

## **Lancashire County Council**

### **Scrutiny Committee**

**Minutes of the Meeting held on Friday, 13th November, 2015 at 10.00am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

#### **Present:**

County Councillor Bill Winlow (Chair)

#### **County Councillors**

D Clifford	M Parkinson
C Crompton	J Shedwick
C Henig	V Taylor
Mrs L Oades	C Wakeford
D O'Toole	G Wilkins

County Councillor Alyson Barnes was replaced by County Councillor Darren Clifford and County Councillor Richard Newman-Thompson was replaced by County Councillor Chris Henig for this meeting.

#### **1. Apologies**

Apologies were received from County Councillor David Watts

#### **2. Disclosure of Pecuniary and Non-Pecuniary Interests**

None were disclosed.

#### **3. Minutes of the Meeting held on 16 October 2015**

The minutes of the meeting held on 16 October 2015 were agreed to be an accurate record.

#### **4. Report of the Fire Suppression Measures Task Group**

The Chair introduced Jason Homan, Assistant Director of Property (Building Design & Construction) to the meeting who delivered the Task Group's report.

It was explained that the Task Group was convened following a request from the Cabinet Member for Children and Young People to consider the installation of further fire suppression measures in all new schools in Lancashire. It was elucidated that the Task Group used a report to the All-Parliamentary Discussion Group presented in 2013, and that this report had been provided as an appendix.

The issues analysed by the Task Group were outlined to be; financial aspects, community impacts, technical issues and the thoughts of the Fire and Rescue

Service. The aforementioned were considered in the formulation of recommendations.

Jason Homan stated that Government developed a risk assessment tool for fire safety within schools, and the County Council had built upon this by incorporating further assessments to analyse specific issues within Lancashire.

It was emphasised to the Committee that fire suppression focussed upon mitigating psychological impacts of fires within schools, rather than specifically saving lives as other measures sought to ensure pupil safety.

The Committee were informed that the Task Group had given consideration to existing schools within the county as the proportion of new schools to be built was anticipated to be low in number in the coming years, with schools more likely to have building extensions within their existing grounds. Therefore, the Task Group suggested that particular criteria be developed to determine thresholds for size expansions that triggered the requirement to install sprinkler systems.

Regarding schools within Lancashire that the county council did not control, it was stressed to be of importance that measures the county council considered appropriate for their own schools should be encouraged in schools not under the county council's control.

Members noted that the Task Group analysed alternative forms of fire suppression, for example misting systems. It was explained that fire safety was determined by various factors, for example; the layout of a school, direct access to outside from classrooms, the fire properties of building materials, limiting roof voids and the space above ceilings. Therefore, it was conveyed that the installation of a sprinkler system was not the only measure that could be implemented to suppress fire.

The Task Group, it was conveyed, also considered schools that currently had sprinkler systems installed and, specifically, the extent the systems were examined, inspected and maintained as there had been issues with sprinkler systems deploying, however it was highlighted this was due to poor maintenance rather than system failure. Furthermore, the issue of unanticipated sprinkler system triggering was discussed with the Task Group, and it was explained that sprinklers only triggered in the area of a fire/heat source which was contrary to common misconceptions.

Discussions within the Task Group had taken place around who was responsible for sprinkler systems, e.g. with the county council or with individual schools.

Finally, in the instances that it was not felt appropriate for sprinkler systems to be installed, discussions taken place regarding mitigating fire damage and therefore prevent psychological impacts.

Jason Homan elucidated that as a result of the discussions outlined above, the following five recommendations had been formulated;

- 1) All brand new schools developed by LCC shall have a sprinkler system installed as part of their fire safety strategy. With regard to the extension of an existing school, where the capacity of a school is to increase by 50% or more, based on pupil numbers, then a sprinkler system shall be installed into the resultant new facility (both the new and existing elements).

Once installed the responsibility to correctly inspect, service and maintain the sprinkler system shall rest with the governing body of that school.

- 2) All schools that currently have a fire suppression system installed shall have an initial assessment carried out by LCC to establish the condition of the system. Any remedial work required to ensure the correct operation of the system shall be carried out by the individual school within 6 months of them being notified of these requirements.  
Upon completion of the initial assessments and resultant remedial works where necessary, the responsibility for the future inspection, servicing and maintenance of the system shall rest with the governing body of that school.
- 3) 4. All schools under the control of LCC and which do not have a fire suppression system installed shall seek to provide a fire retardant storage facility suitable for their needs as assessed by themselves.
- 4) All other organisations that are responsible for the provision of school premises within Lancashire shall be encouraged to adopt the same recommendations as will apply to those schools under the direct control of LCC.
- 5) In order to ensure this policy remains consistent with future changes in building legislation it is to be reviewed every 5 years.

Members were invited to ask questions and to raise any comments in relation to the report, a summary of which is provided below:

The Committee sought clarification on recommendation 4, stating that the lexical choice suggested there was a storage facility for fire retardant materials. It was clarified that the recommendation was for schools to create a fire retardant space within a school and consequently, it was agreed that the lexis would be changed to aid understanding.

CC G Wilkins expressed surprise at the emphasis upon mitigating the impact on pupil's work rather than lives. It was explained that many schools had direct access to outside from classrooms and were therefore safe, and that many fires occurred at night.

CC G Wilkins requested that, as many County Councillors were school governors, the report be distributed to all Members.

It was agreed that the report would be sent to all Members following the remainder of the Task Group process and following amendments to the recommendations as requested above.

CC C Henig noted that within the Task Group report reference was made to painted sprinklers, and that it was the school's responsibility to maintain sprinkler systems. Jason Homan explained that the policy did not differ from other systems within a school building, and therefore it did not add any new responsibility and that painted sprinklers should be picked up via the annual inspections. It was emphasised that it had been incorporated in the recommendation to state clearly who held the responsibility.

CC Chris Henig enquired whether the installation of a sprinkler system impacted insurance costs for a school. Jason Homan stated that the installation of sprinkler systems in a small number of schools would not significantly impact on insurance costs as the county council were insured for the entire portfolio of its schools as one entity. However, for schools in Lancashire that were outside of the county council's remit who insured themselves, this would have an impact on their insurance costs, and therefore would be attractive to them.

CC C Henig expressed that there was possibly scope for savings for schools insuring themselves individually. The Chair expressed that discussions around this could take place at a later date.

CC V Taylor queried whether sprinkler systems that were painted over would impact insurance claims. Jason Homan explained that the recommendations sought to address this issue. It was noted that, going forward, it was going to be a more prominent issue that they are maintained and inspected correctly.

CC V Taylor expressed concern that it may take time to determine the condition of sprinkler systems. Therefore, it was suggested that the county council contact Head Teachers and/or governing bodies of schools to seek assurance that their sprinkler systems were fully operational.

Jason Homan explained that the county council sought assurance via the annual statement of compliance, which referred to whether the systems within a school were fully functioning.

The Chair requested that schools be contacted requiring that sprinkler systems are checked.

CC J Shedwick asked who replaced faulty sprinkler heads within schools. Jason Homan explained that the school would remedy issues via the arrangements they had in place, which were either through the county council's property services or external contractors.

CC L Oades expressed that when she was a chair of governors at a school she had been informed it would be prohibitive for the county council to insure each

individual school, rather than the current arrangement of generic insurance for all schools it was responsible for. Therefore, caution was urged with this approach.

The Chair stated that clarity was required regarding insurance for schools and a report could be required to be presented to the Committee. Jason Homan explained that he would speak to insurance officers to take the request forward.

CC Carl Crompton explained that most schools had a health and safety committee who inspected fire suppression measures, and therefore it was an automatic responsibility for the school to report any issues.

CC G Wilkins asked what the thoughts of Lancashire Fire and Rescue Service were regarding a sprinkler system and also the thoughts of Head Teachers. Jason Homan explained that the thoughts of Lancashire Fire and Rescue Service were that all school buildings should have sprinkler systems installed and that this position was consistent nationwide. Regarding Head Teachers, it was explained that when fire risk assessments resulted in suggestions for the installation of a sprinkler system Head Teachers did not have an issue.

CC D O'Toole stated that if any of the recommendations were implemented it should be done in collaboration with Lancashire Fire and Rescue Service. It was explained that their knowledge could help to reduce the cost of sprinkler system installations, as premium sprinkler systems may not be necessary.

**Resolved;**

- i. That the Committee accept the Task Group's recommendations following the suggested amendments outlined above.
- ii. That schools be contacted requiring that sprinkler systems are checked.

**5. Lancashire Safeguarding Children Board Update**

The Chair introduced Jane Booth (Independent Chair Lancashire Safeguarding Children Board), Paul Hegarty (Business Manager of Lancashire Safeguarding Children and Adult Board) and Louise Taylor (Corporate Director, Operations and Delivery) to the meeting who delivered the Lancashire Safeguarding Children Board (LCSB) report.

The Committee were informed that LSCB considered the county council to be a key player in safeguarding children and therefore, the report was before the Committee. It was noted that a shorter more accessible version of the report would be available on the LSCB website in the near future.

Members were informed that, following their audit and inspection, the LSCB had identified some areas of concern regarding the experiences of some children and young people and that these had been presented on page 4 of the report.

Jane Booth noted that, despite some concerns, there were many positives. For example, a significant increase in early-help activity. It was elucidated that the increase was mirrored by a decrease in children on child protection plans and therefore there may be a connection between the two, although the connection would not be confirmed without further analysis. It was explained to the Committee that there had not been a similar impact upon the number of looked-after children and the referrals received, however with the increase in early-help activity there could be movement on this position going forward.

It was explained that a supplementary document would be produced over the coming months which focussed upon data-analysis and that this would be shared with the Scrutiny Committee.

It was conveyed that the childcare structure was particularly complex in Lancashire due to a large number of Clinical Commissioning Groups, 12 District Councils, a number of health care providers, a mixed picture of poverty/deprivation and a large cohort of schools.

The Committee were informed that LSCB reviewed all child deaths and, through their work, there had been issues identified that required work with agencies.

Members noted that LSCB had completed two inspections, one around early-help and one locality inspection in Burnley, along with a number of individual case audits. It was also conveyed that LSCB had improved data collection and consequently performance analysis across agencies, and work was ongoing to increase capacity.

Jane Booth highlighted that a decision had been made to align the business units that supported the LSCB and Lancashire Safeguarding Adults Board (LSAB) as many issues span across the age bands, and through aligning business, the service could be more effective.

Members were invited to ask questions and to raise any comments in relation to the report, a summary of which is provided below:

CC D O'Toole queried the differentiation in funding to LSCB from local authorities, for example Blackpool Council. Jane Booth explained that there were separate LSCB's for each of Lancashire, Blackburn with Darwen and Blackpool. Some core functions such as the development of policies and procedures were shared and a joint Child Death Overview Panel was in place to which the other LSCB's made financial a contribution. It was noted that there was not a national formula to determine the level of contributions by agencies. In addition, Jane Booth noted that LSCB had approached Health Trusts for contributions, with one positive response and efforts were continuing.

The Chair queried if a funding formula could be developed for Lancashire and whether the Committee could formulate any recommendation to aid the LSCB. It was explained that with the alignment of the LSCB and LSAB it would be difficult to organise until the financial implications were understood. However, Members were reassured that agencies were prepared to increase contributions based on any increase in budget following the changes. Jane Booth also expressed that a review commissioned by the LGA who performed a recent quality assurance exercise had recommended in a report that Government should take on-board issues about resource in general and the National Serious Case Review Panel had also recommended that the government address the funding of the production of serious case reviews.

CC G Wilkins queried the impacts of immigration for LSCB. Jane Booth explained that there had not been identification of specific issues with abuse with particular communities. However, for example, some migrants may possess different opinions around the Police service due to fears from another culture and could therefore refrain from reporting concerns or seeking help.

CC G Wilkins queried if it was anticipated that LSCB's 15/16 report would differ from the 14/15 report. Jane Booth expressed that she anticipated it would be significantly different as financial and other resource pressures were being felt by all agencies and there was a risk that performance would deteriorate.

CC C Henig made reference to 'key areas for professionals to consider and challenge themselves' present within Appendix 'A' of the report and expressed that they should be innate for a social worker following their training. Jane Booth noted that she agreed that they were an integral part of a social worker's training. It was conveyed that the 'key areas' were outlined to avoid slippage via good supervision and challenge as some social workers had been seen to stray from the key areas in some instances. It was explained that the methodology for a serious case review had changed and practitioners were now brought together and asked questions as opposed to paper based reviews. Paul Hegarty elaborated stating that learning briefs were distributed to all professionals, and

although very simple, it was noted that going back to basics allowed for a comprehensive picture to be devised.

CC C Henig queried how far investigative work into agencies could go regarding serious case reviews. Jane Booth expressed that LSCB needed to increase its capacity to audit in order to perform more investigative work as this aided understanding of where issues lay.

CC L Oades noted that often Fylde and Wyre were associated with Blackpool Council despite being in Lancashire. Jane Booth outlined that this was also an issue with districts bordering Blackburn with Darwen Council and discussions were taking place around information sharing. It was highlighted that issues arisen as, for example, residents of Fylde and Wyre often used Blackpool based hospitals and therefore crossed the boundaries.

CC L Oades expressed concern that there were an increasing number of children from other authorities coming into Lancashire and asked if there was a recommendation the Committee could devise to help LSCB and consequently the county council from the point of view of funding. Jane Booth noted that Lancashire had a large number of such children whose responsibility lay outside of its boundaries and that they utilised Lancashire's services such as schools and health services, however Lancashire agencies were not responsible for the child's care plan. It was emphasised to be a complex picture with work ongoing to address the issue. For example, LSCB were currently performing an audit around children placed in Lancashire by other authorities, and once completed, an audit of Lancashire children placed elsewhere in the country would be undertaken.

Louise Taylor explained that the county council tried hard to avoid placing children outside of the county boundaries, however in some instances, this did occur. This, it was outlined, occurred when it was felt a child was at genuine risk of harm remaining in the county, when there was a specific and complex needs that independent providers could not cater for within the county, when educational needs could not be met in the county and various other reasons. It was noted that Bob Stott, Director of Children's Services, reported the numbers of Lancashire children placed outside of the county boundaries to LSCB.

CC L Oades stated that Government needed to look at the placement of children outside of a local authorities boundaries in some instances when it did not have good reason, with specific reference to some private children home providers utilising cheaper accommodation in Lancashire.



CC V Taylor asked for more information about concerns around 'achieving successful engagement by the LSCB with schools and early years settings' outlined on page 22 of the report. Jane Booth explained the complexities of engaging with schools to the Committee and noted that it was not a reluctance on the part of the schools but more a capacity issue for the LSCB.

CC C Henig made particular reference to an unsuccessful bid to obtain funds from the innovation fund and therefore it was queried if Lancaster University had been approached around research. Jane Booth explained that the LSCB was keen to progress the research and were prepared to utilise reserves to support it. It was highlighted that there was potential for funding from the Police & Crime Commissioner, and other funding streams.

CC C Crompton queried if other local authorities were surcharged if a child's care package exceeded outlined requirements by a local authority outside of Lancashire. Louise Taylor explained that a mechanism did not exist for local authorities to be recompensed if the above scenario occurred. It was noted that it created particular issues for health colleagues as they were not consulted prior to placements, and therefore inherited costs as a consequence.

The Chair thanked Jane Booth, Paul Hegarty and Louise Taylor for presenting the report and answering queries.

The Chair suggested that a letter be sent to Government regarding national funding for Children's Boards. The Committee agreed that this be penned.

**Resolved:**

- i. That the Committee note the report.
- ii. That the Committee write to Government regarding national funding for Children's Boards.

**6. Transforming Care and Calderstones NHS Foundation Trust - Notice of Motion**

The Chair explained that the letters provided had been shared with the Committee to give the opportunity to note the result of the Notice of Motion which was approved at Full Council.

**Resolved;** That the Committee notes the letters sent to Government and the CEO of NHS England.

## **7. Workplan and Task Group Update**

**Resolved;** That the work plan and task group update be noted.

## **8. Urgent Business**

The Chair introduced Wendy Broadley (Scrutiny Officer) who attended to request approval from the Committee for a Task Group to be convened to explore the shortage of nurses within the NHS system.

It was explained to the Committee that Health Scrutiny Committee liaised with Acute Trust providers in Lancashire and a common theme from discussions was a shortage of Doctors and Nurses, and therefore Trusts had a heavy reliance of agency staff and nurses from overseas. It was conveyed that members of Health Scrutiny Committee wanted a better understanding of the reason behind the shortages and therefore the Task Group request had been devised.

CC D Clifford stated that the Task Group should consider the work of Community Nurses when assessing nursing levels of Acute Trusts. Wendy Broadley explained that the Task Group would be endeavouring to receive as a wide a picture as possible around these issues. For example, Health Steering Group would be meeting with Chorley & South Ribble CCG around their workforce planning project and the information from this meeting would be fed into the Task Group to aid their work.

CC M Parkinson noted that nursing, previously, had been a vocation, however this had changed in recent times with the requirement for qualifications and therefore could be a contributing factor.

CC C Henig suggested that nurses could be consulted by the Task Group. Wendy Broadley stated that it would be useful to speak to nurses.

CC G Wilkins asked that the Task Group investigate if the NHS required non-EU nurses to fill quotas.

CC D O'Toole suggested that the Task Group investigate the level of training nurses received and attitudinal issues.

CC C Crompton stated that an issue was nurses seeking employment via agencies rather than direct employment and suggested that the Task Group analyse this. Wendy Broadley stated that this was an area the Task Group would be endeavouring to understand.

**Resolved:** That the Committee support the Task Group request.

#### **9. Date of Next Meeting**

The next meeting of the Scrutiny Committee will be held on Friday, 11 December, 2015, at 10:00am at the County Hall, Preston in Cabinet Room 'B'.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston