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TRAFFORD COUNCIL

AGENDA PAPERS FOR SCRUTINY COMMITTEE MEETING

Date: Thursday, 1 October 2015

Time: 6.30 p.m.

Place: Committee Rooms 2 & 3, Trafford Town Hall,
Talbot Road, Stretford, M32 0TH

A G E N D A	PART I	Pages
1.	ATTENDANCES To note attendances, including Officers, and any apologies for absence.	
2.	MINUTES To receive and, if so determined, to agree as a correct record the Minutes of the meeting held on 17 June, 2015.	1 - 4
3.	DECLARATIONS OF INTEREST Members to give notice of any interest and the nature of that interest relating to any item on the agenda in accordance with the adopted Code of Conduct.	
4.	PROPOSED EDUCATION SCRUTINY TOPICS FOR 2015-16 To consider a report of the Acting Corporate Director, Children, Families and Wellbeing.	5 - 6
5.	HOME TO SCHOOL TRANSPORT - TASK AND FINISH GROUP REPORT To consider a report of the Vice Chairman of the Scrutiny Committee.	7 - 24
6.	BUDGET SCRUTINY - PROCESS FOR 2016/17 To consider a report of the Democratic Services and Performance Manager.	25 - 26

Scrutiny Committee - Thursday, 1 October 2015

7. ANNUAL DELIVERY PLAN 2015/16 - Q1 PERFORMANCE REPORT

To receive a report of the Acting Corporate Director, Transformation and Resources. 27 - 30

8. SCRUTINY COMMITTEE WORK PROGRAMME 2015/16 - UPDATE

To receive a report of the Democratic and Performance Services Manager. 31 - 32

9. URGENT BUSINESS (IF ANY)

Any other item or items (not likely to disclose "exempt information") which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

TRAILER

THERESA GRANT
Chief Executive

Membership of the Committee

Councillors S.K. Anstee, R. Bowker, C. Boyes, C. Candish, K. Carter, M. Cordingley (Vice-Chairman), J. Coupe (Chairman), L. Dagnall, Mrs P. Dixon, D. Hopps, D. Western, Mrs J. Lloyd (ex-Officio) and Sister P. Goodstadt (Co-Optee)

Further Information

For help, advice and information about this meeting please contact:

Chris Gaffey, Democratic & Scrutiny Officer,
Tel: 0161 912 2019
Email: chris.gaffey@trafford.gov.uk

This agenda was issued on **Tuesday, 22 September 2015** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford, M32 0TH.

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Please contact the Democratic Services Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

SCRUTINY COMMITTEE

17 JUNE 2015

PRESENT

Councillor J. Coupe (in the Chair).

Councillors M. Cordingley (Vice-Chairman), R. Bowker, C. Boyes, K. Carter, C. Candish and D. Hopps

In attendance

P. Forrester	Democratic and Performance Services Manager
C. Gaffey	Democratic and Scrutiny Officer
C. Hindle	Contracts Director

APOLOGIES

Apologies for absence were received from Councillors S.K. Anstee, Mrs. P. Dixon and J. Lloyd

1. CHAIRMAN AND VICE-CHAIRMAN OF THE COMMITTEE 2015/16

RESOLVED: That Councillors Coupe and Cordingley are appointed as Chairman and Vice-Chairman of the Scrutiny Committee respectively for the municipal year 2015/16, as determined by Council at the Annual Meeting held on 28 May, 2015.

2. MEMBERSHIP OF THE COMMITTEE 2015/16

RESOLVED: That the membership of the Scrutiny Committee for the municipal year 2015/16, as determined by Council at the Annual Meeting held on 28 May 2015, be noted.

3. TERMS OF REFERENCE FOR THE COMMITTEE 2015/16

The Vice-Chairman commented that the Terms of Reference were still relatively new, and recommended they be monitored by the Committee to ensure they are kept up to date.

RESOLVED: That the Committee's Terms of Reference as agreed at the Annual Meeting of the Council held on 28 May 2015, be noted.

4. MINUTES

RESOLVED: To receive and, if so determined, to agree as a correct record the Minutes of the meeting held on 26 February, 2015.

5. DECLARATIONS OF INTEREST

No declarations of interests were made by Members.

Scrutiny Committee
17 June 2015

6. SCRUTINY COMMITTEE WORK PROGRAMME 2015/16

The Committee received a report of the Democratic and Performance Services Manager setting out the proposed work programme for the 2015/16 municipal year, as discussed with the Chairman and Vice-Chairman of the Committee.

The Democratic and Performance Services Manager answered questions relating to specific items on the work programme. It was explained that children's education has been a long standing topic for the Committee to discuss, but a full work programme during the previous year meant this had not been possible. It was noted that a specific topic would need to be agreed upon for the meeting on 2 September 2015, and the Acting Corporate Director, Children, Families and Wellbeing would be invited to answer any questions the Committee might have.

Members also mentioned library closures and the provision of leisure within Trafford as possible topics for the Committee to add to the programme over the year if there was capacity.

RESOLVED: That the work programme be approved.

7. JOINT VENTURE CONTRACT - UPDATE

The Committee received a presentation of the Contracts Director detailing the progress made on the Joint Venture Contracts to date, and what could be expected over the coming months.

The presentation reminded Members of the services in scope, the bidding process and the desired outcomes of the Joint Venture. It was confirmed that the contract for all lots was awarded to Amey, and this would officially commence on 4 July 2015 with a 100 day transition period. The Contracts Director detailed how staff would receive information about the transition, as well as explaining the governance requirements, confirming the Council will retain responsibility for strategy and policy. Key Performance Indicators (KPIs) were explained, as well as the provider's responsibility to engage with stakeholders and provide social value.

The Contracts Director answered several questions regarding the length of the contract, the 20 percent savings target and staffing. Members were pleased that no permanent staff members had lost their position with the awarding of the contract, having been TUPEd over to Amey. It was confirmed that communications would be distributed to Members before 3 July to explain how they can contact Amey to discuss issues in their wards. Other topics discussed included the Council's ability to step in if there were provider failures, and contingency plans.

Members requested a further update on the Joint Venture Contracts at the meeting on 27 January, 2016. The Contracts Director hoped to bring representatives from Amey to the meeting to enable Members to ask questions.

RESOLVED: That the presentation be noted, and that the Committee receive a further progress update on the Joint Venture Contracts at the meeting on 27 January, 2016.

Scrutiny Committee
17 June 2015

8. HARMONISED CONTRACT PROCEDURE RULES

The Committee received a report of the Director of STaR Shared Procurement Services presenting the proposed harmonised Contract Procedure Rules, which were approved by the STaR Joint Committee on 22 April 2015. The report was brought to the meeting to confirm that the Scrutiny Committee was content for these changes to be adopted by Council on 15 July.

The Committee discussed how the changes would affect the council's flexibility, staff training relating to procurement, and made suggestions for minor changes to the wording of the contract.

RESLOVED: That the Committee note the proposed changes and confirm that they have no comments.

The meeting commenced at 6.30 pm and finished at 7.45 pm

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TRAFFORD COUNCIL

Report to: Education Scrutiny Sub-Committee

Date: 1st October 2015

Report of: Acting Corporate Director, Children Families and Wellbeing

Report Title

Proposed education scrutiny topics for 2015-16

Summary

The report outlines the proposed topics to form the programme of activity for the Education Scrutiny Sub-Committee for the next year.

Two areas are proposed as follows;

- **Closing the Gap:** Trafford has the highest performing education system nationally when you take into account the level of attainment at each stage from Early Years through to Key Stage 5 (A-level). This performance has continued to improve from its existing high base despite a number of national changes that have impacted on other LA's. However there continues to be a challenge in relation to reducing educational inequalities and whilst attainment for our vulnerable groups is higher than national averages the gap to the highest attaining is not reducing.

As a result further work is being developed to support our activity in this area and an action plan established for the 2015-16 academic year. It is a particularly issue within the secondary sector reflecting a national trend so proposals have been established for additional targeted activity in those schools identified as high risk following an assessment of performance. In addition to targeted activities in relation to closing the gap Sub-Committee may want to explore aspects such as;

- Progress rates and target setting for pupils within the Free School Meals (FSM) Cohort
 - Secondary destinations of pupils within FSM Cohort i.e. how many progress to good or outstanding schools compared to their peers
 - National evidence base for interventions to support closing the gap
 - Review of the emerging Closing the Gap action plan
- **School Funding:** Whilst Trafford has the highest performing education system nationally we are also one of the lowest funded on a per pupil basis and this is starting to have a significant impact on many of our schools. National school funding formulas are very complex and prescriptive on how local School Funding Forum is able to allocate monies to schools via the formula. Each LA area is allocated a funding level and that is then used to distribute monies via three blocks of funding; Early Years, Mainstream, and

High Needs. There is an ongoing national campaign to establish a fair funding formula for schools that ensures a level of basic funding that is the equivalent regardless of the geographical location of a school. That would then be 'topped up' by targeted funding i.e. Pupil Premium.

It has been recognised by governments over many years that the system needs fundamental reform and there is a commitment from the Department for Education to work towards a National Fair Funding Formula. Trafford is a member of the F40 group of councils who lobby government on behalf of the lowest funded LA's and we have been very active in seeking a fairer allocation for Trafford. The Sub-Committee may wish to explore the following areas;

- Impact of inequity in funding on Trafford Schools
- Opportunities for more flexibilities in the system that can be identified for lobbying on a national basis
- Demographic factors impacting on funding in both the mainstream and high needs block
- Impact of fragmentation on school place planning and how that effects funding.

It is recommended that to provide additional support for the Committee that a representative Headteacher from both the Primary and Secondary sectors are co-opted to work with the Committee. Nominations should be sought from the respective Standing Heads Conference and will be facilitated by officers within CFW. The Head of Educational Standards will be the key link to the work going forward and there is a range of documentation available to the Scrutiny Sub-Committee to inform the proposed review.

Recommendation

That the Sub-Committee agrees the areas outlined for scrutiny and the approach to be taken.

Contact person for access to background papers and further information:

Name: John Pearce, Director Service Development

Extension: x1901

Background Papers: None

TRAFFORD COUNCIL

Report to: Scrutiny Committee
Date: 1 October 2015
Report for: Approval
Report of: Cllr Mike Cordingley, Vice-Chairman of the Scrutiny Committee

Report Title

Home to School Transport – Task and Finish Group

Purpose

Scrutiny of Home to School Transport was instigated as a result of difficulties encountered in late summer 2014 as a result of a reorganisation and changed procurement arrangements.

Following an initial report on 26 November, 2014, the Vice-Chairman wanted to revisit the topic to see if the situation had improved. This report shows the findings from a visit to Pictor School on 23 June, 2015.

Recommendations

- (1) That the contents of the report be noted by the Committee.
- (2) That the recommendations set out below be endorsed by the Committee for referral to the Executive Member:

Recommendation 1 – Journey times impacted by buses queuing at schools

The executive member should look at the broad financial impact of contractors extending the journey time through long waits at schools and additionally, work with schools and parents/carers to explore reducing such occurrences where there are not valid logistical reasons.

Recommendation 2 – Releasing Information at Tender

Scrutiny felt that there was scope for exploring with Trafford Parents Forum the potential for a protocol to be devised that protected the child's details, but allowed the parent/carer to permit release, where they felt those details were important to the tender process. It was felt to be an issue upon which there could be co-production with Trafford Parents Forum.

Recommendation 3 – Clarifying DBS responsibility

Since Scrutiny has found ambiguity in the statutory guidance, and has learned through the press of a nearby council recording DBS checks of drivers, it recommends obtaining definitive guidance from the DFE on this point.

Recommendation 4 – Safeguarding Information to Parents

Scrutiny endorses the point made by Trafford Parent's Forum that parents and carers should be informed of the responsible person for safeguarding within the operator's organisation.

Recommendation 5 – Risk Assessment

Scrutiny has seen Birmingham City Council's generic risk assessment for Home to School Transport and believes overall that such a risk assessment enhances the assurance parents/carers feel in using the service and recommends a similar model is used in Trafford.

Recommendation 6 – Training

It is therefore recommended that the training requirements be revisited to ensure consistency within the delivery of this, e.g. clarity within written materials etc., and checking that all aspects defined within the statutory guidance are covered and delivered appropriately.

Recommendation 7

Trafford explores the feasibility of co-production of policy with Trafford Parents Forum.

Recommendation 8

The most consistent call was for improved communications with parent/carers – early notice of changes. There had also been times at Trafford when there'd been a lack of empathy when the call was first answered, for the parent/carer's predicament.

Contact person for access to background papers and further information:

Name: Chris Gaffey

Phone x2019

TERMS OF REFERENCE

The Scrutiny Topic Group was triggered as a consequence of changes to organisation of tendering/contracting arrangements within the overall aim of sharpening the efficiency of the contracted school runs.

The changes had meant substantial upheaval immediately before the beginning of Autumn Term 2014 and a degree of negative publicity as the changes bedded in. It was therefore felt appropriate for a Scrutiny Topic group to look into this area of work to consider:

Value for Money

Including 'right first time' contracting - economies of scale – compliance with statutory guidance on eligibility)

Safeguarding Issues

DBS checks (Disclosing and Barring Service), Risk assessments, but could also include 'softer' issues such as taking into account special needs of individual children - avoiding excessive transportation times - we might also want to look at the extent to which Data protection will allow for special requirements to be specified in the contract and how that can be mitigated.

Reviewing and Monitoring

Financial Monitoring, Client Satisfaction. We might also want to look at the recording and communications within this. If there are blank forms these would be helpful in our review.

FOREWARD FROM TASK GROUP CHAIR – COUNCILLOR MIKE CORDINGLEY

Scrutiny of Home to School Transport was instigated as a result of difficulties encountered in late summer 2014 as a result of a reorganisation and changed procurement arrangements. One of the first conclusions of the topic group was to endorse the fact that those changes were needed. In fact there has been an acceptance from all those we've taken evidence from that the old arrangements were inefficient and difficult for parents/carers to navigate.

The position in 2015 in comparison as far as we can tell in the first week of term, seems much more stable.

That said, the task and finish group has been worthwhile. It has underlined the importance of an efficient and responsive service, for parents/carers, for schools, and most of all for the children and young people. We've made eight recommendations, some of which, if they can be adopted would reduce the chance of contracts being awarded inappropriately to an operator who couldn't meet the requirements of the children being taken to school. Another clarifies safeguarding responsibilities, and another highlights the issue of buses queuing at their destination.

Lastly, I want to highlight the input of Trafford Parent's Forum – based at Oakland House, Justine and her colleagues have proved yet again, that the best way of getting the service

right is to work with the users of the service. I know that the Trafford Parent's Forum are keen to 'co-produce' with the council, policies and procedures. I can only wish that endeavour well as it's my experience, you get better outcomes that way.

Many thanks to the councillors on this sub-group – particularly Councillor Pam Dixon as well as our scrutiny officer Chris Gaffey.

Rollcall of Councillors:

Councillors Karina Carter, Mike Cordingley, Mrs Pamela Dixon and Mrs Laura Evans (2014/15).

BACKGROUND

The provision of Home to School Transport is a statutory requirement for distinct categories of pupil.

Local authorities' statutory duties:

In order to comply with their home to school transport duties local authorities must:

- Promote the use of sustainable travel and transport
- Make transport arrangements for all eligible children of statutory school age (5 years and above)

(Home to school travel and transport guidance- Statutory guidance for local authorities-Dept. of Education July 2014)

In Respect of Special Educational Needs, a Disability or Mobility Problems Eligibility, the Local Authority is Required to:

Make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability.

Eligibility, for such children should be assessed on an individual basis to identify their particular transport requirements. Usual transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability.

Journey times

Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes, but these should be regarded as the maximum. For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.

Safeguarding requirements

It is the responsibility of the individual local authority to ensure the suitability of its employees and any contractors or their employees by undertaking the required safeguarding checks on those whose work or other involvement will bring them into contact with children, or more widely, vulnerable adults. This should include bus drivers, taxi drivers and escorts, as necessary. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged to become the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks. Please see Further information.

Training and equalities

All local authorities should ensure that all drivers and escorts taking pupils to and from school and related services have undertaken appropriate training, and that this is kept up to date. It is also considered good practice for those responsible for planning and managing school transport to have undertaken appropriate equality training. This training could consist of (but is not restricted to):

- an awareness of different types of disability including hidden disabilities;
- an awareness of what constitutes discrimination;
- training in the necessary skills to recognise, support and manage pupils with different types of disabilities, including hidden disabilities and certain behaviour that may be associated with such disabilities;
- training in the skills necessary to communicate appropriately with pupils with all types of different disabilities, including the hidden disabilities; and
- training in the implementation of health care protocols to cover emergency procedures.

Poor behaviour on school buses/other modes of transport

The department expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The EIA 2006 empowers headteachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the department's view, this would include behaviour on school buses, or otherwise on the route to and from school, whether or not the pupils are in school uniform.

A number of local authorities have adopted a policy of withdrawing transport, either for a temporary period, or permanently for more serious or repeated cases of misbehaviour. Equally, the behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgment for the Headteacher. Local authorities might also consider that escorts are necessary to ensure safety of pupils on buses and can stipulate the provision of suitable escorts in their tender documents.

TRAFFORD'S ORGANISATION

Reasons for Change

Responsibilities for SEN transport provision were previously split across two Directorates;

- Eligibility and assessment of need – SEN assessment team in CFW (Community Families and
- Transport co-ordination - Trafford Transport Provider in EGEI

A number of problems had been raised by parents, schools, contractors and professionals about the way in which the service was operating and it was also clear that the Council was not getting value for money from it.

As a result a review of the arrangements was undertaken which highlighted a number of challenges created by the organisation and delivery of the service. Implementation of the findings from the review then built on the issues identified. These included;

- Split accountability creating problems relating to decision making and budgetary responsibility.
- Information systems that were not fit for purpose to ensure appropriate decision making and planning. This impacted on meeting children's needs and financial planning and monitoring.
- Lack of capacity to manage and co-ordinate the service effectively
- A need to improve the management and training of Passenger Assistants and reduce the increased reliance on temporary staff which was impacting on stability for children and escalating staffing costs.
- Requirement to improve training of Passenger Assistants to support and safeguard children
- Route planning and allocation of Passenger Assistants required review to ensure best value for money was being ensured for the LA as well as meeting children's needs
- Culture in relation to expectation and flexibility of service that was not sustainable or subject to appropriate decision making.
- Procurement required strengthening in line with the Council's Standing Orders.

The timeline for the changes has been very challenging in order to make substantial changes in time for the start of the new academic year. This was a key date to ensure there was not ongoing disruption to journeys through the year. It is important to note that the changes implemented on 2nd September were to the operational organisation of transport and did not involve any LA policy change. Any policy change would have been subject to consultation.

In order to drive through the changes required a new transport team was established in CFW in mid-July bringing together all staff involved in the process.

A procurement process had previously been undertaken in May 2014 to put in place a new framework of providers from September 2014. However this process had failed to establish a new framework as only a small number of providers had been able to meet the standards set out in the specification. Existing providers continued therefore to operate routes up until the end of the summer term and runs were all retendered during August to contractors already registered with the Chest. This procurement exercise is on-going and will be a dynamic process as changes are required.

FINDINGS

VALUE FOR MONEY

The service provides good value for money. The integration of the home-to-school transport function into a single entity has improved the co-ordination and management of the service. Procurement efficiency has improved. The difficulties arising from the changes in September 2014 have not been repeated and the service has bedded in well.

Members were intrigued that Passenger Assistants were paid from pick-up at their home addresses prior to picking up the first child but were assured that this is national custom and practice.

It was witnessed that the buses queue for quite considerable times in some instances at Pictor School before the children alight. Clearly, some allowance has to be made for traffic conditions and allowing for variations in settling children onto the bus at pick-up, but we were sceptical that so much spare time was needed. Scrutiny understand that the Dunham Trust are proposing staggering the arrival of pupils from buses in drawing up plans for the proposed special school in the north of the borough. It will be interesting to see whether this provides a more efficient system, or whether the buses continue to queue. Trafford Parents Forum also had concerns about the time the children were on the buses before alighting.

Recommendation 1 – Journey times impacted by buses queuing at schools

The executive member should look at the broad financial impact of contractors extending the journey time through long waits at schools and additionally, work with schools and parents/carers to explore reducing such occurrences where there are not valid logistical reasons.

Right First Time Contracting

Scrutiny members endorsed the new arrangements for procuring. However, they were frustrated that potential tenderers could not be informed of specific requirements ahead of the contract due to Data Protection restrictions. This left open the possibility that contracts could be awarded where the adaptations on the contractors vehicle were insufficient for transporting a particular child. This had happened in Autumn 2014 and compensation had had to be paid to the operator for contract cancellation.

Recommendation 2 – Releasing Information at Tender

Scrutiny felt that there was scope for exploring with Trafford Parents Forum the potential for a protocol to be devised that protected the child's details, but allowed the parent/carer to permit release, where they felt those details were important to the tender process. It was felt to be an issue upon which there could be co-production with Trafford Parents Forum.

SAFEGUARDING ISSUES

Scrutiny has heard the technical assertion that direct responsibility for DBS checks lies with the operator in the obligations of the contract. However, they felt that the council would still be subject to public criticism if there had not been proper checks made. That the statutory guidance states that it is the responsibility of the local authority to ensure the suitability of contractors and their employees by undertaking DBS checks would lead most people to interpret this as the council doing it.

Scrutiny also noted the Manchester Evening News report of 30th June 2015 on Salford's scheme, highlighting a number of drivers without DBS checks being recorded by that council.

Recommendation 3 – Clarifying DBS responsibility

Since Scrutiny has found ambiguity in the statutory guidance, and has learned through the press of a nearby council recording DBS checks of drivers, it recommends obtaining definitive guidance from the DFE on this point.

Recommendation 4 – Safeguarding Information to Parents

Scrutiny endorses the point made by Trafford Parent's Forum that parents and carers should be informed of the responsible person for safeguarding within the operator's organisation.

Recommendation 5 – Risk Assessment

Scrutiny has seen Birmingham City Council's generic risk assessment for Home to School Transport and believes overall that such a risk assessment enhances the assurance parents/carers feel in using the service and recommends a similar model is used in Trafford.

Training for drivers and PAs is included in the statutory guidance. Scrutiny heard from Pictor School - praise for both PAs and drivers, but it was also suggested that there were differences of interpretation from the drivers as to what the role was.

Recommendation 6 – Training

It is therefore recommended that the training requirements be revisited to ensure consistency within the delivery of this, e.g. clarity within written materials etc., and checking that all aspects defined within the statutory guidance are covered and delivered appropriately.

REVIEWING AND MONITORING

Scrutiny has learned that Trafford's policy is being updated. We received the clear message from the Trafford Parents Forum that they would like to be involved from early on in the policy renewal; in fact their ambition is for co-production.

Recommendation 7

Trafford explores the feasibility of co-production of policy with Trafford Parents Forum.

Recommendation 8

The most consistent call was for improved communications with parent/carers – early notice of changes. There had also been times at Trafford when there'd been a lack of empathy when the call was first answered, for the parent/carer's predicament.

OTHER MATTERS

Home to School Transport for under-fives.

Although this issue is outside the agreed remit of this Task and Finish Group, it did come up a number of times, particularly at Pictor School. Scrutiny was persuaded that a comparatively small number of children are losing out educationally through not being able to attend special schools until the age of five. In some instances the child was remaining in a mainstream cohort when this wasn't the most appropriate setting for them. The effect was delaying the benefits that specialist provision can bring.

Scrutiny does not wish to make a recommendation on this, other than to suggest that it's an issue that could benefit from working with the parents forum and with the specialist schools, particularly in exploring any alternative funding possibilities or within Trafford's itself, given the anecdotal evidence that it was affecting educational progress.

Similarly the issue of post 16 provision was raised, but we weren't able to look at it in depth.

Appendix 1

Scrutiny Committee - Pictor School Visit Regarding Home to School Transport

23 June, 2015. 8:30am.

In Attendance – Cllrs Mike Cordingley & Mrs Pamela Dixon, Headmistress Beverly Owens and Deputy Head, Jackie Weeble

Also in attendance – Chris Gaffey, Democratic & Scrutiny Officer

Meeting Notes

- There are currently 13 buses running children to Pictor School.
- 1 child is coming by private taxi due to his/her behavioural problems. The school made the observation that it would be better to have an individual Passenger Assistant (PA) to accompany the child on the bus, which would be more cost effective than taxis.
- Currently no children from out of the Borough but they are accepted at the school.
- The buses are now picking up children and PAs from their local areas – no longer an issue where buses were traveling large distances to pick up PAs from other areas.
- The school praised Paul Reed, the Officer who is the school's main contact at Trafford, who has been very helpful since the issues have started last September and assisted with any queries that the school had.
- The school understands that during a time where there are financial constraints that changes need to be made.
- The main issue at the start of the academic year was that a change in the contracts without informing the parents meant that new drivers and PAs were assigned to pick up children who had a longstanding relationship with the previous drivers / PAs.
- There is a huge importance on good relationships and continuity for the children at Pictor school to ensure that the transition from home to school is smooth and enjoyable. A disruptive journey affects the child's ability to have a good day at school.
- This has a knock on effect on parents. Parents are not confident in handing their child to a new driver / PA, and need to know their children will be safe and looked after.
- It is understood that the contracts are to be reapplied for by 24 July.
- The worry is that if contracts are won solely on price and a contract changes to a new provider, drivers and PAs will change again causing the same disruption as last year.
- The school confirmed that they had no involvement in the contract changes and have had no contact as of yet with regards to any changes that might happen this year.
- The school are also unaware of what kind of training the drivers receive from Trafford. They advised that some drivers only drive and don't feel they should take on any other responsibility, while others are happy to get involved in other ways.
- The school have had occasions where they have had to report drivers for their poor performance, with one driver being dismissed.
- At this point, the school confirmed they are generally happy with the drivers, but the worry is that they will all change again once the contracts are renewed.
- The school and the parents were unaware of which children would be on which buses until the first day of term at the start of this academic year. This was not well

received and generated a high volume of phone calls which the school could not handle, as well as a large volume of calls coming into Trafford Council.

- Another issue the school has is the 'no transport for under 5s' policy now adopted by Trafford – this is seen as a huge barrier to entry.
- The school confirmed they have won some appeals against this, but there are still a lot who are either late in joining Pictor School, or don't come at all due to the issues this causes.
- There are many examples of parents having to bring young, SEN children to the school via public transport. Some have to travel over an hour with several changes (buses, trams etc.).
- There was one example of a parent almost being asked to leave the tram due to the child's behaviour.
- It is believed that many children are missing out and are staying in mainstream education due to the difficulties in finding transport to Pictor School.
- It was discussed that the costs attached to having a one to one carer for an SEN child at a mainstream school would outweigh the cost of supplying the transport for the child to Pictor School – comparing these costs was highlighted as a possible exercise that could be carried out.
- Public transport links are not very comprehensive to get to the school.
- Early intervention is essential in many of these cases, and this is not happening for all due to this barrier.
- The number of part time children currently in nursery and reception is 10, where this could / should be at 22. Low numbers are due to lack of transport.
- In the view of the school, the policy of not funding transport for children under 5 years old is affecting disadvantaged parents the most. Many of these families do not have a car or cannot afford public transport.
- "The idea is that the children who need to be here are here from when they are 3 years old, not when they are 5...."
- Parent forums were discussed – there are many types of groups (social media etc.), but the worry is that all parents are not being reached, and are not engaging with these forums or services.
- The school have discussed the possibility of starting their own transport initiative, but ongoing / future budget constraints means this would not be possible.

Summary

In conclusion, here are the main issues relating to Home to School Transport (at Pictor School):

1. Change of contracts brings a change of drivers / PAs. This affects the children's ability to cope and reduces the confidence of parents. More consistency needed.
2. Poor communication – school and parents don't know who is assigned to which bus until the first day of term. Cannot plan ahead to discuss changes with parents / children.
3. 'No transport for under 5s' rule means children that should be pupils at the school are either late, or don't come at all. This is a huge barrier to entry for these families, especially families that are less well off (no car / can't afford public transport etc.)

Appendix 2

SCRUTINY – HOME TO SCHOOL TRANSPORT – TASK AND FINISH GROUP

Meeting 26th November 2014

Scrutiny Members Present: Cllr Laura Evans, Cllr Pam Dixon, Cllr Karina Carter, Cllr Mike Cordingley

Apology due to Traffic Delays : Patricia Goodstadt

Presenting for CFW: John Pearce

TERMS OF REFERENCE

The Scrutiny Topic Group had been triggered as a consequence of changes to organisation of tendering/contracting arrangements within the overall aim of sharpening the efficiency of the contracted school runs.

The changes had meant substantial upheaval immediately before the beginning of Autumn Term and a degree of negative publicity as the changes bedded in. It was therefore felt appropriate for a Scrutiny Topic group to look into this area of work to consider:

Value for Money

Including 'right first time' contracting - economies of scale – compliance with statutory guidance on eligibility)

Safeguarding Issues

DBS checks (Disclosing and Barring Service), Risk assessments, but could also include 'softer' issues such as taking into account special needs of individual children - avoiding excessive transportation times - we might also want to look at the extent to which Data protection will allow for special requirements to be specified in the contract and how that can be mitigated.

Reviewing and Monitoring

Financial Monitoring, Client Satisfaction. We might also want to look at the recording and communications within this. If there are blank forms these would be helpful in our review.

BACKGROUND

The provision of Home to School Transport is a statutory requirement for distinct categories of pupil.

Local authorities' statutory duties:

In order to comply with their home to school transport duties local authorities must:

- Promote the use of sustainable travel and transport
- Make transport arrangements for all eligible children *of statutory school age (5 years and above)*

(Home to school travel and transport guidance- Statutory guidance for local authorities-Dept. of Education July 2014)

In respect of Special educational needs, a disability or mobility problems eligibility, the local authority is required to:

Make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability

Eligibility, for such children should be assessed on an individual basis to identify their particular transport requirements. Usual transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability.

JOURNEY TIMES

Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes, but these should be regarded as the maximum. For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.

SAFEGUARDING REQUIREMENTS

It is the responsibility of the individual local authority to ensure the suitability of its employees and any contractors or their employees by undertaking the required safeguarding checks on those whose work or other involvement will bring them into contact with children, or more widely, vulnerable adults. This should include bus drivers, taxi drivers and escorts, as necessary. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged to become the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks. Please see Further information.

TRAINING AND EQUALITIES

All local authorities should ensure that all drivers and escorts taking pupils to and from school and related services have undertaken appropriate training, and that this is kept up to date. It is also considered good practice for those responsible for planning and managing school transport to have undertaken appropriate equality training. This training could consist of (but is not restricted to):

- an awareness of different types of disability including hidden disabilities;
- an awareness of what constitutes discrimination;
- training in the necessary skills to recognise, support and manage pupils with different types of disabilities, including hidden disabilities and certain behaviour that may be associated with such disabilities;
- training in the skills necessary to communicate appropriately with pupils with all types of different disabilities, including the hidden disabilities; and
- training in the implementation of health care protocols to cover emergency procedures.

POOR BEHAVIOUR ON SCHOOL BUSES/OTHER MODES OF TRANSPORT

The department expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The EIA 2006 empowers headteachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the department's view, this would include behaviour on school buses, or otherwise on the route to and from school, whether or not the pupils are in school uniform.

A number of local authorities have adopted a policy of withdrawing transport, either for a temporary period, or permanently for more serious or repeated cases of misbehaviour. Equally, the behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgment for the Headteacher. Local authorities might also consider that escorts are necessary to ensure safety of pupils on buses and can stipulate the provision of suitable escorts in their tender documents.

Background Continued.

TRAFFORD'S ORGANISATION

Reasons for Change

Responsibilities for SEN transport provision were previously split across two Directorates;

- Eligibility and assessment of need – SEN assessment team in CFW (Community Families and
- Transport co-ordination - Trafford Transport Provider in EGEI

A number of problems had been raised by parents, schools, contractors and professionals about the way in which the service was operating and it was also clear that the Council was not getting value for money from it.

As a result a review of the arrangements was undertaken which highlighted a number of challenges created by the organisation and delivery of the service. Implementation of the findings from the review then built on the issues identified. These included;

- Split accountability creating problems relating to decision making and budgetary responsibility.
- Information systems that were not fit for purpose to ensure appropriate decision making and planning. This impacted on meeting children's needs and financial planning and monitoring.
- Lack of capacity to manage and co-ordinate the service effectively
- A need to improve the management and training of Passenger Assistants and reduce the increased reliance on temporary staff which was impacting on stability for children and escalating staffing costs.
- Requirement to improve training of Passenger Assistants to support and safeguard children
- Route planning and allocation of Passenger Assistants required review to ensure best value for money was being ensured for the LA as well as meeting children's needs
- Culture in relation to expectation and flexibility of service that was not sustainable or subject to appropriate decision making.
- Procurement required strengthening in line with the Council's Standing Orders.

The timeline for the changes has been very challenging in order to make substantial changes in time for the start of the new academic year. This was a key date to ensure there was not ongoing disruption to journeys through the year. It is important to note that the changes implemented on 2nd September were to the operational organisation of transport and did not involve any LA policy change. Any policy change would have been subject to consultation.

In order to drive through the changes required a new transport team was established in CFW in mid-July bringing together all staff involved in the process.

A procurement process had previously been undertaken in May 2014 to put in place a new framework of providers from September 2014. However this process had failed to establish a new framework as only a small number of providers had been able to meet the standards set out in the specification. Existing providers continued therefore to operate routes up until the end of the summer term and runs were all retendered during August to contractors already registered with the Chest. This procurement exercise is on-going and will be a dynamic process as changes are required.

John Pearce

Director Service Development – Children, Family and Education
Children, Families and Wellbeing Directorate

ELIGIBILITY

How do we assess entitlement?

Entitlement was granted to pupils with a statement of Special Educational Needs (SEN) or Education, Health and Care (EHC) plan to children of statutory school age. Children under 5 would not normally be entitled but the authority was able to apply discretion in extreme cases. There was sometimes pressure to provide for siblings but a better understanding of the costs associated with the transport provision meant that this was not going to be granted in future. Trafford did not provide for a system of cost recovery from a parent who wanted transport provision for a non-eligible child. This could be frustrating for the parent who saw an empty seat on the minibus, but you couldn't guarantee that the empty seat would be unused indefinitely.

The eligibility was for transport from home to school and back at the end of the school day. Where schools were providing reduced school days for a period of transition, Trafford could not provide for modified starts or ends to the school day.

ROUTE PLANNING PRIOR TO LETTING CONTRACTS

Trafford used 'Trapeze' software to plan the runs being put to contract. The 'run' had to include not just the children's addresses but the pick-up of the Passenger Assistant from their home address. Historically, Trafford had been less economical with its route planning and had sometimes assigned Passenger Assistants from one part of town to a route at the other end of the borough. A tightening up the allocation of Passenger Assistants to routes was one of the measures introduced to provide a more prudent provision. This may have led to some changes to the PAs at the start of term.

Scrutiny Councillors were surprised that the contracts included the picking up of the PA from their home address, which in some cases could be 'out of borough'. Although the response was that this was custom and practice nationally, it raises questions of equal opportunity and financial planning. What would happen if a PA changed their address to the other side of Greater Manchester?

The Travel-Time of the runs had been critically looked at in route planning. Most were within the 45 mins statutory guidance recommendation although where the school was outside the borough this could not always be accommodated. **DQ: Scrutiny probably require comprehensive data on this** Equally, parental preferences for an earlier pickup (for employment reasons) would not be granted.

The amount of children on a run has been typically increased to an average of 4.2 per run through better planning. There have been concerns raised about the sensitivity and behavioural issues of children in with more. These concerns are taken seriously but the directorate was also aware that behaviour expectations at the schools were more stringent than we were imposing on our transport.

Scrutiny Councillors have expressed a desire to visit heads at one or two receiving schools to better understand the behavioural and logistical complexities that schools have faced under the new practices.

TENDERING SPECIFICATIONS

Have September's difficulties been addressed?

The directorate acknowledges that the timeframe was challenging. This was as a consequence of contractors being unable to meet the original tender specification when it was put out in May 2014. Following procurement and legal advice it was agreed to take a dynamic purchasing approach to tender runs on an individual basis to all contractors registered with the Council. This has expanded the pool of companies given the opportunity to tender and clearly it has impacted on the level of business some of the existing providers have been successful in winning.

There were some instances of contractors being unable to fulfil their contracts. One was because the mini-bus provided had face to face seating which was inappropriate to the needs of the children. This was not anticipated. Another contract was cancelled due to the minibus having insufficient storage for wheelchairs.

The team also reviewed from half term some of the routes. For example two runs going to Pictor School have been split into three runs.

The directorate acknowledges that some contractors are unhappy with the changes but believes that they will produce significant savings to the council whilst still fulfilling the council's statutory obligations.

Scrutiny Councillors would like more data on the savings that have been realised. We appreciate that Passenger Assistant costs were £0.9m (including temp replacement staff) and the overall costs were in excess of £3m but it would be of assistance if we could monitor the costs and forecasts in relation to the new practices.

RISK ASSESSMENT AND SAFEGUARDING REQUIREMENTS

It was a contractual requirement for Disclosing Barring Service (DBS) checks to be made on drivers employed on the contracts. The council did not actually get to see these checks. In fact it would be inappropriate for them to see. This wasn't because Trafford was in any way lax, it was a matter of how these checks work. Any contractor found not to applied the appropriate checks would find they were not able to bid for contracts.

Scrutiny may come back to this issue after meeting heads of schools

The Birmingham City Council Generic Risk Assessment was floated by scrutiny members. John was not entirely convinced that this risk assessment added anything to what was already in place in terms of safeguarding procedures but was happy to reconsider.

MONITORING AND CLIENT SATISFACTION

Scrutiny were content that dynamic reviewing was taking place. The changes in September had caused problems and anxieties. We will want to revisit this subject after visiting a school or two.

Appendix 3

manchestereveningnews.co.uk 30th June 2015

Cabbies in Salford taking special needs children to school lack 'safeguarding' training and background check records

Todd Fitzgerald

Taxi drivers paid by a council to take children with special needs to school are not being given safeguarding training - and background checks are not recorded for every driver.

Salford council provides home-to-school transport for more than 800 pupils. Some 81 taxi companies are contracted, taking youngsters to 77 schools or specialist centres.

An independent audit report - labelled 'confidential' - states some taxi drivers ferrying children to school are not given safeguarding training and that Disclosure and Barring Service checks are not recorded properly for every driver. The DBS replaced Criminal Records Bureau checks, 'preventing unsuitable people from working with vulnerable groups, including children'. The issues raised in the report were deemed 'medium priority'.

'High priority' concerns were raised about the process of tendering for the services.

Auditors said the contract for ad hoc and emergency journeys was not awarded through the appropriate procurement channels.

The report states: "The results of this review enable us to provide a limited level of assurance with regard to the adequacy and operating effectiveness of the controls in place at the time of our audit."

In 2013/14, the total cost of the service was £2.7m.

A council spokesman said: "All drivers have a police check and all passenger assistants have the necessary safeguarding training before they start working for the council. "We are now planning to invite all drivers to safeguarding training and from 2016 a working knowledge of safeguarding will be an essential requirement."

The council says findings regarding DBS records have been 'rectified', adding: "This was a recording issue as all drivers are required to have DBS to apply for the contracts." The concerns come ahead of a move to 'train' some children with special needs currently provided with assisted transport to travel alone to school. It could save the town hall £120,000.

Council bosses insist only children capable of travelling alone on public transport will be 'taught' to do so when it is considered the 'right thing for them'. The city's Conservative group opposed the cut when it was announced earlier this year, removing it from its alternative budget.

TRAFFORD COUNCIL

Report to: Scrutiny Committee
Date: 22 September, 2015
Report of: Democratic & Performance Services Manager

Report Title

SCRUTINY REVIEW OF THE EXECUTIVE'S DRAFT BUDGET PROPOSALS FOR 2016/17 – PROCESS AND TIMESCALES

Summary

This report sets out details of proposed arrangements for Scrutiny to review the Executive's budget proposals for 2016/17 and provide feedback.

Recommendation(s)

1. That the approach to budget scrutiny be endorsed and that arrangements be circulated to Members when more information is available.
2. That authority to finalise the Budget Scrutiny Report be delegated to the Democratic & Performance Services Manager in consultation with the Chairman and Vice-Chairman of this Committee.

Contact person for access to background papers and further information:

Name: Chris Gaffey
Extension: x2019

Background Papers: None.

Purpose

The purpose of the report is to agree the approach to budget scrutiny for 2016/17. The budget proposals will be considered by Scrutiny Members, to identify any particular issues of concern or uncertainty, so that these can be communicated to the Executive and taken account in developing its final proposals to be considered by Executive and Council in February 2016. It will maximise the scope for Scrutiny to influence the development of the budget if its observations can be forwarded to the Executive as early as possible.

Process

The budget consultation will begin in November and it is recommended that the Leader be invited to give a presentation to the Scrutiny Committee on the proposals prior to the final arrangements for scrutiny being put in place.

The initial budget consultation exercise is based on six themes and it is suggested that the budget scrutiny be organised along these lines. It is envisaged that two or three Scrutiny sessions be undertaken, prior to mid-December.

The detailed arrangements for the groupings will be determined by the Chairman and Vice Chairman once there is more detail about the proposals and dates will be notified in due course.

Issues arising from these sessions and not immediately resolved in discussions with the Executive Members will be incorporated into a feedback report to be shared with the Executive, as set out above.

Personnel

As in previous years, all Members of Scrutiny and Health Scrutiny Committees are invited to be involved in the budget scrutiny process.

The Scrutiny sessions, depending on Members' availability, will have as their Chairmen / Vice-Chairmen Members selected from the Chairmen and Vice Chairmen of the Scrutiny Committees by agreement.

Budget Scrutiny Report

Unresolved issues and concerns arising from the Scrutiny sessions will be incorporated in a Budget Scrutiny report. In order to allow this to be forwarded as early as possible to the Executive, delegated authority is requested as set out above to finalise this report. It will then be formally presented to the Executive in January 2016, thus allowing maximum scope for it to be considered and to influence the Executive's final proposals which will then be brought to Executive / Council in February.

Reasons for Recommendation(s)

To secure agreement for, and to progress arrangements for, the Budget Scrutiny 2016/17 exercise.

TRAFFORD COUNCIL

Report to: Executive
Date: 21 September 2015
Report for: Information
Report of: Acting Corporate Director Transformation and Resources

Report Title

Annual Delivery Plan 2015/16 - Q1 Performance Report

Summary

The attached draft report provides a summary of performance against the Council's Annual Delivery Plan 2015/16 for the period 1st April 2015 to 30 June 2015 (quarter 1).

Recommendations

That the report be noted.

Contact person for access to background papers and further information:

Name: Peter Forrester
Extension: 1815

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	The Annual Delivery Plan 2015/16 Quarter 1 Performance report summarises the Council's performance in relation to the Council's Corporate Priorities.
Financial	None
Legal Implications:	None
Equality/Diversity Implications	None
Sustainability Implications	None
Resource implications e.g staffing/ICT/Assets	None
Risk Management Implications	None
Health and Wellbeing Implications	None
Health and Safety Implications	Not applicable

1.0 Background

- 1.1 The report provides a summary of performance against the Council's Annual Delivery Plan 2015/16 and supporting management information, for the period 1st April 2015 to 30th June 2015 (quarter 1).
- 1.2 This covers the Council's six Corporate Priorities:
 - Low Council Tax and Value For Money
 - Economic Growth and Development
 - Safe Place to Live – Fighting Crime
 - Health And Wellbeing
 - Supporting Young People
 - Reshaping Trafford Council

2.0 Quarter 1 results

- 2.1 The ADP has 41 indicators, 30 of these have currently been reported. A further 7 are Annual Targets and there are 4 where data will not be available until Q2.
- 2.2 There are 16 green indicators (on target). 9 Amber and 5 Red. 15 are new and have no direction of travel. 7 have improved from last period, 3 have stayed the same and 5 have worsened since last period.
- 2.3 There are a number of indicators with positive performance or direction of travel. There include:
 - The take up of online claims for Housing Benefit and Council Tax benefit is now at 100%.
 - Efficiency and savings targets are on target.
 - The percentage of Council Tax and Business Rates collected is above target and is currently at 30.53%.
 - The level of sickness absence (council wide excluding schools) has improved from 10.77 to 9.17 days this means the indicator changes from red to amber.
 - The percentage of major planning applications processed within timescales is at 100%
 - The number of housing units with full planning consents granted so far is above the number expected.
 - The percentage of Trafford Residents in employment has continued to remain high and is currently at 75.3% not only is this above the annual target, this is also above last year's results of 73.9%.
 - Community safety indicators are generally positive and Trafford remains the safest place in Greater Manchester.
 - 93.5% of Trafford pupils are educated in a good or outstanding school.
 - The number of third sector organisations receiving support is on target.
- 2.4 There are some areas for attention and these include the following.
 - Percentage of ground floor vacant units in town centres is higher than the target and the indicator has moved from Green to Amber.

- The number of housing units started on site is 64 which is lower than the target of 75. However, there are a number of new residential schemes with planning consents granted (see above).
- The percentage of relevant land and highways assessed as Grade B or above (predominantly free of litter and detritus) is 73.3% which is 6.7% lower than the target of 80%.
- The number of delayed transfers of care is below target as is the target to increase the eligible population aged 40 – 74 to be offered a health check.

Exception reports have been prepared for all red and amber indicators and action is being taken to improve performance outcomes.

Finance Officer Clearance ID
Legal Officer Clearance JLF

CORPORATE] DIRECTOR'S SIGNATURE ()...

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

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TRAFFORD COUNCIL

Report to: Scrutiny Committee
Date: 1 October 2015
Report for: Information
Report of: Democratic and Performance Services Manager

Report Title

Scrutiny Committee Work Programme 2015/16 – Updated.

Purpose

This report sets out the updated work programme for the 2015/16 municipal year.

Recommendations

That the updated work programme be noted.

Contact person for access to background papers and further information:

Name: Chris Gaffey, Democratic & Scrutiny Officer.

Phone: x2019

Scrutiny Committee Work Programme – 2015/16 - Updated

Date of Meeting	Topic
17 June, 2015.	<ul style="list-style-type: none"> • 2015/16 Scrutiny Committee Work Programme • JVC Update • Contract Procedure Rules (CPRs)
1 October, 2015.	<ul style="list-style-type: none"> • Education (Children) • Home to School Transport • Budget Scrutiny - Process for 2015/16 • ADP Report
18 November, 2015.	<ul style="list-style-type: none"> • Budget Presentation by the Leader (Provisional) • Ombudsman Report • Management of Impact of Reductions in Financial and ICT Support Services • Town Centres – Update • Community Asset Framework • Update on Community Safety Initiatives - (including Doorstep Crime, Domestic Abuse, Safer Trafford Partnership)
27 January, 2016.	<ul style="list-style-type: none"> • Cycling Review – Progress • Feedback from Executive on Budget Scrutiny Report • JVC Progress Update • Universal Credit Update
16 March, 2016.	<ul style="list-style-type: none"> • School Crossing Patrols

Possible additions to the programme:

- Library Closures.
- Provision of Leisure within Trafford (due to withdrawing of financial assistance to the Leisure Trust).