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OVERVIEW AND SCRUTINY MANAGEMENT BOARD SUPPLEMENT

DATE: WEDNESDAY 23 MARCH 2011
TIME: 2 PM
PLACE: COUNCIL HOUSE (NEXT TO THE CIVIC CENTRE)

Committee Members –

Councillor James, Chair.
Councillor Ball, Vice-Chair.
Councillors Browne, McDonald, Nicholson, Ricketts, Thompson, Wildy and Williams.

Co-opted Representatives –

Mr. D. Fletcher (Chamber of Commerce)
Mr. J. Paget (Young People)

PLEASE FIND ATTACHED REPORTS FOR CONSIDERATION UNDER
AGENDA ITEM NOS. 3, 9, 13, 15A, 15B AND 15C.

BARRY KEEL
CHIEF EXECUTIVE

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

3. MINUTES (Pages 1 - 6)

The Management Board will be asked to agree the minutes of the meeting held on 23 February 2011.

9. TRACKING DECISIONS (Pages 7 - 16)

The Overview and Scrutiny Management Board will monitor progress on previous decisions.

13. RECOMMENDATIONS (Pages 17 - 18)

To receive and consider recommendations from panels, Cabinet or Council.

15A To consider and approve work programmes for each of the Panels, to include a progress update from each of the Chairs (Pages 19 - 22)

15B To consider and approve Project Initiation Documents – (Pages 23 - 30)

- Impact of the restructure in Revenues & Benefits, Customer Services, Cashiers and Incomes and Creditors
- Localities Working

15C To receive Task and Finish Group Updates/Reports – (Pages 31 - 56)

- Scrutiny and Media Relations
- Unaccompanied Asylum Seeking Young People in Care

Overview and Scrutiny Management Board

Wednesday 23 February 2011

PRESENT:

Councillor James, in the Chair.

Councillor Ball, Vice-Chair.

Councillors Browne, K Foster (substitute for Councillor Nicholson), McDonald, Ricketts, Stevens, Thompson and Wildy.

Co-opted Representatives: Jake Paget.

Apologies for absence: Councillor Nicholson and Doug Fletcher, Co-opted Representative.

Also in attendance: Lee Howell, Chief Fire Officer, Mark Healey, Chairman of Fire Authority, Steve West, Area Commander (Western Command), Councillors Martin Leaves, Drear, Bowyer, Michael Leaves, Evans, Coker and Williams, Mark Turner, Waste Projects and Commercial Developments Manager, Alwyn Thomas, Senior Specialist Procurement Lawyer, Giles Perritt, Lead Officer, and Katey Johns, Democratic Support Officer.

The meeting started at 1 pm and finished at 5.05 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

99. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the Code of Conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor Wildy	101 Devon & Somerset Fire & Rescue Authority – Draft Corporate Plan 2011/12 to 2013/14	Local Development Improvement Agency Fire Peer	Personal

100. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

101. **DEVON & SOMERSET FIRE & RESCUE AUTHORITY - DRAFT CORPORATE PLAN 2011/12 TO 2013/14**

The Board received for consideration Devon and Somerset Fire and Rescue Authority's (DSFRA) Draft Corporate Plan 2011/12 to 2013/14. In attendance to present the Draft Corporate Plan were the Chief Fire Officer, Chairman of the Fire Authority and Area Commander (Western Command). Members of the Board were informed that –

- (i) nationally the Fire and Rescue Service faced a Government Grant reduction of 25 per cent over the next four years;
- (ii) this reduction was back-loaded to a six per cent reduction in year one with the remaining 19 per cent being split between years two, three and four;
- (iii) the DSFRA was planning on meeting a budget shortfall of between £8 million and £10 million by 2014 and would be achieving this through –
 - targeted fire prevention advice
 - reduced full fire safety checks on business and commercial buildings
 - recovering costs from repeated false alarm call-outs
 - exploring new procurement initiatives and purchasing fit-for-purpose vehicles
- (iv) in addition to the proposals outlined above, consideration was also being given to the introduction of a revised staffing and cover arrangements known as 'Day Crewed Plus' which would reduce costs with no reduction in the emergency cover provided due to staff working different hours.

The Board also heard representations in support of the Draft Corporate Plan from Councillors Martin Leaves and Dreaan, who were the Council's appointed representatives to the Devon and Somerset Fire and Rescue Authority as an outside body.

In response to questions raised, Members heard further that –

- (v) between 8-10 vehicles a year were renewed under the current fleet replacement programme at a cost of £200k per fully fitted appliance. Savings of between £14k-16k per vehicle could be achieved through bulk purchasing and smaller vehicles where appropriate and options for further savings by joint purchasing with other fire authorities were being investigated through the national procurement strategy;
- (vi) Plymouth was very well served by five fire stations compared to other areas of Devon and Somerset and had seven front-line pump appliances;

- (vii) community engagement featured high on the DSFRA's agenda and a number of successful initiatives were quoted, including –
- Annual Open Days at all five of the City's Fire Stations
 - 'Learn to Live' event at Plymouth Pavilions aimed at those learning to drive/new drivers
 - Phoenix Programme for young people
 - Visits to the City's Primary Schools to raise awareness of Fire and Road Safety
- (viii) the DSFRA was committed to partnership working and, in addition to being represented on Plymouth's Local Strategic Partnership, officers worked closely with the Police on road safety matters and with council officers in terms of integrated planning;
- (ix) each death, whether as a result of fire or road traffic accident, cost £1.7m. Investment in prevention therefore made sense both in terms of saving lives as well as financially;
- (x) whilst the Fire Service would wish to see the installation of sprinkler systems in all new buildings made compulsory, the current Government had stated that further regulation in this area was not necessary;
- (xi) the cost of the purpose-built regional call centre in Taunton had been met by central government who would now be looking to recoup that cost by either selling or leasing the building to someone else;
- (xii) the 'Day Crewed Plus' model would allow the service to operate with far fewer firefighters but to pay them considerably more and a number of fire fighters in Plymouth had already expressed an interest. However, the arrangement would be voluntary and only introduced at stations where crews had opted in;
- (xiii) there were currently four training sites across the region and, given the impending cuts, it was timely to undertake a review of each of these facilities.

The Board welcomed the opportunity to comment on the Draft Corporate Plan and thanked the representatives for their attendance.

Recommended that –

- (1) reference to Local Area Agreements should be removed from the Draft Corporate Plan as these had been abolished;
- (2) Councils should give consideration to appointments to the Fire Authority as an outside body being for a period of four years;

- (3) consideration be given by the DSFRA to including Independent Members on the Fire Authority's Board;
- (4) further information in relation to targets, whether performance indicators were being met and how the service was performing compared to other fire authorities be made available to the Board.

(Councillor Wildy declared a personal interest in respect of the above item).

102. **CALL-INS**

Approval of South West Devon Waste Partnership – Final Business Case for the Procurement of Waste Treatment Services

The Overview and Scrutiny Management Board considered the call-in of the Cabinet decision: Approval of South West Devon Waste Partnership – Final Business Case for the Procurement of Waste Treatment Services.

Prior to consideration of the Call-In, Councillor Evans raised concerns over Councillor Ball's ability to act impartially, having spoken in favour of the incinerator proposal, and requested legal advice on the matter. Members were informed that legal advice had already been sought in this regard and were reminded that scrutiny should be focused on the approval process not on the decision itself.

Members of the Board heard –

- (a) representations from Councillors Evans, Coker and Williams who had called the decision in on the grounds that the decision taker failed to take into account relevant factors, namely that –
 - the Cabinet did not examine the business case in Part II which would allow consideration of the financial information, in a confidential forum. Instead, the Cabinet took the decision on the basis of redacted reports from the South West Devon Waste Partnership, which has meant that the financial business case was not tested and proven by the Cabinet prior to them taking the decision,
 - the Cabinet failed to consider alternative options for the procurement of waste treatment services. The Cabinet papers contained the viability of the incineration option against the option of doing nothing but landfill and therefore failed to consider alternative options such as anaerobic digestion or a mixture of incineration, increased alternative recycling initiatives and anaerobic digestion; and
- (b) from Councillors Michael Leaves and Bowyer, Mark Turner and Alwyn Thomas who responded that –
 - Cabinet had been satisfied that the total cost of the project was within the affordability criteria set out in the outline business case

- it was thought to be more open and transparent to publish and consider a redacted version of the report rather than consider the whole report confidentially under Part II
- MVV Umwelt had requested that the report be published in this way in order to protect its highly commercially sensitive nature and, whilst the approach was unusual for Plymouth, was confirmed as being legal
- alternative waste treatment options had been considered as part of the Municipal Waste Management Strategy
- proposals to procure an energy from waste plant to serve South West Devon had been jointly and publicly scrutinised by Plymouth, Torbay and Devon

Agreed that the original decision be implemented.

103. **EXEMPT BUSINESS**

There were no items of exempt business.

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**OVERVIEW AND SCRUTINY MANAGEMENT BOARD
23 MARCH 2011**

TRACKING DECISIONS

Grey = Completed

OVERVIEW AND SCRUTINY MANAGEMENT BOARD 2010/11 DECISIONS

Minute number	Decision	Date agreed	Action by	Progress	Target date
86 R2.9	Budget 2010/2011 <u>Recommended</u> - that, in the interests of openness and transparency, governance arrangements for the allocation of 'spend to save' resources, including the role of scrutiny panels are prepared and published.	15/02/10	Cabinet	In the absence of a satisfactory response the Board's Lead Officer, Giles Perritt is take a pro-active approach in following this recommendation through to a satisfactory conclusion. Superseded by 2011/12 budget scrutiny – see Minute 95 (R2.6) below).	
53	Urgent Executive Decisions - 'Final sign-off of Devonport Regeneration Company Partnership (DRCP) Succession Strategy' <u>Agreed</u> that post-decision scrutiny on the matter would take place.	27/10/10		Lead Officer to clarify purpose of post-decision scrutiny with Councillor Wildy. Date for consideration to be determined.	
59	Joint Performance and Finance Report <u>Agreed</u> – (1) to request that the Children and Young People Overview and Scrutiny Panel look into the performance issues around Special Educational Needs Statements and the current review of the Schools' Transport Policy at their meeting on 6 January 2011; (2) that the Cabinet Member for Community Services (Street Scene, Waste and Sustainability) is reminded of the benefits of publicising recycling services over the Christmas period; (3) to request that the Chief Executive provide an e-mailed response to Members of the Board advising them about what core services would be impacted on as a result of the loss of external funding to some previously recurring grants.	24/11/10	CYPOSP CYPOSP CEX/DfCS	Both items considered by the Children and Young People's OSP on 6 January 2011. Recommendation conveyed to Cabinet Member. Information provided during budget scrutiny process.	
60	Medium Term Financial Strategy <u>Agreed</u> that a full report on the Transformational Change Programme is provided at a meeting of the Overview and Scrutiny Management Board in early 2011.	24/11/10		This issue is already being considered by the Support Services Overview and Scrutiny Panel.	

Minute number	Decision	Date agreed	Action by	Progress	Target date
(1) (2)	<u>Recommended</u> that – the Cabinet Member for Finance, Property, People and Governance review the insurance General Fund reserve provision for future years; the updated Medium Term Financial Strategy for the period 2010-14 is adopted by the City Council.	24/11/10	Council	Councillor Bowyer was in attendance at the meeting when this recommendation was made. Noted by City Council on 6 December 2010.	
64 (1) (2)	Councillor Call for Action <u>Agreed</u> that – the comments from the Cabinet report of 16 November, 2010 be noted; the Cabinet Member for Community Services (Safer and Stronger and Leisure, Culture and Sport) be advised that the Neighbourhood Profiles should be a central element for consideration in all decision-making including funding allocations.	24/11/10	Cabinet Member	Recommendation e-mailed to Councillor Brookshaw on 7 February 2011. This recommendation has since been reinforced through budget scrutiny.	
66 (1) (2)	Forward Plan <u>Agreed</u> that – the Children and Young People Overview and Scrutiny Panel's work programme be amended to reflect that the Children and Young People's Plan 2011-2014 would be scrutinised by the panel at their meeting on 24 February, 2011; with regard to the Cost and Volume Fostering Framework, the Children and Young People Overview and Scrutiny Panel be provided with a written update to a future meeting.	24/11/10	CYPOSP CYPOSP	Included on work programme for consideration on 24 February 2011. Scheduled for consideration on	
67 (1) (2) (3) (4)	Recommendations <u>Agreed</u> – that with regard to Audit Committee minute 50 15/11/10, the Support Services Overview and Scrutiny Panel monitor and review the revenues and Benefits Service and add this to its work programme; that with regard to Audit Committee minute 53 15/11/10, the Overview and Scrutiny Management Board monitor the Citybus Review and the Joint Strategic Needs Assessment and add this to its work programme; that with regard to Audit Committee minute 55 15/11/10, the Support Services Overview and Scrutiny Panel consider the ICT related problems within the Devon Audit Partnership and add this to its work programme; to approve the appointment of the nominated co-opted member to the Children and Young People Overview and Scrutiny Panel (minute 47 11/11/10 refers);	24/11/10	SSOSP OSMB SSOSP CYPOSP	Added to work programme. Added to work programme. Added to work programme. Co-optee confirmed and attended first meeting on 6 January 2011.	

Minute number	Decision	Date agreed	Action by	Progress	Target date
(5)	that the Children and Young People Overview and Scrutiny Panel be linked to the new Children and Young People Trust Theme Group (minute 53 11/11/10 refers);	24/11/10	CYPOSP	Links already established.	
(6)	to include the recommended items on the Children and Young People Overview and Scrutiny Panel's Work Programme (minute 57 11/11/10 refers).		CYPOSP	Added to work programme.	
68	<p>Work Programmes</p> <p>(a) To consider and approve work programmes for each of the panels, to include a progress update from each of the Chairs <u>Agreed</u> that all Members of the Board be e-mailed the recommendations from the Highways Maintenance Task and Finish Group report and that authority be delegated to the Lead Officer in consultation with the Chair of the Overview and Scrutiny Management Board to review the report.</p> <p>(b) To receive an update from the non-chair Member Working Group <u>Agreed that –</u></p> <p>(1) recommendation one be communicated to all producers of reports and documents by Democratic Support Officers and Scrutiny Lead Officers;</p> <p>(2) recommendation two be adopted and further recommended to Cabinet;</p> <p>(3) recommendation three be communicated to all officers attending scrutiny by Democratic Support Officers and Scrutiny Lead Officers;</p> <p>(4) recommendation five be acknowledged and the function adopted by all scrutiny chairs;</p> <p>(5) recommendation six be acknowledged by all scrutiny chairs;</p> <p>(6) recommendation seven be amended to read "Panel Members should be encouraged from each panel to attend the relevant partnership and theme group meetings as observers";</p> <p>(7) with regard to recommendation seven, the Head of Policy, Performance and Partnerships would seek to arrange discussions between scrutiny Chairs and LSP Theme Group Chairs to foster better links;</p>	24/11/10	<p>DSO</p> <p>DSOs</p> <p>DSOs</p> <p>DSOs / Lead Officers</p> <p>Panel Chairs</p> <p>Panel Chairs</p> <p>Panel Chairs</p> <p>OSMB Lead Officer</p>	<p>E-mailed to Members of OSMB on 15 December 2010.</p> <p>Communicated to all DSOs for onward dissemination to report authors.</p> <p>DSOs to liaise with Cabinet Officer and take responsibility for providing feedback to Panels on recommendations.</p> <p>Communicated to all DSOs for onward dissemination to officers attending scrutiny.</p> <p>Recommendation drawn to attention of Panels.</p> <p>Recommendation drawn to attention of Panels.</p> <p>Recommendation drawn to attention of Panels.</p> <p>Lead Officer to provide update.</p>	

Minute number	Decision	Date agreed	Action by	Progress	Target date
(8)	with regard to recommendation eight, the Chairs of the Scrutiny Panels who sit on the Overview and Scrutiny Management Board would form the membership of the Task and Finish Group to undertake a review about how the scrutiny function can better engage with the media; the Task and Finish Group would be held after January 2011;		Panel Chairs	Task and Finish Group to take place on 15 March 2011.	
(10)	prior to the Task and Finish Group commencing, the Head of Policy, Performance and Partnerships would seek to find out how many scrutiny led press releases had gone out over the past year.	24/11/10	OSMB Lead Officer	Lead Officer to provide update.	
72	Call-In: Transfer of Freehold for Nomony Children's Centre <u>Agreed</u> that – (1) the decision be referred back to the Cabinet Member for reconsideration. (2) <u>Recommended</u> that – during consultation with ward members, consideration also be given to ways of disposing this asset to the community.	22/12/10	Cabinet Member for Children & Young People	Decision remains unchanged. However, Cabinet Member has since met with ward members.	
76	Call-In: To agree to the Disposal of Land at Rocky Park Road <u>Agreed</u> that – (1) the original decision be implemented; (2) <u>Recommended</u> that – careful consideration of residents' needs be taken into account when implementing this decision.	05/01/11	Cabinet Member for Finance, Property, People & Governance		
84	Scrutiny of the Budget and Corporate Plan <u>Agreed</u> that the report and recommendations appended to these minutes be approved and forwarded to Cabinet for consideration.	12&17/01/11		Report also considered by OSMB on 26 January – see minute 95 below.	
89	Chair's Urgent Business Devon and Somerset Fire and Rescue Service <u>Agreed</u> that – (1) the matter would be considered by Members of the Overview and Scrutiny Management Board, subject to their availability; (2) one of the provisional dates would be used commencing at 1 pm instead of 2 pm, to allow for consideration of a call-in should one arise.	26/01/11	OSMB	Provisional meeting on 23 February 2011 activated commencing at 1 pm.	
92	Urgent Executive Decisions <u>Agreed</u> that a copy of the consultation response relating to 'A Fairer Future for Social Housing Consultation' be circulated to Members of the Board.	26/01/11	DSO	Copy circulated to Board Members via e-mail on 27 January 2011.	

Minute number	Decision	Date agreed	Action by	Progress	Target date
94	<p>Recommendations Customers & Communities OSP – Minute 58 – Allotment Service Overview <u>Agreed to refer to Cabinet as follows -</u></p>				
(1)	that the panel support all efforts being made to find additional land for allotment plots and recommend all channels are explored including direct discussions with public and private land owners e.g. the National Trust;	26/01/11	Cabinet	Recommendations referred to Cabinet for consideration on 8 March 2011.	
(2)	that officers establish the funding available in the medium term to contribute towards the allotment service from capital receipts and Section 106 monies;				
(3)	that rents are reviewed on an annual basis but any rent increase should not be such to disadvantage enterprise and other groups using the allotments (for example schools, community groups, groups with special needs, those on low incomes and also making good use of the neighbourhood profiles);				
(4)	that a review of the plot sizes is undertaken; Customers & Communities OSP – Minute 59 – Review of Policing and Safety following Plymouth Argyle Football Match against Exeter City				
(5)	that Ward Councillors should be consulted by the Safety Advisory Group				
(6)	that a review of the traffic management at the park and ride car park is undertaken on Plymouth Argyle match days and consideration is given to a proposal to open the bottom end of the car park on match days to relieve congestion.				
95	<p>Budget and Corporate Plan Scrutiny 2011 <u>Agreed</u> the Budget and Corporate Plan Scrutiny Report 2011.</p>	26/01/11		Recommendations set out below considered by Cabinet on 8 February 2011. Response to be considered by Overview and Scrutiny Management Board on 23 March 2011.	
R1.1	that the Director for Public Health, as a joint appointment, should contribute to the budget and corporate plan scrutiny process in future years		OSMB		
R2.1	where shared service arrangements with other local authorities are being developed, the Overview and Scrutiny Management Board be given an oversight role. Partners should be involved at the earliest opportunity to ensure a more joined up approach in delivery of shared services.		Cabinet	As above.	

Minute number	Decision	Date agreed	Action by	Progress	Target date
R2.2	Where delivery plans will result in a reduction of service to citizens , modelling should be undertaken to assess the impact on individuals, households and communities. This should include both the differential impact on those groups within each neighbourhood and the cumulative impact on those who are affected by more than one change. Account should be taken in undertaking the modelling of income levels.		Cabinet	As above.	
R2.3	Value for Money and performance benchmarking information against the Council's 'family group' should form part of the performance management reporting that is submitted to the Overview and Scrutiny Management Board.	26/01/11	Cabinet	As above.	
R2.4	The Corporate Income Recovery Plan relating to how the Council collects the money owed to it from a variety of sources should be the subject of pre-adoption scrutiny by the Support Services scrutiny panel. Options relating to cash collection as set out in the Corporate Support Services budget delivery plan should be included.			As above.	
R2.5	That the Overview and Scrutiny Management Board receive a progress report on the Council's new procurement initiatives , namely Procure to Pay, buyer rollout, and 'sell to Plymouth'. The Board will monitor, through the quarterly performance and finance monitoring reports, ongoing work around these projects which equate to £4m savings over the next 3 years.			As above.	
R2.6	That governance and scrutiny arrangements are agreed between the Scrutiny Management Board and the Cabinet and the Corporate Management Team with regard to the prioritisation of the capital programme and the 'invest to save' programme .			As above.	
R2.7	That draft proposals for years 3, 4 & 5 of the capital programme be prepared for this budget and as part of the ongoing budget setting process.			As above.	
R2.8	That a proposal for a small grants scheme for community and voluntary groups is developed and implemented jointly with Plymouth 2020			As above.	
R2.9	That urgent consideration is given to addressing the funding shortfall for the Volunteer Centre and infrastructure support for community and voluntary groups created by the ending of Local Area Agreement Performance Reward Grant.			As above.	
R2.10	In making savings to the cost of senior management , a risk analysis of potential loss of capacity within the Council to deliver its change agenda should be undertaken.			As above.	

Minute number	Decision	Date agreed	Action by	Progress	Target date	
R2.11	That Directors and Assistant Directors should ensure that reporting of service provision which affects people (for example adults' and children's social care) should include statistics as both a percentage and in terms of actual numbers of people. Where possible, measures of dispersion – geographic / neighbourhood information should be included.	26/01/11	CMT	As above.		
R2.12	Cabinet and delegated decision reports include provision to indicate where an Equality Impact Assessment is required, and, if so, this is listed as one of the background papers.		CMT	As above.		
R2.13	That consideration should be given to ensuring that there is better public understanding of the role of the Plymouth 2020 Partnership and how community views are represented on it.		LSP	As above.		
R3.1	That impact assessments with regard to delivery plan proposals be prepared, as (2.2) above, in respect of: <ul style="list-style-type: none"> • Schools transport • Locality restructure • Disability Service restructure • Changes to Special Educational needs policies • Reduction in contribution to Youth Offending Service • Financial support and non-statutory payments to Care Leavers 		Cabinet	As above.		
R3.2	That a prioritised list of capital projects in Children's Services be prepared and published pending clarity from Government about the availability of resources				As above.	
R3.3	That a review of all grants relating to the provision of children's services that are not continuing, with succession arrangements, is published				As above.	
R4.1	That the recycling target be reviewed in the light of Plymouth's aspirations for excellence and the benchmarks for similar authorities within the Council's 'family group'.				As above.	
R4.2	That a policy with respect to community transfer of assets in line with the provisions within the Localities and Decentralisation Bill be developed and submitted to the Scrutiny Management Board. Specifically the feasibility of asset transfers referenced within Community Services budget delivery plans should be quantified.				As above.	
R4.3	That a review of all grants relating to the Community services that are not continuing, with succession arrangements, is published.				As above.	

Minute number	Decision	Date agreed	Action by	Progress	Target date
R4.4	That impact assessments with regard to delivery plan proposals be prepared, as (2.2) above, in respect of: <ul style="list-style-type: none"> • Cemeteries and Crematoria fees • Rationalisation of Environmental Services structure • Changes to library opening hours 			As above.	
R4.5	That a Volunteering Plan for the city is produced, including provision for the increased use of Community Payback resources to undertake work on behalf of the Council and partners to increase efficiency savings.	26/01/11	Cabinet	As above.	
R4.6	Plymouth takes a lead role in establishing a Crime Panel in line with legislative proposals.			As above.	
R4.7	That targets for the Personalisation agenda be set in line with 'family group' authorities rather than regional comparators.			As above.	
R4.8	Proposals for use of the £3.5m health fund , and any other related unallocated resources be brought to the Health and Adult Social Care scrutiny panel.			As above.	
R4.9	Details are provided of the specific proposals about savings related to events, grants and other initiatives as set out in the Culture, Sports and Leisure budget delivery plan.			As above.	
R5.1	Details are provided of the transport options for savings currently being considered in the budget delivery plan.			As above.	
R5.2	Following ministerial feedback, the revised Local Economic Partnership for Plymouth be reviewed by the Growth and Prosperity overview and scrutiny panel			As above.	
R5.3	That impact assessments with regard to delivery plan proposals be prepared, as (2.2) above, in respect of: <ul style="list-style-type: none"> • Family Intervention Project • Anti-social behaviour • Transport options 			As above.	
R5.4	That interim targets for job creation between now and 2026, including monitoring and evaluation criteria with regard to sustainability should be put in place to enable more effective monitoring.			As above.	
96	Quarterly Scrutiny Reports Agreed that future reports should be consistent in terms of how Member attendance was reported, the Growth and Prosperity reporting format being the preferred option.	26/01/11		Format requirements fed back to Democratic Support Officers following last meeting. DSO's to raise with their respective Lead Officers.	

Minute number	Decision	Date agreed	Action by	Progress	Target date
97	<p>Work Programmes To consider and approve work programmes for each of the Panels, to include a progress update from each of the Chairs <u>Agreed that –</u></p> <p>(1) a date for consideration of the School Building/Capital Programme be identified by the Children and Young People’s Panel as soon as possible;</p> <p>(2) Data Sharing between Agencies be removed from the work programme of the Management Board and added to that of Support Services;</p> <p>(3) should members have questions relating to items on panel work programmes, they be raised with the respective Chairs direct;</p> <p>(4) written responses to the questions raised during scrutiny of the budget be sought as a matter of urgency.</p>	26/01/11	<p>CYPOSP</p> <p>SSOSP</p> <p>OSMB Members</p>	<p>Date for consideration yet to be identified.</p> <p>Added to work programme – date for consideration yet to be identified.</p> <p>All responses now circulated to panel members.</p>	
	<p>(b) To consider and approve Project Initiation Documents <u>Agreed the PID for Transforming Community Services.</u></p>	26/01/11	HASCOSP	Task and Finish Group to take place on 25 February 2011.	
	<p>(c) To receive Task and Finish Group updates/Reports <u>Agreed</u> that the Young Carers in Plymouth report be forwarded to Cabinet for consideration, subject to the following –</p> <p>(1) Inclusion of an additional recommendation to the effect that – “the Council uses its links through the Local Strategic Partnership to seek comments on the report from other agencies, such as the family court, probation, Children’s Trust, etc;”</p> <p>(2) amendment of recommendation 11 to the effect that – progress be reviewed after six months by the Children and Young People’s Scrutiny Panel.</p>	26/01/11	CYPOSP / Cabinet	Alterations to recommendations taken on board. Task and Finish Group report to be considered by Cabinet on 8 March 2011.	
23/02/11 101	<p>Devon & Somerset Fire & Rescue Authority – Draft Corporate Plan 2011/12 to 2013/14 <u>Recommended that –</u></p> <p>(1) Reference to Local Area Agreements should be removed from the Draft Corporate Plan as these had been abolished;</p> <p>(2) Councils should give consideration to appointments to the Fire Authority, as an outside body, being for a period of four years;</p> <p>(3) Consideration be given by the DSFRA to including Independent Members on the Fire Authority’s Board;</p> <p>(4) further information in relation to targets, whether performance indicators were being met, and how the service was performing compared to other fire authorities be made available to the Board;</p>	23/02/11	<p>DSFRA</p> <p>Cabinet</p> <p>DSFRA</p> <p>DSFRA</p>		

Minute number	Decision	Date agreed	Action by	Progress	Target date
102	Approval of South West Devon Waste Partnership – Final Business Case for the Procurement of Waste Treatment Services <u>Agreed</u> that the original decision be implemented.		Cabinet	Decision implemented. Urgent Executive Decision to be considered by OSMB on 23 March 2011.	

OVERVIEW AND SCRUTINY MANAGEMENT BOARD – 23 MARCH, 2011

RECOMMENDATIONS

Date/min number	Resolution / Recommendation	Explanation / Minute	Response
Customers and Communities Overview and Scrutiny Panel			
14/03/11 Minute 68	<p>Plymouth City Council Leisure Management Contract Selection of the Preferred Bidder and Contract Award</p> <p>The Panel <u>agreed</u> to <u>recommend</u> to the Overview and Scrutiny Management Board that the following matters are referred Cabinet –</p> <p>(1) to note the selection of the Preferred Bidder by the Executive Programme Board and to approve award of the Plymouth City Council Leisure Management Contract to Sports and Leisure Management Ltd, with the resolution of final clarification being delegated to the Programme Board;</p> <p>(2) to delegate authority to the Executive Board for the engagement of Sports and Leisure Management Ltd to develop and implement early mobilization plans as facilitated by the procurement process;</p>	<p>The panel considered the contract award of Plymouth City Council Leisure Management Contract (the preferred bidder had been selected by the Executive Board). Cabinet would be requested to approve the award of the Leisure Management Contract to Sports and Leisure Management Ltd, following the submission of the most economically advantageous tender, through the competitive dialogue process.</p> <p>If approved, Sports and Leisure Management Ltd would manage the following facilities: Plympton and Mount Wise pools, Tinside Lido, Brickfields Sports Centre and Recreation Ground and Plymouth Life Centre (Central Park leisure pools and the Mayflower Leisure Centre would close once the Plymouth Life Centre was opened in autumn 2011).</p>	

Date/min number	Resolution / Recommendation	Explanation / Minute	Response
(3)	<p>to delegate authority to the Executive Board to consider whether any contract savings can be used to offset future life cycle replacement costs to meet the Sport England funding requirements of the Plymouth Life Centre. This will be dependent on the final contract price and the profiling of it for each year, and other Council priorities.</p> <p>The panel <u>agreed</u> to recommend to the Overview and Scrutiny Management Board that it includes the Plymouth Life Centre and related leisure projects programme (including the leisure management contract) on its 2011/12 work programme.</p>		



Customers and Communities Overview and Scrutiny Panel

Work Programme 2010/11

Work programme	J	J	A	S	O	N	D	J	F	M	A
Policies											
Licensing Act (including Cumulative Impact Policy) Review 2011					18						
Sex Establishment Policy											
Culture, Sport and Leisure											
Plymouth Life Centre and Leisure Related Projects Programme (including Leisure Management Contract)		19		6		15		20		14	
Plymouth's Sports Facility Strategy Update											
Plympton Library Replacement Update		19								14	
Environmental Services											
Assisted Waste Collection											
Allotments						15					
Waste Minimisation and Recycling Household Waste										14	
Safer Communities											
Locality Working 12 Month Review (3 Month Position Statement)		19				15					
Public Confidence in Tackling Crime and Disorder											
Reporting of Police Authority Meetings (Chief Constable's Report)						15		20		14	

Work programme	J	J	A	S	O	N	D	J	F	M	A
Locality Working 12 Month Review											

Key:

New Item

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Request for Scrutiny Work Programme Item

1	Title of Work Programme Item	Localities Working
2	Responsible Director (s)	Carole Burgoyne Director for Community Services
3	Responsible Officer Tel No.	TBC
4	Relevant Cabinet Member(s)	Cllr Peter Brookshaw
5	Objectives	<p>Contribute to, and encourage participation in, review of the implementation of Locality Working.</p> <p>Objectives of Locality working previously considered by Overview & Scrutiny Management Board when scrutinising proposals for locality working (05/08/09) were to:-</p> <ul style="list-style-type: none"> • Enable residents to influence and challenge service delivery • Make services more 'joined up' • Improve councillor involvement • Reducing inequalities between communities • Focus money and staff more effectively • Improve the sharing and use of information • Monitor service provision more effectively • Meet local and national targets.

6	Who will benefit?	<p>Scrutiny is an opportunity to reflect on the performance of the locality working initiative. It will afford a particular opportunity for members and others to contribute to the formal review and recommendations made to Cabinet / council and the LSP.</p> <p>Beneficiaries: The LSP Service providers The Third sector Communities Cabinet Full council</p>
7	Criteria for Choosing Topics (see table at end of document)	<ul style="list-style-type: none"> • Corporate priority area • Public interest issue
8	What will happen if we don't do this review?	Lack of input in the review of Locality working (Scrutiny previously involved in recommending that locality working be set up)
9	What are we going to do?	<ol style="list-style-type: none"> 1. Consider the success of Locality working (taking into the original objectives of 05/09/2009 see above) against the evaluation criteria agreed by Customer & Communities Overview & Scrutiny Panel 19/07/10 (attached). 2. To examine and make recommendations for improvements including:- <ul style="list-style-type: none"> • Locality teams • Neighbourhood meetings and community engagement • Accessibility to appropriate and sound data, information and consultation feedback • Boundary issues
10	How are we going to do it? (witnesses, site visits, background information etc.)	<ul style="list-style-type: none"> • Study background information • Examine progress on the evaluation criteria • Call witnesses (eg, from community, Third sector organisations, Police, Health, PCH) • Make recommendations
11	What we won't do.	Consider success criteria outside those agreed by Customer and Communities Overview and Scrutiny Panel 19/07/10 (attached).

12	Timetable & Key Dates	<p>Known milestones for achieving the final report</p> <ul style="list-style-type: none"> • Overview and Scrutiny Management Board – this PID should be published on the agenda, Management Board will need to appoint Members; • Task and Finish Group needs to meet in May 2011 (post election) and report in June 2011 if recommendations going to July Overview and Scrutiny Management Board, and July 2011 Cabinet.
13	Links to other projects or initiatives / plans	Corporate Plan and performance reporting
14	Relevant Overview and Scrutiny Panel / Membership if Task and Finish Group (to be decided by OSP before submission to OMB)	Joint (see below) Customers and Communities OSP
15	Where will the report go? Who will make the final decision	Cabinet /Council July 2011
16	Resources (staffing, research, experts, sites visits and so on)	Staff time
17	Is this part of a statutory responsibility on the panel?	No
18	Should any other panel be involved in this review? If so who and why?	Yes Children and Young People Health and Adult Social Care
19	Will the task and finish group benefit from co-opting any person(s) onto the panel.	No
20	How does this link to corporate priorities?	Value for Communities (level 2 indicator).

Criteria for review

(Items would be expected to meet at least two of the following criteria)

- Corporate priority area
- Poor performing service (evidence from PIs, benchmarking or where high levels of dissatisfaction from customers are recorded)
- High budgetary commitment
- Pattern of not reaching budget targets
- Issue raised by external audit, management letter, inspection report

- New government guidance or legislation
- Issue consistently identified by Members as key through constituency activity
- Public interest issue covered in local media

Request for Scrutiny Work Programme Item

1	Title of Work Programme Item	Impact of the restructure in Revenues & Benefits, Customer Services, Cashiers and Incomes and Creditors
2	Responsible Director(s)	Adam Broome, Director for Corporate Support
3	Responsible Officer(s)	Malcolm Coe, Assistant Director for Finance and Efficiencies 01752 304566 John-Paul Sanders, Assistant Director for Customer Services and Business Transformation 07917 264723
4	Relevant Cabinet Member(s)	Councillor Ian Bowyer, Cabinet Member for Finance, Property, People and Governance
5	Objectives	To review the impact of the restructure in the four service areas in relation to: <ul style="list-style-type: none"> • The duty of care to staff • The impacts of an increased workload • The experience of customers and stakeholders • The backlog of cases • The processing times of cases <p>To make recommendations to the Overview and Scrutiny Management Board about how the service could negate the impact on the above concerns.</p>
6	Who will benefit?	Plymouth City Council and its Staff; Residents of Plymouth and the Customers of the four service areas; Stakeholders of the four service areas (Including DWP, Landlords and Plymouth Community Homes).
7	Criteria for Choosing Topics (see table)	<ol style="list-style-type: none"> 1. City and Council Priority – Value for Communities 2. A poor performing service (high cost and low performance identified through benchmarking exercises) 3. An interest of the public and stakeholders
8	What will happen if we don't do this review?	The restructure of the service may have: <ul style="list-style-type: none"> • Reduced staff morale and confidence in fulfilling their duties • The experience of customers and standards of the service may reduce below benchmarking standards • Potential higher budgetary cost as a result of reduced quality of data provided to the DWP which will result in a claw back of over-payments.

9	What are we going to do?	A one/two day Task and Finish review led by the Support Services OSP. The review will be undertaken post-restructure with the aim to be completed in September/October 2011.
10	How are we going to do it? (witnesses, site visits, background information etc.)	<ul style="list-style-type: none"> • There will be site visits to the four service areas which will incorporate visits to the Civic Centre and Ballard House. Site visits would include speaking to customers and staff. • Witnesses would include, but would not be limited to, representatives from Plymouth Community Homes, DWP, Landlord Association and officers from the four service areas. • Questionnaire feedback to be provided from customers using the four services. • Review and compare the service performance for the past three years against performance indicators and benchmarked standards.
11	What we won't do.	<ul style="list-style-type: none"> • Review staff terms and conditions. • Review service opening times • Review service structure • Review financial implications of the restructure
12	Timetable & Key Dates	There will be a one/two day Task and Finish Review: Day 1 – Evidence gathering Day 2 – Review of all evidence, further evidence and recommendations.
13	Links to other projects or initiatives / plans	Corporate Plan Accommodation Strategy People's Strategy ICT Strategy Corporate Support Delivery Plans Comprehensive Spending Review
14	Relevant Overview and Scrutiny Panel / Membership if Task and Finish Group (to be decided by OSP before submission to OMB)	This work programme request has been prepared by the Support Services Overview and Scrutiny Panel. Membership = 6 members
15	Where will the report go? Who will make the final decision	The report will be forwarded to the Overview and Scrutiny Management Board for recommendations to be forwarded to the Cabinet and the Cabinet Member for Finance, Property, People and Governance.

16	Resources (staffing, research, experts, sites visits and so on)	Officer time. Site visits (internal)
17	Is this part of a statutory responsibility on the panel?	No.
19	Should any other panel be involved in this review? If so who and why?	No.
20	Will the task and finish group benefit from co-opting any person(s) onto the panel.	No.

Criteria for choosing significant topics for Scrutiny Review
(Items would be expected to meet at least two of the following criteria)

- Corporate priority area
- Poor performing service (evidence from PIs, benchmarking or where high levels of dissatisfaction from customers are recorded)
- High budgetary commitment
- Pattern of not reaching budget targets
- Issue raised by external audit, management letter, inspection report
- New government guidance or legislation
- Issue consistently identified by Members as key through constituency activity
- Public interest issue covered in local media

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Overview and Scrutiny Management Board

Tuesday 15 March 2011

PRESENT:

Councillor Ball, in the Chair.
Councillor Lowry, Vice Chair.
Councillors Berrow (Substitute Nicholson) and Ricketts.

Apologies for absence: Councillors Wildy and Nicholson.

Also in attendance: Giles Perritt, Lead Scrutiny Officer (Plymouth City Council), Richard Longford Head of Corporate Communications (Plymouth City Council), Ash Mashhadi, Social Media Entrepreneur, Kate Taylor, former member of youth parliament, Keith Rossiter, Political Reporter (The Herald), Emma Clements, News Editor (BBC Radio Devon).

The meeting started at 10 am and finished at 12.46 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

104. **DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the code of conduct.

105. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

106. **EVIDENCE FROM WITNESSES**

The Chair requested that each witness introduced themselves and gave evidence in turn following introductory remarks from the lead scrutiny officer.

The lead scrutiny officer reported on the work that scrutiny undertook and its place within the democratic process. It was reported that there had been good coverage of a number of issues that had been considered within the scrutiny function. However this did not reflect the large number of meetings that took place and the large amount of resource required. It was the purpose of the task and finish group to receive information from the witnesses in order to formulate realistic recommendations which could be implemented to develop the scrutiny function's relationship with the media.

Witnesses were invited to make comments on what communication from the scrutiny function had been successful, what had not been successful and how the scrutiny function could improve its relationship with the media and the general public at large.

The Panel heard from the following witnesses –

- Giles Perritt, Plymouth City Council, Lead Scrutiny Officer;
- Keith Rossiter, The Herald, Political Reporter;
- Emma Clements, BBC Radio Devon, News Editor;
- Ash Mashhadi, www.inplymouth.com, Social Media Entrepreneur;
- Kate Taylor, former member of the UK Youth Parliament;
- Richard Longford, Plymouth City Council, Head of Corporate Communications.

In response to the Chair's request, witnesses made the following comments –

- a. reports presented at scrutiny were often very difficult to read and lacked plain english. The planning department, when providing reports for committee, authored summary documents which allowed relevant information to be highlighted and negated the need to trawl through large documents to determine whether or not the issues would be of interest to the public;
- b. there was more interest in “member led” scrutiny; the issues raised by councillors often resulted in a large amount of public interest when compared to the “statutory” scrutiny work;
- c. there was an appetite in the media, particularly within radio, for councillors to be interviewed live on air. It was remarked that if a councillor was able to be interviewed in the early part of the day the issue had a better chance of being revisited throughout the day's programming and news bulletins;
- d. the BBC would not use edited clips of recorded council meetings as this would break their editorial guidelines;
- e. interviewing councillors before meetings took place would allow for issues to be followed over the course of the week;
- f. there was an appetite for engagement from the social media and online community in Plymouth. It was reported that there were conversations online regarding the council and by not engaging online there was a chance that the council was losing its voice;
- g. social media provided access to activists based in communities across the city who were literate and active within their communities. Social media was an inexpensive way for the council to engage in the community and did not have to be burdensome in terms of the time required to use social media tools;
- h. social media and social networking was the “language of the 21st century”, by using the social media tools the council would be able to engage a large demographic and councillors would be able to build a more personal relationship with their electorate;

It was reported by the Head of Corporate Communications that –

- i. the level of media coverage for scrutiny was high when compared to other councils across the country;
- j. the communications would respond to scrutiny enquires from the media to confirm factual information;
- k. the level of scrutiny coverage within the city was due in large part to the work of councillors.

In response to questions from councillors to all of the witnesses it was reported that–

- l. people involved in social media covered a large demographic in terms of age and it was incorrect to assume that older people have a problem engaging with social media;
- m. although there could often be provocative or abusive exchanges within social media the vast majority of users were satisfying a human urge to communicate. A large amount of conversations were taking place about Plymouth and the role of the city council regardless of whether the council engaged;
- n. if councillors were to engage with social media they would not be unique in having to carefully consider the contributions attributable to them;
- o. early morning radio interviews with councillors were necessary and reflected the way in which audiences listen to the radio. 8am was peak time, if a councillor was interviewed at 6:30am this could be repeated at 7:30am and clips could be played on the news at 7am, 8am and 10am. Audiences generally listened to the radio for around 20 minutes per day and earlier interviews allowed for the material to be used throughout the morning;
- p. the reluctance of councillors to take part in live interviews could be the result of a lack of media training;
- q. councillors were unaware of what a valuable resource they were to the general public and to the media. Media outlets would be more likely to use a quote from a councillor than a large amount of technical information from officers;
- r. there was an appetite for more information on the public sector, particularly in light of the current financial climate.

107. **RECOMMENDATIONS**

The task and finish group thanked the witnesses for their attendance and valuable contributions.

Agreed that –

- (1) media training would be made available to the Chairs and Vice Chairs of scrutiny committees after appointment as part of their development;
- (2) that an information event on social media and social networking would be organised to advise councillors on how to best use online social media tools and to clarify the city council's social media policy;
- (3) executive summaries should be made available to the press using planning reports as best practice;
- (4) scrutiny reports should be written in plain english with guidance made available to report authors. Councillors and those attending scrutiny meetings should be encouraged to flag any difficulties with reports and the author would be informed;
- (5) if scrutiny chairs and vice chairs engage with the media before planned panel meetings, guidance provided through media training should be followed;
- (6) officers should be reminded of their obligation to advise councillors of decisions affecting their wards;
- (7) the current communications protocol regarding scrutiny communications should remain.

108. **EXEMPT BUSINESS**

There were no items of exempt business.

**UNACCOMPANIED ASYLUM
SEEKING YOUNG PEOPLE IN CARE**

Children and Young People's Overview and
Scrutiny Panel Task and Finish Group report



Contents

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I. Introduction

The Children and Young People's Overview and Scrutiny Panel scrutinises matters relating to the health and wellbeing of children and young people living and learning in the City. The panel scrutinises the impact of services provided by agencies ranging from the Council, Health, Police, schools and colleges and the Voluntary and Community Sector. The Scrutiny Panel also considers the impact of partnerships such as the Children and Young People's Trust, Plymouth Safeguarding Children Board and Plymouth 2020 Wise Theme Group.

The need to undertake this task and finish group arose from a Corporate Parenting Group meeting where the topic of unaccompanied asylum seeking young people was discussed. It was highlighted by the group that processes may not be in place to meet the needs of unaccompanied asylum seeking young people in care. The Children and Young People's Overview and Scrutiny Panel convened a task and finish group in February to hear evidence from officers and this report summarises the findings of that review and makes recommendations for improvements.

The panel would like to thank the officers for their contributions in the preparation for the session and in their cooperation in evidence gathering.

2. Scrutiny Approach

The Overview and Scrutiny Management Board approved in principle, on 24 November 2010, the establishment of a Task and Finish group to review Unaccompanied Asylum Seeking Young People in Care with membership to be drawn from the Children and Young People Overview and Scrutiny Panel and Corporate Parenting Group.

Task and Finish Objectives

The group was asked to review –

- access to education.
- accommodation.
- the process of age assessments.

Membership

The Task and Finish group had a cross party membership comprising the following Councillors -

- Councillor Wildy (Chair)
- Councillor Mrs Stephens (Vice Chair)
- Councillor Mrs Bowyer (Chair of Corporate Parenting Group)
- Councillor Mrs Nicholson
- Councillor Tuohy

For the purposes of the review, the Task and Finish Group was supported by –

- Claire Oatway, Head of Service- Performance and Quality, Dept of Services for Children and Young People

- Amelia Boulter, Democratic Support Officer

Methodology

The Task and Finish Group convened once to consider evidence and hear from witnesses -

- 3 February 2010

Members of the Task and Finish Group aimed to:

- Review access to education for unaccompanied asylum seeking young people in care.
- Review the accommodation for unaccompanied asylum seeking young people in care.
- Review the process of age assessments undertaken for unaccompanied asylum seeking young people in care.

The Work Programme Request (PID) is attached as Appendix I.

Background information

The Task and Finish Group heard representations from –

- Sally Crawford, Senior Youth Support Worker
- Mary Brimson, Head of Service Children and Young People in Care
- Mairead MacNeil, Assistant Director Children's Social Care

The following officers were also in attendance:

- Richard Porter, 16+ Service Manager, Children's Social Care
- Margaret Johns, Team Leader – Frederick Street Youth Centre
- Zoe Masters, Education Consultant (Children in Care)

Background material provided to the group included:

- Social Care Institute of Excellence – Good practice in social care for refugees and asylum seekers
- NSPCC's Response to Planning Better Outcomes and Support for Unaccompanied asylum seeking children
- Policy on Unaccompanied asylum seeking children
- Unaccompanied asylum seeking children Multi Agency Procedure

3. Key issues arising from evidence

- An adult group had in fact presented to the Corporate Parenting Group; members were not aware of this and acted on feedback that was not necessarily representative of the views of unaccompanied asylum seeking children;
- The multi-agency policy and procedures had been developed to assess and support unaccompanied asylum seeking children. There were concerns that some staff groups were not fully aware of the procedures;

- Services provided to unaccompanied asylum seeking children and ASR through Frederick Street youth centre were not connected to other citywide services;
- The procedure sets out that age assessments are generally completed within 10 days and perceived delays are more likely to happen at appeal stage. Appeals can be delayed due to a young person's own circumstances and availability of supporting evidence;
- There is a strong policy and procedure in place to ensure that where unaccompanied asylum seeking children are children in care they are supported in terms of education and accommodation. Unaccompanied asylum seeking children have a range of complex needs and will have a number of professionals supporting them at any one time. The panel were concerned that professionals outside Children's Social Care did not have a full understanding of the services offered to young people and how to handle concerns about a young person's wellbeing.

4. Evidence heard

Background

As stated at the outset of the document, this Task and Finish group was convened following a Corporate Parenting Group meeting held in October 2010. At that meeting, members were concerned to hear about an apparent lack of coherence in how unaccompanied asylum seeking children were treated.

During the task and finish review it emerged that the group presenting the views of unaccompanied asylum seeking children at the Corporate Parenting Group were in fact adults and only two had been children in care. Other professionals and councillors present at the meeting did not know that the group was an older age group and throughout the meeting thought they were directly hearing the views of unaccompanied asylum seeking children. They were included because in the community they morally support children and young people. One of the adults who'd spoken at the meeting was about to be deported, and it was felt that people were speaking on behalf of colleagues and friends. Unfortunately, the group was not introduced as an older age group, and in addition were vulnerable because of low morale due to the imminent deportation of a close friend.

Mary Brimson was asked whether she knew the group were not young people in care at the time of the Corporate Parenting Group and she stated that she had assumed the group was and was not aware that the group were adults until after the meeting. Mairead MacNeil had no knowledge that the group were adults at the time of the meeting.

This combination of factors challenges the accuracy and representativeness of the concerns raised at the Corporate Parenting meeting.

Recommendation

A protocol must be established for facilitating the participation of groups of young people and adults in member-led meetings to aid communication, eg more use should be made of the corporate parenting leaflet

Unaccompanied asylum seeking children Policy and Procedure and workforce development

The unaccompanied asylum seeking children policy and supporting procedure were launched in December 2009. This multi-agency policy considers the health, education and accommodation needs of unaccompanied asylum seeking children and reflects national best practice. The policy was signed off by Mairead MacNeil, the Assistant Director for Children's Social Care and is available for access by children's social workers. However, in evidence it is not clear that all members of the children's workforce have access to the policy or know its content.

The unaccompanied asylum seeking children policy and procedure are stored on the system and are accessible to anyone with access. It was not clear how the policy and procedure had been launched but the panel heard that there would probably have been awareness raising at point of sign off. It was assumed that staff who are actively involved with families affected should know about the policy and procedure. When explored whether particular professional groups knew about the service senior managers were surprised that the Youth Service wouldn't know.

Recommendation:

PCC should more widely disseminate the existing policy and procedure to all sections of the children's workforce and store these documents in a way that facilitates ready access

General support for unaccompanied asylum seeking children

The panel asked officers about the support that was currently provided to unaccompanied asylum seeking children and the training provided to workers to support these young people.

- Sally Crawford described the support provided to a range of young people and young adults from the Frederick Street youth centre.
- Although she didn't originally have particular knowledge and experience of working with asylum seeker and refugee group she did have extensive experience of working with young people and applied these principles.
- Sally raised concern about a perceived mixed experience for young people seeking asylum where the outcome of the age assessment means that some individuals receive excellent service and other young adults don't.
- Sally reported that some young people she comes into contact with have been very well looked after. However she highlighted that the deportation process can cause distress to individuals affected and to their peer group. The scope of this task and

finish group was limited however to the assessment and support provided to unaccompanied children who are eligible to receive support as a child in care.

- Sally reported that she was working closely with two young people who had strong concerns about the level of support they were receiving

- Mary Brimson reported that young people who are unaccompanied asylum seeking children are supported by a nominated social worker who will check that the young person's needs are being met and who has a statutory duty to regularly visit the child. The social worker is expected to build a relationship with that young person.
- Mary reported that unaccompanied asylum seeking children often have complex needs and will require a range of services to meet those needs. It is expected that all professionals that are working with a named young person, including foster carers, should work as a team and should provide feedback when there are concerns about a child's wellbeing.
- Mary also reported that unaccompanied asylum seeking children have access to advocates via an independent advocacy service to ensure that concerns can be raised via an independent channel if needed.
- When asked specifically about the two young people's concerns Mary knew the case history and stated that there were additional factors that had not been presented to the panel

Recommendation

A review is conducted of the range of services for unaccompanied asylum seeking children, including services provided by Youth Services, those funded by the Social Inclusion Unit and any services provided by partners.

The Director of Children's Services should establish closer working arrangements between children's social care and other elements of the children's workforce that work with unaccompanied asylum seeking children to meet the needs of unaccompanied asylum seeking children

The Director of Children's Services should improve training and understanding of unaccompanied asylum seeking children and Asylum Seekers and Refugees issues for staff working with these groups

The Director of Children's Services should clarify and make explicit professional boundaries between individual workers and unaccompanied asylum seeking children. This should be monitored through supervision

A report should be prepared on how professionals across the Children's Trust work together to support the health and wellbeing of unaccompanied asylum seeking children, including where there are concerns.

The panel asked officers about the process of age assessments and perceptions of the length of time it takes to conduct an age assessment.

- Sally Crawford reported that an age assessment can take up to two years to complete.
- Mary Brimson and Mairead MacNeil reported that age assessments are conducted by the UK Border Agency. That assessment determines whether the individual is relocated as a young person or as an adult. As a young person, the individual is entitled to support as a child in care. Sometimes at this point an individual may decide to appeal against the decision and will inform Children's Social Care.
- Mary described how, where an appeal is made, an age assessment will be completed within 10 days. The process follows the Merton Age Assessment process and national best practice.
- Mairead and Mary stated that sometimes an individual's age can be difficult to determine where records are absent. Documentation is received from the Border Agency and workers will take into account a range of evidence to test whether the information presented is credible, for example emotional development, physical appearance, credible story and valid documentation.
- Mary asserted that sometimes a young person's mental health may be a reason to slow down the process, for example the individual can feel so traumatised by their past experience that the age assessment has to be temporarily suspended.
- Both Mary and Mairead acknowledged that this is a subjective and robust assessment

Access to education

The panel were interested in the approach taken to supporting the educational needs of unaccompanied asylum seeking children.

- Mary stated that unaccompanied asylum seeking children are classed as children in care and as such have access to a specialist team who will liaise with children, social workers and schools to ensure that education support is appropriate for the needs of the young person. In addition, they will have access to the virtual school Headteacher.

Recommendation

The panel were satisfied that the policy and procedure in this area was being applied.

The Corporate Parenting Group should regularly monitor outcomes for unaccompanied asylum seeking children.

Access to accommodation

The panel asked officers to describe how the accommodation needs of young people were met

- In the Corporate Parenting Group meeting, there were suggestions that unaccompanied asylum seeking children were not consistently offered suitable accommodation and were regularly placed in bed and breakfast accommodation for long periods of time.
- Mairead MacNeil described that unaccompanied asylum seeking children are often in their mid to late teens when they come into contact with children's social care. Occasionally they may stay in a bed and breakfast for a couple of days while an assessment is completed.
- Mairead stated that once the young person or adult's status is agreed the nominated social worker will design the best package of care and this will happen very quickly. Younger age groups will be automatically housed with foster carers as opposed to independent living but the package of care will be carefully designed around the young person's needs.

Recommendation

The panel were satisfied that the policy and procedure in this area was being applied.

The Corporate Parenting Group should regularly monitor outcomes for unaccompanied asylum seeking children.

5. Conclusion

Overall, the panel were satisfied that the policy and procedures to support unaccompanied asylum seeking children were in place and were being applied. The process for age assessment, specifically in response to appeals, follows national best practice.

The Corporate Parenting Group has the responsibility to monitor outcomes for all children in care. This group should assume responsibility for the ongoing monitoring and review of work in this area.

6. Recommendations

A protocol must be established for facilitating the participation of groups of young people and adults in member-led meetings to aid communication, eg more use should be made of the corporate parenting leaflet

PCC should more widely disseminate the existing policy and procedure to all sections of the children's workforce and store these documents in a way that facilitates ready access

A review is conducted of the range of services for unaccompanied asylum seeking children, including services provided by Youth Services, those funded by the Social Inclusion Unit and any services provided by partners.

The Director of Children's Services should establish closer working arrangements between children's social care and other elements of the children's workforce that work with unaccompanied asylum seeking children to meet the needs of unaccompanied asylum seeking children

The Director of Children's Services should improve training and understanding of unaccompanied asylum seeking children and asylum seekers and refugees issues for staff working with these groups

The Director of Children's Services should clarify and make explicit professional boundaries between individual workers and unaccompanied asylum seeking children. This should be monitored through supervision

A report should be prepared on how professionals across the Children & Young People's Trust work together to support the health and wellbeing of unaccompanied asylum seeking children, including where there are concerns.

The Corporate Parenting Group should regularly monitor outcomes for unaccompanied asylum seeking children.



Request for Scrutiny Work Programme Item

1	Title of Work Programme Item	Unaccompanied Asylum Seeking Young People in Care
2	Responsible Director (s)	Bronwen Lacey, Director of Services for Children and Young People
3	Responsible Officer Tel No.	Mary Brimson, Head of Service Children and Young People in Care
4	Relevant Cabinet Member(s)	Councillor Mrs Watkins, Cabinet Member for Children and Young People
5	Objectives	<ul style="list-style-type: none"> • Review access to education for unaccompanied asylum seeking young people in care. • Review the accommodation for unaccompanied asylum seeking young people in care. • Review the process of age assessments undertaken for unaccompanied asylum seeking young people in care.
6	Who will benefit?	Unaccompanied Asylum Seeking Young People in Care
7	Criteria for Choosing Topics (see table)	Safeguarding issue for looked after children as identified at the Corporate Parenting Group meeting of 20 October 2010.
8	What will happen if we don't do this review?	The needs of unaccompanied asylum seeking young people in care will not be addressed. Possibility of failing in statutory duty of care.
9	What are we going to do?	Task and finish group to take place over one day.

10	How are we going to do it? (witnesses, site visits, background information etc.)	Interviews with key witnesses and background research to include best practice from other authorities.
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11	What we won't do.	The task and finish group will not look at immigration issues faced by the unaccompanied asylum seeking young people in care.
12	Timetable & Key Dates	To be decided.
13	Links to other projects or initiatives / plans	N/A
14	Relevant Overview and Scrutiny Panel / Membership if Task and Finish Group (to be decided by OSP before submission to OMB)	Children and Young People Overview and Scrutiny Panel.
15	Where will the report go? Who will make the final decision	Overview and Scrutiny Management Board.
16	Resources (staffing, research, experts, sites visits and so on)	Staffing from the Democratic Support Officer, Lead Officer and Head of Service Children and Young People in Care. Policy officers for research.
17	Is this part of a statutory responsibility on the panel?	Yes
19	Should any other panel be involved in this review? If so who and why?	No
20	Will the task and finish group benefit from co-opting any person(s) onto the panel.	Some members of the Corporate Parenting Group will be invited to join the task and finish group.



Reference No. 09/11/Pol/14

**Plymouth Services for
Children and Young People**

**Policy on Unaccompanied Asylum
Seeking Children**

Version No 1.0

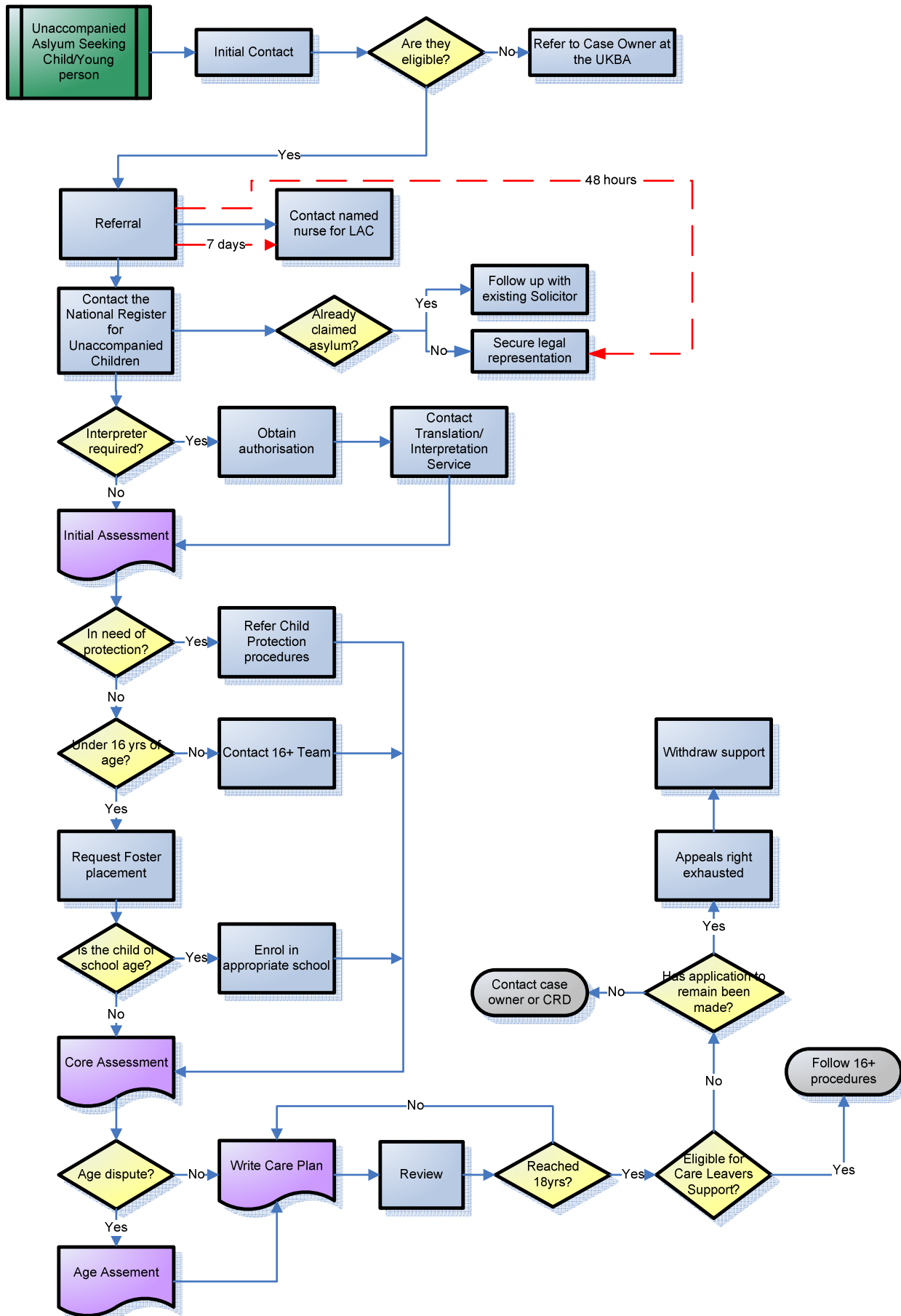
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<u>Social Care document type</u>	<u>Policy</u>
<u>Title</u>	<u>UASC</u>
<u>Document Purpose and Description</u>	<u>To provide policy information on the use of Specialist Assessments</u>
<u>Author(s)/Editor(s)</u>	<u>Candice Sainsbury – Policy and Planning Manager</u> <u>Elody Mene-Garue – Social Worker</u>
<u>Endorsed by</u>	<u>Mairead MacNeil</u> <u>Assistant Director</u> <u>Social Care</u>
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<u>Job Title of Person Responsible for Review</u>	<u>Head of Service</u> <u>Children in the Community</u>
<u>Target Audience</u>	<u>Social Care Teams</u>
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<u>References</u>	<ul style="list-style-type: none"> • Immigration Act 1971, section 3(2) • United Nations Convention and Protocol relating to the status of refugees(Geneva Convention) 1951 • <u>Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 Part 2, 3, 4 or 5 of Schedule 3</u>
<u>Supersedes Document</u>	<u>N/A</u>
<u>Contact Details</u> <u>Policy and Planning Team</u>	<u>Title: Policy and Planning Officer</u> <u>Work address: Department for Children Services</u> <u>Windsor House</u> <u>Plymouth</u> <u>PL6 5UF</u> <u>Tel: (01752) 307335</u> <u>Email: policy&planning@plymouth.gov.uk</u>

Document Version Control

Version Number	Details e.g. Updated or full review	Date	Author of Change	Description of Changes and reason for change



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1. Background

- 1.1 Unaccompanied or separated children arrive in the United Kingdom from a wide variety of countries of origin in Asia, Africa, the Soviet Union, and Europe. Statistics indicate that the majority arrive from countries experiencing armed conflict or serious repression from minority groups or political opponents.
- 1.2 While in general unaccompanied or separated children have similar international protection needs to those of adults, in some countries there are additional factors that place children in far greater need of international protection than adults. Child specific persecution for example can include forced conscription as a child soldier, the fear of child trafficking and female circumcision¹.
- 1.3 Many of the challenges local authorities and others face in providing good quality care and services for this group are similar to those relating to other children. However unaccompanied asylum seeking children do have some different and particular needs. Most will enter the care system or seek children's services when they are, on average, considerably older than other children or young people. Additionally, they generally do not enter the care system for the same reasons as other children (abuse or neglect), and their need for care and support from local authorities generally arises from separation from their family. The temporary nature (for most) of their stay in the United Kingdom and the speed with which some of them need to be prepared for return to their countries of origin also causes some very challenging issues in planning for their care². To make matters more complex, unaccompanied asylum seeking children themselves are a diverse group with very different experiences and levels of need.
- 1.4 The government's decision to make Plymouth a dispersal area for asylum-seekers following the Immigration and Asylum Act 1999, has seen an increase in the presentation of unaccompanied asylum seeking children in the city in the past Seven years. Many will have arrived in this country unaccompanied and/or transferred by another local authority, or are simply found wandering the streets of Plymouth.
- 1.5 To date, though a wide range of services are being provided to unaccompanied asylum seeking children, these services are not planned or provided within a comprehensive, multi agency approach. Despite the existence of a small core group of professionals committed to meeting the needs of unaccompanied asylum seeking children, a widespread lack of understanding about their needs has compounded this disjointed provision of services.
- 1.6 Furthermore, the lack of clarification and strategic guidance of how the immigration status of unaccompanied asylum seeking children affects the statutory services that can be provided, especially in the post 16 year old range, has facilitated an environment in which service managers have been disempowered to provide the most appropriate support to meet the needs of this highly vulnerable group of young people.

2. Statutory and Policy Framework

2.1 Definition

¹ Information taken from 'Seeking Asylum Alone', J Bhabha and N Finch, Nov 2006

² 'Planning Better Outcomes and Support for Unaccompanied Asylum Seeking Children', consultation paper Jan 2007, Home Office

The official definition³ of an unaccompanied asylum-seeking child is:

- (i) An individual who is under 18 and applying for asylum in his/her own right; and is
- (ii) Separated from both parents and not being cared for by an adult who by law or custom has responsibility to do so.

2.2 Asylum Application

2.1.1 Under the Rules made under section 3(2) of the Immigration Act 1971, an asylum applicant is a person who makes a request to be recognised as a refugee under the 1951 United Nations Convention and Protocol relating to the status of refugees⁴, also known as the 'Geneva Convention', on the basis that it would be contrary to the United Kingdom's obligations under the Geneva Convention for him to be removed from or required to leave the United Kingdom.

2.1.2 Until an asylum application has been determined by the Secretary of State or the Secretary of State has issued a certificate under Part 2, 3, 4 or 5 of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 no action will be taken to require the departure of the asylum applicant or his dependants from the United Kingdom⁵.

2.3 Children's Act 1989 and 2004

2.3.1 The principal piece of legislation underpinning the provision of statutory services for unaccompanied asylum seeking children is the Children Act 1989 and 2004. Dependent on the immigration status of a child seeking asylum, an unaccompanied child under the age of 18 yrs is eligible to access and receive services, in addition:

- All agencies working with children, young people and their families are to take all reasonable measures to ensure that the risks of harm to children's welfare are minimised, and
- Where there are concerns about children and young people's welfare, all agencies are to take all appropriate actions to address those concerns, working to agreed local policies and procedures in partnership with other agencies

2.3.2 Refugee and Asylum Seeking Children's Project Section 20 (1) of the Children Act 1989 imposes a clear and unequivocal duty on local authorities to: *"Provide accommodation for any child in need within their area who appears to them to*

require accommodation as a result of:-

- (a) *there being no person who has parental responsibility for him;*
- (b) *his being lost or having been abandoned; or*
- (c) *the person who has been caring for him being prevented (whether or not permanently, and for whatever reason) from providing him with suitable accommodation or care".*

Some or all of these conditions will clearly be met in the case of a child who arrives in the United Kingdom alone, and is therefore normally the most appropriate section of the Children Act under which a local authority should provide support. That Section 20 is the most appropriate route for the support of unaccompanied

³ UK Border Agency

⁴ Refugee defined as a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country.' United Nations High Commissioner for Refugees, 1951.

⁵ Ref <http://www.ind.homeoffice.gov.uk/lawandpolicy/immigrationrules/part11>

asylum seeking children was made clear by guidance issued to local authorities in 2003 by the Department of Health.

- 2.3.3 Statutory provisions under which accommodation and support for unaccompanied asylum seeking children may be provided. Since the *Hillingdon* judgement it is established that section 17 of the Children Act should **not** routinely be used to meet the accommodation and support needs of unaccompanied asylum seeking children – in particular the 16+ age group. The legislation does however *allow* the use of section 17 to provide accommodation to children. Section 17 of the Children Act relates primarily to the provision of services for children in need and their families. *“The power to provide accommodation under section 17 will almost always concern children needing to be accommodated with their families”* (LAC (2003) 13)
- 2.3.3 Where appropriate, further support can be accessed under Section 23 and Section 24 of the Children Act 1989 (as amended by the Children (Leaving Care) Act 2000).

2.4 Local Governance

- 2.4.1 This policy has been steered by the establishment of the Plymouth Children and Young People’s Trust that brings together all services for children and young people in the Plymouth area. The development of the Trust is underpinned by the Children Act 2004 duty to cooperate, and to focus on improving outcomes for all children and young people. It also recognises that unaccompanied asylum seeking children, whether children in need or looked after children, matter every bit as much as other young people in the context of meeting each and all of the five outcomes of the Every Child Matters’ framework⁶.
- 2.4.2 This policy directly contributes to several key outcomes and commitments laid out in the Plymouth Asylum Seekers and Refugee Strategy⁷, in relation to providing a coordinated multi-agency response to the needs of asylum seekers and refugees. This strategy addresses a specific part of the equality objectives in the Corporate Plan 2009-2012 that aims to improve social inclusion and community cohesion.

3. Policy Goal

To promote the holistic well being and safeguarding of unaccompanied asylum seeking children and young people, living in Plymouth, and to contribute towards developing community cohesion through integration and a shared sense of belonging amongst people of different backgrounds (Ref: CIP 4 Aspirations).

4. Policy Objectives

- 4.1 To provide the strategic framework for individuals and specific services to work within in the development and delivery of a comprehensive, multi agency service pathway, which meets the needs of unaccompanied asylum seeking children, under the auspices of the Plymouth Children and Young People’s Trust.
- 4.2 To promote the social inclusion of unaccompanied asylum seeking children.

⁶ DfES 2004 - The five Every Child Matters outcomes are: Be healthy, Stay safe, Enjoy and achieve, Make a positive contribution and Achieve economic well-being.

⁷ Plymouth Asylum Seekers and Refugee Strategy 2004

5. Programme Measures

- 5.1 Co-ordinated development of multi-agency procedures that are grounded in good practice.
- 5.2 Consultation with unaccompanied asylum seeking children and other key stakeholders in the development, review and implementation of relevant policy and procedures.
- 5.3 Development of a multi-agency care pathway.
- 5.4 Identification and establishment of links with complementary services from within the voluntary and community sector, as well as other statutory agencies/departments such as the Border Agency, police, adult services, housing and the Department for Work and Pensions, amongst others.

6. Implementation and Institutional Arrangements

- 6.1 Unless specifically highlighted in the procedures document, this policy will be implemented through the established structures and working arrangements within the organisations within the Children and Young People's Trust.
- 6.2 Annual multi-sector review meeting for unaccompanied asylum seeking children

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