

EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Tuesday, 6 March 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.20 pm

Members Present: Councillors R Bassett (Planning Portfolio Holder) (Chairman) D Wixley (Vice-Chairman) Ms R Brookes, K Chana, Mrs S Jones, Mrs M Sartin, D Stallan, G Waller and Mrs J H Whitehouse

Other Councillors: Councillors K Angold-Stephens, A Boyce, Mrs T Cochrane, Mrs D Collins, D Dodeja, Mrs R Gadsby, Mrs M McEwen, G Mohindra, J Philip, Mrs C Pond, B Rolfe, Mrs P Smith, Mrs L Wagland and C Whitbread

Apologies: Councillors D Jacobs and S Murray

Officers Present: D Macnab (Acting Chief Executive), J Gilbert (Director of Environment and Street Scene), I Willett (Assistant to the Chief Executive), J Nolan (Assistant Director (Environment & Neighbourhoods)), C Wiggins (Safer Communities Manager), S G Hill (Senior Democratic Services Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

By Invitation: Cllr R Gooding (Essex County Council), J Boyd (Essex County Council), Ms L VanClay (Essex County Council) and L Seward (Harlow Council)

78. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

79. SUBSTITUTE MEMBERS

It was noted that Councillor Mrs J Whitehouse had substituted for Councillor D Jacobs.

80. MINUTES

RESOLVED:

That the minutes of the last meeting of the Committee held on 24 January 2012 be agreed.

81. DECLARATIONS OF INTEREST

Councillor Janet Whitehouse declared a personal interest in agenda item 6 as she was a member of Essex County Council.

82. ESSEX COUNTY COUNCIL AND CHILDREN SERVICES

The Committee received a presentation from County Councillor Ray Gooding, the Deputy Portfolio Holder for Children Services, Jenny Boyd, the Director of Local Delivery West and Lonica Vanclay, Head of Locality Commissioning. They were there to speak about progress made by County on the provision of children services and to respond to the recent District Council's Task and Finish Panel's report on children services. A copy of their presentation is attached to these minutes.

The Committee noted that in recent years ECC's Children's Social Care was characterised by high levels of unallocated work; the use of high numbers of agency staff; they were risk adverse with a process led and procedure driven culture, which was managed from the centre. This tended to lead to high numbers of children in care and subject to child protection plans, with a significant number of serious case reviews with a high spend on legal services; this resulted in defensive or reactive practices. Essex County Council reacted by putting in a strong and robust improvement plan which resulted in an improved Ofsted inspection (in September 2011) of an improved rating to "Adequate" from "Inadequate" in previous years. They have now moved into phase 2 of their improvement plan.

A new senior management team and a new quadrant structure had been put in place to bring practices in line with the principles of the Munro review of child protection. They aimed to invest in staff, improve supervision and support for social workers, improve social work practice, use social work skills to work with families to bring about change and build resilience. They were also building strong relationships with key partners to enable collaborative working and an integrated approach to providing help to families.

Each of the quadrants would cover the whole portfolio of operational Children's Social Care, with the commissioning budgets and associated decision making devolved down to each quadrant. The quadrant directors would hold strategic county wide leads and be responsible within the locality partnerships for all Social Care quadrant delivery.

Achievements in the West / Epping Forest District included bringing down the number of unallocated cases; completing the number of assessments within the timescale; the number of children on a child protection plan was down considerably; and many families were now supported at an earlier stage. It was also noted that a professional disagreement process was adapted with West contacts.

County were developing a single strategic commissioning approach across children's and adult services and wanted to work with partners for smarter commissioning with reduced duplication and costs.

They were reviewing what they would deliver directly and what they would commission others to deliver. But, as with all public bodies they were bound by procurement regulations on tendering. They noted that there were advantages in up-scaling and that some commissioning would be County wide and some local. Although EFDC's Task and Finish Panel had recommended that the District Council take over most of the local youth services, County were bound to go through the local procurement / open tendering process.

Recommendation 4 of the Task and Finish Panel's report had asked for a formal system to be put in place so that elected members were informed of how to and who to liaise with at County when they had problems or safeguarding issues. County had set up the Members Enquiries Team in May 2011 as part of a pilot to improve and establish a process for responding to Member and MP correspondence in relation to complaints and formal representations. Their service standards are:

- Formal e-mail acknowledgement – 24 hours;
- Formal letter acknowledgement - 3 working days ; and
- Full response timescale – up to 10 working days.

The pilot phase had ended in December 2011 and this process would be formalised between April and June 2012 including a formal policy and procedure document which would be published for Members and MPs. Contact should be in writing (preferably) to keep track of details, etc. The contact details are:

- **E-mail** – member.enquiries@essex.gov.uk
- **Postal address** – Member Enquiries Team, Essex County Council, County Hall, Chelmsford, CM1 1LX;
- **Telephone** – 01245 437278 (for Highways related issues the number is: 08457 430430).
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The service operates from Monday to Thursday 9am to 5.30pm and Fridays 9am to 4.30pm.

In response to the Task and Finish Panel's report, District Councillors were welcome to participate in this service. This service would not prohibit members from corresponding with officers directly.

The Chairman thanked Jenny Boyd, Lonica Vanclay and County Councillor Ray Gooding for their informative presentation. He understood that there had been problems last year and they were in the middle of rectifying them this year as changes in organisations took time to bear fruit. He then asked if they could speak about local commissioning.

The meeting were told that through the West Children's Commissioning and Delivery Board and the EF District Children's Partnership (which Julie Chandler chairs); partners had identified a number of areas for services to be commissioned and following a procurement process, this will move forward locally. They knew that a centralised approach was efficient but could conflict with what was needed locally. Services could be commissioned both centrally and locally to create the best outcomes for people.

He then opened the meeting up to member's questions.

Q. Can you give us some specifics about what was happening in our district? There was a need to clarify the role we play in Children's Services and the statistics for our area.

A. The relevant information and statistics for this area is provided quarterly to WECCDB members (Julie Chandler for EFDC) and is on the Essex Insight websites, but they agreed that it would be helpful to be more proactive on this and circulate summarised information regularly. EFDC's representative on the Stay Safe Group would have a lot of the safeguarding information and could circulate this to Members. The number of families being helped by multiagency activity and by CSC was known, but it was hard to get exact figures on total numbers as a family could be in touch with only just one organisation and not several.

Q. Trouble families in our area need help, are we given this information?

A. No names are provided as families would have to give consent for us to share their details. Your housing officers have access to some of this information and are invited to attend joint planning meeting for specific cases when they are involved.

Q. It's not satisfactory to say that our representative at the Stay Safe Group has all that information, as we still had concerns. We need to convert this high level of information into general, useful information for the district. We have raised the question of children at risk and had put these to ECC but were told that we had not followed proper procedures. We were also told that Housing Officers had trouble referring families to ECC. Are these systems getting better?

A. We share your concerns of these cases; information should be shared with the people who need to know. We need to look at how these protocols work and that the District Councils are aware of the protocols and how they work and why. This is something we shall take away today to consider. We must move on from our past mistakes and work on a joint basis.

Jenny Boyd added that if members or officers had serious concerns on safeguarding issues then we should let her know – we need to gain the trust of yourselves and the public.

Q. This is a disappointing report – you have climbed up from special measures and are now regarded as 'Adequate'. What you have achieved is good news but this is a year of cutbacks with two more years to come. I am worried for our children, EFDC had not made cutbacks to its services for children, but I cannot see that it would get any better in the next two years and this was very worrying.

A. We would never accept just 'Adequate' and are aiming for outstanding; but it will take time for us to put the processes in place. We feel optimistic about the direction we are going in.

Q. What does your budgets look like?

A. It looks fairly robust for Children Services. We may have to make some cuts but not to front line services. We are also looking at contracts etc.

Q. As member for Loughton Alderton, how much can you provide for the 'Sure Start' in the future?

A. This is tailored to particular areas to suit local requirements; we do not know your particular circumstances.

Q. There is a review of Youth Services going on at present. There are concerns about the youth centre only open one night a week. Can the volunteer sector take up the slack?

A. Our understanding is that things are offered at the Borders Lane centre for four nights a week by ourselves and the voluntary sector. There needs to be more work to ensure the building is used during the day and in the evening. There are issues about keys and insurance etc. that causes difficulties.

Q. We have partnership arrangements with local charities working with young people, such as 'Home Start'. I am not sure that they get grants from County. To what extent do you work with such organisations?

A. We work with a lot of organisations, including 'Home Start' who we do give funding to and who would get funding from elsewhere as well.

Q. We run the new centre at Limes Farm without any difficulties in relation to keys and other things. I think the Borders Lane debacle was largely the result of not looking at this on a local basis and not just as a broad brush exercise. We would be much more comfortable if we felt Essex was making the right judgement calls between what was being done locally and what wasn't. We need to get things down to a local level and are disappointed that it was not happening. There are three questions I would like answered either now or taken away:

- 1) How are the Early Intervention Fund for child and adolescent mental health, centrally commissioned services be evaluated to ensure they meet local needs and priorities on the ground?
- 2) What has ECC decided it is going to do with the Youth Centre at Ongar, given that services are reducing? And
- 3) Will it be for the county to be measuring the impact of the loss of youth service provision or will that be something for us?

A. We will take these away and look into them.

The Chairman summed up by saying that ECC was still coming to grips with the problems and issues to be addressed. Whilst we appreciated it was work in progress there are still many areas of concern and he asked if they could come back again in about 6 months time or so to update us? Councillor Gooding replied that he was happy to do so. Tonight had proved to be helpful and it was important that we worked together; the District needed to be their eyes and ears.

Subsequent to the meeting, the following answers to the above questions were provided:

- 1) How are Early Intervention Fund for child and adolescent mental health, centrally commissioned services be evaluated to ensure they meet local needs and priorities on the ground?

Contracted providers will provide regular monitoring reports and the Local Hub Teams will have regular contact with providers. This information is shared with the WECCDB.

- 2) What has the ECC decided it is going to do with the Youth Centre at Ongar, given that services are reducing?

With fewer youth workers ECC will be changing focus from solely direct delivery to include a youth and community development role supporting the development and delivery of youth provision by local people in line with the Big Society approach. Following the restructure there will be a reduction in direct delivery by ECC; however Youth Workers role will encourage growth of new recreational based activity. Ongar Youth Centre will be a key asset in delivering this.

- 3) Will ECC be measuring the impact of the loss of local youth service provision, or will this be down to the District Council?

As stated above following the restructure there will be a short period of service reduction however part of a Youth Workers role will be to encourage growth of new recreational based activity. Supported by local partnerships there may well be an increase in overall activity as is already happening in some areas. Essex County Council will be monitoring this, including partners through local partnerships.

83. UPCOMING HEALTH REFORMS

The Committee was due to receive a presentation from Malcolm Morley (Chief Executive Harlow Council), Councillor Ann Naylor (County Council Portfolio Holder Adults, Health & Community) and Clare Hardy (Senior Manager, Adults, Health and Community Wellbeing at ECC) on the upcoming health reforms. However, neither of these people could attend and gave their apologies. In their place we had as a last minute replacement, Lynn Seward, Harlow's Head of Community and Customer Services. She noted that the link between public health local authorities went back to

1864. There were now statutory duties placed on District Councils regarding public health and community safety. Local authorities were required to tackle the causes of preventable ill-health and inequalities; support individuals in making healthy lifestyle choices; support community development and a sense of wellbeing; hold others to account for ensuring appropriate access to health services; and act as an advocate/ lobby for investment of resources for improvements.

District Councils will have three important roles in Health and Wellbeing especially as they have local knowledge, both at officer and member level. The roles being:

- 1) holding others to account for their contribution to improving health and wellbeing;
- 2) co-ordinating own services, commissioning and provision of services, partnership working; and
- 3) input into and influence of the Health and Wellbeing Board, West Essex and the local partners.

Presently the Health and Wellbeing Boards sit at County level and currently exist only in shadow form and are looking for district representatives.

The Acting Chief Executive, Derek Macnab, commented that there were two Chief Executives on the shadow board and we could feed in concerns through them.

The Chairman asked how the board would commission services and was told that it would probably be through the Clinical Commissioning Groups via local GPs. The Health and Wellbeing Board would look at the need of the District and feed it to the clinical commissioning boards.

Councillor Wixley asked how she saw the Public Health Landscape developing over the next 5 years. He was told that the landscape was changing; they were looking more to preventing rather than treating health problems.

Councillor Wixley then asked what role the District Council could play. Ms Seward said they were looking more at prevention. An example would be that the District Council could look to use planning and licensing laws to tackle obesity by not allowing fast food outlets. The Council could also play a key role in smoking prevention and teenage pregnancies.

The Council could prepare for the Health and Wellbeing Boards by giving them easy options by preparing some strategies that could be presented to them for their adoption.

The Chairman summed up by noting that the Health and Wellbeing Boards were coming, with details to be finalised; there was a need to work closely with our partners to make sure we were actively engaged with the best outcomes for our residents.

84. DRAFT CONSULTATION ON WASTE RELATED PENALTIES

The Chairman of the Safer Cleaner Greener Standing Panel, Councillor Sartin, introduced the consultation report on waste related penalties. The Standing Panel had received this report at their February meeting.

The Committee noted that that the government wanted to review waste related law on the premise that too many local authorities were unnecessarily penalising residents for what was seen as trivial offences.

The government had now come forward with its proposals for changing the law. It presented two main options:

- (1) the creation of mainly civil sanctions, but with the retention of some criminal sanctions; or
- (2) the removal of all criminal sanctions.

The government's preference was to decriminalise, and the Council generally agreed, but with some caveats.

This Council had always strived not to apply sanctions to householders but to educate and cajole them into behaving reasonably.

The Panel had considered the second option as the preferred way forward, but questioned whether the current civil enforcement laws were sufficient to deal the problems which arose. It was thought important however, to ensure that the criminal powers which remain are fit for purpose and enabled councils to take action where appropriate.

Officers were of the opinion that option 2 was preferable but considered that the "harm to the local amenity" was unnecessary and overly constraining. The council must maintain an ultimate sanction of a criminal offence where appropriate.

The Committee agreed with the Standing Panel's comments and endorsed the officer's response.

RESOLVED:

That subject to the Safer Cleaner Greener Standing Panel's comments, the Overview and Scrutiny Committee endorsed the draft response to the Defra consultation on waste related penalties.

85. OFFICER DELEGATION - 2011/12 REVIEW

The Chairman of the Constitution and Member Services Standing Panel, Councillor Stallan, introduced their report on officer delegation (2011/12 review). The Committee noted that each year a cross-Directorate Working Party of Officers carried out a review of Financial Regulations, Contract Standing Orders and Officer Delegation. Every second year a review of contract standing orders was also undertaken. These reviews are designed to keep these documents up-to-date and to reflect current statutory requirements and operational needs.

Such delegated authorities are agreed in one of two ways:

- (a) approval by the Council in respect of Council (i.e. non-executive and regulatory) functions; or
- (b) approval of the Leader of the Council for Executive (or Cabinet) functions.

The only new change in delegation relates to the detailed wording on tree preservation. The Standing Panel recommended this for approval by the Committee and Council. The remainder are executive delegations and have already been approved by the Cabinet and/or Portfolio Holders and will be incorporated in the

Constitution once the Leader of Council has reviewed and approved the overall schedule.

The Committee agreed with the Standing Panel and approved the recommendations in the report.

RESOLVED:

- (1) That a report be submitted to the Council recommending that the schedule of changes to Council delegation (at Appendix 1 of the report) be approved; and
- (2) That the changes to executive delegations be incorporated in the Constitution, once these have been signed off by the Leader of the Council.

86. EQUALITY ACT 2010 - EQUALITY SCHEME AND OBJECTIVES 2012 - 2015

The Acting Chief Executive introduced the report on the Equalities Act (2010), replacing the previous anti-discrimination legislation. The Equality Act consisted of a 'general equality duty', and a new Public Sector Equality Duty (PSED), which requires public authorities to at all times have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

The setting of specific equality objectives was intended to help public authorities to better perform the general equality duty, focusing on outcomes to be achieved.

In order to meet the Public Sector Equality Duty (PSED) the Council must:

- (a) annually publish sufficient information to demonstrate that it has complied with the general equality duty, including:
 - information on the effect that policies and practices have had on employees and people from the protected groups;
 - evidence of the analysis undertaken to establish whether policies and practices will (or have) furthered the three equality aims in the general equality duty, and details of the information used in that analysis; and
 - details of engagement undertaken;
- (b) publish information about the engagement it has undertaken, including that used in the development of equality objectives;
- (c) analyse and publish the effect of its policies and practices on equality, and evidence of equality analysis and details of information considered when carrying out analysis; and
- (d) prepare and publish appropriate equality objectives by 6 April 2012, and at least every four years thereafter.

Of the five objectives identified, the fifth one on procurement had not been written as yet, this would be brought forward in the near future as part of a review of the objectives.

Councillor Stallan asked that the procurement objective reflect the council's position on making payments in certain timescales; that is, within 20 days for local suppliers and 28 days for other suppliers. This was agreed and would be added to the objective on procurement.

Councillor Mrs Whitehouse noted that objective 3 had one of the protected groups as 'age'. Was there a specific age group this covered? She was told that a specific age had not been specified as it would depend on what services the person was accessing.

Councillor Mrs Whitehouse said that there was nothing in the report about practical ways the council could help people in need, such as the use of brail or sign language. She also noted that the report said that Epping Forest had the second highest number of Black and Multi Ethnic (BME) residents in Essex. But, she was told at a recent meeting that we had the highest number of BME residents. Which was right? She was told that it would be looked into and clarified. Also, she was right that the Council had various things in place to help people in need and they would be referenced in the report.

Councillor Smith asked if this Equality Scheme was the same as the council's own equality policy. She was told that it captured the council's current equality commitments in it. These were available on the intranet as separate documents.

RESOLVED:

That, subject to the comments made above and the concurrence of the Cabinet, the Council's Equality Scheme and Equality Objectives for 2012/13 to 2015/16, be agreed.

87. REVIEW OF FINANCIAL REGULATIONS

The Chairman of the Constitution and Member Services Standing Panel, Councillor Stallan, introduced their report dealing with the council's annual review of Financial Regulations which was conducted by a cross-directorate Officer Working Party. The report contained a recommendation for one change to Financial Regulations and a consequential amendment to the Budget Procedure Rules in the Constitution.

The proposed change related to virement limits, a virement being a transfer of funding from one budget heading to another.

The current Financial Regulations set out the arrangements for approval of virements against certain financial limits:

- (a) Up to £5,000 – by Directors subject to no virement between portfolio budgets, to the virement being within the Director's own budgets and to the transfer being within "cost centres";
- (b) Up to £10,000 – by Portfolio Holders, subject to the budget concerned being within the portfolio and to the other conditions as set out in (a) above;
- (c) £10,000-£100,000 – Cabinet approval;
- (d) £100,000 – Cabinet and Council approval

All virements are supervised by the Director of Finance and ICT.

The only change recommended for the procedure for virements up to £5,000 should be that the term "Cost Centre" should be amended to "Budget heading under the same budget page".

This would allow officers a greater degree of flexibility in managing their budgets. The current restriction of increments to within cost centres only was felt to be overly restrictive and necessitated Portfolio Holder involvement for insignificant changes to budgets. Expanding this to budget headings under the same page ensures that the money was still used for a similar purpose. A wider expansion of movement of funding within a directorate as a whole was not proposed as this would allow funds to be used for very different purposes.

RESOLVED:

That a report be submitted to the Council recommending that the schedule of amendments to Financial Regulations set out in Appendix 1 to the report be approved and pages G9-11 be deleted from the Constitution.

88. HOUSING APPEALS AND REVIEW PANEL TERMS OF REFERENCE

Councillor Stallan introduced the Constitution and Member Services Standing Panel's report reviewing two aspects of the terms of reference of the Housing Appeals and Review (HAR) Panel.

The first aspect that was reviewed was the order of business for presentation of cases to the Panel. The current order of business for consideration of cases by the Housing Appeals and Review Panel provides for the applicant/appellant to present their case and answer questions first, followed by the appropriate Housing Officer presenting his/her case and answering questions. Whilst this followed the order of most appeal proceedings it was considered that it did not lend itself particularly well to meetings of the Housing Appeals and Review Panel.

As a result, since an applicant/appellant had to present their case first, the HAR Panel felt that many struggled to follow the procedure and present a reasonable case. The Panel has said often that it was not until replies were given to questions from the Housing Officer and members of the Panel that the full extent of the applicant's/appellant's case became apparent.

The Panel therefore asked the Standing Panel to consider changing its terms of reference so as to change the order of proceedings, with the Housing Officer presenting his/her case first.

Councillor Smith wanted to know what was the latest time to agree who went first. Councillor Stallan said that no particular time had been stipulated, so it could be up to the time of the meeting. As long as they knew that they had the right to ask for this change before the meeting. In order to help this, a new recommendation 2 could be added saying "That the applicant be informed prior to the meeting of their right to change the order of presentation if wanted". This was agreed.

The second part to the report dealt with revising the appeals against the banding of an applicant.

Since May 2010, the Panel has considered nine appeals about the banding of an applicant including seven appeals since August 2011. In all cases the Panel had upheld the officers' decisions and dismissed the appeals. In such cases the role of the Panel was restricted to determining whether an appellant has been placed in the correct Band of the Allocations Scheme by officers having regard to the facts. The majority of these appeals concern priority given for medical conditions and as the Scheme specifies that medical priority is determined by the Council's Medical Adviser, the Panel had little discretion.

The Housing Appeals and Review Panel have advised that in their view banding appeals should not be dealt with by them and that the right of appeal should end with one of the Assistant Directors of Housing. The Standing Panel agreed with this and on consideration so did the Overview and Scrutiny Committee.

RESOLVED:

(1) That a report be submitted to the Council recommending that the existing order of proceedings at meetings of the Housings Appeals & Review Panel be retained but a new paragraph (to be numbered (7)) be added to the Panel's terms of reference as follows:

“(7) If requested by the appellant/applicant or their representative, the Chairman may agree to (6)(b)-(d) above taking place after (e)-(g) and to (h) and (i) being reversed”.

and the Constitution amended accordingly;

(2) That the applicant be informed prior to the meeting of their right to change the order of presentation if wanted, as set out in (1) above;

(3) That the arrangements set out in recommendation (1) above be reviewed after six months; and

(4) That paragraph 1(i) (relating to the banding of an applicant, in accordance with the Housing Allocations Scheme in being at the time of the decision) be removed from the terms of reference of the Housing Appeals and Review Panel and the Constitution amended accordingly.

89. APPOINTMENTS AT ANNUAL COUNCIL - REVIEW

The Committee received a report from the Constitution and Member Services Scrutiny Standing Panel on their review of the operation of the new Appointments Panel set up last year. This report reviewed the experiences of last year together with some issues requiring decision on the future operation of the Panel.

Last year the Council operated the Appointments Panel for the first time. As envisaged, documentation was circulated by officers prior to the election period. This information comprised:

- (a) A pre-election pro rata exemplification table;
- (b) A pro rata advice sheet;
- (c) Counsel opinion on calculating pro rata;
- (d) New Group Constitution Forms;
- (e) Individual group member forms;
- (f) Terms of Reference of the Panel;

- (g) A blank Committee nominations sheet (showing previous years nominations);
- (h) A blank outside organisations sheet for council appointed bodies; and
- (i) Vice Chairman nomination forms (as appropriate).

The Standing Panel had taken comments of members and took the view that the Panel operated successfully last year and should continue this year and had recommended accordingly.

It was noted that the allocation of Chairmanships and vice-chairmanships and outside organisations was suspended for the period of one year (except for sections 6(a) to (c)) to allow the new system to operate. The Standing Panel was asked to review this element in the light of operational experience and had taken the view that, as they were recommending the continuance of the Appointments Panel, the suspension of the protocol (in part) should continue for a further period until a review could be undertaken in the following year. This would enable officers to bring forward proposals for rescinding of the protocol linked to the inclusion of a 'statement of principles' within the Panels Terms of Reference of the Appointments Panel which would have the effect of limiting the scope of its recommendations to Council on Chairmanships, Vice Chairmanship and Outside Body positions.

The Standing Panel noted that the appointment of the Vice Chairman of Council was governed by Article 5 of the Constitution. Last year it was agreed that no changes would be made to the nomination process save that nomination forms would come to the Appointments Panel.

The Standing Panel also suggested that two dates be set aside for the Appointments Panel, Thursday 10 May and Tuesday 15 May 2012 and had recommended accordingly.

The Committee accepted the Scrutiny Standing Panels proposals as set out and commend them to Council.

RESOLVED:

- (1) That the Appointments Panel continue to operate without changes to its terms of reference and continue in operation thereafter until any further review was necessary;
- (2) That the protocol on the Allocation of Chairmanships and Vice-chairmanships and Outside Organisations (except for sections 6 (a) to (c) in the protocol - the provision for pro-rata for Chairmen) be suspended for a further period of one year and then reviewed;
- (3) That Article 5 of the Constitution (in relation to the nomination of the Vice Chairman appointment to Council) be amended by the inclusion of the following words at the end of Article 5.02 (c) "and notified each year to the Appointments Panel for consideration and onward recommendation to the Annual Council meeting"; and
- (4) That meetings of the Appointments Panel be held on 10 and 15 May 2012 (if necessary).

90. WORK PROGRAMME MONITORING

Work Programme

(a) Overview and Scrutiny Committee

Item 12 – Review of the Police and Fire Rescue Service – the Committee thought that the two services should be separated out. It was noted that as the Police and Crime Commissioner would only be in place in November 2012 they should be reviewed in 2013.

The Fire and Rescue service would fit more aptly into the Safer Cleaner Greener Standing Panel and it was agreed that they should go to this Panel after the Olympics were over. A note is to be put in the Members Bulletin to advise members when they are coming so that non-Panel members could attend.

(b) Standing Panels**(i) Constitution and Member Services Standing Panel**

It was noted that they had completed their work programme for the year. Items 16 and 19 are to be considered next year and their work programme for next year was full.

(ii) Safer Cleaner Greener Standing Panel

At their last meeting they received a presentation from Essex Police on their 'Blueprint' and had Councillor Anthony Jackson there to talk about the upcoming Police and Crime Commissioner election. They noted that an EFDC member was to be appointed to the Police and Crime Panel at the annual council meeting.

It was noted that the review of the Fire and Rescue Services was now on their work programme. To be reviewed after the Olympic Games.

(iii) Planning Services Standing Panel

It was noted that they were now using their revised work programme.

(c) Next Year Work Programme

New Item – Councillor K Angold-Stephens had put in a request for the Committee to consider a new item for their work programme. He requested that the County Portfolio Holder for Highways, be invited to the Overview and Scrutiny Committee to speak about the changes that have been made in the past year and how they saw it turning out for the future, particularly the relationship between Highways, the District and the Public. He would also like comments on the current and future funding situation.

The Committee agreed that this item should be added to their work programme. They would like:

- to have this as soon as possible (June/July if possible);
- they would like to discuss and confirm the questions to be asked at the meeting before;
- they would like information on how the Highway contractors would work; and
- how they could be contacted.

91. CABINET REVIEW

The Committee considered the Cabinet agenda for their meeting to be held on 12 March 2012. Members wanted to know how long the whole process would take for the sale of Leader Lodge (item 8 on their agenda).

CHAIRMAN

Essex means business

Improving outcomes for children, young people and families in Epping Forest

Lonica Vanclay, Head of Locality Commissioning
Jenny Boyd, Director of Local Delivery West, Children's Social Care

The need to improve

Essex CC Schools Children, & Families rated 'inadequate' in JAR 2009; made subject to gov intervention Dec 2009; rated 'inadequate' in SLAC Ofsted Inspection in 2010.

ECC Children's Social Care was characterised by:

- High level of unallocated work;
- High number of agency staff;
- Risk averse, process led and procedure driven culture
- Managed from the centre – lack of devolvement for budgets and decision-making

**SERIOUS
ABOUT
SOCIAL WORK**

Impact

- High numbers of children in care and subject to child protection plans
- Significant number of serious case reviews
- High spend on legal services
- Avoidance of decision making
- Defensive or reactive practice

**SERIOUS
ABOUT
SOCIAL WORK**

Response

- Improvement Plan
- New DCS in 2010; new Director of Social Care in summer 2011
- Announced Ofsted inspection September 2011 - improvements recognised and “adequate” rating given
- Gov intervention lifted Dec 2011- move to Phase 2 improvement
- Positive Adoption Inspection Feb 2012

**SERIOUS
ABOUT
SOCIAL WORK**

The vision

- A new senior management team and a new quadrant structure in place....and a determination to achieve a wholesale culture shift to bring practice in line with principles of Munro review of child protection
- We aim to invest in staff; improve supervision and support for social workers; improve social work practice; use social work skills to work with families to bring about change and build resilience; integrate children and families' perspective into assessments
- We aim to develop good strong relationships with key partners to enable collaborative working and an integrated approach to providing help to families

**SERIOUS
ABOUT
SOCIAL WORK**

Structure

- 4 quadrants, each covering the whole portfolio of operational Children's Social Care
- Commissioning budgets and associated decision making devolved
- Some county-wide services retained – but with operational links
- Quadrant directors hold strategic county wide leads
- Quadrant directors responsible within locality partnerships

**SERIOUS
ABOUT
SOCIAL WORK**

Achievements in West/Epping Forest

- the number of unallocated cases is right down
- the number of assessments completed within timescales is up
- the number of children on a child protection plan is down considerably as is the number coming onto a plan for a second time
- many families are supported at an earlier stage including 66 families in EF supported by various agencies coordinated through multiagency panels between January 2011 and January 2012
- the protocol for referring a child to CSC (via the Initial Response Team) was tailored to West and communicated
- the professional disagreement process was adapted with West contacts, discussed and circulated

**SERIOUS
ABOUT
SOCIAL WORK**

Commissioning for Children in Epping Forest

- We want to develop a single strategic commissioning approach across children's and adult's services
- We want to work with partners for smarter commissioning with reduced duplication and reduced costs
- We want to develop the right balance between local and County wide commissioning for local responsiveness and value for money
- We are reviewing what we deliver directly ourselves and what we commission others to deliver for us
- Like all public bodies when we commission we are bound by procurement regulations including open tendering

Working Together for Children and Young People in Epping Forest

EssexWorks.
For a better quality of life

- We want to align resources across partners towards agreed outcomes
- We will explore pooling and increased collaboration including through Whole Essex Community Budgets

Responding to Member's enquiries

- The Member Enquiries Team was created in May 2011 as part of a pilot to improve and establish a process for responding to Member and MP correspondence in relation to complaints and formal representations
- The team work virtually across Essex County Council to ensure subject matter expertise for each area of service. They are a direct point of contact for Members and MPs and can be used by District Council Members for complaints/representations about SCF/ECC provision.
- Member Enquiries service standards are:
 - Formal e-mail acknowledgement – **24 hours**
 - Formal letter acknowledgement – **3 working days**
 - Full response timescale – **up to 10 working days**
- Pilot phase ended December 2011 but service will still continue during the evaluation stage between January and April 2012
- The process will be formalised between April and June 2012 including a formal policy and procedure document which will be published for Members and MPs

Member Enquiries Team contact details

- **E-mail** – member.enquiries@essex.gov.uk
- **Postal address** – Member Enquiries Team, Essex County Council, County Hall, Chelmsford, CM1 1LX
- **Telephone** - 01245 437278. For Highways related issues the number is: 08457 430430.
- The service operates from Monday to Thursday 9am - 5.30pm and Fridays 9am - 4.30pm
- This service does not prohibit you from corresponding with officers directly. Officers are encouraged to resolve issues at the first point of contact where possible.

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