

Council – 19 September, 2016

Annual Scrutiny Report - 2015/16

Service: Legal and Democratic Services

Wards: All

1. Summary of report

This is the annual report to Council outlining the work of scrutiny in 2015/16.

The report provides an analysis of the work undertaken during the municipal year by the Committees and their respective working groups.

A copy of the annual report is attached at Appendix 1 to this report.

2. Recommendations

Council is recommended to:

Note the annual scrutiny report for the 2015/16 municipal year (annexed).

3. Resource and legal considerations

Scrutiny is a key aspect of the governance framework and an integral part of how the council makes effective decisions. Good scrutiny can help to inform policy making and help ensure that decisions taken by the cabinet are in effectively considered prior to implementation. The role of Scrutiny is defined in Walsall's constitution, Article 6.

4. Citizen impact

Effective scrutiny enables the public to fully engage in the topics under review. Ensuring that the items for consideration are effectively communicated via the council's website and public notice boards encourages citizens to become involved in the scrutiny process. Any potential work item that will have citizen impact will be fully scoped and include the opportunity for public involvement.

5. Environmental impact

The work of scrutiny picks up on a range of environmental factors across the whole borough. There are no direct environmental considerations as a result of this report.

6. Performance and risk management issues

The role of Scrutiny is fundamental in ensuring that the most effective and informed decisions are taken whilst delivering value for money for residents.

This report provides an overview of the work undertaken by the Overview and Scrutiny Committees which helps to achieve these objectives.

Asking members to recognise and review past achievements and consider the potential items to scrutinise helps to ensure that Scrutiny Committees focus their attention on the main issues that have strategic relevance and importance to the council as a whole. Incorporating an effective scoping process enables a risk based approach to be taken in the development of potential work programmes; focussing on the key issues that affect the performance of the council, impact on service delivery or potentially result in service delivery that does not meet resident expectation or offer value for money. The Council's priorities and pledges are all considered when looking at potential work programmes for the following year and frequent performance monitoring reports are presented to individual Scrutiny Committees.

7. Equality implications

This report details all of the work that has been across the whole borough. Scrutiny Members represent a number of wards across the borough and actively work with residents to best represent their views at Scrutiny.

8. Consultation

Individual committees have sought the expert opinion and views from witnesses to ensure that a balanced perspective is provided against any of the work topics under consideration. This year, evidence has been brought to the committees by officers, members of the public, partners and independent experts.



David Haley
Executive Director (Children's Services) & Statutory Scrutiny Officer
9 September, 2016

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Scrutiny Annual Report 2015/16



Walsall Council

Foreword

I am very pleased to introduce the 2015-16 Overview and Scrutiny Annual Report for Walsall Council. This report provides the opportunity to review last year's activity within Overview and Scrutiny Committees, highlight some of the key developments and look forward to the next year.

2015/16 was a busy year for scrutiny and included the Scrutiny Overview Committee's response to the review of Scrutiny functions undertaken by Professor Steven Leach. The recommendations are being taken forward as part of the work programme. This report highlights some of the many ways Scrutiny Committees have been carrying out their role and the areas of work they have focused on during the year. Working Groups continue to be effective and have investigated important areas including child poverty, community cohesion and welfare reform. Members have continued their programme of visits to Children's Homes and sought the views of Looked After Children about the care they receive.

Scrutiny has also continued to question expert witnesses including the Chief Executive of Walsall Healthcare Trust, representatives from Walsall Clinical Commissioning Group, and Dudley and Walsall Mental Health Trust who were invited to discuss mortality rates at the Hospital and Walsall Healthcare Trust's Improvement Plan. The Assistant Chief Constable, Chief Inspector and West Midlands Lead for Preventing Violence against Vulnerable People also attended a meeting of Children's Scrutiny Committee to provide assurance on matters relating to Child Sexual Exploitation.

The report sets out the significant areas of review and challenge by the Scrutiny Committees during the year and identifies the changes and differences made as a result of good scrutiny.

I commend the report to you and look forward to supporting the Scrutiny Overview Committee in its work next year.

David Haley
Executive Director – (Children's Services)
& Statutory Scrutiny Officer





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Introduction

Overview and Scrutiny Committees are made up of non-executive members from across all political parties and they exist to provide challenge and accountability to the Council and its partners. They have four key roles:

- Holding the Executive to account for their decisions;
- Scrutinising local partner organisations;
- Reviewing and developing policies and making recommendations to Council and Cabinet on these; and
- Reviewing services to ensure they are providing value for money and meeting local needs.

Scrutiny also has a vital role in enabling the voice of local residents through community engagement. All meetings are open to the public to attend (except in exceptional circumstances where something has to be taken in private session). The public can also suggest items for scrutiny to consider. More details on the role of scrutiny can be found on our website www.walsall.gov.uk/scrutiny.

At its meeting in June, 2015, Council set the committee structure and remit for the year ahead which included 4 panels:

- Scrutiny Overview Committee;
- Education and Children's Services;
- Social Care and Health;
- Corporate and Public Services.

This report details some of the work carried out by Overview and Scrutiny Committees during 2015/16. It is not an exhaustive account of the work Members have undertaken but gives an overview of the wide variety of work that has taken place throughout the year. There are many other issues that have also been looked at that are not mentioned here but details of all meetings can be found on the [Council's committee website](#).

A full list of items discussed at committee meetings is included within the report. Members of the Scrutiny team would be happy to provide more detail in relation to any of these items.

For any queries you may have or just for a discussion about Scrutiny you can contact any of the team:-

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Remit of Committees

Scrutiny Overview Committee

- Lead on the planning and co-ordination of the programme of activities and in depth reviews of the three Overview and Scrutiny Committees;
- Hold discussions with Portfolio holders over matters such as pre-decision Scrutiny and the programme of policy reviews;
- Act as a vehicle for mutual learning and recommend improvements to the Councils Scrutiny Function.

Education and Children's Services

- All aspects and general services related to serving children and young people.
- The scrutinising of performance in relation to the relevant priorities in the Corporate Plan.

Social Care and Health

- All aspects and general services related to social care/health service matters including health partnership matters and the public health agenda as conferred under the Health and Social Care Act 2001 within the functions set out in Section 21 of the Local Government Act, 2000 (as amended).
- The scrutinising of performance in relation to the relevant priorities in the Corporate Plan.

Corporate and Public Services

- All aspects and general services related to:
 - The Economy and Environment;
 - Resources;
- Scrutiny of the responsible authorities in terms of how they are tackling crime and disorder for the benefit of the local communities (no less than once a year) as required by the Crime and Disorder (Overview and Scrutiny) Regulations 2009 which came into force for local authorities in England on 30 April 2009;
- Scrutiny of the exercise of flood risk management functions which may affect the local authority's area as required by the Flood and Water Management Act 2010 within the functions set out in Section 21 of the Local Government Act, 2000 (as amended).
- The scrutinising of performance in relation to the relevant priorities in the Corporate Plan.

Scrutiny Overview Committee

The Scrutiny Overview Committee was a newly created Committee following the review of Scrutiny in Walsall carried out by Professor Steve Leach in May 2015.

The Committee met four times during the 2015/16 Municipal Year during which time it considered, in depth, each of the eighteen recommendations arising from the review. These included:-

- Restructuring agenda to give priority to items where Scrutiny can add value;
- Placing more emphasis on Portfolio Holders to respond to challenge and to present reports;
- Changing the room layout used for high profile issues to reflect that of Select Committees in Parliament;
- Merging two Panels (Corporate and Community Services and Environment) into one Committee;
- To make more attempts to involve the public in the scrutiny process;
- To introduce a training programme after each local election focusing on the subject matter of the respective panels, scrutiny skills, and (where appropriate) chairing skills.

As a result of the review, each of the Scrutiny Committees adopted a Select Committee Style layout and Portfolio Holders, with the support of Officers, were invited to attend to present and be accountable for reports. Agenda were also structured to ensure that those matters whereby Scrutiny could add value were given priority at the start of each agenda.

In addition to considering the Leach report and monitoring the implementation of its recommendations, the Scrutiny Overview Committee retained a strategic eye on the work of each of the Scrutiny Committees. This ensures that work is not repeated as often issues can span a number of Committees and Portfolio.

The Scrutiny Overview Committee also receives regular feedback from each of the Scrutiny Committee Chairs. The meetings provide an open forum to gather intelligence and identify opportunities to learn from other Committees and develop the Scrutiny function.

Other work items have included:-

- Reviewing the process for call-in (including Call in of matters considered by the Black Country Joint Executive Committee);
- A review of the relationship between the Executive and Scrutiny;

Social Care and Health

The Social Care and Health Overview and Scrutiny Committee focuses on a range of services that relate to the health and care of Walsall residents. It has a challenging and busy work programme which responds to emerging situations at local Healthcare Trusts in addition to undertaking planned work.

The committee has established effective relationships with a number of organisations, each of which attend regularly to provide the Scrutiny Committee with information on service developments and changes. These include:-

- Walsall Clinical Commissioning Group (CCG),
- Walsall Healthcare Trust (WHT), and
- Dudley and Walsall Mental Health Trust (DWMHT)

The Chief Executive of Walsall Healthcare Trust is regularly held to account and briefs the Committee on a number of matters. In 2015/16 this has included Mortality Rates at the Hospital and Walsall Healthcare NHS Trust Improvement Plan. Many of these issues are significant and attract press coverage. Scrutiny takes their role seriously by holding those responsible to account and achieving solutions on behalf of the public.

Some examples of work undertaken by the Committee during the 2015/16 Municipal Year are set out in the following paragraphs:-

Walsall Healthcare Trust Special Measures and Recovery Plan

In January 2016 the Care Quality Commission (CQC) placed Walsall Healthcare Trust (WHT) in special measures. The Committee called representatives from WHT, CCG and the Trust Development Agency (TDA) to attend a Committee meeting held on 10th March 2016 to give account, in depth, of the situation and planned improvements.

Attendance by a range of external witnesses allowed a robust discussion to be held on events that led to the rating by the (CQC) and also on the recovery plan. The Committee agreed that this item should remain on the work programme of the Committee and be re-considered at future meetings. At the meeting, many members of the public attended and were invited to join the debate. As a result of the meeting, the Chair wrote to the TDA Appointments Committee and the Secretary of State to express concern around the procedure for appointing a Chair to a Trust in Special Measures.

Mortality Rates

The Hospital Standardised Mortality Ratio (HSMR) is a key performance indicator for quality of care and safety. When it was created in 2001, WHT had the highest HSMR in England. A series of initiatives were put in place to address this.

In 2008, the Trust was identified, along with many other Trusts in England, as having a high rate of palliative care coding which can have the effect of lowering HSMR. This meant that the figure in relation to mortality rates was not reliable. In response to this, the Trust reduced its rate of palliative care coding.

As there were discrepancies the Scrutiny Committee has continued to monitor mortality rates at the Trust. In April, 2015 the Trust was placed 100 out of 136 Trusts nationally and 9th out of 14 Trusts in the regional peer group.

Adult Social Care Supported Employment and Day Services

As part of a consultation process Scrutiny was invited to consider and provide comment on the review of learning disability day services.

In spite of the sensitive nature of this issue through careful handling of the meeting all Committee Members and invitees were given the opportunity to give their views during a measured debate.

Mental Health Training

Committee Members requested a training session on mental health services in Walsall which was delivered in February, 2016. Subsequently this training session was made available to all elected members and was very well attended. Based on the success of this session further sessions will be arranged.

Other Key Issues considered by the Committee include;

- Walsall Patient's use of Hospitals other than Walsall Healthcare Trust;
- Safeguarding Adults Board Annual Report;
- Walsall Review into Perinatal and Infant Mortality and Update on Multidisciplinary Action Plan;
- Healthwatch Walsall;
- Level three Neonatal cots;
- Charging Policy;
- Discharge to Assess Beds.



Education and Children's Services

The Education and Children's Overview and Scrutiny Committee considered a number of important matters during the 2015/16 municipal year.

Of note the Committee:-

- Challenged the Chair of Walsall Education Challenge Board which oversees the implementation of the Councils School Improvement Strategy to ensure that improvements in education and attainment for the children and young people of Walsall improve rapidly;
- Met with the Headteacher of The Shepwell School to develop understanding of provision for those who are unable to attend a mainstream school because of medical, social and emotional needs and mental health needs, autism or teenage pregnancy;
- Reviewed the findings of the Fostering and Adoption Working Group which undertook a review of the Fostering and Adoption Service;
- Thoroughly reviewed the actions being undertaken to ensure children are safeguarded and protected and reviewed and challenged the performance scorecards at least twice during the municipal year;
- Appointed Members to undertake visits to Children's Homes to see for themselves the provision to children and young people;
- Established a Working Group to consider Child Poverty which included co-opted members from the Health and Wellbeing Board;

- Considered a petition submitted by Bloxwich Community Partnership (BCP) relating to funding arrangements for Youth Services;
- Received training on interpreting performance data and the Governments PREVENT programme.

Child Sexual Exploitation (CSE)

One of the most important sessions of the Committee was held in November, 2015 when it considered CSE.

In attendance were:

Assistant Chief Constable Carl Foulkes – West Midlands Police
Chief Inspector Martin Hurcomb – West Midlands Police
Robert Lake – Independent Chair – Walsall Safeguarding Children Board
Steven Rimmer – West Midlands Strategic Lead, Preventing Violence against Vulnerable People

Arising from a lengthy and detailed debate, the Committee made a recommendation to Cabinet that the Council should continue to fund the post of 'Child Sexual Exploitation Coordinator' after the initial fixed term contract expires. This recommendation was subsequently accepted by Cabinet. The post is now permanent, full time.

Call In – School Expansion Programme

Call In provides opportunity for Members to prevent a decision taken by Cabinet being implemented until a special meeting of the scrutiny committee has considered the matter.

In February, 2016 a number of Headteachers and Chairs of Governors attended and contributed to challenge and debate in relation to the School Expansion Programme and its consultation Policy.

In light of the concerns raised, the Committee recommend that future consultation arrangements are amended to ensure that any future proposals for school enlargements in Walsall Schools be consulted on with all school cluster groups, through the Chair of each cluster. This will be implemented in all further school expansion consultations.

Corporate and Public Services

The Corporate and Public Services Overview and Scrutiny have considered a number of important matters during 2015/16, including:

- Understanding and challenging the impact of the West Midlands Combined Authority on the Council and local area;
- Taking oversight of the strategic transport plan being developed for the West Midlands;
- Regularly reviewing the library service and plans to make it more sustainable in the context of reduced local government funding;
- Testing the options for amending the frequency of waste collections prior to decision making. Cabinet implemented the option which scrutiny recommended to them. Later in the year the Committee reviewed the implementation and communication plan for the proposed service changes.
- Members thoroughly tested proposed changes to the governance arrangements of WHG to ensure that the needs of local people would continue to be made. Following the meeting WHG revised their proposals to ensure a strong local influence would remain;
- Members heard a call-in of a Cabinet decision to award a new Healthwatch contract. The Committee undertook robust challenge of the procurement process and investigated allegations of pre-determination. It was ultimately satisfied that the contract had been awarded fairly;
- The Committee heard numerous petitions regarding libraries, grass cutting, bus lanes, parking for a local temple and against increasing charges at Willenhall Market.

Working Groups

The Committee operated two successful working groups during the year:

Community Cohesion

Members engaged with key partners to understand their approach to community cohesion. They also engaged with a cross section of Walsall society to understand how this approach was working on the ground.

It was found that there was good work taking place across the Borough. However, this work would be improved through a standalone community cohesion strategy. This was recommended to Council who approved the idea and added a community cohesion strategy to the Councils policy framework. A Strategy will now be drafted for implementation by April 2017.

Welfare Reform

Welfare reforms continue to have an impact on a large number of local people. Members sought to understand what the changes were and what could be done to minimise the potentially detrimental impact on the local area.

Members recommended that support to those residents affected by the welfare reforms should focus on: support and advice, crisis support and budgeting and financial planning. Partnership working was recognised as good, but improvements were required, in particular around data sharing.

Scrutiny Panel Membership in 2016/17

Scrutiny Overview Committee

Chair: Councillor Hussain
Vice-Chairman: Councillor Murray

Membership: Councillors Barker, Bird, Chambers, Creaney, A. Ditta, E. Hazell, Longhi, Towe, Wade

Education and Children's Services

Chair: Councillor Towe
Vice-Chair: Councillor Jukes

Membership: Councillors Barker, A. Ditta, Gultasib, Follows, E. Hazell, Kudhail, Russell, Ward, Wilson

together with representatives from:

- 1 representative – Lichfield Diocesan (voting)
- 1 representative - Archbishop of Birmingham (voting)
- 3 parent governors (voting)
- 1 Primary Education Teacher (non-voting)
- 1 Secondary Education Teacher (non-voting)

Corporate and Public Services

Chair: Councillor Andrew
Vice-Chair: Councillor Creaney

Membership: Councillors Barker, Bird, Craddock, A. Nazir, M. Nazir, Rattigan, Sohal, Ward, Worrall

Social Care and Health

Chair: Councillor Longhi
Vice-Chair: Councillor Sarohi

Membership: Councillors Barker, S. Ditta, E. Hazell, Hicken, A. Nazir, Jukes, Martin, Rochelle, Worrall

Items Considered during 2015/16

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| Scrutiny Overview Committee | Review of Overview and Scrutiny in Walsall; Relationship between Scrutiny and the Executive; Feedback from Scrutiny Committee Chairs; Black Country Executive Joint Committee – Call-In Arrangements. |
| Education and Children's Services | Review of Overview and Scrutiny in Walsall; Areas of focus 2015/16; Education Healthcheck; Black Country University Technology College; Youth Service Provision Working Group; Petition to save Aldridge Manor Youth Centre; The Shepwell School; Education Challenge Board; School Improvement Plan; Commissioned Youth Funding – Petition; 2014/15 Walsall Safeguarding Children's Board - Annual Report; Walsall Self Assessment of Children's Social Care and Safeguarding; Results Overview (key stages 1 – 4 & 16-18 provision); Child Sexual Exploitation (including grooming, female genital mutilation, trafficking and forced marriage); Fostering and Adoption Working Group – Update; The Toxic Trio - Substance Misuse, Mental Health and Domestic Abuse; Budget monitoring; Working with Academies; Proposed Primary School expansions – School Capacity; Multi Agency Safeguarding Hub; MOSAIC – The replacement Social Care Management System; Children's Poverty Working Group; Children's Centres/Locality Working; Young Carers; Call In of Cabinet Decision – Proposed Expansion of Beacon, King's Hill, Greenfield and St. Giles Primary School; Update on the Special Educational Needs Review; Update on progress of the Education Challenge Board; Feedback from Members that undertook visits to Walsall Children's Homes; Walsall Self Assessment of Services (Performance Data); Outcome of the Ofsted Inspection; School Improvement Action Plan; Child Poverty Working Group – update. |
| Corporate and Public Services | Review of Overview and Scrutiny in Walsall; Response to petition: 'Cut Our Common'; Proposals for a Combined Authority for the West Midlands; The West Midlands Strategic Transport Plan ' <i>Movement for Growth</i> '; Council purpose and priorities; Community Cohesion Working Group – terms of reference; A sustainable Library Service for the future; Alternative weekly collections of residual household waste – outcomes of public consultation; Winter Services Operational Plan; Welfare Reform Working Group – terms of reference; Proposals to change Walsall Housing Group's governance arrangements; Budget proposals for the Library Service 2016/17; Resource Allocation 2016/17 to 2019/20: Draft Revenue Budget for Consultation – Community, Leisure and Culture Portfolio; Consultation on a Local Strategy for Flood Risk Management in the Black Country; Petition: Remove the bus lane on Bloxwich High Street; Response to the Petition: Protect our New Invention Library Service; Review of unauthorised encampment policy; Combined authority and Devolution Deal Update; Petition: Implement on-street timed parking for those visiting and worshipping at Darbar Sri Guru Granth Sahib, Rollingmill Street, Walsall; Petition: Save Our Market; Alternative weekly collections of residual household waste – Implementation and Communication Plan; Unauthorised encampments in 2016; Call-in of Cabinet decision 'Authority to award a contract for the provision of a local Healthwatch Service for Walsall'; Petition: Save Rushall Library; Managing Unauthorised Encampments; Street Lighting LED Conversion, Final report of the Area Partnership Working Group; Response to Petition: 'Save Rushall Library'; Response to Petition: 'Cut Our Common' |

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| Social Care and Health | <p>Review of Overview and Scrutiny in Walsall; Health and Social Care system in Walsall; Walsall Healthcare NHS Trust Improvement Plan for 2015/2016; Areas of focus 2015/16; Contract with Black Country Partnership Foundation NHS Trust for specialist health learning disability services; Dudley and Walsall Mental Health NHS Trust Overview; System Resilience for Winter; Trust Improvement Plan; Review of Adult Social Care Supported Employment and Day Services; Delivery of statutory Disabled Facility Grants (DFGs) and related adaptations; Corporate Financial Performance - Revenue and Capital Outturn 2014/15 (Pre-Audit), and update for 2015/16; Mortality rates at Walsall Healthcare Trust; Report on Walsall residents using hospitals other than Walsall Healthcare Trust; Safeguarding Adults Board Annual Report; Review of Adult Social Care Supported Employment and Day Services; Resource allocation 2016/17 to 2019/20; Quality Improvement in the Social Care Market; Black Country Partnership Foundation NHS Trust; Walsall Adult Social Care Peer Challenge; Local Account; Adult Social Care Charging; CQC inspection of Walsall Healthcare Trust; Walsall Review into Perinatal and Infant Mortality and update on multidisciplinary action plan; Healthwatch Walsall; Adult Social Care and Inclusion Annual Statutory Complaints Report; Walsall Healthcare Trust Special Measures and Recovery Plan; Walsall Healthcare Trust; Links to Work and Day Opportunities; Level three Neonatal Cots; Mortality rates at Walsall Healthcare Trust; Charging Policy; 'Discharge to access' (Step Down Beds);</p> |
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