

**TELFORD & WREKIN COUNCIL**

**SCRUTINY MANAGEMENT BOARD - 27<sup>th</sup> MARCH 2015**

**2012/13-2014/15 SCRUTINY WORK PROGRAMME – END OF YEAR REPORT**

**REPORT OF THE SCRUTINY TEAM**

**1. PURPOSE**

The purpose of the report is to provide information to enable the Scrutiny Management Board to monitor the performance of the scrutiny function and scrutiny team in delivering the 2012-2015 scrutiny work programme.

**2. RECOMMENDATIONS**

**2.1 That the Scrutiny Management Board note the report**

**2.2 That the Scrutiny Management Board make resolutions or recommendations arising from information contained in the report.**

**3. BACKGROUND**

In June 2014 the Scrutiny Management Board agreed to review the Scrutiny work programme rather than go through the process of drawing up new work programme in the final year of this council term. Scrutiny Management Board recommended the issues that the Scrutiny Committees should focus on during the year.

In November the Scrutiny Management Board received an interim report to update the Board on the delivery of the work programme. Annual reports have been presented to Council that report on the Scrutiny work programme in the previous two years.

**4. 2012/13-2014/15 WORK PROGRAMME PERFORMANCE MONITORING**

**4.1 Delivery of the Work Programme**

The table below shows the 3 year scrutiny work programme for 2012/13-2014/15 and what was delivered in each year.

<b>Topic</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>
<b>SCRUTINY MANAGEMENT BOARD</b>			
Holding the Executive to Account	<b>G</b>	<b>G</b>	<b>n/a</b>
Planning Scrutiny work Programme 2014/15	<b>n/a</b>	<b>n/a</b>	<b>G</b>
Scrutiny Chairs' Updates (standing item)	<b>G</b>	<b>G</b>	<b>G</b>
Changing the Council & Local	<b>G</b>	<b>n/a</b>	<b>n/a</b>

Topic	2012/13	2013/14	2014/15
Communities Together- the Co-operative Way			
Strategic Vision for the Council	n/a	n/a	G
Police & Crime Commissioner (PCC) and Police & Crime Panel (PCP) update and budgets	G	G	R
Domestic Violence	R	G	n/a
Community Safety Plan	n/a	G	n/a
Homelessness Strategy	R	G	n/a
Flood & Water Management (annual scrutiny recommended)	R	G	R
Public Health Transition		G	n/a
Appointment of Town & Parish Council co-optees	G	n/a	n/a
Scrutiny Recommendations Database	A	A	R
Managing cross-cutting issues	G	n/a	G
Changes to the Constitution and Scrutiny Handbook from changes to legislation	A	G	n/a
Choose Your Home (Access to Affordable Housing)	n/a	n/a	G
Adult Safeguarding and Care Act update ( Joint with HACSC)	n/a	n/a	G
Housing Allocations Policy	n/a	n/a	R
Scrutiny Work Programme Half Year Report	n/a	n/a	G
<b>BUDGET &amp; FINANCE SCRUTINY COMMITTEE</b>			
Service & Financial Planning Strategy (budget proposals) (standing item)	G	G	G
Service & Financial Planning Report – 2011/12 Outturn	G	n/a	n/a
Local Government Finance: Business Rates Retention, New Homes Bonus etc.	G	n/a	/n/a
Capital receipts (Audit Committee)	G	n/a	n/a
Savings proposals agreed September 2012	G	n/a	n/a
New Funding Formula for Schools	G	n/a	n/a
Welfare Benefit Reform policies (with Co-operative & Communities)	G	G	G
Safeguarding and Early Intervention Cost Improvement Plan, and Securing Permanency report	G	G	n/a
<i>Opposition group alternative budget proposals</i>	n/a	G	G
Working with partners / shared services	n/a	n/a	R

Topic	2012/13	2013/14	2014/15
Section 106 Annual Report			R
Benefit Fraud ( joint with Audit Committee)			G
<b>CHILDREN &amp; YOUNG PEOPLE SCRUTINY</b>			
Children in Care Placement Strategy (in-depth review)	G	n/a	
Provision of Primary School Places (in-depth review)	A	G	G
Youth Offending Service	R	G	n/a
Ofsted action plan (Safeguarding and LAC)	G	G	n/a
Ofsted action plan (Fostering)	G	G	n/a
CIC Performance Monitoring Dashboard	G	G	G
Education attainment	G	G	G
Youth Unemployment (In-depth review Youth Services)	R	A	G
LCSB briefing	G	R	G
Early Intervention programmes (in-depth review)	R	R	R
Leaving Care Grant	n/a	G	n/a
Care Placement Budget (with Budget & Finance)	n/a	G	n/a
Feedback from LGA Peer Review	n/a	G	n/a
Monitor implementation of recommendations incl: <ul style="list-style-type: none"> <li>• IRO Annual Report</li> <li>• Outcomes from Queensway Care Contract</li> <li>• Missing children return interviews</li> </ul>	n/a	G	n/a
School Improvement	n/a	G	G
Multi-Agency working Against CSE ( in-depth review)			A
Early help			R
SEND (Special Educational Needs and Disability) Reforms			R
<b>CO-OPERATIVE &amp; COMMUNITIES SCRUTINY</b>			
Co-operative Council updates	G	G	G
Welfare Benefit Reforms: Council Tax Support Scheme Discretionary Housing Payments Local Crisis and Resettlement Assistance	G	G	
Welfare Benefit Reforms: How the Council and partners are supporting people through changes	A	n/a	n/a
First Point for Business update	G	n/a	n/a

Topic	2012/13	2013/14	2014/15
Impact of changes to leisure concessions policy	G	n/a	n/a
In-depth review of Co-operative Values and Employee Commission	A	G	G
Provision of debt advice, role of credit union, capacity of food banks	R	G	n/a
Implications of the withdrawal the Local Crisis Assistance and Resettlement Assistance funding	n/a	G	n/a
Support for people who have had their benefit sanctioned	n/a	G	G
Impact of recommendations on the Management of Community Centres	n/a	G	n/a
Community Loan Scheme	n/a	n/a	G
Community Centre business Plans	n/a	n/a	R
<b>HEALTH &amp; ADULT CARE SCRUTINY COMMITTEE</b>			
Continuing Healthcare	G	A	A
Meals on Wheels	A	G	
Children and Adolescent Mental Health Services (CAMHS)	R	R	n/a
Alcohol Strategy	R	G	A
Vulnerable Adult Safeguarding Board Annual Report ( Joint with SMB in 2014/15)	R	G	G
Standing item: Health and Social Care Policy Developments (including changes to Health Scrutiny)	G	G	n/a
<b>JOINT HEALTH OVERVIEW &amp; SCRUTINY</b>			
Travel and Transport Plan	A	G	n/a
Stroke Review	A	G	n/a
West Midlands Ambulance Service and Make Ready	A	A	n/a
Reconfiguration of Hospital Services	A	G	G
111 Service	A	G	n/a
Ophthalmology	G	n/a	n/a
SaTH Foundation Trust Application	A	n/a	n/a
Relocation of Head and Neck Surgery	G	n/a	n/a
Children's Surgery	A	G	G
Emergency Department Review	A	A	n/a
End of Life Care	R	R	n/a
Future Fit	n/a	n/a	G
<b>HOUSING, ECONOMY &amp; INFRASTRUCTURE</b>			

Topic	2012/13	2013/14	2014/15
Waste Services Procurement process	A	G	n/a
Empty Properties and Private Landlords (in-depth)	A	G	G
S106 / CIL (deferred in line with Shaping Places)	R	R	A
Business Improvement Districts and attracting jobs to Telford & Wrekin	R	R	n/a
Car Parking Enforcement and 20mph speed limits outside schools ( <i>deferred</i> until 2016)	R	R	n/a
Questions to Cabinet member for holding to account session	G	n/a	n/a
Shaping Places consultation process	n/a	G	n/a
Governance of LEP	n/a	n/a	A
Marches Local Transport Body	n/a	n/a	R

- G** Item has been to scrutiny including where further work was identified  
**A** Item under way and partially completed  
**R** Item outstanding or deferred beyond the period of the work programme

## 4.2 Scrutiny Meetings

The Scrutiny Management Board set a benchmark of six formal meetings per committee per year. The scrutiny committees hold as many meetings as possible in public session in the interests of transparency and public involvement. However, members may hold informal working group meetings to gather evidence as part of a scrutiny review.

The table below shows the number of meetings held by each committee during each of the last 3 years and the total over the period. Joint meetings have been accredited to the lead Scrutiny Committee to avoid duplication of counting.

Committee	Benchmark total	Formal committee 2012/13	Working group 2012/13	Formal committee 2013/14	Working group 2013/14	Formal committee 2014/15	Working group 2014/15	Total 2012/15
Scrutiny Management Board	18	6	0	4	2	3**	1	16
Budget & Finance	18	7	0	7	1	6*	0*	21
Children & Young People	18	6	4	7	4	5	1	27
Co-operative & Communities	18	4	4	3	1	2	1	15
Health & Adult Care	18	8	11	7	4	3*	8*	41

and Joint HOSC						**		
Housing, Economy & Infrastructure	18	1	5	2	6	1**	0	15
Total	108	32	24	30	18	20	11	135

\*the Budget and Finance and Health and Adult Care Scrutiny Committees held 1 joint committee meeting and 1 joint working group meeting during 2014/15

\*\*Members of the Housing, Economy and Infrastructure Scrutiny Committee attended the Scrutiny Management Board meeting that considered implementation of Telford Housing Options and led to the report on Access to Affordable Housing.

Members of the Health and Adult Care Scrutiny Committee attended the Scrutiny Management Board meeting that considered the Adult Safeguarding Board Annual Report and update on the Care Act.

**Not reported** in the table are:

- Other council meetings attended by scrutiny members to avoid duplication of work e.g. Budget & Finance scrutiny work with Audit Committee on debt fraud.
- Chair’s briefings with officers from partner organisations and NHS partners
- Scrutiny Chair “Keep in Touch” meetings with Cabinet Members and senior Council officers
- Regional and national scrutiny network meetings e.g. West Midlands Overview & Scrutiny Network, West Midlands Health Scrutiny Network, National Overview & Scrutiny Forum.

### 4.3 Outcomes from Scrutiny Reviews

The tables in the preceding sections are quantitative measures of activity. The table below attempts to show the qualitative outcomes of scrutiny work. The indicators used are all measures of effective scrutiny. The table includes work carried out during 2014/15 only. Outcomes from work carried out in 2012/13 and 20113/14 were reported in the 2013/14 end of year report and in the 2012/13 Annual Scrutiny Report.

Topic	Recommendations to Cabinet / Council	Recommendations to other organisation	Recommendations to service area	Contributed to policy development	Executive held to account	Performance monitoring	Report noted	Involvement of partners	Involvement of service users or public	Other
<b>Scrutiny Management Board</b>										
Access to Affordable Housing	Y			Y	Y		Y	Y		
Scrutiny Work Programme						Y				
Agreeing Process to Scrutinise Budget Proposals										Process agreed
Safeguarding Adults in Telford and Wrekin						Y				
Strategic Vision for the Council					Y		Y			
Scrutiny Chairs' Updates							Y			
<b>Budget &amp; Finance Scrutiny Committee</b>										
Service & Financial Planning Strategy 2014/15-2015/16 (budget proposals)	Y			Y	Y					
Opposition group alternative budget proposals	Y									
Adult Care Budget and Savings ( Joint with Health and Adult Care Scrutiny Committee)				Y		Y			Y	
Benefit Fraud ( Audit Committee)						Y				
<b>Children &amp; Young People Scrutiny Committee</b>										
Review of Youth Unemployment	Y			Y	Y	Y		Y	Y	
Monitoring recommendations of Scrutiny Review of Provision of Primary School Places						Y				
School Improvement						Y				
Education Attainment						Y				
CIC Performance Monitoring Dashboard						Y				
Recruitment and retention of social workers						Y				

Topic	Recommendations to Cabinet / Council	Recommendations to other organisation	Recommendations to service area	Contributed to policy development	Executive held to account	Performance monitoring	Report noted	Involvement of partners	Involvement of service users or public	Other
Taking Parents out of school							Y			
Review of multi-agency working against CSE					Y			Y	Y	
<b>Co-operative and Community Scrutiny Committee</b>										
Welfare Benefit Reforms (with Budget & Finance) Supporting vulnerable people who have had their benefits sanctioned	Y					Y		Y		
Community Loan Scheme										Verbal update to working group meeting
Update on implementation of recommendations from review of Co-operative Values and Employee Commission										Update to meeting 24 <sup>th</sup> March
<b>Health &amp; Adult Care Scrutiny Committee</b>										
Continuing Healthcare						Y		Y		
Meals on Wheels	Y			Y				Y	Y	
Adult Safeguarding Annual Report and Care Act Update ( with SMB)						Y	Y			
Adult Care Budget and Savings (Joint with Budget and Finance Scrutiny Committee)				Y		Y			Y	
Alcohol Strategy										Not completed
<b>Shropshire and Telford &amp; Wrekin Joint Health Overview &amp; Scrutiny Committee</b>										
Future Fit		Y		Y				Y		
Review of modernisation of mental health services including Castle Lodge		Y		Y		Y		Y		
Update on work of the Shropshire Community Health Trust							Y	Y		
<b>Housing, Economy &amp; Infrastructure Scrutiny Committee</b>										
Bus Subsidy	Y			Y						
Update on Empty Properties and Private										Update circulated to

Topic	Recommendations to Cabinet / Council	Recommendations to other organisation	Recommendations to service area	Contributed to policy development	Executive held to account	Performance monitoring	Report noted	Involvement of partners	Involvement of service users or public	Other
Landlords										Members
Shaping Places consultation process S106 / Community Infrastructure Levy										Briefing circulated to Committee
Access to affordable housing (Joint with Scrutiny Management Board)	Y			Y	Y		Y	Y		

#### 4.4 Scrutiny Recommendations

A key measure of success is the number of scrutiny recommendations accepted. The table below summarises the number of recommendations made, the number of recommendations accepted, partially accepted or rejected and a list of the formal responses submitted as part of consultations or policy development. Not shown in the table are the numerous informal suggestions made by scrutiny to Cabinet members or officers during discussions at meetings which are not monitored but may nonetheless have had an impact.

Summary of Recommendations 2014/15						
Recommendation made to:	Made	Accepted	Rejected	Partially accepted	Awaiting response	Unknown
Cabinet	36	29 (80%)	2(6%)	5(14%)	0 (0%)	0
SMT / service area	0	0	0	0	0	0
Employees	0	0	0	0	0	0
Scrutiny	2	2	0	0	0	0
External organisations	23	23 (100%)	0	0	0	0
<b>Total</b>	59	52( 88%)	2 (4%)	5 (8%)	0 (0%)	0 (0%)
Formal responses to consultations	<ul style="list-style-type: none"> <li>• Service &amp; Financial Planning Strategy 2015/16-2017/18</li> <li>• Main Opposition Group Budget Proposals</li> <li>• HM Treasury and Communities and Local Government Service Transformation Panel</li> <li>• To be completed - Quality Accounts for Shrewsbury and Telford Hospital NHS Trust, West Midlands Ambulance Service, Shropshire Community Health NHS Trust and South Staffordshire and Shropshire Healthcare Foundation Trust.</li> </ul>					

\* NHS organisations have responded to the recommendations regarding Future Fit and the Review of the Modernisation of Mental Health Service. However, as these are ongoing programmes some responses require further information or clarification as the programmes progress.

#### **4.5 Scrutiny Suggestion**

One online Scrutiny Suggestion was received this year regarding the chairmanship of Full Council meetings. The suggestion asks if there is a Scrutiny Committee that would review the appointment process and role of the Chair.

#### **4.6 Regional and National Scrutiny Network**

Telford & Wrekin is a member of two regional scrutiny networks:

##### **a) West Midlands Overview & Scrutiny Network**

The network is for members and officers across the region to exchange information on policy changes affecting scrutiny and to share views and experience on scrutiny related issues. The network has no formal standing as a joint scrutiny committee but has started to make its mark nationally for its pioneering work.

Cllr. Derek White was appointed Chair in 2013/14 and reappointed in 2014/15. The Network has continued to develop links with Parliamentary Select Committees which has resulted in the development of a Good Practice Guide for Local Government Scrutiny working with Parliament. Members of the Network also visited West Minster and met with the Chair of the Communities and Local Government Select Committee, the Clerk of this Select Committee and attended the Select Committee meeting in the public gallery. Both of these pieces of work have been supported by the West Midlands Parliamentary Outreach Officer. The Network also started to develop a working relationship with SOLACE ( Society of Local Government Chief Executives) and met with Mark Rogers, President of SOLACE.

Cllr. White will continue to chair the network into 2015/16.

##### **b) Regional Health Scrutiny Chairs and Officers Group**

The purpose of this network is to provide a forum for national and regional health bodies and policy makers to inform scrutiny about proposals and consultations affecting health services in the West Midlands. It is also a forum for discussing and exchanging views between member authorities.

Cllr. Derek White attended all of the meetings in 2014/15 which included working with the Care Quality Commission, NHS England, developing regional health scrutiny in response to the 2014 regulations. The information is used to inform the work of the Health & Adult Care Scrutiny Committee and the Joint Health Overview & Scrutiny Committee.

#### **4.7 Good Scrutiny Awards**

The Scrutiny Management Board selected 3 pieces of scrutiny work for submission to the 2014 Centre for Public Scrutiny Good Scrutiny Awards. Two of these pieces of work were shortlisted for an award.

Following this success Scrutiny Management Board decided to run the Telford and Wrekin Good Scrutiny Award. Each Scrutiny Chair nominated a piece of work for an award and all Elected Members and Scrutiny Co-optees were invited to vote for the best piece of scrutiny work. The joint winners of this were:

- a) Scrutiny of the children in care placement strategy including costs and care leavers, by the Children & Young People Scrutiny Committee
- b) Budget Scrutiny by the Budget and Finance Scrutiny Committee.

Work is underway to make submissions for the 2015 CfPS Good Scrutiny Award.

#### **4.8 Call-in and Key Decisions**

##### **a) Call-in**

Call-in is a way for scrutiny members to examine a decision taken by Cabinet, or by officers under delegated authority, before the decision is implemented. The rules for calling in decisions are set out in the Council's Constitution and in the Scrutiny Handbook. Under the LEP Governance Arrangements the Housing Economy and Infrastructure Scrutiny Committee will consider call-in of decisions of the LEP Joint Executive Committee.

There were no Call-in requests to Telford & Wrekin Scrutiny Management Board during 2014/15. ( Herefordshire Council's General Overview and Scrutiny Committee met in January 2015 to consider the call-in of the Marches Local Enterprise Partnership Joint Executive Committee's decision on the Marches Enterprise Zone taken on 11 December.)

##### **b) Key Decisions**

Provisions in the Localism Act 2011 require that:

- Where a Key Decision is not published with 28 clear working days notice, the relevant Scrutiny Chair must be notified of the decision to be taken, or
- Where a Key Decision is not published with 5 clear working days notice, consent must be sought from the relevant Scrutiny Chair for the decision to be taken, or
- Where a decision contains information exempt under legislation and at least 28 clear days notice has not been given, consent must be sought from the relevant Scrutiny Chair for the report to be exempted.

Six requests were made during 2014/15:

July 2014 - Request for exemption of Item not published as such in the Notice of Key Decisions and Private reports / meetings. Cabinet Decision: Revision of RIPA policy document to be noted. Appendix of the report included the Office of Surveillance Commissioners Inspections Report which is a restricted document.

Decision of Scrutiny Chair: Request Approved.

September 2014: Notification of Key Decision not included in the Notice of Key Decisions. Cabinet decision: Approval of prudential borrowing to meet conditions of HCA funding agreement regarding gypsy and traveller site. Scrutiny Chair notified.

October 2014: Request for exemption from Call-in. Cabinet decision: termination of existing agreement between the Council, Sainsbury's and St. Modwen in relation to the sale of Station Road, Newport site and to seek approval for residential led development of land at Station Road, Newport. Decision of Scrutiny Chair: Request Approved.

November 2014: Request for exemption of Item not published as such in the Notice of Key Decisions and Private reports / meetings. Cabinet decision. Report on rationalisation of Property Investment Portfolio containing commercially sensitive information.

Decision of Scrutiny Chair: Request Approved.

December 2014 Notification of Key decision not Included in the Notice of Key Decision. Joint LEP Executive Committee Decision: Marches Growth Deal, Proposition for the Retention of Receipts from Proactive Stewardship of HCA Land Assets.

Scrutiny Chair notified.

February 2015: Approval of Key Decision not Published in Notice of Key Decisions. Cabinet Decision: Procurement update not included in notice of key decisions through administrative omission.

Decision of Scrutiny Chair: Request Approved.

## **5.0 SCRUTINY TEAM**

During 2014/15 Steph Jones was successful in gaining a secondment to the Cooperative Council and Commercial Delivery Team from mid September 2014 – June 2015 . The position of Scrutiny Officer was advertised internally in line with council's procedures and Deborah Moseley was appointed on a secondment and took up the position early December 2014.

## **6.0 EQUAL OPPORTUNITIES IMPLICATIONS**

The Scrutiny Committee's consider the equal opportunities implications of the issues in the Scrutiny Work Programme.

## **7.0 FINANCIAL IMPLICATIONS**

There is a revenue budget of £123k in 2014/15 relating to Scrutiny and the Scrutiny work programme is managed within this. Any financial implications arising from recommendations have been highlighted and considered as part of the relevant reports. Scrutiny is an important part of the budget consultation process which is reflected in the work programme and is a key piece of work for the Budget & Finance Scrutiny Committee which feeds into the Council's overall budget strategy.

## **8.0 LEGAL IMPLICATIONS**

The work undertaken by the overview and scrutiny management committee is subject to statutory regulation. The role and authority of the scrutiny function is set out in the Local Government Act 2000 (as amended) at part 1A, Chapter 2 and associated legislation.

Specific rules relating to key decisions as referred to in section 4.8 of this report are set out in the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012. Further, the Council's own procedures to meet the statutory requirements for scrutiny are contained in the Council's Constitution and in more detail in the scrutiny handbook.

MJC 16.03.15

## **9.0 ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications resulting from this report

## **10.0 WARD IMPLICATIONS**

There are no direct ward implications resulting from this report

**Report prepared by:**

**Fiona Bottrill, Scrutiny Group Specialist: 01952 383113**

**Deborah Moseley, Scrutiny Officer: 01952 383114**