



NOTTINGHAM CITY COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE

Date: Wednesday, 12 November 2014

Time: 2.00 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,
NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Acting Corporate Director for Resources

Governance Officer: Rav Kalsi **Direct Dial:** 0115 8763759

AGENDA

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IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

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NOTTINGHAM CITY COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MINUTES of the meeting held at LB31-32 - Loxley House, Station Street, Nottingham, NG2 3NG on 8 October 2014 from 14.00 - 16.00

Membership

Present

Councillor Glyn Jenkins (Vice Chair)
Councillor Georgina Culley (from 2:20pm)
Councillor Neghat Nawaz Khan
Councillor Ginny Klein
Councillor Anne Peach
Councillor Mohammed Saghir
Councillor Carole-Ann Jones

Absent

Councillor Brian Parbutt (Chair)
Councillor Azad Choudhry
Councillor Gul Nawaz Khan
Councillor Thulani Molife
Councillor Roger Steel
Councillor Marcia Watson
Councillor Pat Ferguson

Beverley Denby (Third Sector Advocate)

Colleagues, partners and others in attendance:

Richard Matthews	- Parent Governor Representative
Councillor Sam Webster	- Executive Assistant for Schools
Sarah Chand	- Deputy Director (Midlands) of the National Probation Service
Jo Mead	- Chief Executive of The Derbyshire, Leicestershire, Nottinghamshire and Rutland Community Rehabilitation Company Limited
Nick Lee	- Acting Head of School Access and Improvement
Alison Michalska	- Corporate Director for Children and Families
Tim Spinks	- Head of Service, Crime and Drugs Partnership
Sarah Watson	- Policy Officer, Crime and Drugs Partnership
Jane Garrard	- Senior Governance Officer

25 APOLOGIES FOR ABSENCE

Councillor Brian Parbutt (personal)
Councillor Azad Choudhry (personal)
Councillor Gul Khan (personal)
Councillor Thulani Molife (other Council business)
Councillor Roger Steel (other Council business)

Assim Ishaque (Parent Governor Representative)

Peter Moyes, Director of the Crime and Drugs Partnership (Tim Spinks attended the meeting to represent the Crime and Drugs Partnership)

26 DECLARATIONS OF INTERESTS

None

27 MINUTES

The Committee confirmed the minutes of the meeting held on 3 September 2014 as an accurate record and they were signed by the Chair for the meeting.

28 TRANSFORMING REHABILITATION SERVICES - HOW CAN THE NEWLY ESTABLISHED PROBATION SERVICE IN NOTTINGHAM MITIGATE THE RISKS ASSOCIATED DURING THIS TRANSFORMING

Councillor Glyn Jenkins informed the Committee that the purpose of this item was to explore how risks associated with changes to probation services in Nottingham can be mitigated.

a BRIEFING PAPER TO BE PRESENTED BY PETER MOYES, DIRECTOR FOR CRIME AND DRUGS PARTNERSHIP (Agenda Item 4a)

Tim Spinks, Head of Service Crime and Drugs Partnership, introduced a report of the Director of the Crime and Drugs Partnership outlining the Nottingham City Council context of the transforming rehabilitation agenda and identifying risks of the process for the Council and the City more widely. He highlighted the following points:

- a) the probation landscape is changing significantly and the Crime and Drugs Partnership (CDP) has been working with local and national partners to respond to these changes;
- b) a number of risks have been identified for the Council to be aware of, including:
 - i. future provider of services to low and medium risk offenders is unknown;
 - ii. performance management arrangements are unclear;
 - iii. impact of future changes to the way in which unpaid work is delivered
 - iv. increased demand for local services;
 - v. transition of young people from the Youth Offending Service to adult provision;
 - vi. readiness of the secure estate to deliver the 'through the prison gate' approach.
- c) there has been discussion about how to mitigate these risks but currently there are still a lot of unknown factors.

29 BRIEFING PAPER BY THE DERBYSHIRE, LEICESTERSHIRE, NOTTINGHAMSHIRE AND RUTLAND COMMUNITY REHABILITATION COMPANY LIMITED AND NATIONAL PROBATION SERVICE

Jo Mead, Chief Executive of The Derbyshire, Leicestershire, Nottinghamshire and Rutland Community Rehabilitation Company Limited (DLNR CRC) and Sarah Chand,

Deputy Director (Midlands) of the National Probation Service (NPS) introduced a report on the changes to the probation service. They gave a presentation on the impact of the changes locally and how risks are being managed, highlighting the following points:

- a) the work of probation services hasn't changed but since 1 June 2014 it is now split between two providers, one supporting high risk offenders and one supporting low and medium risk offenders. The two providers need to work closely together;
- b) in terms of partnership working, there is agreement between the two organisations on which is the most appropriate to engage with which partnership group. This provides a single point of contact on probation matters for partners and the probation providers work internally to share relevant information. Where necessary, for example the Safeguarding Children's Board, both organisations are involved. While organisational structures have changed many of the key personnel have stayed the same and this has helped to maintain good relations with partners during the transition period;
- c) the DLNR CRC is investing in its workforce and processes, including through external benchmarking tools, to ensure that it isn't the partner that holds back Nottingham in progressing innovative solutions;
- d) As the Probation Trust it was a challenge to fulfil all of the expected roles and functions, and the split provides an opportunity to focus on appropriately managing risks of harm and reducing reoffending rates through development of specialisms;
- e) the National Offender Management Service is the major commissioner for service delivery and it contract manages the NPS and CRC. There is local accountability through the local Criminal Justice Board and local strategic partnerships;
- f) there has been a lot of interest in the contracts to provide probation services for low and medium risk offenders. While prospective providers will have their own proposals for models of delivery there will be room for local discussion and scope to influence the way services are delivered. Part of the contract will be 'payment by results'. The detail of this is still being discussed. 'Payment by results' can have greater risks for providers and therefore might have implications for contract failure;
- g) initial risk assessments are carried out by the NPS and there is a risk escalation process to ensure offenders are managed by either the NPS or CRC. The NPS focuses on those at high risk of serious harm (not reoffending). The CRC focuses on those with a low or medium risk. Both organisations will assess harm/ reoffending risk factors. If the CRC assesses that an individual's risk level has increased then they can be transferred to the NPS if necessary. If an individual's risk level decreases they will remain with the NPS and not transferred to the CRC;

- h) the assessment process also applies to young offenders who will then be allocated to either the NPS or CRC. Previous arrangements for the transition to adult provision will remain in place;
- i) the performance management arrangements used for the Probation Trust are still intact to be used for new providers, but it is likely that they will have a more commercial emphasis with greater levels of contract management than previously;
- j) the NPS and DLNR CRC have monthly meetings with relevant contract managers and this includes reviewing how the two organisations are working together. The organisations also have some mutually dependent targets that require co-operation to achieve.

Following questions from councillors, Jo Mead and Sarah Chand provided the following additional information:

- k) it is intended that the efficiencies created by new ways of working will create the capacity to support those who have been in custody for less than 12 months (who have previously not been supported by probation services). Overall the budget for probation provision should remain the same but more people will receive intervention and support;
- l) there is a range of different community payback schemes and teams meet together to discuss their projects and share learning. Community payback is well-regarded and there is currently commitment to retaining it. This ambition will be communicated to the new provider but it isn't possible to guarantee future provision at this stage. Charging for work has been discussed for several years and does happen in other areas of the country. Community payback schemes are expensive to run and therefore it is understandable that providers would be interested in recovering some/ all of this cost;
- m) it is intended that work to deliver the 'through the prison gate' approach will commence quickly after the appointment of the new provider. The prison service has done a good job of managing the local prison population so that it is in a position to facilitate this;
- n) there are significant structural issues in implementing the 'through the prison gate' approach for women. Most women tend to be held away from home – in Nottingham women tend to be released from Peterborough. Women also have different issues to men and often require targeted support.

Tim Spinks commented that the presentation had provided some reassurances about risk areas, including in relation to the split between dealing with risks of harm and reducing reoffending. He also highlighted the opportunities for local performance management via the Criminal Justice Board.

RESOLVED to review progress in implementation of the changes to probation services and management of associated risks once the provider for low and medium risk offenders has been appointed and commenced work.

30 EDUCATION UPDATE

Nick Lee, Acting Head of School Access and Improvement, introduced a briefing paper on the provisional 2014 exam results for the end of Key Stages 2 and 4; and progress on the Education Improvement Board. He gave a presentation highlighting the following issues:

- a) the Council's role in relation to schools and education has changed but it still retains many statutory functions, including acting as a champion for children and their families. The Council is keen to take a proactive approach to fulfilling this role and to supporting schools regardless of their model of operation;
- b) the exam results data is currently provisional and will be finalised in January 2015;
- c) at Key Stage 2 there have been year-on-year improvements in results but progress has stalled in 2014. Writing ability has been a concern in the City and therefore it is pleasing that this area has continued to see improvements;
- d) A key indicator for OFSTED is 'expected progress' and it is expected that pupils will achieve 2 levels of progress between each Key Stage. The continued improvement in 'expected progress' at Key Stage 2 has slowed but there has been a narrowing of the gap in attainment between girls and boys which is positive. This reflects the focus that has been placed on boys' attainment in recent years;
- e) At Key Stage 4 there is volatility in the results due to changes in the examination system, for example some vocational courses are no longer reported and this has disproportionately affected the City as many schools have promoted these vocational courses in the past;
- f) based on the provisional data, 47% of pupils in Nottingham achieved 5 A*-C GCSES including maths and English, which is a 3% drop compared with 2013. Due to changes in reporting this is not a like for like comparison;
- g) the exam results do not include the performance of City residents attending County schools. In the future the Council would like to obtain an aggregate picture of the results for all pupils resident in the City to understand the overall levels of attainment for the City;
- h) the Education Improvement Board has replaced the Challenge Board. Two issues that it has focused on so far are attendance and behaviour;
- i) in terms of behaviour, the Board is trying to get common reporting of behaviour across all schools and is holding schools to account for managing low level disruption/ poor behaviour by pupils. This is based in part on parental concern about inconsistent behaviour management. Reviews of behaviour

issues have been undertaken in all secondary schools currently in Special Measures and the schools are being supported to make improvements;

- j) there have been a range of activities over the last year focused on improving attendance. This has included rewarding good attendance; communicating the message that attendance is everyone's responsibility; and working with the Priority Families programme. The increase in school places has supported improved attendance as it is easier for families with several children to get them to school on time if they attend the same school. There has also been targeted work with Looked After Children to understand reasons for non-attendance;
- k) it is intended that the Governors Academy will be launched in January 2015. It is being run in conjunction with Nottingham Trent University to provide accredited training for school governors. A senior OFSTED inspector has been involved in developing the programme content. This is one part of work with schools to address governance issues, which was a theme of a number of recent OFSTED inspections.

Following questions from councillors, Nick Lee, Alison Michalska, Corporate Director for Children and Adults, and Councillor Sam Webster, Executive Assistant for Schools, provided the following additional information:

- l) it is unfortunate that some vocational qualifications are no longer included in the reporting as many of these courses were good for young people in Nottingham. Work will take place to explore how these changes affected exam performance in Nottingham compared with other similar cities;
- m) at this provisional stage exam data is provided by schools. One school has not provided their data so far. Full data for the City will be available when the final approved results are published in January;
- n) negative publicity about education in the City during 2013/14, including in relation to the OFSTED reports of secondary schools, has encouraged the Council to place even greater emphasis on doing what it can to ensure that, regardless of their social and economic circumstances, every child receives a good education;
- o) the transition from primary to secondary schools is an important period and is a focus for the Education Improvement Board. The Council is re-engaging with secondary schools including through the Secondary Heads Partnership, supported by a senior OFSTED inspector. Issues identified so far include the need to work with children at an earlier stage before transition and learning from models that work elsewhere;
- p) common reporting and approaches to poor behaviour (as has been put in place for attendance) would be beneficial. It is important to have consistency across the City;

- q) responsibility for training and supporting governors lies with individual schools and they will have to meet the cost of attending the Governors Academy;
- r) attendance at the Governors Academy will be prioritised for current governors and they will need to make a commitment to taking part. In the future and/or to fill vacant spaces, it could be opened more widely – Nottinghamshire County Council has already expressed interest. The Council's Governors Service can support people interested in becoming a governor in the future.

The Committee discussed options for future scrutiny of education issues. In addition to the possible issues for future scrutiny identified in the report, other issues suggested included:

- Annual reporting of exam results
- Narrowing the gaps in educational attainment of vulnerable groups, including use of the Pupil Premium
- The impact on communities of improving school attendance and behaviour
- Recruitment and retention issues
- Pupils with Statements of Special Educational Needs, and links with criminal behaviour.

RESOLVED to include consideration of educational attainment and issues affecting attainment on the scrutiny work programme at least once a year, as a minimum.

31 PROGRAMME FOR SCRUTINY

Jane Garrard, Senior Governance Officer, introduced a report of the Head of Democratic Services detailing the scrutiny work programme for 2014/15.

RESOLVED to:

- (1) Appoint Councillor Glyn Jenkins as Chair of the scrutiny review panel looking at promoting equalities issues through commissioning and procurement; and**
- (2) Request that past scrutiny review reports are published on the Council's website.**

32 INFORMATION ITEM - RESPONSES TO THE RECOMMENDATIONS TO THE SCRUTINY REVIEW PANELS CARRIED OUT DURING 2013-14

Jane Garrard, Senior Governance Officer, introduced a report of the Head of Democratic Services detailing the response to recommendations arising from scrutiny reviews carried out during 2013/14.

RESOLVED to note the responses to recommendations arising from scrutiny reviews carried out during 2013/14.

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OVERVIEW AND SCRUTINY COMMITTEE
12 NOVEMBER 2014
MOVING THE COUNCIL TO THE GOOD TO GREAT OPERATING MODEL
REPORT OF HEAD OF DEMOCRATIC SERVICES

1. Purpose

The Overview and Scrutiny Committee requested a presentation on the Chief Executive's 'Good to Great Operating Model and realignment of council services. The Committee should explore the focus of the restructure, how services are now structured and being delivered and how this will deliver improved customer focused services.

2. Action required

The Committee needs to explore how this is changing the structure of the Council and focus for service delivery and how this will deliver improved customer services.

3. Background information

The Appointments and Conditions of Service Committee considered the proposals to change the Council's operating model at its meeting held in January 2014.

On 25 February 2014, Executive Board approved a Customer Access Programme – Business Case, which establishes a consolidated customer service function delivering front line services through a single management structure across the Council's entire customer facing sites. This process includes significant investment in the IT infrastructure consolidating enquiries, bookings, payments, assessment and service requests.

4. List of attached information

Background paper outlining the new operating model which aims to put citizens at the heart of the Council's decision making. This will explain the focus and progress of the Council's move to 'Good to Great Operating Model.'

5. Background papers, other than published works or those disclosing exempt or confidential information

None.

6. Published documents referred to in compiling this report

Customer Access Programme – Business Case, Executive Board, 25 February 2014

7. Wards affected

All

8. Contact information

Rav Kalsi
Senior Governance Officer
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Overview and Scrutiny Committee - 12 November 2014

Putting citizens at the heart of our decision making

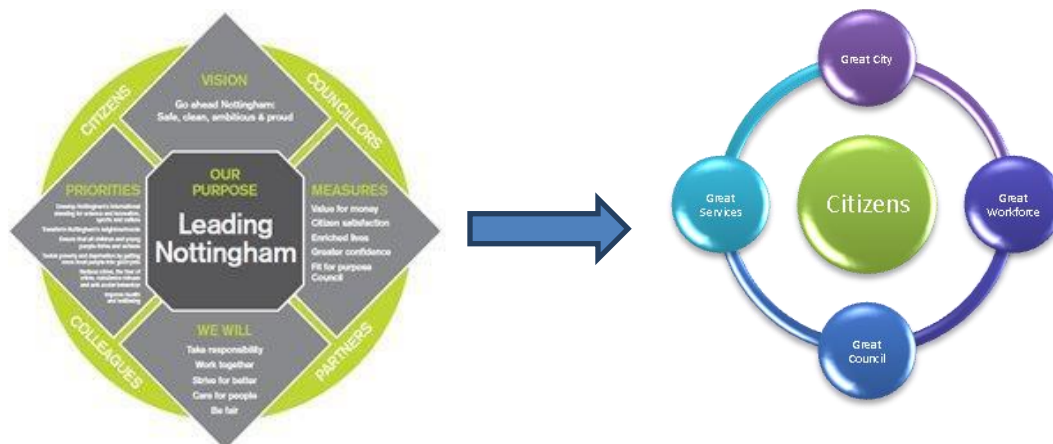
In spring 2014 ACOS agreed a new Operating Model for the Council to provide a way of working and structure that put citizens at the heart of our decision making.

The new Operating Model built on the journey that Jane Todd, as Chief Executive started around:

- Improved service delivery
- Strengthening the positive reputation of the City
- Establishing a vision for the City and Council that is owned by key stakeholders
- Giving clarity and focus to the role of the Council, the services it delivers and the partnerships it has built

In 2013 the Council was perceived as 'Good' by a range of indicators, but to make the next step to be a 'Great' Council for our Citizens, a more transformational approach was needed; particularly in the current financial climate.

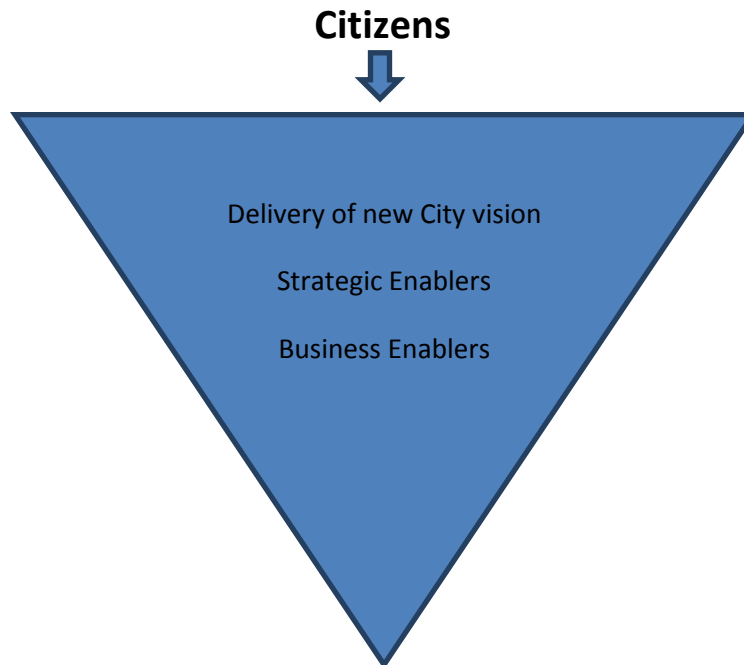
As a new Chief Executive, Ian Curryer spent a number of months listening to feedback from a range of key stakeholders (Colleagues, Councillors and Partners) to inform the journey ahead and understand better how we needed to put citizens at the heart of our decision making, alongside what 'Great' looked like for the City, Council, Services and Workforce. This enabled him to refocus and simplify our message map as follows:



In order to deliver the change required the Chief Executive developed a model of working that enables us to be more agile, less bureaucratic and allows us to take a

more strategic and coherent approach across some key areas of the Council, such as growth and economic development, commissioning, partnership, and commercialism. In essence, to enable our core business needs drive our delivery model, not vice-versa.

The agreed Operating Model reflects the drive and priorities of the Council as set out below:



The principles that informed the new operating model are as follows:

- To ensure that there is a clear understanding of leadership required to set the Council's vision at the heart of our delivery of the operational services.
- To bring **commissioning** into the centre of the organisation with a strategic link with the Council's partnership working, bringing a more cohesive and consistent approach to commissioning across the Council, including driving more aspirational procurement and facilitating increased opportunity for joint commissioning with partners. It is also proposed that corporate policy and performance are brought into this area to provide a stronger input into the direction of the Council's commissioning approach.
- To establish a dedicated strategic drive and focus on the development of the Council's approach to its' **commercial** services and to look to becoming a more mature organisation in terms of its commercial acumen and agility.
- To enable a specific emphasis on customer/citizen facing services, with stronger links between customer/citizen feedback and engagement mechanisms to inform the Council's future priorities, development and **transformation** programmes.

- To ensure financial sustainability in our management structures at a time of significant financial pressure.
- To ensure that there is clarity within the Council as to the potential priorities for our work as set out in the Council Plan
- To place delivery of services at the heart of the organisation, driving the core purpose of our work and ensuring the Council is well organised to deliver on the purpose

Additional responsibilities were added to three existing Director roles; Director, Neighbourhood Services, Director, Quality and Commissioning and Director, HR and Transformation to give wide overarching responsibilities that span across the whole Council for leadership and management.

These new, and agreed, responsibilities were in addition to the existing responsibilities, which have been retained and the new posts were subject a formal evaluation. The outcome of the evaluation recommended that the posts should be set at a level between the existing Chief Officer - Corporate Director level and the maximum of Senior Leadership Management Group (SLMG) Band. In view of the desired approach to have 'Strategic Enablers' to support the Operating Model, it was agreed that these posts were designated as Strategic Directors.

Going forward these posts will provide strategic direction and an approach that provides channels through which the transformation of services can take place in the key areas the Council is pursuing of Commercialism, Commissioning and Early Intervention and major Transformation Programmes.

As part of this change the following posts were also disestablished:

- Director Adult Provision and Health Integration
- Director Information Technology
- Director Policy and Partnerships
- Chief Social Worker – Adults

The revised Operating Model has also realised savings of approximately £300k per annum.

Also, in spring 2014, the Executive Board agreed the parameters for a new consolidated Customer Service function, delivering bookings, enquiries, payments, assessments, service requests and general enquiries. Significant investment is to be made in the IT infrastructure to support access to our services and an organisation wide programme to build a culture and way of working that supports good customer care.

Customer Access is now located in the Organisational Transformation Directorate with a direct reporting line to the Chief Executive.

Over the next few months, the new Operating Model will be shared with all managers and colleagues to reinforce the role they play in delivering citizen focussed services on a daily basis. A programme of activity will take place with all teams across the Council to help shape how colleagues need to work, and how service delivery needs to change. The programme will be practical in its focus, relevant to specific teams and built on performance data and feedback from citizens.

Performance indicators will be developed to measure the impact of the changes made in citizen satisfaction, in how they are treated. Progress will be reported through the Corporate Performance Board; with poor performance addressed and great practice shared.

Contact details:

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OVERVIEW AND SCRUTINY COMMITTEE
12 NOVEMBER 2014
IMPLICATIONS FOR SCRUTINY FOLLOWING THE PUBLICATION OF THE JAY REPORT INTO CHILD SEXUAL EXPLOITATION IN ROTHERHAM
REPORT OF HEAD OF DEMOCRATIC SERVICES

1. Purpose

To consider the implications for scrutiny following the report by Alexis Jay into child sexual exploitation in Rotherham.

2. Action required

The Committee is asked

- 1) to consider the impact of the report into child sexual exploitation in Rotherham and its implications for effective scrutiny;**
- 2) to determine if any changes to the operation or approach to scrutiny in Nottingham are required to ensure that it operates effectively as possible.**

3. Background information

- 3.1 The independent report into Rotherham Borough Council's response to issues around child sexual exploitation was conducted by Alexis Jay and published in August 2014. The independent inquiry looked at the internal processes and procedures of Rotherham Council and its work with partners regarding cases of child sexual exploitation between 1997 and 2013. The report has highlighted the importance of holding decision-makers to account, not just in relation to the scrutiny of children services, and has highlighted the role of effective scrutiny in this process.
- 3.2 Although the true scale of child sexual exploitation in Rotherham is not known, it is estimated that around 1,400 children were victims of abuse between 1997 and 2013 and in just over a third of cases, the children affected were previously known to services. Over the first twelve years covered by the Inquiry, the collective failures of council leaders was "blatant" and the scale of the seriousness of the problem was underplayed by senior managers in social care. Rotherham Safeguarding Children Board and its predecessor body oversaw the development of good inter-agency policies and procedures but the Jay Report states that members of the Board rarely checked whether they were implemented or were working and the scrutiny functions of the Board and the Council were seriously lacking.

Scrutiny implications

3.3 On 11 September 2014, a government appointed inspection into the running of Rotherham Borough Council was launched and it is expected to cover whether the Council allows for adequate scrutiny by councillors. The Secretary of State for Communities and Local Government has also asked for that report to cover any matter that could help all councils across the country to improve the delivery of their services, particularly those relating to children and young people.

3.3.1 Councillors will note that the report indicated an apparent lack of effective scrutiny exercised by several groups, least of all by the Scrutiny Panels. The report into Rotherham has highlighted the importance of scrutiny and noted that in its widest sense, is an essential component of governance. It is important that councillors test proposals by reference to their broad experiences of the city and their residents, good officers should welcome challenge as a central part of local governance. This has parallels with the findings of the Francis Inquiry into Mid-Staffordshire and in the wake of these findings; discussions took place at both the Health Scrutiny Panel and the Joint Health Scrutiny Committee.

3.3.2 This resulted in training for health scrutiny councillors; steps to develop a better working relationship with the CQC; ensuring minutes of meetings enable us to evidence scrutiny activity; and renewed efforts to listen more to the voice of the public and obtain information and evidence from beyond the 'usual sources' to provide more robust challenge to decision makers. Health scrutiny is getting better at this and this has been aided by decision makers in the health community being very engaged in addressing the issues raised by Francis. However, as Rotherham demonstrates, there is a need to take this approach beyond just health issues.

3.3.3 The Centre for Public Scrutiny (CfPS) has produced a paper titled, 'What Rotherham and Mid-Staffordshire tell us about scrutiny, and where it's lacking.' This paper raises the following three questions which scrutiny should be asking:

- How do I know that this council, and those with whom it works, will be aware when significant problems rear their head – and do I have confidence that this information will be acted on?
- Does scrutiny itself have access to information which will allow me to confidently challenge, on the basis of evidence, the council's assertions about the quality of a service?
- Do council officers and officers from other agencies agree and accept that scrutiny has this role to play?

3.3.4 In the wake of the Francis Report discussions took place at both the Health Scrutiny Panel and the Joint Health Scrutiny Committee. This

resulted in training for health scrutiny councillors; steps to develop a better working relationship with the CQC; ensuring minutes of meetings enable us to evidence scrutiny activity; and renewed efforts to listen more to the voice of the public and obtain information and evidence from beyond the 'usual sources' to provide more robust challenge to decision makers. Health scrutiny is getting better at this and this has been aided by decision makers in the health community being very engaged in addressing the issues raised by Francis. However, as Rotherham demonstrates, there is a need to take this approach beyond just health issues.

3.4.5 The CfPS report highlights that, in addition to scrutiny councillors, the political and managerial leadership of an authority needs to take some responsibility for ensuring that they have effective arrangements in place for both scrutiny and challenge.

Jay Report's recommendations

3.5 In January 2015, the Committee will consider Nottingham City Safeguarding Children Board's Annual Report 2012 – 13 and progress on actions following the publication of the OfSTED report in May 2014. The Jay Report made 15 recommendations in total, some specific to Rotherham with little broader relevance, however the following recommendations detailed below, although addressing the situation in Rotherham, have general implications and will prove useful when considering the City Council's Safeguarding Children Board's Annual Report.

3.5.1 Senior managers should ensure that there are up-to-date risk assessments on all children affected by children sexual exploitation (CSE). These should be of consistently high quality and clearly recorded on the child's file.

3.5.2 Managers should develop a more strategic approach to protecting looked after children who are sexually exploited. This must include the use of out-of-area placements. The Borough should work with other authorities to minimise the risks of sexual exploitation to all children, including those living in placements where they may become exposed to CSE.

3.5.3 The Council should make every effort to make help reach out to victims of CSE who are not yet in touch with services.

3.5.4 Wider children's social care, the CSE team and integrated youth and support services should work better together to ensure that children affected by CSE are well supported and offered an appropriate range of preventive services.

3.5.5 All services should recognise that once a child is affected by CSE, he or she is likely to require support and therapeutic intervention for an extended period of time. Children should not be offered short-term

intervention only, and case should not be closed prematurely. The Safeguarding Board should work with local agencies, including health, to secure the delivery of post-abuse support services.

- 3.5.6 There should be more direct and more frequent engagement by the Council and also the Safeguarding Board with women and men from ethnic communities on the issue of CSE and other forms of abuse. The Safeguarding Board should address the under-reporting of sexual exploitation and abuse in minority ethnic communities.
- 3.5.7 The issue of race should be tackled as an absolute priority if it is a significant factor in the criminal activity of organised child sexual abuse in the Borough.
- 3.5.8 The guiding principle on redactions in Serious Case Reviews must be that the welfare of any children involved is paramount.
- 3.6 The Home Secretary recently announced that the findings of the Jay Report in sexual exploitation in Rotherham will feed into the work of an independent inquiry into whether public or non-public bodies have taken seriously their duty of care to protect children from sexual abuse. As a scrutiny function, we need to learn lessons from this and minimise the risks that ineffective scrutiny presents to local authorities.

4. List of attached information

Appendix 1 – ‘What Rotherham and Mid-Staffordshire tell us about scrutiny, and where it’s lacking’, Centre for Public Scrutiny.

5. Background papers, other than published works or those disclosing exempt or confidential information

None

6. Published documents referred to in compiling this report

Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 – 2013).

http://www.rotherham.gov.uk/downloads/file/1407/independent_inquiry_cse_in_rotherham

What Rotherham and Mid-Staffordshire tell us about scrutiny, and where it’s lacking, Centre for Public Scrutiny.

7. Wards affected

Citywide

8. Contact information
Contact Colleagues

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What Rotherham and Mid-Staffordshire tell us about scrutiny, and where it's lacking

There are alarming parallels between the care scandal in Mid-Staffordshire and the recent revelation of a cover up of abuse in Rotherham. Reading the products of investigations respectively carried out by Robert Francis and Alexis Jay, there are parts which could almost have been cut and pasted between the two.

In both instances, there was a disregard by senior managers for the interests of a group of people who are vulnerable and disenfranchised, and under the direct care of a public body (in Stafford often elderly patients under the care of the hospital trust; in the case of Rotherham, looked after children). There were performance management systems which, by negligence or design, recorded the wrong things in the wrong way – focusing on financial management and process targets rather than the effectiveness and safety of care. And on top of this, there were jumbled accountability arrangements, in which responsibilities for oversight overlap and duplicate, allowing individuals and organisations to complacently assume that “someone else” was doing the important job of scrutiny.

As the Francis and Jay reports both noted, it is a culture of ignorance and/or assumptions based on inaccurate or incomplete evidence, which leads to this kind of service failure. These are [issues that we flagged up to practitioners, and others, on the publication of the Francis report last year](#). Concerns flagged up by frontline staff – some very courageously acting as whistleblowers in the face of trenchant opposition from both their managers and colleagues – can be ignored when this culture is allowed to fester. This is because a groupthink emerges – which reinforces existing inadequate practices, and which doesn't want to look too closely behind the performance indicators that show the casual observer a “sea of green”, telling everyone that everything is fine.

Questions for scrutiny

Where is scrutiny in all of this? Arguably, it is too often absent or inadequate. In both Stafford and Rotherham, scrutiny seems to have placed too much store on the assurances of people in authority that everything was fine. Even if they had wanted to ask challenging questions, it appears they did not have access to the information to do so.

Effective scrutiny involves looking beyond the information with which scrutiny is presented in formal meetings. We talk a lot about the need for scrutiny to work closely with the executive. This does not mean uncritically accepting reports and performance information at face value. It means providing constructive, critical challenge based on gathering data from a range of sources and triangulating it to see where official information might be at variance with reality. We still see far too many councils engaging in discussions on agenda items at scrutiny committees where the committee's only source of evidence on that subject is a report written

and presented by a chief officer. Very often these reports are presented “to note” – requiring no action, seemingly placed on agendas as a tick-box exercise so that officers can console themselves that they have “consulted” members on a topic, and members can similarly console themselves that they have received an “update” on an issue, and that all is well. This kind of committee activity is at best lacking in value and at worst can be dangerous, as it lulls everyone into a false sense of security that effective governance and oversight exists where it does not. Furthermore, it uses up precious resources which should correctly be used to carry out the real business of scrutiny.

So what *is* the real business of scrutiny? Repeated service failures and tragedies suggest to us that scrutiny should be playing a much more active role in challenging councils, and their partners, to back up their assertions of the quality of service that public agencies provide to local people. There are three key questions which scrutiny should be asking – not just in relation to child protection or healthcare, but every service.

- **How do I know that this council, and those with whom it works, will be aware when significant problems rear their head – and do I have confidence that this information will be acted on?** This is about making sure that performance indicators measure the right things – it is also to ensure that performance systems have within them a sense of humanity, with officers and members remembering that they are taking responsibility for people’s lives in ways that will have a profound effect on their future. If members cannot be assured that such systems for picking up on and addressing problems exist, they cannot effectively carry out their oversight role. This is because limitations of resources will require that scrutiny look at issues “by exception”. If members lack confidence in the council’s own performance management systems – and/or if they do not fully understand those systems and how they operate – scrutiny can become disjointed, disproportionate and meaningless. We have published [more detailed thoughts on performance management](#) which may help;
- **Does scrutiny itself have access to information which will allow me to confidently challenge, on the basis of evidence, the council’s assertions about the quality of a service?** Relying exclusively on the council’s official data for this exercise is inadequate. Scrutiny will have to know that it has systems in place to delve deeper into a service to explore the frontline reality that sits behind the views of senior officers at the committee table. In some cases this might involve reviewing a random, anonymised sample of case files (the kind of review which would have immediately highlighted problems in Rotherham). In others, it may involve speaking to frontline workers, and to service users themselves. It is important to say that anecdotes like these are not a replacement for performance information, but they set that information in a vital, human context. CfPS has explored the various different sources of corporate information available to councillors in a recent [Practice Guide](#);

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- **Do council officers and officers from other agencies agree and accept that scrutiny has this role to play?** One of scrutiny's principal strengths is in policy and service development. But in order to develop and improve you need evidence on how things are done now. You also need the respect and acknowledgement of those at every level of an organisation. When scrutiny involves sitting in a committee room talking to no-one except senior officers and other carefully-vetted witnesses, it risks becoming part of the same groupthink that we criticised earlier in this piece. Some councils need to seriously reappraise their standing practices about how and when scrutiny engages with frontline officers and others who might have different stories to tell about how services are delivered. There is, for example, a serious case for building scrutiny formally in to whistleblowing procedures.

Questions for political and managerial leaderships

We believe it is important to restate that council leaderships – political and managerial – bear some responsibility for ensuring they have effective arrangements for scrutiny and challenge. Too often we hear from leaders and senior officers either complaints that scrutiny members are ineffective or a rejection of the very idea that better scrutiny of what the executive is doing should be encouraged. Leaders and Chief Executives are statutorily responsible each year for signing off the council's accounts, including the Annual Governance Statement in which they confirm that there are effective arrangements for ensuring good governance, probity and accountability. Where scrutiny is acknowledged to be weak or where there is either overt or covert collusion in keeping it weak, it is hard to see how such statements can reasonably be made. Research we carried out around our [Accountability Works](#) campaign and, more recently, when we looked at [public sector transparency](#), sets out these cultural expectations clearly and unambiguously.

The Stafford and Rotherham examples present instances of councillors being blocked from accessing critical information about council services. Anecdotally we know that a worrying number of scrutiny functions experience this level of obstruction, leading in some extreme cases to councillors having been forced to use Freedom of Information Act to require their own council to provide them with information to which they are in fact entitled. This kind of difficulty continues, notwithstanding enhancements in councillors' information access rights brought in by secondary legislation. When faced with this kind of blockage – both to information, and to attempts to effect change through asking difficult questions and making challenging recommendations – there can be few places to which scrutiny can turn. Likewise the officers who support scrutiny – often relatively junior compared with the chief officers whose directorates their members may be questioning – can be pressured not to let the members get too close to a problem. There are statutory scrutiny officers with a responsibility for promoting and ensuring the effectiveness of scrutiny. However, it seems to us that their role and status may need to be

strengthened, and Monitoring Officers need to step up to the plate in ensuring the constitution functions correctly and protects those whom it is designed to protect.

We have recently set out [proposals for the establishment of local Public Accounts Committees](#) which we see having a formal power of referral to national bodies like the national PAC and NAO. We see no reason why powers should not also be given to enable scrutiny committees to refer issues formally to bodies such as Ofsted and the Care Quality Commission where they have concerns which are being blocked or ignored locally. While there is nothing to prevent scrutineers from contacting these bodies directly now, that kind of formal power could act as a much-needed incentive to councils and others to take the role and responsibilities of scrutiny much more seriously. There is strong evidence that the existing power of referral held by health overview and scrutiny committees over NHS reconfigurations has been used responsibly and to achieve better outcomes.

Even without these powers, and in councils with limited resources, scrutiny must be prepared to take action along the lines we have suggested above. No-one else is going to. As elected councillors, scrutiny members have a unique credibility and legitimacy to exercise this role – robustly, on the basis of evidence and in a public forum. It is not about poring over every figure, every piece of data, being suspicious and sceptical of everything a senior officer tells you. It is about scrutiny members asking the questions to assure themselves that there are systems locally which mean that, in future, they will be able to trust the data they get – to know that it is recording the right things, to know that big issues are not being ignored, and to know that emerging risks of failure are recognised and acted on without delay.

This is not a job for next month or next year. It's a job for right now. If scrutiny isn't fundamentally about the central issue of improving outcomes for people, there's no point to it. The only way that it can go about making that improvement happen is by understanding how services are really experienced on the ground, and challenging those responsible to review and improve. Receiving reports and performance scorecards at committee meetings is not the way to do this. Forensic, targeted, meaningful scrutiny – crucially, incorporating listening to the voices of those who experience the services – is.

Centre for Public Scrutiny
September 2014

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Tw: <https://twitter.com/CfPScrutiny>

OVERVIEW AND SCRUTINY COMMITTEE
12 NOVEMBER 2014
PROGRAMME FOR SCRUTINY
REPORT OF HEAD OF DEMOCRATIC SERVICES

1. Purpose

To consider and set the overall programme and timetable for scrutiny activity for the forthcoming year.

2. Action required

The Committee is asked to:

(1) appoint the membership to the following scrutiny review panels and agree first meeting dates:

(a) How can equalities be promoted through the Council's Procurement Policy?

(b) To review school attendance for children with disabilities or special education needs and the support mechanisms in place to support them to improve attendance and the progress of the transition from the Statement of Special Educational Needs or 323 assessments to the new Educational Health and Care Plans arising from the Children and Families Act 2014 Act

(2) agree to include on the Overview and Scrutiny committee agenda for Feb/March 2015, the Local Flood Risk Management Strategy, (which is a statutory duty for the City Council under Section 9 of the Flood and Water Management Act 2010), as part of its consultation process prior to being considered by Council.

(3) agree to include on the Overview and Scrutiny Committee agenda for Feb/March 2015 - Progress in delivering Council and City priorities Year end.

3. Background information

3.1 One of the main roles of the Overview and Scrutiny Committee is setting, managing and co-ordinating the overall programme of scrutiny work. This includes:

- mapping out an initial programme for scrutiny at the start of the municipal year
- monitoring progress against the programme throughout the year, and making amendments as required

- evaluating the impact of scrutiny activity and using lessons learnt to inform future decisions about scrutiny activity.
- 3.2 Councillors are asked to note that a new Senior Governance Officer has been appointed who is responsible for scrutiny and that one of the Scrutiny Review Panels will now be progressed but only 1 at a time.
- 3.3 As a development opportunity for the Scrutiny Review Panel chairs agreed to chair a single meeting of the Overview and Scrutiny Committee. This includes preparation and discussion at the chairs briefing, as well as being supported and mentored by Councillor Parbutt (and the scrutiny team), on best practice how to draw together key points, a conclusion and any recommendations.
- 3.4 In setting the programme for scrutiny activity, the Committee should aim for an outcome-focused work programme that has clear priorities and is matched against the resources available to deliver the programme. It is intended to hold fewer, but more in depth reviews which will enable panels to explore and challenge more.
- Commissioning scrutiny reviews
- 3.5 Delivery of the programme will primarily be through the commissioning of time-limited (2 to 3 meetings maximum) review panels to carry out reviews into specific, focused topics. All reviews must have the potential to make a positive impact on improving the wellbeing of local communities and people who live and/or work in Nottingham; and to ensure resources are used to their full potential, reviews must have a clear and tight focus and be set a realistic but challenging timetable for their completion.
- 3.6 In setting the programme of scrutiny reviews, it is important that the programme has flexibility to incorporate unplanned scrutiny work requested in-year. However, the Committee will only be able to schedule unplanned work after it has reassessed priorities across the scrutiny programme and considered the impact on existing reviews of the diversion of resources. When the Committee monitors the overall programme for scrutiny at each meeting there will be opportunity to do this.
- 3.7 The Committee has already been provided with background information on potential scrutiny review items which were discussed at the meeting held on 5 March 2014. The scopes, chair and memberships will need to be agreed for these at forthcoming meetings.
- 3.8 When establishing a review panel, the Committee needs to decide on:
- a clear and tight remit for the review
 - a timescale within which the review should be carried out
 - size of review panel, including whether any co-opted members should be involved

- chair of the review panel (to be appointed from the pool of five scrutiny chairs)

and should have regard to the need over the year to engage as many councillors as possible in the scrutiny process.

Schedule of 'overview' items

- 3.9 The Committee also needs to agree a schedule of 'overview' items to come to future Overview and Scrutiny Committee meetings which is shown at Appendix 1. At each meeting, the Committee will look in-depth at one key strategic issue however, on occasion it may be necessary to have an additional 'topical' or 'urgent' item on the agenda. In addition to providing an opportunity for scrutiny of strategic issues, this approach will support Committee members in having an overview of key current issues affecting Nottingham to inform work programming decisions.

Policy briefings

- 3.10 Through the process of developing the programme for scrutiny, the Committee may identify issues which call for a policy briefing. The purpose of these briefings is to inform councillors about a current key issue or to prepare councillors for review work that has been commissioned. These informal briefings will not be occasions for scrutiny to be carried out, although they may result in a suggestion for a new scrutiny topic, which would need to be considered by this Committee against the current programme for scrutiny and available resource. Policy briefings will not form part of the Overview and Scrutiny Committee's agenda but will be held separately and be open to all councillors to attend.

Monitoring programme for scrutiny

- 3.11 On an ongoing basis the Committee will be responsible for managing and co-ordinating the programme for scrutiny and assessing the impact of scrutiny activity. At all future meetings the Committee will monitor the progress of the programme, making amendments as appropriate.

4. List of attached information

The following information can be found in the appendices to this report:

Appendix 1 - Overview and Scrutiny Committee agenda

Appendix 2 - Policy Briefing sessions

Appendix 3 - SRP topics for 2014/15

Appendix 4 - Long-list of potential future OSC/SRP topics

5. Background papers, other than published works or those disclosing exempt or confidential information

None

6. Published documents referred to in compiling this report

None

7. **Wards affected**

Citywide

8. **Contact information**

Contact Colleagues

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The feasibility criteria includes:

Decision making and being a critical friend	Is it a topic/key decision which requires consultation with Overview and Scrutiny <u>prior</u> to the decision being taken.	Yes – include. No – apply other criteria and consider removing
Public Interest and relevance	Is the topic still relevant in terms of it still being an issue for citizens, partners or the council in terms of performance, delivery or cancellation of services?	Yes – apply other criteria and consider inclusion No – apply other criteria and consider removing
Ability to change or influence	Can the Committee actively influence the council or its partners to accept recommendations and ensure positive outcomes for citizens and therefore be able to demonstrate the value and impact that scrutiny can have?	Yes – apply other criteria and consider inclusion No – apply other criteria and consider removing
Range and scope of impact	Is this a large topic area impacting on significant areas of the population and the council’s partners <u>or significant impact on minority groups.</u> Is there interest from partners and colleagues to undertake and support this review and will it be beneficial?	Yes – apply other criteria and consider inclusion No – apply other criteria and consider removing
Avoidance of duplication of effort	Is this topic area very similar to one already being scrutinised in another arena or has it already been investigated in the recent past?	Yes – consider involvement in the existing activity or consider removing No – apply other criteria and consider inclusion.

Overview and Scrutiny Committee agenda - List of topics for 'overview' items

Below is a list of 'overview' items (based on background research and intended to encompass the broad remit of Overview and Scrutiny) to be included on the agendas for meetings of the Overview and Scrutiny Committee for 2014/15. It is intended that the Committee will consider one strategic overview item at each of its meetings. Agreed items will be scheduled depending upon timeliness for the item and availability of contributors.

Date of meeting	Focus
3 December 2014 Chair: Councillor Glyn Jenkins	<u>Nottingham Growth Plan</u> – progress in meeting targets to tackle youth unemployment in the City, Jobs Fund and Apprenticeships (last attended 2 October 2013)
7 January 2015 Chair: Councillor Carole Jones	<u>Nottingham City Safeguarding Children Board (NCSCB)</u> Annual Report 2012 – 13 and progress on actions following the publication of the OfSTED report in May 2014.
4 February 2015 Moved from 7 Jan 2015	<u>Citizen First/Customer Access Programme Implementation</u> – progress and what difference is this making to citizens? (last attended 8 January 2014) <u>The Council's Flood Risk Management Strategy</u> – consultation on draft policy (Fay Bull) - TBC
4 March 2015	Overview and Scrutiny workshop to identify possible topics for review for 2015/16
8 April 2015	TO BE DETERMINED

List of potential policy briefings

Below is a list of potential topics for policy briefings that have been put forward by councillors to date. The Committee will need to identify any topics to be put forward as ideas for potential policy briefing sessions at this stage – this process can be ongoing throughout the year.

Date	Topic	Comments
TBA	Individual Electoral Registration	

Scrutiny Review Topics 2014/15

	Topic	Comments
1	How can the Council advance equality and fairness through its commissioning and Procurement practices?	<p>Status – to be scheduled Proposed at OSC Feb 2014 by Imogeen Denton referred by EFC Review the procurement strategy and ask how equality measures are included</p> <ul style="list-style-type: none"> • Chair and membership needs appointing by OSC in October 2014 • Imogeen Denton and Chair of EFC or representative to contribute • Scope to be finalised and approved by OSC
2	To review school attendance for children with disabilities or special education needs and the support mechanisms in place to support them to improve attendance and the progress of the transition from the Statement of Special Educational Needs or 323 assessments to the new Educational Health and Care Plans arising from the Children and Families Act 2014 Act	<p>Status – to be scheduled Proposed by Beverly Denby, 3rd Sector Advocate</p> <ul style="list-style-type: none"> • Chair and membership needs appointing at OSC in October 2014 • Panel will include the co-opted representatives for educational issues • Scope to be finalised and submitted for approval to OSC
3	<u>NOTTINGHAM CITIZEN’S SURVEY</u> To review the responses of sub-groups of the population, including the differing views by area and demographic factors such as age, ethnicity and disability	<p>Status – to be scheduled CHAIR: Councillor C A Jones</p> <ul style="list-style-type: none"> • Identified as a review at the Overview and Scrutiny workshop held in March 2014 • Scope needs to be finalised with chair and submitted for approval to OSC • Membership needs to be appointed
	<p>Exploring the implications of the changing educational landscape Part 2 (final meeting)</p> <p>Last met on Wednesday 2 April 2014 at 2.00 pm Review temporarily suspended by OSC at July 2014 meeting</p>	<p>Glyn Jenkins (chair) Azad Choudhry Sally Longford Thulani Molife Eileen Morley</p>

2014/15 long-list of possible future items for the Overview and Scrutiny Committee and/or Scrutiny Review Panels

<p>ANNUAL UPDATE ON PUPIL ATTAINMENT, Governance and the role of councillors (arising from discussions being held at OSC on 8 October 2014)</p>
<p>ANNUAL FLOOD RISK MANAGEMENT Required annually, carried out by an SRP in January 2014 (next proposed date 18 months from Jan 2014)</p>
<p>NOTTINGHAM CITY SAFEGUARDING CHILDREN BOARD (NCSCB) ANNUAL REPORT (being considered at OSC in January 2015 – need to decide best time of year for this to be scheduled at the meeting)</p>
<p>POTENTIAL ITEMS</p>
<p>THE COUNCIL'S BUDGET PROCESS New scrutiny councillors will need to have training on how to effectively scrutinise the Council's budget process prior to scheduling this item after the new Council is elected and members are appointed. (Previously an SRP was carried out in November 2011 on the budget consultation process used by the Council)</p>
<p>FUEL POVERTY What actions are being taken by the Council to support its citizens who in fuel poverty since the Scrutiny Review Panel published its recommendations in 2011?</p> <ul style="list-style-type: none"> • focus on enabling citizens to reduce their energy bills through insulation schemes • the development of the Council's energy company • the pilot being run by Nottingham City Homes and Experian to enable tenants to develop a credit score by using the rent account data. This should enable tenants to move from pre-payment meters and access better energy tariffs with energy companies
<p>HOUSING IN THE CITY How is the Council addressing the issue of creating family housing and social/affordable housing Given the census data showing families moving out of city to find suitable family housing?</p>
<p>COMMERCIALISM With significant budgetary pressures expected for local government until 2019/20 how can Nottingham City Council engender a 'commercial culture' to help manage these pressures? How can we maximise the benefits of grants/charitable funding for the city?</p>
<p>DEMOGRAPHIC CHANGES, EXPLORING TRENDS AND CHALLENGES IN NOTTINGHAM CITY Understanding our changing population and potential implications to service delivery. Need to explore the changes in demography in Nottingham and how this will impact on : The ageing population; Council services; Health Services etc.</p>

FE COLLEGES - How far is Nottingham City Council supporting Nottingham's Further Education (FE) colleges in order to equip young people with the right skills for local employment?

IT - How is the Council ensuring its IT infrastructure is fit for purpose and meets the requirements of citizens, colleagues and councillors?

TOURISM – what is the Council doing to make Nottingham a tourist destination of choice and how does it know what citizens and tourists want?

STAFF ENGAGEMENT – how can the councillors be sure that colleagues are fully engaged with changes in work practices (commercialism) and need for leaner cost efficient services and structural changes (Good to Great). How are staff morale being measured and their views being sought? When was the last staff questionnaire and when is the next one due? What lessons have been learnt? Are these changes and austerity measures impacting on staff retention?

FIXED ODDS GAMBLING – a recent article in the Nottingham Post highlighted research carried out by the Campaign for Fairer Gambling, gamblers in Nottingham spent £40,896,139 on the machines. Nottingham is amongst the 55 most deprived English boroughs which lost £470m on the gaming machines last year, against £231m in the 115 most affluent areas in the country.

CREDIT UNIONS - An effective way of addressing citizen's increasing use of pay day lenders?