

Minutes of a meeting of the SCRUTINY COMMITTEE on Tuesday 6 November 2018

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Committee members:

Councillor Gant (Chair)	Councillor Henwood (Vice-Chair)
Councillor Altaf-Khan	Councillor Arshad
Councillor Bely-Summers	Councillor Djafari-Marbini
Councillor Donnelly	Councillor Fry
Councillor Kennedy	Councillor Lygo
Councillor McManners	Councillor Simmons

Officers:

Helen Bishop, Head of Business Improvement
Paul Adams, HR & Payroll Manager
Chris Harvey, Organisational Development and Learning Manager
Nerys Parry, Rough Sleeping and Single Homelessness Manager
Stefan Robinson, Scrutiny Officer
John Mitchell, Committee and Member Services Officer

Also present:

Councillor Shaista Aziz
Councillor Richard Howlett

Apologies:

No apologies were received

52. Declarations of interest

No declarations of interest were made.

53. Chair's Announcements

The Chair said that the work of the Growth Board Scrutiny Panel was getting underway, with its next meeting on 22 November. He reminded the Committee that he, Councillor Henwood and Councillor Simmons served on the Panel.

In relation to item 9 of the agenda (Appointment to a vacancy on the Housing Panel), he had agreed with the Chair of the Panel (Councillor Henwood) that the matter should be deferred until after the imminent City Council by election. The Committee agreed to this.

54. Minutes

The Committee resolved to APPROVE the minutes of the meeting held on 08 October 2018 as a true and accurate record, subject to two minor typographical corrections.

55. Work Plan and Forward Plan

The Scrutiny Officer updated the Committee on key points in relation to its work plan. The item on the Westgate Centre was confirmed for the December meeting of the Committee as had the attendance of its Chief Executive. An item on graffiti prevention and removal was scheduled for the February meeting. An item on the Oxpens redevelopment scheme had been scheduled for March, as had a Corporate Plan Update.

The Chair said that all efforts were being made to secure the quality of data and senior officer attendance which had been promised to facilitate a proper discussion about Fusion Lifestyle data in December.

56. Report back on recommendations

The Chair was pleased to report the City Executive Board's agreement to the Committee's recommendation in relation to Energy Statements included in the Draft Local Plan.

57. No Local Connection Review Group - Draft Report

The 'No Local Connection' Review Group had been established by the Scrutiny Committee on 3 July 2018. The purpose of the review was to consider the Council's approach to applying local connection criteria as a means of defining entitlement to access the Adult Homeless Pathway, and make recommendations for service improvement where necessary.

The Chair welcomed Councillor McManners who joined the meeting at this point, and to his first meeting as a member of the Committee. He welcomed too, Councillors Aziz and Howlett, Monica Gregory and the Housing Strategy and Needs Manager to the table, all of whom would contribute to discussion of this item. The purpose of the item was to seek the Committee's agreement for the report to be submitted to the City Executive Board at its meeting the following week. The report was accompanied by a supplement noting officers' advice about each of the recommendations.

Councillor Bely-Summers, as Chair of the Review Group, introduced the draft report by quoting from her foreword to the report and concluding with the observation that councillors should provide "political leadership and direction" in relation to matters of such importance.

Cllr Aziz, speaking as a member of the Review Group, expressed her thanks to all those who had contributed to its work, with particular reference to those who had experienced homelessness. She recognised that this was, inevitably, an emotive matter. Homelessness was a national, humanitarian, issue that affected some of the most vulnerable members of society to whom we owed a duty of care. The scale of the problem warranted radical action.

Monica Gregory spoke to the Committee as someone who had experienced homelessness as a result of fleeing domestic violence and returning to Oxford where she had been born and bred. Despite this she was deemed to have no local connection and found herself "not knowing which way to turn" She had to fight for some time to

have the connection recognised which she did with the help of MENCAP. The experience of being homeless was “soul destroying” leaving her scared and not knowing “how or where she would end up”. She thanked the Committee for giving her the opportunity to share her experience.

Councillor Howlett, speaking as a member of Review Group, thanked Monica Gregory for her contribution. He said homelessness was a complex and gruesome issue which could only be addressed satisfactorily by listening to those who have experienced it. This was a humanitarian crisis in one of the wealthiest cities in the UK which required a bold response and a demonstration of political leadership, working in partnership with officers. He drew attention to a few particular flaws in the current arrangements which the report sought to address such as the fact that volunteering did not count as one of the criteria to demonstrate a local connection whereas paid work did. He also said the Local Connection Policy needed to take account of those who may come from one of the city’s immediate satellites such as Kidlington and Botley but whose life is based around the City and cannot access services.

The Housing Strategy and Needs Manager provided some context to the issue from an officer perspective. This was undoubtedly a challenging area which the Council had been addressing for a long time, seeking to mitigate the detrimental consequences of a period of austerity, de-commissioned services and cuts by Oxfordshire County Council. There had, however, been a significant change at national level with a commitment, for example, to half homelessness by 2020 and to eliminate it completely by 2027.

Homelessness was indeed a complex issue, not least because of its interrelationship with, for example, the health service and criminal justice systems. It was something which had to be addressed collaboratively and could not be effectively tackled by one organisation. She drew attention to the importance and early success of the Trailblazer project which sought to mitigate difficulties for individuals through early intervention. This, combined with Homelessness Reduction Act, offered a once in a generation opportunity to make a difference.

Officers welcomed the work of the Review Group but wished to draw attention to a few matters which should be borne in mind. The capacity of the Oxfordshire Adult Homeless Pathway was limited and the report’s recommendations were likely to put pressure on it to an extent which might compromise its effectiveness. The recommendations focussed on the local connection criteria and access to the pathway. Oxford City Council was currently signed up to the Oxfordshire Common Operational Protocol, which specified eligibility requirements to access the Adult Homeless Pathway. Any changes to the county wide protocol could not be changed unilaterally without agreement from the other Oxfordshire Districts. The terms of the Homelessness Reduction Act meant that some of these matters are subject to statute and cannot be changed. The ability to apply discretion is most important. Those people experiencing homelessness are individuals and not a homogeneous group and should be responded to as such. Care should be taken, therefore, not to be too prescriptive.

The Chair thanked the visitors for their introductory remarks and reminded the Committee of the purpose of the item before opening it up for discussion. In a wide ranging discussion the following points were made, the vast majority of which were in support of the report and its subsequent transmission to the CEB:

- The group had involved officers in several of its meetings, and the review group has considered their advice. The report's recommendations had not been made lightly and had been made in full knowledge of the officers' views.
- The quality of the report, in terms of its thoroughness, engagement with interested parties and background research was exemplary.
- It was recognised that some aspects of the report would be challenged but this was inevitable given the need for action to tackle fundamental problems such as the Common Operational Protocol which was seen to be flawed.
- The starting point should be to agree what the Council wants to achieve and then to how it should be resourced in this, one of the wealthiest cities in the Country.
- Those people who happen to experience homelessness are citizens who are often skilled, in a position to make a contribution and should be regarded as an asset rather than a problem.
- The evidence in relation to the 'magnet effect' , whereby people may be drawn to improved homelessness services from afar, was not clear. Anecdotal evidence suggested that this would have a limited impact on people coming to the City.
- The recommendations should, in any case, not be shied away from for fear of there being a magnet effect.
- Those people who experience homelessness are likely to be a source of unnecessary expense to the community as result of health and criminal justice related issues, as evidenced in the Review Group's report.
- The presence of people who are homeless may be prejudicial to the City's tourist industry, not in itself a reason to change the policy but a contributory consideration.
- The importance of good advice and opportunities for advocacy on behalf of those people experiencing homelessness was key.
- It was not the job of Scrutiny to provide a thorough law and governance check on what was being proposed. It was the role of Scrutiny to put forward its logic and rationale in support of its recommendations, and for CEB to decide whether to accept the recommendations, having had regard to the report and separate officer advice.

During discussion a minority of concerns were expressed about the report being forwarded to the CEB:

- The report appeared to contradict some matters of fact expressed by officers. It might be preferable therefore to delay submission until they had been addressed and fuller account taken of the officers' views.
- While the principles behind the report's recommendations were ones which could be wholeheartedly supported, there was concern lest there was insufficient capacity to deal with increased numbers in the Adult Homeless Pathway.

- The examples of a lack of ‘magnet effect’ given in the discussion had focussed on London boroughs. Was it safe to extrapolate this experience to the very different economic and political circumstances of Oxford?

On being put to a vote the Committee resolved, with one abstention, to:

Endorse the report and **submit** it to the City Executive Board for consideration at its meeting in 14 November.

58. Annual Workforce Equalities Report

The Committee had been asked to consider the Annual Workforce Equalities Report and associated Action Plan before it went to the City Executive Board (CEB) the following week. Councillor Chapman, in his capacity as Portfolio Holder for Customer Focused Services, introduced the report.

Reflecting on his previous role as a member of the Scrutiny Committee, when he had argued the need for more robust data about these matters he was pleased to bring the Committee a report which sought to do just that, together with an action plan to address areas of weakness. Oxford was a diverse community and to promote and ensure social cohesion this diversity should be reflected in the Council’s workforce as well as providing opportunities for all. The data illustrated areas of good progress but the low participation rate of BAME and females in higher graded roles was a concern. Whilst there was evidence of a good level of interest in Council vacancies from BAME groups, around 22% of all applications received, the progression rate through to job offer stage was much lower. The Equalities Action Plan presented to Scrutiny was radical and focused on positive action to promote and encourage the recruitment from the BAME community.

The Head of Business Support said that a workforce which was more ethnically and culturally diverse would be better placed to understand the needs of the Council’s customers and provide services more attuned to the community’s needs. There was now a better understanding of the make-up of the local community, as well as local and national labour markets. The data included in the report included staff employed by Oxford Direct Services (ODS) but has been disaggregated between the Council and ODS to reflect the creation of ODS in April this year. The action plan is informed by the data collated, and builds on existing good practice but with a strong focus on positive action, as permitted by the Employment Act of 2010, something which had the potential to make a significant difference. Some actions would be directed towards specific service areas. The Council wants to become an employer of choice, but to achieve this requires that we better ‘showcase’ what we can offer as an employer. The importance of taking all steps to remove unconscious bias was recognised, and the contents of job descriptions and information sought from potential employees were being reviewed to ensure that they were all strictly necessary. The Action Plan would be launched shortly after the CEB meeting next week.

In a wide ranging discussion the following matters were raised, among others.

- Should thought be given to giving the opportunity of allowing BAME candidates to “shine” as a result of their being fluent in more than one language?

- The “Religion/Belief & Non Belief profile” distinguished between “Catholic” and “Christian”. Agreed that the distinction should be removed. It was noted that care should be taken in removing or combining categories as some are required by statute and making such changes has the potential to reduce the ability to accurately track and report on ‘year on year’ trends .
- It would be helpful to make clear to candidates the Council’s policy in relation to leave (in the particular context of religious festivals)
- The value of exit interviews was recognised. There was the merit in those interviews being conducted by someone other than the employee’s manager. In future opportunities would be provided for face to face interviews with a member of the HR team.
- There was insufficient evidence to explain the absence of females in senior management positions. Opportunities to address this weakness were being taken when they arose.
- Councillors are involved in an appointment panel for a recruitment to senior positions. The scheme is managed by an executive search and recruitment agency which has been made aware of the Council’s focus on increasing participation of BAME and females at this level. It was recognised that training would also be needed for Members involved in recruitment processes.
- Oxford Direct Services, as one of a pair of limited companies, could not be scrutinised by this Committee. However Councillor Chapman assured the Committee that there was no reason for them not to be subject to similar challenge, albeit from the Shareholder Group.
- It was alleged that young people from the BAME community had left the employment of the Council because of the way in which they had been treated. It would be helpful therefore to seek feedback from BAME staff leaving the organisation.
- Lessons with regard to the employment of members of the BAME community, there was much to learn from other authorities such as Slough, Reading and High Wycombe.
- Consideration could be given to job fairs focussed on the needs of the BAME community and the identification of champions within the Council to celebrate and promote BAME employment.
- Internal candidates from under-represented groups would be given every encouragement to apply for relevant opportunities as they became available but posts would not be limited to internal candidates.
- The Council had a flexible approach to job sharing to try to meet the needs of those for whom, for one reason or another, full time positions were untenable.
- The Council was flexible too in its response to the needs of employees with caring responsibilities and home working was actively encouraged. There would perhaps be value in making this more widely known.
- Officers from the County Council might be in position to offer helpful advice about recruitment issues.

The Committee resolved to make the following recommendation to the CEB:

1. That the Council does not differentiate between Catholics and Christians in its workforce equalities data.
2. That the Council explores opportunities to improve its recruitment appeal to, and engagement with, the BAME population within Oxford, through the use of targeted recruitment fairs for example.
3. That the Council ensures it has robust processes in place to gather feedback from employees who are leaving the organisation, and whether their treatment in relation to any protected characteristics was a factor in their decision to leave. Consideration should also be given to facilitating a 'safe space' where current employees can feedback about sensitive employment matters, such as barriers experienced by under-represented groups.

59. Housing Panel Vacancy

It had been agreed to defer consideration of this item pending the outcome of a forthcoming by-election .

60. Dates of future meetings

The next meetings of the Scrutiny Committee and its panels are scheduled as follows:

Scrutiny Committee

- 04 December
- 14 January 2019

Standing Panels

- Housing Standing Panel: 12 November
- Finance Standing Panel: 06 December, 8 January, 9 January
- Companies Panel: 13 November, 11 December, 03 January 2019

All meetings start at 6.00 pm

The meeting started at 6.00 pm and ended at 8.30 pm

Chair

Date: Tuesday 4 December 2018

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