

Council – 21 September, 2015

Annual Scrutiny Report - 2014/15

Service: Legal and Democratic Services

Wards: All

1. Summary of report

This is the annual report to Council outlining the work of scrutiny in 2014/15.

The report provides an analysis of the work undertaken during the municipal year by the panels 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 2014/15 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 Scrutiny and Performance Panels 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 the Scrutiny and Performance Panels 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 and Performance Panels.

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 panels 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 panels by officers, members of the public, officers from other authorities, partners and independent experts.

Rory Borealis
Executive Director (Resources) & Statutory Scrutiny Officer
9 September, 2015

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Scrutiny Annual Report 2014/15



Walsall Council

Foreword

I am very pleased to introduce the 2014-15 Overview and Scrutiny Annual Report for Walsall Council. This report provides the opportunity to review last year's activity within overview and scrutiny panels and highlight some of the key developments.

2014/15 was a busy year for scrutiny and this report highlights some of the many ways panels have been carrying out their role. Working Groups continue to be effective and have investigated important areas including Fostering and Adoption Services and Disabled Facilities Grants. Members have also looked beyond the four walls of the council house and undertaken site visits to Uplands Care Home in Shrewsbury to establish what could be done better in Walsall, as well as visiting Children's Homes.

Scrutiny has also continued to question expert witnesses including the Assistant Chief Constable and the West Midlands Strategic Lead, Preventing Violence against Vulnerable People who were invited to advise members on child sexual exploitation matters.

In March 2015, Professor Steve Leach undertook a review of the Scrutiny Function which led to a final report and several recommendations. The report and recommendations were strongly supported by Council as it recognised that change was needed to strengthen the scrutiny function of the future. The structure of the Scrutiny Panels and ways of working will all be revisited as the newly established Scrutiny Overview Committee oversees the implementation of the recommendations.

Rory Borealis
Executive Director – (Resources)
& Statutory Scrutiny Officer





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Introduction

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

- Holding the Executive to account for their decisions;
- Scrutinising local partners (e.g. NHS Walsall);
- 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, 2014, Council set the panel structure and remit for the year ahead which included 5 panels:

- Children and Young People;
- Community Services and Environment
- Corporate;
- Health and Social Care;
- Regeneration

Following a change in Administration in September, 2014, Council approved a revised scrutiny panel structure and remit for the year ahead.

The change reduced the overall number of Panels from 5 to 4:

- Children's Services
- Neighbourhoods
- Social Care and Health
- Business, Employment and Local Economy

This report details how the work of Scrutiny and Performance panels during 2014/15. 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 Panel 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 Panels

Business, Employment and the Local Economy

All aspects and general services related to regeneration for example; economic, environmental and physical regeneration, planning, land and property, partnership working and strategic housing matters within the functions set out in section 21 of the Local Government Act 2000.

Neighbourhoods

All aspects and general services related to (1) serving the community, for example community safety, leisure and culture, the local strategic partnership, third sector co-ordination and to review or scrutinise decisions made or other actions taken in connection with the discharge by the responsible authorities of their crime and disorder functions (no less than twice in every 12 months) as required by the Police and Justice Act, 2006, within the functions set out in section 21 of the Local Government Act 2000 and (2) the environment such as waste management, highways maintenance, grounds maintenance and traffic management, and to review and scrutinise 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).

Children's Services

All aspects and general services related to serving children and young people for example; education, children services, youth services within the functions set out in section 21 of the Local Government Act 2000.

Social Care and Inclusion

All aspects and general services related to social care; health service matters for example; adult services, health partnership matters and the public health agenda as conferred under the Health and Social Care Act 2001 within the functions as set out in section 21 of the Local Government Act 2000.

Business, Employment and Local Economy

How has Scrutiny added value in 2014/15?

The Business, Employment & Local Economy Scrutiny & Performance Panel focuses on a range of issues including regeneration, economic development, both locally and regionally, and employment.

There has been a significant amount of development and regeneration activity this year. The Panel has continued to have a robust dialogue particularly with external partners as it seeks to ensure that the best interests of the borough are served. For example, the Panel demanded a Special meeting with representatives of Network Rail in order to fully understand the reasons for delays in works being undertaken in Park Street relating to the electrification of the railway line. The Panel were particularly concerned about the potential impact of the delays and disruption to the significant regeneration work currently underway in the town centre, including the Primark/ Coop development. Members were ultimately reassured regarding the process and timescale for the resolution of this issue.

The robust but positive debate often extends to the Members themselves. For example, different views continue to be expressed about the location of the new town centre market. However, these views have been positively harnessed as part of the work of the markets working group where Members have had the opportunity to look at and help shape the new market in detail. Working group Members also visited other towns and cities to view their markets.

The Chair continues to encourage robust and open debate and this was reflected in a meeting to consider the future of the Allen's Centre where service users were encouraged to participate in the debate. While a similar approach was taken when at a Call-in meeting to consider the Cabinet decision to dispose of the Allen's Centre was held. In spite of the politically sensitive history of this issue through the Chair's careful handling of the meeting all Panel Members and invitees were given the opportunity to give their views during a measured debate.



Social Care and Health

How has Scrutiny added value in 2014/15?

Overall this is a very busy Panel which can sometimes have issues with capacity following the decision to merge the previously separate social care and health panels. It benefits from a strong Chair who manages the agenda and heavy workload. Further Members now have a much wider remit to cover following the merge.

Good relationships are held with Walsall Healthcare Trust, the CCG, and Dudley and Walsall Healthcare Trust, these organisations are regular attendees at Panel. The Chair has regular meetings with the Joint Chairs of Healthwatch where work programmes are coordinated.

The Chief Executive of Walsall Healthcare Trust attends Scrutiny to brief the Panel when contentious issues are publicised in the media, examples of this are the 'Disposal of Foetal Remains' and 'Major Incident at Walsall Healthcare Trust'. This gives Members the opportunity to gather information on behalf of the electorate and challenge NHS officers on actions that will be taken to deal with such issues. The Chair is briefed on a range of issues of concern outside formal panel meetings.

Members of the public often contact the Chair to raise concerns about health services in Walsall. The Chair will signpost them to the relevant complaints or patient liaison services. Previously he was contacted by a whistleblower from Walsall Healthcare Trust and subsequently met with the Chief Executive of Walsall Healthcare Trust and kept a close eye on the issues raised. This type of information allows the Chair to put officer reports and presentations into context and provide robust challenge where necessary.

Key Issues; -

- Review and Monitoring of Mortality Rates at Walsall Healthcare Trust;
- The Cessation of a Mini-bus Service at Walsall Society of the Blind;
- The Care Act and the Children and Families Act 2014 and the introduction of MOSAIC;
- Demand management at Walsall Healthcare Trust i.e. Accident and Emergency, Urgent Care Review, and Community Services;
- Urgent Care Review;
- Information on the Better Care Fund.

Working Groups/Work outside of Panel meetings Aids and Adaptations

At a recent Panel meeting Members considered Aids and Adaptations; a long standing issue for the previous Social Care Scrutiny Panel. This was as a result of concern raised by a Member. After a result of this robust and challenging discussion at Panel Members were not satisfied with the policy on adaptations to WHG properties and so established an Aids and Adaptations working group to consider the issue in further detail. This is a cross party, cross panel membership, which will include Members of the public as expert witnesses.

Visit to Uplands Care Home in Shrewsbury

In August 2014 Members of the Panel were invited to visit a care home in Shrewsbury which had a model of care aspired to by Walsall. A small number of Members met with care home staff and residents to hear about the model of care, lessons learnt and plans for the future. This allowed Members to see firsthand the proposals which they had been presented with at Panel. Members reported that the exercise was valuable.

Children's Services

How has Scrutiny added value in 2014/15?

Children's Scrutiny continues to provide effective and constructive challenge of the services within its remit. This is carried out both at Panel, which focuses on strategic/policy matters and Working Groups which delve further into services providing valued interaction with frontline staff and service users. Of the utmost importance in all reviews, and indeed at deliberation at panel, is the impact any changes may have on the children and young people of Walsall.

Members have developed more confidence in their scrutiny role and provide appropriate challenge at meetings. They are much more aware of their role as Corporate Parents and often refer to this responsibility at Panel. This has become embedded through a number of training sessions/seminars and more involved working groups. Further seminars are detailed overleaf and a training package for members has been developed for the 2015/16 Municipal Year.

Members have undertaken a number of visits to children's homes with individual Members taking responsibility to develop relationships and report back to Panel – this is a process that will continue year on year to ensure that members see for themselves the service provided and accommodation which our children and young people access.

The Panel also ensures that it receives a variety of views. To date it has received evidence from the Chair of Walsall Safeguarding Board, Robert Lake (of particular importance given recent events at Rotherham). Head Teachers have also attended as has the Independent Chair of the Education Challenge Board, Frances Done. At its meeting on 14th April a full and frank debate on child sexual exploitation took place involving the Assistant Chief Constable, Carl Foulkes and the West Midlands Strategic Lead, Steven Rimmer.

Matters considered are directed by the Chair and agreed with the Scrutiny Officer and Executive Director – requests are seldom received direct from the public other than in the form of a petition with over 500 signatures which then triggers a debate.

Key items considered by the Panel during the municipal year:

- Children's Services Performance Analysis;
- Redesign of Children's Centres;
- Youth Service Review;
- Implementation of new information management system (MOSAIC);
- Continued monitoring of Safeguarding;
- Child and Adolescent Mental Health Service;
- Child Sexual Exploitation;
- Education Performance and Improvement;
- Progress of Special Educational Needs Reforms;
- Prevention and Early Help Services.



Working Group Reviews

- **Leaving Care**

Included visits to young people in accommodation, meetings with frontline staff and young people (focus groups). Post review, members attended events such as the Christmas Meal for care leavers and the opening of the clothes bank to maintain relationships. They have also revisited accommodation to monitor provision.

- **Fostering and Adoption**

Included meetings with frontline staff and separately with managers, attendance at playgroup specifically for children in care, attendance at the carer consultation event, two separate meetings with foster carers and adopters to understand the process from a fosterer/adopters perspective.

Training Sessions

- Child Sexual Exploitation Seminars (February and March 2015)
- Admission Arrangements (February and March 2015)
- Safeguarding level 1 & 2 (March, 2015)



Neighbourhoods

How has scrutiny added value during 2014/15?

The Neighbourhoods Scrutiny and Performance Panel consider issues such as leisure and culture, community safety, partnerships, clean and green and highways maintenance. The Panel is the Council's designated crime and disorder committee and has responsibility to consider flood risk management functions, both of which are a statutory requirement.

The Panel has played a key role in taking an overview of the devolution agenda since it began a few years ago. This role moved to a new level this year when the Panel were invited by Cabinet to make recommendations on the future of Area Panels. The Panel set up a cross panel working group to consider the item in more detail in January 2015. This review was completed in April 2015 and made wide ranging ambitious recommendations. The working group found that Area Panels were an important part of the Council and have a crucial link to local communities and their priorities. Members thought there had been a loss of direction for Area Panels over recent years, but they could be renewed by increasing focus on developing and approving priorities within the local area plans and by taking a more central role in monitoring performance against those priorities.

In terms of influencing priority setting with the Council and its partners the working group felt that it would be better if Area Panels could play a greater role 'upstream' with the priority setting at an area level. In addition to this the voluntary and community sector should play a greater role in strategic priority setting.

The financial situation of the Council and the need to save tens of millions of pounds moving forward was recognised as a barrier to Area Panels managing mainstream budgets. Resources were being reduced so the expectation was that there would be increased requirements for organisational efficiency controlled by the corporate centre. On the other hand the working group considered the idea that, potentially Area Panels with their enhanced local knowledge, could improve service delivery and make money go further in these tough economic climates.

In light of the impact of reducing budgets and the need to maintain centralised core services Members accepted the complex nature of establishing any surplus budgets for potential allocation to Area Panels. However, they felt that taking account of the complexity, an exercise to test the viability of such a model should be undertaken. Members also accepted that a model of this nature would need to be targeted at those communities and individuals in most need and that following the identification of any surplus budgets these should be allocated in line with the Marmot objectives.

Aside from this, since January 2015, Panel business has been dominated by a series of petitions requiring senior officers to give evidence at a scrutiny meeting. All but one of the petitions was in relation to future budget proposals including four about libraries. Other business has mainly focussed on taking an overview of services and upcoming changes with Panel business generally being internally focussed. Examples of this type of scrutiny include commenting on the draft priorities in the Highways Maintenance and Asset Management Strategy and ensuring the Council complied with the Waste Framework Directive.

Scrutiny Panel Membership in 2015/16

Scrutiny Overview Committee

Chair: Councillor Murray

Membership:

Councillors Burley, S. Coughlan, Douglas-Maul, E. Hazell, Longhi, Nazir, Robertson, I. Shires, Washbrook, (1 vacancy)

Education and Children's Services

Chair: Vacancy

Vice-Chair: Councillor E. Hazell

Membership:

Councillors Burley, Ditta, Follows, Jukes, Kudhail, Perry, D. Shires, Wade, 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 Nazir

Vice-Chair: Councillor I. Shires

Membership:

Councillors P. Bott, Craddock, Creaney, Cooper, Ferguson, Jeavons, Nawaz, Rattigan, Sohal

Social Care & Health

Chair: Councillor Longhi

Vice-Chair: Councillor Russell

Membership:

Councillors Clarke, D. Coughlan, E. Hazell, Hicken, Jukes, Rochelle, Robertson, I. Shires, (1 vacancy)

Items 2014/15

Children's Services	<p>Walsall Self Assessment of Services, Quarterly Financial Monitoring, Children's Centre Reshape, Overview of Children's Service, Integrated Young People Support Service - Fit for the Future, Children and Young People Annual Complaints Report, Walsall Safeguarding Children Board Report, MOSAIC – new system implementation progress, Corporate Parenting Board – Role and Function, School Improvement/Action Plan, Child Sexual Exploitation, Care Leavers Working Group, Special Educational Needs Reforms –Update, Validated School Results/ LAC Outcomes & Achievement/Virtual School, Early Help/Intervention, Independent Reviewing Officer (Annual Report), Feedback From Children's Home Visits</p>
Neighbourhoods	<p>Active Living, Budget, Devolution through Area Partnerships, Crime and Policing Act 2014, Implementation of Free School Meals Sept 2014, Organisational Partnership Working, Potential changes to roadside collections (TEEP), Recycling and contamination, Voluntary & Community Sector, Winter Service Plan, Litter & Fly tipping Inquiry, Unauthorised encampments, Highways maintenance strategy & Asset Management Plan, Street Light Lantern LED Conversion, Road Safety Framework/20 mph Zones, Polling places and stations, Police and Crime Commissioner</p>
Social Care and Health	<p>Demand Management at WHT, Monitoring of mortality rates, Commissioning Winter Capacity, Surge Plan/ System Resilience Plan, CCG 5 year plan / Primary Care Services in Walsall, Better Care Fund and integration of health services, Mental Health Trust – CQC inspection results, Health inequalities and health promotion, Public Health Contracts, Care Quality Working Group monitoring, Stroke Services Reconfiguration, Budget consultation, Social Care and Inclusion financial challenges, Revised operating model – now better care fund, Employment initiatives for adults with disabilities, Support for carers, The Care Act and the Children and Families Act 2014, Local account 2014/15, Safeguarding adults annual report, Replacement of the client record management system for children and adult social care, Charging Policy Cabinet report, Learning disability inpatient forensic unit, Section 75 agreement Cabinet report, Aids and Adaptations.</p>
Business, Employment and the Local Economy	<p>Walsall Economic Board, Electrification of Walsall-Rugeley line, Black Country Growth Deal, Planning and enforcement issues update, Markets working group, Town Centre & Enterprise Zone issues, Update on Darlaston element of Black Country Enterprise Zone, Site Allocation Plan (SAP) & Town Centre Area Action Planning, Walsall Works Apprenticeship Programme – including issues of youth unemployment & homelessness, Financial Monitoring, Supporting Employment Sustainability & Growth, Green agenda – including the Green Deal, Supplementary Planning Documents (SAP) & Affordable Housing, Strategic Economic Plan, European Investment Strategy</p>