

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
OVERVIEW AND SCRUTINY BOARD

Minutes of the Meeting held on 20 April 2020 at 2.00 pm

Present:-

Cllr P Broadhead – Chairman

Cllr M Haines – Vice-Chairman

Present: Cllr M Anderson, Cllr S Bartlett, Cllr M F Brooke, Cllr M Earl,
Cllr G Farquhar, Cllr L Fear, Cllr M Greene, Cllr N Greene,
Cllr M Iyengar, Cllr R Maidment, Cllr D Mellor, Cllr P Miles and
Cllr C Rigby

Also in attendance: Councillor David Brown
Councillor Richard Burton
Councillor Lesley Dedman
Councillor Andy Hadley
Councillor Mark Howell
Councillor Sandra Moore
Councillor Lisa Northover
Councillor Dr Felicity Rice
Councillor Vikki Slade

148. Apologies

None were received.

149. Substitute Members

None

150. Declarations of Interests

Cllr M Brook declared a local interest in agenda item 7, Capital Investment to Increase Special Educational Needs Capacity as he was a Member of the Castlemain Academies Trust.

Cllr S Bartlett declared a local interest in agenda item 7, Capital Investment to Increase Special Educational Needs Capacity as he was a Member of the Bournemouth Septenary Trust.

151. Confirmation of Minutes

The minutes of the meetings held at 2.00 pm and 6.00 pm on 10 February and 16 March were confirmed as a correct record subject to the inclusion of Cllr C Rigby in the list of apologies for the 2.00pm meeting on 16 March.

152. Action Sheet

The action sheet was noted.

153. Public Issues

There were no public questions, statements or petitions received for this meeting.

154. Chairman's Update

The Chairman informed the Board that this was one of the first Scrutiny meetings taking place across the country following the new Covid-19 legislation governing local authority meetings. It was noted that the Council was observing the guidance issued by the Centre for Public Scrutiny at this time and it was acknowledged that scrutiny would need to take on new and innovative forms during this period. The Chairman advised that he was working with the Children's Services Overview and Scrutiny Committee and the Health and Adult Social Care Scrutiny Committee, the Chairman of which were in attendance at the Board in accordance with the newly adopted article 16 of the Council's constitution.

The Chairman advised that the order of business would be revised to take agenda item 8 first to ensure all those required to respond to the Covid-19 item could be present on the call.

155. Scrutiny of Capital Investment to Increase Special Educational Needs Capacity

The Chairman invited the Portfolio Holder for Children and Families to introduce the Cabinet report, a copy of which had been circulated and appears as Appendix B to the Cabinet minutes of 22 April 2020 in the Minute Book. During the course of discussion, the following points were raised:

The High Needs Grant Block of the Dedicated Schools Grant was currently underfunded by the government and there was an accrued and increasing overspend. There was a need for an increase in provision locally due to a lack of sufficiency in special schools. Budget pressures means the situation needed to move quickly and it was hoped that the work could be completed by the September term which would save a total of £4million pounds per annum.

A Councillor from the Children's Services O&S Committee submitted a question in advance which was how long the investment would take to pay back. The Portfolio Holder responded that based on financial modelling undertaken payback period was one year from when the spaces came online and factored in a level of risk due to Covid-19.

The Chairman of the Children's Services O&S Committee asked what the current shortfall in spaces was and if the 135 places would cover or what the shortfall would be. The Portfolio Holder commented that this was no where near covering the number of spaces needed but these were mostly in secondary provision and work was ongoing to address these issues.

Whether the savings calculated included those which would come through reduced school transport costs. It was confirmed that this was not included

within the report. It was believed that there would be some revenue savings but this would need to be followed up.

A Board member asked if children who were already in place in independent schools could be moved to the new additional places. It was noted that children would only be moved as an outcome of the normal review process for EHCP plans.

A Councillor commented on the substantial savings to be made and questioned why this had not been done previously. It was noted that Poole and Bournemouth had done some work in the past in putting additional spaces in place but that it was a significant challenge. Preceding councils had created a combined total of 241 places previously.

A Councillor commented that this was a welcome initiative but highlighted that parents must be given support and that EHCPs would only be reviewed in the normal way and moves not put in place just due to cost avoidance. The Portfolio Holder fully supported this.

It was noted that demand would outstrip supply, but the Council was continuing to pursue opportunities for additional school places. A Councillor commented that schools had been very supportive over this.

In response to a query about the impact that this would have on the overall capital programme within Children's Services the Director confirmed that this was ringfenced for creating additional spaces, but a paper would be coming back to Cabinet shortly on the overall Children's Services capital programme.

156. Council's Response to the Covid-19 Corona Virus Epidemic

The Chairman introduced the item and explained that the Board would receive an update and ask questions from different aspects of the Council's and Public Health's response in turn. The Board were also asked to consider the Cabinet report which was circulated to the Board and is attached as Appendix A to the Cabinet minutes of 22 April 2020. It was noted that all Councillors were asked to submit questions in advance of the meeting which could be addressed at the Board meeting, this did not preclude additional questions from the Board at the meeting.

Overview: The Leader and Chief Executive provided the initial overview of the Council's response to the Covid-19 epidemic. The Leader explained that she had had a significant lobbying role through the various networks she was involved with including the LGA, Key Cities group, Council Leaders groups, Local Enterprise Partnership and lobbying of the local MPs. The Chief Executive had performed a similar role within his groups and there had been a number of successes. The Leader also explained her community engagement role and communications of changes and issues such as anti-social behaviour and social distancing. The Leader also outlined the work which had taken place in setting up the community resilience hub, which took place over a couple of days and gave credit to the officers involved in this. There were over 2000 volunteers registered over 900 volunteers had been matched to households who required support and other volunteers were involved in a number of other roles including befriending and social engagement. Approximately 30,000 postcards had been distributed to targeted homes who may require assistance but who

may have not got the message. Those required to shield were also being contacted to ensure they are safe and well.

The Chief Executive explained that the statistics within the associated report were probably out of date at this point as the situation is constantly moving. He outlined to the Board the emergency response procedures which had been put into place but noted that this was vastly different to other emergency situations which usually focused on a single point in time and there would normally be an expectation of assistance from other authorities. However, in this case the Council was still in the response phase to the issue. The Chief Executive explained the current pressures on the senior leadership team as well as colleagues, in particular those in the Adult Social Care team. The local resilience forum was meeting three times per week and the regional group was meeting twice per week. It was noted that there were some positives arising including embracing new ways of working including electronic meetings. Another issue highlighted was the number of different iterations of guidance being issued which the Council need to address. Most Council staff who could now had the ability and equipment to work from home. The Council had taken action to ensure that rough sleepers had been found accommodation and following this an additional wave of homeless persons were also being rehoused. The Chief Executive outlined some of the other areas the Council was addressing and that thoughts were beginning to turn towards the recovery or 'reset' phase and what sort of Council would emerge from this. The Board raised a number of issues including:

- How tourism was coping and what was being done about it. A number of grants to businesses had been distributed in the last few days. The issues facing seaside towns due to corona virus had been raised with the Ministry of Housing, Communities and Local Government.
- The ability of staff to work from home. It was noted that nearly all staff who could work from home now had full capabilities to do so. In addition, there was widespread access to Council email. However, some staff do still need to come into the office due to the way they need to work. The Chief Executive advised he could provide detailed figures to the Board.
- The planning process around the recovery phase. It was noted that the Director of Resources was leading in the process of setting up a recovery working group. A directors' strategy group was due to meet next week with work just beginning on this phase.
- The Council's duties in terms of corporate manslaughter. It was noted that there were a number of persons exposed to potential or known cases of corona virus. There was a duty to provide staff with the correct personal protective equipment (PPE). There needed to be consistency across the organisation. The Council's responsibilities towards provision of PPE in privately owned care homes was discussed by the Board. It was explained that care providers should access PPE through their normal routes, but the Council had a role to assist when difficulties were encountered. Concerns were also raised about individual private providers of social care and their access to PPE.
- What the next steps were in terms of the 'Together We Can' community response and how many more people were there who would benefit from help and how these people could be reached. Issues concerning

the postcard distribution were discussed as well as promoting the issue with posters and banners, particularly in supermarkets. The Leader also undertook to look into utilising buses.

Public Health: The Director of Public Health Dorset outlined the public health approach to the epidemic and noted that BCP and Dorset were less severely impacted than other regions. The Director advised that there were 308 cases recorded within the BCP Council area to date. They were currently looking into deaths within the community as to date only one from a hospice had been confirmed. The Board raised a number of queries in the ensuing discussion, including:

The Board was advised that there also appeared that there may be a growing impact on care homes. In response to a query from the Board the Director for Public Health undertook to provide access to the Covid Dashboard which provided a day by day update on cases.

The Board enquired about a testing station more local to our area. There was limited capacity within the local hospitals for NHS workers. A lab in Bristol was processing the tests to investigate outbreaks. Plans had identified a site in the local area under the national scheme.

Board members asked about the help and support available to staff at this time. The Board were informed that there was guidance and videos available via the internet and there was an enhanced counselling service available.

A Councillor asked about care home residents being sent home from hospital with Covid-1 symptoms. The Director advised that once patients were well enough, they would be discharged but should remain in isolation and if this was not possible for any reason they would need to be accommodated in alternative provision. The Director of Adult Social Care advised that they were working with NHS colleagues and the care home sector to ensure they could isolate where necessary.

Adult Social Care: The Portfolio Holder and Corporate Director for Adult Social Care provided an update to the Board. The Corona Virus Act provided some easements of services that were required to be provided. It was explained that there was a joint pooled budget arrangement between the CCG and the council to cover the costs of people being discharged at this time. The Council was only required to put into the joint pooled pot what it would have normally spent on care and the remainder would come from central government. The Director advised that they were working closely with health colleagues and the social care sector. The Board was advised that charging for day services would be looked into. The Service was also reaching out to carers who did not have the support required at this time. The Corporate Directors of Adult Social Care and Environment and Economy responded to the following question:

With many elderly and vulnerable people living in supported and sheltered accommodation, what provision has the council and partners put in place to ensure tenants are looked after throughout the crisis? The 'Together We Can' campaign had promoted the support available and was circulated to tenants across Poole Housing Partnership and Bournemouth Housing. A

total of 2500 calls were made to sheltered housing tenants. Helpdesk schemes were working with residents. Social workers were mainly contactable by phone but could visit if required.

The Chairman of the Health Overview and Scrutiny Committee asked how the Adult Social Care Front Door working and how people were accessing mental health assessments.

In response to a question the Director undertook to provide an update and timeframe on day centres and payments. If any Councillor had any individual concerns they were asked to share these with the Director of Adult Social Care Services.

The following question submitted in advance was responded to: With the reported rise in domestic abuse across the country and refugees under pressure to support families in need of accommodation, how have our services been affected in the BCP area and what are the council and partners doing to make sure there is sufficient provision for families in need? The Board was advised that there hadn't been a rise in reported domestic abuse in the area. However, there was not just an acceptance that this was indeed the position. Adult Social Care was working with both Dorset Police and Housing. The Board was informed that if there were any concerns people could be helped despite the lockdown. There was a BCP domestic abuse helpline in place.

The Chairman of the Health and Adult Social Care O&S Committee suggested that she felt it would be useful to continue to look into the issue of PPE for care homes and carers. The Board agreed that a short working group to look into the issue would be useful. The Chairman of H&ASC O&S Committee agreed to take the lead on it and would seek members after the meeting. The group would be able to seek assurance and take a deeper look into care home settings and in-home carers. The Corporate Director asked Councillors if they had any particular concerns to refer these to the Director of Adult Social Care Commissioning.

Children's Services – The Portfolio Holder for Children and Families and the Corporate Director of Children's Services provided an update on the current situation to the Board. The Board was advised that schools were open for business providing care for vulnerable children and children of key workers. Schools were provided with a weekly list of vulnerable children and were asked to follow this up. There was skeleton cover across Children's Social Care. There was a need for PPE in some areas where face to face contact was necessary. Of the BCP Children's Centre's three had needed to close but nine remained open to provide assistance. The Corporate Director thanked staff for the work that they were doing to support vulnerable children and families, support for young carers, ensuring secure housing for young people. Unlike Adult Services there had been no easement in statutory duties in the Children's arena. Therefore, business as usual needed to continue along with extra duties and pressures. There was capacity for childcare for all children of key workers, but many were not accessing it. Arrangements were also made for key workers from BCP but

working outside of the area to access childcare. There had been an increase in referrals over the last few weeks to the Children's Social Care front door. Foster Carers were working hard to support the children in their placements and the service was working to ensure that placements were not disrupted.

The Corporate Director responded to questions which were submitted by Councillors in advance of the meeting:

- Which schools have remained open to support the children of key workers and how many children are attending each school? What support is also being given to the teachers who are still attending schools for this purpose? All schools were currently open. Some schools had had to close at certain times to allow deep cleans.
- We hear a lot about the support being given to the most vulnerable in our community. The emphasis seems to be on the elderly and those with underlying health issues, so what is being done to support our students and staff at all our special schools, for example at Montacute, Langside etc.? This was a key area of work headteachers have shared concerns for staff in this area work with children with unpredictable behaviour and provision of PPE. The Council was providing full support to these schools
- Children from lower socio-economic backgrounds are going to be disproportionately affected by school closures. Has the council been working with schools to make sure that these children continue to receive support in their education? It was noted that most schools had places for vulnerable children at this time and the Council was encouraging take up of these places in a way that supports their wellbeing. Partnership working was also supporting these children. There was concern with access to online resources for some children, but socio-economic background wasn't the sole indicator for vulnerability but in the main these children did have school places.

The Chairman invited the Chairman of the Children's Services Overview and Scrutiny Committee to address any questions submitted by the Committee to the Portfolio Holder and Corporate Director. In the Boards discussions a number of issues were raised including:

- In response to a question concerning the percentage of vulnerable children attending school the Director advised that there were around 7 percent currently recorded as attending school, a daily tracker was used to monitor this situation. There were robust plans in place to tackle the situation and the Council were working with schools to have strong take up of places after the Easter Holidays. There was an aim to bring in additional capacity to increase the take up of school places and ensure the welfare of the most vulnerable children. It was also noted that just because children were classed as vulnerable it didn't mean that families were not making good decisions in trying to follow the government guidance.
- In response to a question concerning staffing levels it was confirmed that this was being monitored on a daily basis. Around 57 percent of the workforce were able to work fully. Some were at home and some were

self-isolating. A number of staff had been redeployed in children services to prioritise those deemed more vulnerable.

- The Chairman of Children’s Services O&S Committee advised that he had received a message from the youth parliament representatives that they would like shared. The advised that many young people were finding the situation very difficult. They were concerned with mental health problems for those isolated at home and no longer to seek support from schools. Young people needed to know how to get help.
- The Corporate Director advised that a piece of work on getting a clear message out was underway and that she would be championing this and share with schools.
- A Board member asked about the capacity of the Children’s Services workforce. It was explained that it was close to capacity but still able to deliver on statutory duties.
- In response to a query about free school meals distribution it was noted that the government’s current voucher scheme moved away from any disincentives for take up but would be happy to bring back details on this issue.
- The Corporate Director advised that emotional support of children in care was being taken seriously and assurance on provision for this had been sought from the CCG and provider trust.
- There were concerns raised about vulnerable children who were now effectively invisible to the local authority. It was noted that vulnerabilities would come and go, and referral rates may go up and down. Those not accessing school at least twice per week were being monitored.
- In response to a query about care leavers – many of whom may be isolated. It was noted that both practical and emotional support was being provided and participation groups were still continuing which had been able to reach people who did not normally access services.
- A Councillor sought assurance that the closure of the children’s centres once the recovery phase was underway would not become the new normal. The Portfolio Holder advised that they were closed for obvious reasons – but they were still providing advice guidance and visiting families and she made assurances that they would reopen.

The meeting adjourned at 16:32 and resumed at 16:38.

Environment - The Chairman invited the Portfolio Holder for Environment and Climate Change to provide an update to the Board. She explained that waste collections were continuing as close to normal as possible and the incorporation of waste services in Christchurch went smoothly on 1 April. Green waste collections had been suspended for four weeks but were now resuming. This would need to be reviewed depending upon staffing levels. Street cleansing was also running normally. There was a high proportion of staff absence in highways and priority was being given to safety and the main resilience network. Local household waste centres were closed but commercial collections and sites were continuing to operate. Lots of work was taking place within bereavement services including development of storage to cope with increased deaths. Cremations at Poole had had to stop due to their age and on ongoing maintenance issues, cremations were

taking place at Bournemouth and arrangements for this were being dealt with sensitively in conjunction with funeral directors.

In response to the following pre submitted question the Portfolio Holder advised that there had been no recorded increase in fly-tipping in the area: With the council's tips understandably closed, has there been a rise in fly tipping and what are the council able to do in the crisis to enforce against it?

The Corporate Director advised that the Service had lost a number of key staff who needed to isolate for 12 weeks and there had been a significant change in service demands which were not necessarily anticipated. There were some issues with businesses not listening and following advise and issues such as nuisance bonfires. Other staff had been redeployed on cross cutting issues such as community resilience work. A number of points were raised in the following discussions including:

- In response to a question regarding the kerbside recycling collection service in Bournemouth it was confirmed that the arrangements for bringing the service back in-house were still progressing.
- In response to a query about an unofficial tip being created in a back garden the Portfolio Holder requested that it should be reported in order to be looked into further. Unfortunately, as travel to tips was not given as an official reason to travel, government advise was being sought on this issue and ways of managing social distancing at tips was being looked into.
- A Councillor commented that there were some problem areas for fly-tipping particularly around Milhams waste site. The Portfolio Holder advised that there were teams looking into it and the parks team had been engaged in collecting waste.
- A Board member asked about the decision to open up cemeteries and the timeframe for this. The bereavement team were looking into this. Cemeteries were still open but there was restricted use. There were issues concerning staffing for ground maintenance. The Portfolio Holder would seek clarity on the plan for reopening.
- In response to a query on the Councils position on bonfires the Corporate Director advised that there was not a general tool that the Council had to ban bonfires. Response would be based on the nuisance created.
- An enquiry was raised about what the Council was doing to ensure that its voice and views were heard by central government. It was noted that guidance changed quickly, and things may change in a short space of time. BCP Council had unique issues being near the coast and which brought threats of an influx of tourists when restrictions were lifted. The Corporate Director advised that the Council were liaising with trade bodies. The Leader advised that she was raising issues regionally and nationally with MHCLG. This was being actively pursued at a national level. Neither key cities nor unitary authorities were included when the MHCLG met with County and District Councils. This was also being actively pursued.

Finance – The Portfolio Holder for Finance provided an update on the current position to the Board. The Portfolio Holder praised the staff in finance and revenues and benefits for their response to the crisis. The early response had focused on liquidity and cash flow. A fundamental review of the financial situation had now been initiated. The Council had received initial grant funding to meet increased demand in Adult social Care. A Government hardship grant had been received for those accessing council tax support. There had been an increase in demand for revenue and benefits services including requests for council tax payment holidays. Seventy-five percent of staff were working from home and there was potential to expand this. There had been an increase in universal credit claims and business rates exemptions were being processed. There had been a 77 percent response rate for all businesses eligible for grants. This reflected the positive decision to contact all businesses directly, in contrast to a 60 percent response rate in Dorset. The Audit team was assisting with the processing of payment of business grants. The Portfolio Holder responded to the following question submitted in advance:

With the lockdown in place over the Easter weekend and likely to extend into the summer months, and the extra burden on the council dealing with the crisis, what is the council likely to lose in income? How will this deficit be made up – through rises in council tax, or can we expect the Government to extend its support to local authorities to see us through? Are we allowing council tax deferment for any specific groups?

The Portfolio Holder provided the following response:

The Council expect to lose income, particularly from car parking and destination services, as a result of the current and ongoing restrictions. There are significant additional financial burdens as a result of this crisis particularly in the areas of Adult Social Care and Children's Services. Estimates for the impact of these financial pressures are being worked through with the senior management team as part of the fundamental base budget review to assess the likely impact of the crisis for the Council's financial position. Three scenarios are being assessed for different lengths of this public health emergency. Government have provided £11.1m funding for the Council's initial response, and at the weekend announced that there will be a further allocation to local authorities, and we await details of this further allocation. Following the base budget review, we will be clearer on the anticipated financial pressure and the options we then have for mitigating and funding this pressure. Deferment of Council Tax payments are being facilitated on a case by case basis on request at the moment.

The Chairman asked what preparations were underway around the expectation of difficult financial decisions to be made in the future. The Director of Finance advised that there was an intention to report to the Cabinet meeting in May regarding the in-year position and mitigation strategies.

A Councillor commented that it would be interesting to see further comparisons with other areas of the country on the take up of business

grants. Para 17 of the report mentioned liaison with the secretary of state for support for the rest of the year. There was a concern raised that due to BCP Council's particular situation we may be overlooked in terms of government support and asked what actions were being taken to address this. The Director responded that as a unitary authority we had some of the issues of both upper and lower tier authorities. There had been detailed conversations with the LGA on specific issues including the Council's position as a seaside town. There had been a good response, and this would feed into conversation with the government. The external auditor was also making representations. The Portfolio Holder commented that a fundamental base budget review would look into several areas, which would support an understanding of different scenarios. This should place the authority in a good position in terms of clarity on finances.

In response to a question regarding whether if business rates funds were not all allocated to businesses would any excess need to be returned to government or could it be retained some to help other business in another way. It was noted that the Council's assessment and the Government's assessment for business rates didn't align with each other. It was confirmed that excess couldn't be retained. The Portfolio Holder advised that those business who had not yet responded would be actively pursued.

A Board member asked what could be expected from the second allocation of government funding. If the Council received the same payment as previously of £11.1m, this would still leave the Council with a significant financial challenge. In response to a question on the issuing of a Section 114 notice, which would place the authority into administration, the Director advised that whatever the financial challenge he was sure that the Council would respond in an appropriate way to ensure that this would not happen.

In response to questions raised regarding loss of income from car parking it was noted that this was being tracked. The Director explained that there were three key areas to look at in this challenge, lost income, additional spend and savings and efficiencies planned for but couldn't be implemented. This would form the basis of scenario planning for the May report. A Councillor urged the Portfolio Holder and officers to start looking at what difficult decisions needed to be taken now. In particular he suggested that a more strategic response was needed.

A Councillor requested that something be brought back to a future Board meeting which articulated the Council's campaign strategy to ensure that the Council received the best settlement possible. The Chairman commented that this was a good guide to some of the information the Board would like to see within the forthcoming Cabinet paper. The Leader refuted the suggestion that the Council was not doing enough to make its voice heard and outline what both she and the Chief Executive were doing regarding this and would be happy to bring this back within the report.

The Chairman noted that although there were no formal recommendations from the Overview and Scrutiny Board there were a number of issues which the Board had raised which required a

response including the low take up of school places for vulnerable children and an update on the situation with day centres.

157. Future Meeting Dates 2020/21

The dates of future meeting were included on the agenda. The Board discussed the possibility of an additional meeting. It was suggested that an additional meeting prior to the next meeting would be required to keep up to date with the developing situation. The Chairman advised that the Chairman of the other committees supported this, but it would need to be done in agreement with officers following the meeting. In response to comments made by officers and members it was agreed that this would be kept under review but that the next scheduled meeting of the O&S Board would remain as scheduled on Monday 18 May at 2.00pm.

The decision on items to be discussed at the next meeting would be delegated to the Chairman and Vice-Chairman in discussion with the Chairman of the other Committees and circulated to O&S Members. The Chairman asked that any member of the Board make contact with him if there is an item of business on the Cabinet Forward Plan that they would like scrutinised.

The meeting ended at 6.10 pm

CHAIRMAN