

OVERVIEW AND SCRUTINY PERFORMANCE AND VALUE FOR MONEY

SELECT COMMITTEE

11/03/2021 at 6.00 pm



Present: Councillor Ahmad (Chair)
Councillors Alyas (Substitute), Haque, Ibrahim (Substitute),
Harkness and Shuttleworth

Also in Attendance:

Councillor Mushtaq	Cabinet Member for Education
Councillor Steve Bashforth	MioCare Board Chair
Matt Drogan	Head of Strategy and Performance
Caroline Lee	Head of Revenues and Benefits
Richard Lynch	Director of Education, Skills and Early Years
Tony Shepherd	Head of Learning
Donna Lewis	Head of Inclusion and Post 16
Jenny Dennis	Early Years Provision Manager
Lisa Oates	Head of Fostering and Adoption
Karen Barrick	Head of Adoption Now
Karl Dean	MioCare Group Managing Director
Anne Ryans	Director of Finance
Mark Stenson	Head of Corporate Governance
Sian Walter-Browne	Constitutional Services
Mark Hardman	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Byrne, Salamat and Stretton.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETINGS**

RESOLVED that the Minutes of the meetings of the Overview and Scrutiny Performance and Value for Money Select Committee held on 17th December 2020, 28th January and 9th February 2021 be approved as correct records.

QUARTER 3 PERFORMANCE REPORT

The Select Committee gave consideration to a report which presented a review of the Council performance as at December 2020.



The presentation of performance commenced with the provision of an 'Oldham Profile in Numbers' comprising basic data in respect of population, housing, education, crime, income and benefits, household information, health, and community in the Borough. Performance against each of the three corporate objectives of an Inclusive Economy, Thriving Communities and Co-operative Services was then reported. It was noted that 23 measures had achieved their target, 4 were within tolerance and 5 were currently outside tolerance.

A review of achieve-ability against corporate performance measures was undertaken in September 2020 to better understand the ongoing impact of reporting against corporate performance measures following the outbreak of covid-19. The review resulted in 11 measures being temporarily suspended and these were detailed at appendix VI to the submitted report. Since that review, further local and national restrictions had subsequently impacted on the ability to report against performance measures which was highlighted in the report. Performance measures and their associated risks were considered in detail at Appendices I, II, III and IV of the report as submitted.

Members asked for and received clarification on the following:

- it was queried why the achievement of measure 548(CP) had remained at 3.2% but the rating had changed from Green to Red. The Committee was advised that the outcome had a staggered target of 3.2% at month 6 rising to 4% at month 9 and it was this stretched target that was not being met;
- the large drop in performance in the percentage of minor planning applications determined in time shown in measure M275(CP) was highlighted, the Committee being advised that the Service considered this to be as a result of systems issues and that better results were hoped for in the following report;
- the reason for staff resignations was further queried. Noting there was a cost to recruitment and training, and that to lose staff after 1-2 years had a cost, it was asked whether this issue might be considered in terms of length of service prior to resignation;
- noting that sickness absence had reduced during the Covid period, it was suggested that people may have worked from home in circumstances when they may not have gone into the workplace;
- noting the percentage of eligible adults aged 65+ who had received the flu vaccination being below target, it was asked whether there was data available for Covid vaccination take-up;

- in response to queries relating to the reported non-achievement of £1M approved 2020/21 budget reductions, this was attributed to the effects of Covid and how Treasury income is reported. The figure had been built into the budget and it was noted that this amount was in areas of lost income which the government had chosen not to provide recompense.

RESOLVED that the Corporate Performance Report December 2020 be noted.

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LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW OF PERFORMANCE

The Select Committee gave consideration to a report which provided an update on Council performance in relation to enquiries received from the Local Government and Social Care Ombudsman (LGSCO).

The Council dealt with complaints about the services it provided according to the requirements of the Local Government Act 1974 for corporate complaints; the Children Act 1989 for Children's Social Care complaints; and the Local Authority Social Services and NHS Complaints Regulations 2009 for Adult Social Care complaints. All these complaints procedures had the LGSCO as the last stage in the process. The Ombudsman's role was to enquire into cases where the Council and the complainant still did not agree after the Local Authority's complaints procedure had been exhausted and the complainant still wanted the case to be reviewed.

The submitted report considered the LGSCO's Annual Review of Complaints for 2019/20 and national, regional and local perspectives arising. Nationally, the LGSCO had reviewed 17,019 cases, of which 5,723 were resolved at initial investigation stage, while 4,215 required a detailed investigation of which 2,586 were ultimately upheld. The highest proportion of complaints upheld were about education and children's services (72%), while over a third of the public interest reports published also related to those issues. Regionally, figures provided for the numbers of complaints reviewed by the LGSCO for each of the Greater Manchester Authorities in the years 2018/19 and 2019/20. Oldham's figure had fallen from 80 to 71 in this period. The number of cases investigated in 2019/20 was likewise reported: Oldham had 13 cases investigated of which seven were upheld.

Locally, in 29% of those upheld cases the LGSCO found that the Council had provided a satisfactory remedy before the complaint reached the Ombudsman: this compared to an average of 11% in similar authorities. It was noted that the number of cases reviewed by and investigated by the LGSCO was low when compared with the overall complaints caseload. The Council was currently reviewing the Complaints Service which would include review of policies and procedures, improving timescales for resolution and placing stronger emphasis on service

development and improvement following complaints. Best practice training had also been commissioned.



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Members sought and received clarification on the following –

- complaints tended to be spread across the Council generally, though with particular focus on certain areas such as children’s services, adult services and Council Tax. If a particular type of concern was arising, work would be undertaken to see if an overall improvement could be made;
- in considering where and how complaints arose, a particular issue such as a disputed planning application might produce a spike in complaints;
- it was noted that while a person may complain, it could be that the Council had acted correctly. If it was found that an individual was at fault, work would be undertaken with the Service to ensure services were provided respectfully and correctly;
- it was noted that different services attracted different types of complain, for example Council Tax debt enforcement attracted complaints though many were not upheld as correct procedures had been followed, and waste collection attracted greater feedback because of the higher level of public contact with the service.

RESOLVED that the Local Government Ombudsman Annual Review of Performance be noted.

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SECONDARY SCHOOL AND SIXTH FORM PERFORMANCE

Consideration was given to a report which provided the Select Committee with a review of secondary school and sixth form performance.

Members were informed that the pandemic caused the closure of schools and cancellation of examinations in 2020, with students being awarded their centre assessment grade or calculated grade, whichever was higher. This increased grades and meant that results for 2020 could not be directly compared to other years. In addition, performance data was not available at the school level making 2020 analysis very limited. The report provided a performance overview by summarising the 2020 published data and reflecting on trends in 2017-2019 published data.

In 2020, GCSE and A’ level outcomes for Oldham pupils were below national averages and the gaps between Oldham and national averages were wider than previously, the trends from 2017 to 2019 also showing a widening gap in GCSE and A’ level outcomes. It was important that children and young people in Oldham should have an education which enabled them to achieve as well as those from any other parts of England. To realise this vision, the Borough’s students must firstly attain in line with their peers in statistical neighbour boroughs and then

with national averages. This had started to happen at Early Years and Key Stages (KS) 1 and 2, but at KS4 this appeared difficult to shift and the position was unclear at KS5.

Oldham Learning was the Council's approach to creating a sustainable, sector-led school improvement system which involves a wide range of stakeholders including schools and colleges, academies and multi-academy trusts. It was noted that, in order to facilitate this and to prevent the potential for fragmentation across a disparate education provider landscape, Oldham Learning will need to develop a clear and coherent strategy for improving education outcomes across the Borough. This will be developed through the Summer term 2021, ready for implementation from September 2021. The University of Manchester had been commissioned to consult with sector and system stakeholders to establish a robust outcomes framework by end of June 2020 which will inform the strategy direction and production.

Members queried the performance gap between Oldham and the national position, being advised that the Service was impatient for the improvements at Early Years to KS2 to work their way through to KS 4 and 5, and that a Covid Recovery Plan was aimed at getting children back to school over the coming weeks and then working to address the imbalance in performance. Responding to a request for sight of the Recovery Plan, the Cabinet Member noted that there were issues of performance to consider that existed prior to the Covid pandemic and which were picked up in the Recovery Plan. A Member noted that information was presented for Oldham as a whole and suggested that future reports might have performance broken down on the basis of school and Ward level data to assess levels of achievement across the Borough.

RESOLVED that

1. the secondary school and sixth form performance be noted;
2. the sector-led school improvement activity be noted.

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PARTICIPATION OF YOUNG PEOPLE AGED 16-18 IN EDUCATION, EMPLOYMENT OR TRAINING (EET)

The Select Committee gave consideration to a report which updated them on current participation and NEET (Not in Education, Employment or Training) rates. A summary on activity undertaken during Covid pandemic was provided, along with planned activity for the future to ensure that the Council was shaping and influencing opportunities where possible for Oldham's 16-18 year olds.

The Council continued to fulfil its duties around encouraging, enabling and assisting young people to participate in education or training and tracking those aged 16 and 17 through the commissioning of the targeted support offer delivered by Positive Steps, which included some dedicated resource for those with Special Educational Needs and Disabilities (SEND)

and the Children Looked After (CLA) cohort. The effects of Covid on young people had been well reported with concerns about the effects on their education and wellbeing, including their concerns about the future, all affecting levels of engagement and motivation. The approach across partners in Oldham was to ensure that young people can access the advice and support they require; that opportunities are available, albeit in a restricted format in some cases; and to engage with young people to hear their voices and respond as best as possible.

It was reported that currently 94.2% of Year 12s were participating in some form of EET, this rate being consistent in the past 12 months despite the additional challenges brought by Covid-19, though there was some variation for those with SEND and the CLA cohort with whom further work was being undertaken. The NEET rate currently sat at 3.4% and had similarly been steady over the past 12 months. Positive Steps careers advisors continued to engage with those NEET and reported a number of reasons for withdrawal from EET.

During the first lockdown a number of workstrands had been put in place to support children and young people looking to ensure that young people arrived at their expected setting in September; were ready to engage in learning on arrival at their setting; were in a good place with their mental health; and were able to settle and socially engage with other students. It was acknowledged that engagement programmes, while essential, were restricted due to Covid. However, there were seven organisations offering provision in Oldham that would support young people to engage and obtain skills for education, employment or training, and work had been undertaken with a number of other potential providers of engagement type activity to raise awareness of needs in Oldham ahead of a funding opportunity with the Princes Trust. GMCA funding had been secured for work in removing barriers to apprenticeships for underrepresented groups, with activities during Apprenticeship Week 2021 and opportunities made available through a monthly bulletin being further advised.

The huge improvement in this service which had been of concern to the Committee over a number of years was noted and acknowledged by the Committee, including the continued delivery of support over the Covid period.

RESOLVED that

1. the improvement in services provided to promote the participation of young people in education, employment and training be noted;
2. the current landscape and experiences of 16-18 year olds which is impacting on their participation in education, employment or training be noted.

FREE EARLY EDUCATION ENTITLEMENTS FOR 2, 3 AND 4 YEAR-OLDS: OVERVIEW OF KEY TRENDS AND DEVELOPMENTS

The Committee received a report providing an overview of key trends and developments in the delivery of free early education entitlements for two, three and four-year olds. The report considered the most recent national statistics released by the Department for Education (DfE) in June 2020 to enable benchmarking of Oldham's position against other local authorities at that time and also reflected on the impact of the Covid-19 pandemic on the availability and uptake of early education over the past year, setting out priority actions to redress a recent decline in uptake rates.

Despite a recent trajectory of improvement, school readiness in Oldham as measured by the percentage of children reaching the Good Level of Development in the Early Years Foundation Stage at age 5 remained below national and regional averages. The impact of the Covid-19 pandemic on access to an early learning environment for many children was likely to further exacerbate the situation and made it more important that a proactive approach was taken to improving take-up rates for the free early education entitlements.

The three early years entitlements, along with the national qualifying conditions and locally adopted criteria that extended eligibility, were reported, and benchmarking of Oldham's performance against national, Greater Manchester (GM) and statistical neighbour authorities was presented, along with Ward uptake data. Headline data was that -

- with regard to the Universal early education entitlement (3 and 4-year olds), an uptake rate of 98% placed the Borough above the national average (93%) and GM and statistical neighbours;
- with regard to the two-year old entitlement, a national uptake rate of 69% in 2020 was recorded against a peak in 2018 of 72%, a picture mirrored in Oldham, albeit with a sharper fall, with respective figures of 70% and 84%;
- with regard to quality, 99% of two-year-olds and 90% of three and four year olds were accessing their free entitlement in good and outstanding settings in January 2020, compared to national figures of 97% and 92% respectively.

It was reported that the Covid pandemic had placed pressures on early years providers. They had faced the combined challenges of lockdown closures, part closures, parental caution and additional requirements to comply with social distancing and infection control measures. However, despite this, to date the market in Oldham had remained reasonably stable.

To address the decline in uptake rates, a Childcare Recovery Plan had been developed to ensure the Council's sufficiency

duty can be met in the mid to long-term and can help support recovery of the local economy. The Plan aimed to:

- i) support the financial sustainability of the local childcare market, recognising that many settings may not be able to operate at full capacity and that parental demand may be reduced;
- ii) support the re-opening of childcare provision to ensure childcare is available as far as possible for parents who need it, and when they need it, taking account of changing parental needs and preferences; and
- iii) return uptake rates for the 2, 3 and 4 year-old free early education entitlements to their pre-Covid levels and beyond.



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The following issues were raised and considered -

- where take-up rates indicated, for example, a termly take-up of 103%, this arose from the processing of attendances across ward boundaries and attendances from outside the Borough;
- the reported increase in the number of potentially eligible parents between 2018 and 2020, which had been disproportionately higher when compared with other local authorities and had been a factor in reduced uptake, was attributed to Universal Credit data provided to the authority that set the baseline for eligibility. It was noted that this data had since returned to a more normal position but it remained unclear what caused the increase in the earlier data provided;
- in terms of provision going forward from the Covid pandemic, the Council had a statutory duty to ensure sufficient childcare provision and needed to be proactive in areas where it looked to be lacking. The current focus was on protection of existing places, as set out in the Recovery Plan and in linking to national agencies working with providers and providing business support grants.

RESOLVED that the report be noted.

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KEY DECISION DOCUMENT

The Committee gave consideration to the latest Key Decision Document published on 19th February 2021.

RESOLVED that the Key Decision Document be noted.

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OVERVIEW AND SCRUTINY PERFORMANCE AND VALUE FOR MONEY SELECT COMMITTEE WORK PROGRAMME

The Board gave consideration to the updated Overview and Scrutiny Performance and Value for Money Select Committee Work Programme for 2020/21. Members' attention was drawn to the proposed implementation of the revised overview and scrutiny terms of reference, agreed by the Council in June 2020, with effect from the forthcoming Municipal Year. The Chair noted major projects, such as Northern Roots, new partnerships being established, Spindles transformation and the Housing

Strategy, where money was being spent and expectations raised over the coming year, would need oversight by scrutiny Members.

RESOLVED that the Overview and Scrutiny Performance and Value for Money Select Committee Work Programme 2020/21, as presented, be noted.

13 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under either paragraph 2 or 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

14 **REGIONAL ADOPTION AGENCY REVIEW OF PERFORMANCE AND FINANCE**

The Committee received an update on matters relating to adoption activity in the half year period 1st April to 30th September 2020, including measures against performance indicators and the adoption 'journey' for a number of children to demonstrate the issues needing to be addressed for young people and potential adoptive parents. The Committee further received and considered the half year executive report of 'Adoption Now', the regional adoption agency providing adoption services for six local authorities, including Oldham, in the north west.

Members queried and received responses in respect of the approaches undertaken to recruit potential adopters, including promotional activities within the community; what considerations were given to people who put themselves forward as potential prospective adoptive parents; and the considerations given prior to the placement of individual children for adoption.

RESOLVED that the report be noted.

15 **MIOCARE GROUP - ANNUAL UPDATE ON FINANCIAL PERFORMANCE**

The Committee received an update on the financial performance of the MioCare Group Community Interest Company during the financial year 2020/21 which gave an overview of business developments and which further considered current and future operating environments and the issues these presented for the company's budget for 2021/22.

The Committee queried and received responses in respect of the reported financial performance and in respect of staffing issues as they affected both the company and the care sector in general.

RESOLVED that the report be noted.

The meeting started at 6.00 pm and ended at 7.58 pm

