

Executive Scrutiny Board Recommendations from the meeting held on 13 February 2018	
Council Cabinet Agenda – 14 February 2018	
Item 8	Determined School Admission Arrangements for Derby City Maintained and Voluntary Controlled Schools 2019-2020
<p>Members considered a Council Cabinet report of the Cabinet Member for Education and Skills to approve the proposed admission arrangements for Community and Voluntary Controlled infant, junior, primary and secondary schools as the determined (set) admission arrangements for the 2019-2020 academic year.</p> <p>Members were informed that no objections or issues have been raised as a result of the consultation, which took place from 01 November 2017 until 13 December 2017.</p> <p>Members queried whether a High Court ruling giving parents more rights to allow summer-born children to start in reception aged 5 if that is what parents want, had been incorporated into the arrangements. The Director of People Services reported that he would seek further clarification on this in advance of the decision at Council Cabinet.</p> <p>The Executive Scrutiny Board resolved to request that Council Cabinet seek further clarification from the Strategic Director of People Services on the admission arrangements relating to the High Court ruling on admission arrangements for summer-born children.</p>	
Item 9	East Midlands Regional Adoption Agency
<p>Members considered a Council Cabinet report of the Cabinet Member for Children and Young People and Safeguarding and Strategic Director of People Services to agree in principle that a regional adoption agency for Derby, Derbyshire, Nottingham and Nottinghamshire councils operates a shared adoption service called D2N2 Regional Adoption Agency (RAA).</p> <p>Members queried the length of the pilot and were concerned that a pilot of less than 12 months was insufficient to understand if this had been successful. The Board was informed that the Government had set a mandate for Local Authorities to move towards the creation of Regional Adoption Agencies by 2020. The Board was further informed that a Project Governance Board has been meeting to look at the best way to achieve this for Derby since 2015, and continues to meet regularly and has access to corporate work streams, for example, finances; HR; communications; and ICT.</p> <p>Members also queried the role of Elected Members in the future RAA in relation to their responsibilities as Corporate Parents and ensuring the safeguarding of children being placed under these new arrangements. The Board also expressed concerns around being held accountable for staff not under the control of the Council, as well as the governance arrangements around service delivery and accountability.</p>	

Members were informed that all authorities involved are rated 'good' by Ofsted and if this were to change it was expected there would be governance arrangements in place to deal with this. Members were further informed that the safety of children will not be compromised by the new arrangements and that the authority will still be subject to rigorous assessments by Ofsted. The Board was also reassured that benefits to Derby will include a wider pool of adopters for placements, particularly for those children who need to be placed out of area, and that the high costs associated with finding and securing placements out of area will largely disappear through the new arrangements.

The Board queried what would happen if Derby made a decision to delay the move towards the RAA arrangements and was informed that the other authorities are set to go ahead and will do this without Derby if Derby pulls out. The Board was made aware that the other D2N2 authorities involved are some of the best performing authorities in the region in this area and warned that if Derby delayed then the authority would run the risk of having to enter into an RAA with lesser performing authorities, due to the Government mandate to do this by 2020.

The Executive Scrutiny Board resolved to:

- 1) request that Council Cabinet note the Board's concerns; and**
- 2) request that officers bring a report detailing the governance and corporate parenting frameworks to a future meeting of the Board prior to sign off and implementation.**

Item 10	Council Tax Exemption for Care Leavers
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Members considered a Council Cabinet report of the Cabinet Member for Children and Young People and Safeguarding and Strategic Director of People Services to agree a Council Tax exemption for all Former Relevant Care Leavers up to the age of 25 years as part of the 'local offer' to Care Leavers and pledge as their Corporate Parent.

Members were in full support of the proposals but requested that Officers check that the exemption will not result in any issues for individuals in future in relation to other benefit claims.

The Executive Scrutiny Board resolved to request that Council Cabinet seek assurances from the Strategic Director of People Services that the exception will not have an adverse impact on individuals in relation to future benefit claims.

Item 11	Adult Social Care Fees and Charges 2018/19
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Members considered a Council Cabinet report of the Cabinet Member for Cabinet Member for Integrated Health and Care and Strategic Director for People Services seeking approval for a 3.8% fee increase for: independent sector standard residential care; dementia residential and nursing care weekly fee rates; and standard independent sector homecare services from April 2018. The report also sought to approve from April 2018 an hourly rate of £10.18 for Sleep In's, to cover the rulings that at least minimum wages should be paid to workers

It was report that the increases are in line with increases in the National Living Wage and inflationary factors.

The Executive Scrutiny Board resolved to note the report.	
Item 12	Development of high quality office complex (Bold Lane)
<p>Members considered a Council Cabinet report of the Cabinet Member for Communities and City Centre Regeneration and Strategic Director for Communities and Place seeking approval to progress the Business Case for a direct development by the Council of high quality, commercially-let offices at Bold Lane.</p> <p>The Board queried if there was a reason that the likelihood and impact of risks had not been included as part of the business case and was informed that this hadn't been deemed necessary at this stage of the project.</p> <p>The Executive Scrutiny Board made no recommendations to Council Cabinet but requested that future business cases for this type of project include the likelihood and impact of risks as part of the risk register.</p>	
Item 13	Social Impact Bond for Children in Care and on the Edge of Care
<p>Members received a Council Cabinet report of the Cabinet Member for Safeguarding and Children and Young People and Strategic Director for People's Services to approve proceeding with the development of a final social investment proposal to the Life Chances Fund.</p> <p>The Board queried how this would operate and were informed that this is a very new and innovative model for service delivery which would involve tendering for an investor who are then incentivised to work with partners to deliver specified outcomes for children and young people. The Board was informed that by working with other funding sources and other Local Authority partners, this will bring interventions into Derby which would be more difficult otherwise. It was also reported that as this is a very new approach to service delivery there are potential risks which will need working through very carefully, and these will be further considered during the procurement and engagement process.</p> <p>Members queried why Derbyshire is not included in the joint procurement between Derby City Council, Nottingham City Council and Nottinghamshire County Council and were informed that Derbyshire had decided not to get involved, possibly due to the risks and uncertainty involved.</p> <p>The Board stated that it was generally in support of this approach in principle, but would like to see some case studies included in the report to Council Cabinet expected in Summer 2018 as outlined in the recommendations.</p> <p>The Executive Scrutiny Board resolved to request that the report due to be submitted to Council Cabinet in Summer to approve the award of the contract includes some case studies to enable better understanding of the service delivery model prior to approval.</p>	

Item 14	The payment of an annual grant to Derbyshire Wildlife Trust for the management of Land called Derwent Meadows at Derby Commercial Park, Raynesway, Derby
<p>Members received a Council Cabinet report of the Cabinet Member for Finance and Governance and Strategic Director for Communities and Place to approve the Council in making a grant award to Derbyshire Wildlife Trust each year for the period of 2018 to 2028 for the management of the Derwent Meadows Nature Reserve.</p> <p>It was reported that, in 2007, Derby City Council granted planning consent for a large commercial development that is now known as 'Derby Commercial Park'. One of the conditions of the planning approval was for the developer to gift to the Council (by way of a 99 year lease) circa.60 acres of land adjacent to the River Derwent (referred to as Derwent Meadows) and for this land to be managed by the Council as a nature reserve.</p> <p>The Board was informed that a further report will be submitted to Council Cabinet in the financial year 2017/8 to seek approval to the future financial and management arrangements for the Derwent Meadows Nature Reserve.</p> <p>The Executive Scrutiny Board resolved to note the report.</p>	
Item 15	Budget Outturn Quarter 3, 2017/18
<p>Members considered a Council Cabinet report of Cabinet Member for Finance and Governance and Chief Executive summarising the Council's overall financial position at the end of December 2017 against the budget approved by Council on 15 February 2017. This included:</p> <ul style="list-style-type: none"> • Revenue budget • Capital budget • Reserves • Treasury • Dedicated Schools Grant (DSG) • Collection Fund • Housing Revenue Account (HRA) <p>Members again queried the capital programme slippage and inaccurate spend forecasting. Officers reassured Members that they are aware that this is still an issue and that alternative ways of demonstrating progress of spend on projects in the capital programme would be looked at.</p> <p>The Executive Scrutiny Board made no recommendations to Council Cabinet but resolved to request that further thought is given to how progress against items in the Capital Programme can be better demonstrated.</p>	
Item 16	Performance Monitoring 2017/18 – Future Of Derby Pledges December 2017 And Quarter Three Results
<p>Members considered a report of the Cabinet Member for Finance and Governance and</p>	

Chief Executive on progress made towards the Future of Derby 50 Pledges (Council Delivery Plan) and includes highlights from key performance measures included in the Council Scorecard.

Members were informed about the notable achievements, improving performance, and areas of slippage and deterioration of performance at quarter one.

It was also reported that there are three Performance Surgeries scheduled to take place by the end of April 2018 on Sickness absence (update), the rise in child protection plan numbers / rates; and a review of the impact of the SIF Improvement Plan.

Members queried the difficulty in increasing the number of free school breakfasts and were informed that there are a range of issues preventing take-up, including resistance by schools and the practicalities around the nature, provision and clean-up of breakfasts. It was also reported that some schools already provide paid for breakfasts as part of their pre-school/day care arrangements.

Members again raised the issue of the number of days lost per employee through sickness absence and the achievability of this. Officers clarified that although it was not expected that the target of 8.5 days would be achieved, it wouldn't be appropriate to not aim for the national average as a target.

Members queried that as 34% of targets are being missed, are there too many ambitious targets in the scorecard and suggested that it might be better to make some of the nearly missed targets more achievable so that more problematic issues could be identified and addressed. The Board requested that as part of the next year's target setting they would like to see previous and future targets presented together for comparison. The board also requested that the performance data be presented in colour as a one-off.

No recommendations to Council Cabinet were made by the Board on this item, however the Board requested that as part of the next year's target setting they would like to see a report presenting previous and future targets (in colour) together for comparison.

Item 17	Contract and Financial Procedure Matters Report and Libraries Strategic Review: Funding to support Community Managed Libraries Addendum
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Members considered a Council Cabinet report of Cabinet Member for Finance and Governance and Chief Executive outlining a number of items that require reporting to and approval by Council Cabinet under Contract and Financial Procedure rules.

Members of the Board queried the request to carry forward Neighbourhood Budgets underspend of £118k and requested a breakdown of which wards this underspend has come from.

Members also queried the contract waiver for operation of the Assembly Rooms, Chapel Street and Bold Lane car parks and how this will work once demolition work on the Assembly Room commences and if the car park operation is affected by this. The Board was informed that the Terms and Conditions of the Contract will allow for the Council to extract itself from this part of the agreement if necessary.

On the Addendum relating to Communities Managed Libraries (CMLs), Members queried if there had been an addition of funds into the funding pot, local groups interested in managing the libraries should be made aware as soon as possible. Officers clarified that the addition was funds was a movement of funds already attributed to the development of CMLs but was being moved to allow more flexibility and increase the likelihood of all the community benefits being delivered successfully across all four years of the project.

The Executive Scrutiny Board made no recommendations to Council Cabinet on this item.

Item 20	Review of the Council's Insurance Strategy
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Members considered an exempt report to Council Cabinet of the Cabinet Member for Finance and Governance and the Chief Executive containing information in relation to the Review of the Council's Insurance Strategy.

The Executive Scrutiny Board made no recommendations to Council Cabinet on this item.