

Time Commenced – 18:00
Time Finished – 19:20

Corporate Scrutiny and Governance Overview and Scrutiny Board

04 October 2016

Present: Councillor Stanton (Chair)
Councillors Bayliss, Carr, Graves, Hassall, Hezelgrave,
Jackson, J Khan, Pegg, Poulter and Whitby

In Attendance: Councillor Bolton, Andy Smith, Martyn Marples, Christine
Durrant, Alan Smith, Mike Kay, Heather Greenan, Chris Pook

27/16 Apologies for Absence

Apologies for absence were received from Councillors Graves, Jackson and Poulter.

28/16 Late Items

There were no late items.

29/16 Declarations of Interest

Councillor Williams declared an interest in Item 12 of the Council Cabinet Agenda.

30/16 Minutes of the meetings held on 06 September 2016

Minutes of the meeting held 06 September 2016 were agreed as a correct record.

31/16 Forward Plan

The Board considered the Forward Plan which was published on 06 September 2016.

The Board resolved to note the Forward Plan.

32/16 Referral from Supporting Derby's Workforce Board

The Board considered a referral in the form of a Minute Extract from the Supporting Derby's Workforce Overview and Scrutiny Board. It was reported by the Chair that at its July meeting, the Supporting Derby's Workforce Board resolved to ask the Corporate Scrutiny and Governance Board to consider

undertaking a topic review on the subject of ICT Business Systems. Members of the Corporate Scrutiny and Governance Board agreed that undertaking a topic review on this subject was outside of the remit of this Board. The Board also agreed that as ICT services are within the remit of the Supporting Derby's Workforce Board and this Board has the capacity to accommodate it, the item should be added to the work programme and reported to a future meeting of that Board. The Board also agreed that the outcomes from this would be considered by the Corporate Scrutiny and Governance Board for any further action.

The Board resolved to:

- 1) request that an update on of ICT Business Systems is added to the Supporting Derby's Workforce Board work programme and reported to a future meeting of a Board; and**
- 2) request that the outcomes of the consideration of the ICT Business Systems Update is reported to the Corporate Scrutiny and Governance Board for any further action.**

33/16 Performance Items

The Board considered a report of the Chief Executive which allowed Members to discuss any performance issues raised by the Board and allowed officers to present information to the Board on scheduled items from the Performance Forward Plan.

The Board received a presentation from the Policy and Improvement Manager to give Members an overview of inspections and assessments in services for children and young people and the Ofsted framework for these inspections. It was explained to the Board that there are currently four inspections being planned for, with varying degrees of risk of them happening soon and levels of impact on services and staff when they do occur. The four potential inspection areas are:

- 1) Children in Need - children in need of help and protection, children looked after and care leavers under the Ofsted 'single inspection framework (SIF). This would likely occur with 24 hours notice and would be a judgement based inspection. The inspection would last for four weeks. Both the risk and impact of this inspection were reported as 'high'.
- 2) SEND (Special Educational Needs and Disability) – Joint inspection of Ofsted and the CQC (Quality Care Commission). Inspection of local areas' effectiveness in identifying and meeting the needs of children and young people who have special educational needs and/or disabilities. This would likely occur with one week's notice and there would be a lot of work required within this week before inspectors come in. The inspection would then last for a week. The risk was reported as 'high' and impact as 'medium'.

- 3) Multi-Agency / Joint targeted area inspection – will involve multiple agencies such as Ofsted, the Care Quality Commission, (CQC), Her Majesty's Inspectorate of Constabulary (HMIC) and Her Majesty's Inspectorate of Probation (HMI Probation). There will be an 8 day notice period and the inspection will also for 3 weeks and will also look at the Children's Safeguarding Board. Both the risk and impact of this inspection were reported as 'high'.
- 4) Local Area School Improvement (LASI) Assessment – It was reported that Derby City hits a number of triggers for this type of assessment. This would occur with one week's notice and last for two weeks.

Members were informed that it is very likely that inspections 1 and 2 would happen over the next few years, but in reality an inspection could happen with short notice at any time, meaning that the Council always has to be 'inspection ready'.

Members queried whether mental health would be included in inspections and whether our engagement with other authorities in this area would be looked at. Officers informed the Board that this would likely be looked as part of any relevant inspections. Members also queried whether there is a risk that inspections could occur concurrently, and were informed that although this is unlikely it is not impossible.

It was further reported that the Council had plans to host a number of peer assessments and has already carried out four of the five planned events, including a 'Mocksted' which took place during the week of 26-30 April 2016, a SEND 'preparing for adulthood' event and a pilot diagnostic with the LGA on CSE (child sexual exploitation) both in July 2016. Members were informed that high level outcomes would be reported to a future scrutiny meeting.

It was resolved to note the report and presentation.

34/16 Council Cabinet Response to Scrutiny Recommendations

The Board considered a report of the Chief Executive which allowed the scrutiny board to receive responses from Council Cabinet on recommendations made at the previous Board meetings held on 07 September 2016.

The Board resolved to note the report.

35/16 Council Cabinet Agenda

The Board considered a report from the Chief Executive on the Council Cabinet Agenda. Members considered the Council Cabinet Agenda in its entirety for the meeting scheduled for Wednesday 07 September 2016 and made a number of comments and recommendations to Council Cabinet.

Item 8 - Proposed Realignment of Victory Road

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 enter into all contracts necessary to deliver works to realign Victory Road.

Members of the Board praised officers for negotiating and securing a favourable deal which would protect the Council from financial risk unless costs arise as a direct result of Council negligence in the management of the contract. The Board queried the governance arrangements that had been put in place to ensure that this risk is minimised and were reassured by officers that quality assurance and project management systems were in place to ensure that this does not occur.

It was resolved to:

- 1) Endorse the recommendations contained within the report; and**
- 2) Congratulate the Regeneration Team and officers involved in this work across the Council for negotiating the deal which will enable this project to be delivered.**

Item 9 - Period 4 – Revenue Budget Monitoring 2016/17

Members considered a Council Cabinet report of the Leader of the Council and Chief Executive providing details of the latest financial position and forecast outturn for the 2016/17 Revenue Budget as at Period 4. It was reported that the latest forecast position is showing an overspend of £1.921m, 0.88% against the budget requirement of £219.225m but that remedial action was being taken mitigate this overspend.

It was further reported that savings targets of £19.009m are included within the 2016/17 budget figures and the forecast achievement of these savings is included within the latest forecast position. Further detail on the savings targets and likelihood of achieving these targets was detailed in the report. Members queried what the financial position was this time last year and were informed that the Quarter 1 position also predicted an overspend last year, which was successfully mitigated. Members were informed, however, that it would be unlikely that there would be an underspend as issues which caused this have since been resolved.

Members queried a number of items detailed in the movement of reserves including the implementation of Liquid Logic and the pool feasibility study. Members were reassured by officers that these elements already formed part of the long term plan for these work areas.

The Board resolved to note the report.

Item 10 - Contract and Financial Procedure Matters

Members considered a Council Cabinet report and an Addendum of the Leader of the Council and Chief Executive on items that require reporting to and approval by Council Cabinet under Contract and Financial Procedure rules.

It was reported that items included:

- Award of Grant to Prison Service
- Changes to the current 2016/17 capital programme, including additions to the programme that have been agreed under the Scheme of Delegation and changes to the Property, Regeneration and Schools programmes.

The Board queried a change to the capital programme in relation to the Markeaton Park Rangers Office Fire Risk Assessment (FRA) project. Members were concerned that the reduction did not include detail on the financial start and end point, and what budget would remain for this after the following the proposed reduction. The Director of Finance agreed to circulate more detail to the Board on the proposed reduction to the Markeaton Park Rangers Office FRA Project.

The Corporate Scrutiny and Governance Board resolved to request further information be provided by the Director of Finance on the proposed reduction in the Capital programme to the Markeaton Park Rangers Office Fire Risk Assessment (FRA) project.

Item 11 - Local Growth Funded Projects

Members considered a Council Cabinet report of the Cabinet Member for Communities and City Centre Regeneration and Director of Communities and Place seeking approval for proposed changes in funding arrangements for the Becketwell and A52 Wyvern Improvement Schemes and to approve changes to grant funding conditions, as set out in the report.

Members queried the continued commitment of funds through the LEP under the new arrangements to deliver to completion of the project(s). It was reported that the agreement ensures that the funds are under obligation as long as we deliver the outcomes as agreed. Members were also reassured that the funds will be presented as if on an interest free loan basis until the time that this transfers to grant status.

The Board resolved to note the report.

Item 12 - D2N2 European Structural Investment Fund 2014-2020

Members considered a Council Cabinet report of the Deputy Leader of the Council and Cabinet Member for Communities and City Centre Regeneration and Strategic Director for Communities and Place which seeks approval from to accept and agree grant arrangements for a number of ERDF funded

projects. It was reported that the Council is now moving towards formal grant agreements has been working with partners to develop collaborative proposals to the European Regional Development Fund to respond to ESIF calls. It was further reported that the Council has been approached to be a Partner within the Building Better Opportunities – Towards Work Programme by Groundwork Greater Nottingham.

Members queried the situation with regards to European Funding following the EU Referendum decision and were reassured that the Government has confirmed that projects with Funding Agreements or contracts in place before the Autumn Statement, will be funded – even if projects will continue beyond the UK's exit from EU. This has resulted in a surge of activity to get as many agreements as possible in place leading up to the release of the Autumn Statement towards the end of November 2016.

The Board resolved to note the report.

Item 13 - Annual Report 2015/16

Members considered a Council Cabinet report of the Leader of the Council and Chief Executive to approve the Council's Annual Report 2015/16 for publication.

It was reported that the Annual Report provides evidence to the local community on the Council's achievements and progress against Council Plan priorities for the previous year, and demonstrates good governance and value for money.

Members queried the lack of detail provided in the report on the two recent audit reports which are now in the public domain, and the lack of reassurance in the report in relation to this that remedial action is being taken. Members were reassured that the reports are mentioned in the Annual Report, but that the Annual Report relates to actions and achievements in alignment to the Council pledges and priority commitments. Members were informed that the detail requested in relation to the two audit reports would be included in the Council's Annual Governance Statement.

The Board resolved to note the report.

MINUTES END