration of the report on Green Waste Future Service Provision to the Finance and Resources Scrutiny Committee meeting of 16 August 2022 in order to compile a response to the Executive on this matter.
- (iii) That Scrutiny Commission members (who are not also members of the Finance and Resources Scrutiny Committee) be invited to attend the meeting on 16 August 2022 as ex-officio members.
- (iv) That following the meeting on 16 August 2022, the chairs of the two respective scrutiny committees compile a response on the report to be presented to the Executive at its meeting on 15 September 2022.

22 Executive Forward Plan

The Scrutiny Commission received the Executive Forward Plan which showed the key and significant decisions the Executive would be making over the next few months.

Members stated that the Forward Plan did not present enough information as to what the proposed decisions would be and was therefore difficult to identify which issues the Commission may wish to consider. It was also felt that it would be helpful for the Plan to identify which Executive Advisory Panel the reports would be considered by. The Director of Governance and HR undertook to feedback the Commission's concerns over the Forward Plan to the Corporate Leadership Team.

RESOLVED:

To note the Executive Forward Plan.

23 Scrutiny Work Plan and Future Meetings

The Scrutiny Commission received the Scrutiny Work Plan, details of future meetings and other information relevant to the management of the Scrutiny Commission.

Outside bodies and the mechanism to feedback to Council on appointments was raised. The Director of Governance and HR advised that this would usually be done at the Annual Meeting following an annual review. Due to resources, this had not happened this year and it had now been included in the work programme for the new Assistant Director for Legal and Governance.

In response to a request for an update on the review of grant-maintained nurseries, the Director advised that a plan was being developed to meet the criteria of the review and the first meeting would be held shortly.

A report on adoption of roads was requested for a future meeting.

RESOLVED:

- (i) To note the Scrutiny Work Plan and items for future consideration.
- (ii) To note the items being brought to future meetings.

24 Close of Meeting

The Chair thanked members and officers for their attendance and closed the meeting.

The meeting closed at 9.14pm.

Chair

Date