

Overview and Scrutiny Annual Report

2010/2011



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FOREWORD

As Chairman of the Overview Management Committee, responsible for overseeing the Overview and Scrutiny process in Bury, it gives me pleasure to present this Annual Report for 2010/2011. The report summarises the activities of the Council's Scrutiny Committees and reports on some of the highlights and achievements of the last year.

2010/2011 has seen the implementation of a new structure for Overview and Scrutiny in Bury, with the introduction of a more streamlined approach based around two standing committees. The Internal Scrutiny Committee has been set up to scrutinise the performance of the Council and hold decision makers to account, with the External Scrutiny Committee examining the work of the Council's Partner organisations.

In addition to these standing committees, dedicated Overview Project Groups were set up to undertake detailed reviews and develop policy. As Chairman of the Committee tasked with setting up and monitoring these Groups, it has been pleasing to have received evidence based reports from two of the Project Groups accompanied by detailed recommendations focussing on improving services.

It is my hope that in the coming year the positive elements highlighted within this report serve to further develop the role of overview and scrutiny in strengthening the decision making process and improving services to the residents of Bury.

The Council has continued to take the lead role in administering the two Joint Health Scrutiny Committees established in January 2004, which review the work of the Pennine Acute Hospitals NHS Trust and the Pennine Care NHS Trust. Excellent working relationships have continued with Members and Officers in both the NHS and in the partner Local Authorities of Manchester, Stockport, Oldham, Rochdale and Tameside.

As always thanks go to the Chairmen and Members of all the Scrutiny Committees and Overview Project Groups. I would also like to take the opportunity to thank the Executive Directors and their staff, for supporting the scrutiny process, as we look forward to the challenges of the coming year.

Councillor RCA Brown

Chairman of Overview management Committee

May 2011

Overview and Scrutiny in Bury

Overview and Scrutiny Committees are an important part of the way we make decisions. Although they have no Executive powers, the scrutiny process allows Members to explore issues in depth and help to influence decisions through recommendations to the Executive or to the Full Council.

In Bury, a new structure was adopted in May 2010 which resulted in the move to a model which looked to clearly define the role of the Council Committees in terms of a dedicated Overview role and a Scrutiny role. The role of scrutiny bodies can be broken down into these two main functions:-

Holding the Executive to Account

This involves scrutinising decisions before they are implemented by way of 'Call-in' to the relevant Scrutiny Committee for debate. The effect of a 'Call-in' is to suspend the decision until the Scrutiny Committee has had the opportunity to consider the implications of the decision and, where appropriate, to offer comments back to the Executive.

Policy Development

This involves Scrutiny Committees undertaking reviews of functions within their individual remits leading to recommendations to the Executive, and to assist in the development of future policies and strategies.

Under the new arrangements the following committees were constituted to carry out Overview and Scrutiny in Bury:

Internal Scrutiny Committee

Set up to scrutinise Executive decisions and Council performance, the Internal Scrutiny Committee operates within the following terms of reference:

- To review and scrutinise the decisions made or actions taken in connection with the discharge of any of the Council's functions.
- To review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and all particular service areas.
- To report outcomes to the Overview Management Committee unless the Committee determines otherwise for expediency.
- To make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the Scrutiny process.
- Oversight of the provision, planning and management of the Council's resources including its budget, revenue borrowing assets and audit arrangements.
- Oversight of the Council's corporate plans and strategies and the monitoring of the corporate plan and departmental plans.
- To receive all reports from external inspectors.

External Scrutiny Committee

An External Scrutiny Committee was set up to scrutinise partner organisations on issues relevant to the residents of the Borough. Full terms of reference are:

- To scrutinise relevant aspects of the community strategy.
- To scrutinise outside bodies and partners relevant to the Council.
- To carry out the Council's statutory obligations in relation to reviewing and scrutinising any matters relating to the planning provision and operation of health services in the area of the Council.
- To review or scrutinise decisions made or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions.
- To monitor the implementation of any scrutiny recommendations accepted by the Executive.
- To scrutinise the results and issues arising from any external inspections of the Council's partnering arrangements.

Overview Management Committee

The Overview Management Committee is responsible for the management and monitoring of the work programmes of both the Internal and External Scrutiny Committees. In addition the Committee is responsible for setting up and monitoring of Overview Project Groups. These Groups are tasked with reviewing particular policy areas with a view to making recommendations that will ultimately result in service improvements. In 2010/2011 Overview Project Groups were set up to undertake reviews into the following areas:

Highway Network

Safeguarding Children

Resource Management

Key Outcomes

During 2010/2011 the Council's Scrutiny Committee's and Overview Project Groups have looked at a wide range of topics and issues. Various methods have been used to examine and investigate issues which have resulted in positive outcomes in terms of policy development and holding decision makers to account.

Homelessness

Following a call- in of the Homelessness Strategy, a Working Group of the Internal Scrutiny Committee was set up to look into the issue of homelessness in Bury. The Group used a variety of methods to gain detailed information, which included visiting a Homeless Hostel to speak with residents and staff to gain an insight into the issues facing the homeless service. Separate interviews took place with experts in the Homeless field to challenge the assumptions within the Council's Homelessness Strategy.

Key features of this review included the positive engagement of the Working Group with the Cabinet Member for Health and Wellbeing throughout the review and the flexibility of the way the scrutiny process was used to ultimately inform the decision making process. The outcome of the review was to recommend a number of changes to the Strategy which were accepted and welcomed by the Cabinet Member.

Key Recommendations

The need for collective action in terms of out of borough placements

Examine reciprocal arrangements with other local authorities

Lobbying of Central Government over conflicting performance indicators

Consideration of an overarching Greater Manchester Homelessness Strategy

Highway Network

An Overview Project Group was set up to examine the Authority's road network and look into the issues facing the Highways Department in terms of maintaining the network and funding levels.

The Group used various methods to gather information including :Interviewing Chief and Senior Officers from Highway Network Services; Attending a benchmarking meeting with representatives from Walsall Council; Reviewing the use of technology through a visit to see live operation of software; Visiting part of the road network to view resurfacing being carried out ; Meeting with Highways Inspectors and the Cabinet Members.

Key Recommendations

Highlight the road works search page on the front page of the Council website.

Where possible provide more information on each of the works listed on the web site. The information provided for some works is quite technical and difficult for a member of the public to understand.

That following costing and consultation, Bury Council consider joining the Elgin database of road works website either individually or regionally with the other AGMA authorities.

That where possible the use of larger stones as a top layer becomes common practice across the borough when laying surface dressing or micro-asphalt.

That a review is undertaken to ascertain whether the coatings used are effective from both a safety and cost perspective and if it is found that they are not the use of coatings on the road surfaces should be minimised

That all technological advances in patching options are reviewed regularly to ensure that the best materials and methods are used, and where possible a trial be carried out.

That the Highways Network Managers Group be asked to consult with the 10 Greater Manchester Authorities on the possibility of employing a consultant to review collaborative working options across Greater Manchester.

That the Highways Network Managers Group be asked to include carbon reduction options in the collaboration review.

That the Council consider whether it would be practical to increase the number of roads that 48 tonne heavy goods vehicles are prohibited from using.

Safeguarding Children

At its meeting on 26 May 2010, the Overview Management Committee agreed that a Project Group be established to review services for Safeguarding Children (particularly the Council's role in risk reduction). In looking at this area, the Group recognised the large scope and critical nature of the subject and were made aware of the work carried out across various departments and with partner organisations. The main focus of the review was to:

- Gain an understanding of the work of the Social Work Teams involved in Safeguarding
- Gain an understanding of the risks currently being managed by the Social Work teams
- Show support for frontline staff
- Share knowledge with other members of the authority in view of their role as "Corporate Parent".

As part of its work the Group undertook visits to the Advice and Assessment Social Work Team and the Safeguarding Social Work Teams to meet members of staff and talk about their day to day work. Interviews were conducted with senior officers responsible for children's safeguarding with a view to increasing Elected Member awareness of the issues facing the service.

Key Recommendations

That a detailed document be produced for all Councillors that would provide advice and guidance on what steps to take when confronted with a safeguarding issue in their capacity as a Ward representative. This would be supplemented with useful contact names and telephone numbers. In addition, to increase awareness and understanding, the guidance would include an outline of the process required to be undertaken by Social Workers during a safeguarding investigation and the other partner agencies involved.

Highlight the availability of Children's and Adults Safeguarding information on the Council web site, including links.

Appoint Members to act in a liaison role between Children's Services and Elected Members to pass on any relevant information regarding Safeguarding legislation to ensure Members are kept up to date.

To offer Elected Members the opportunity to visit the Advice and Assessment Social Work Teams and Safeguarding Social Work Teams as part of members Training and Development.

To extend the raising of Elected Member awareness and training to include Safeguarding Adults.

Winter Maintenance

With the severity of recent winters, the Internal Scrutiny Committee included the issue of the Council's winter maintenance services within its work programme for 2010/2011. The Committee examined the Council's preparedness in advance of the winter period and evaluated performance in the spring, resulting in support for a number of future actions to further improve the service.

Key Recommendations

Consider maintaining a one off 1000 tonne stock of additional untreated grit at Bradley Fold for salt bins and hand gritting.

When the new web site goes live this will offer greater flexibility in keeping residents posted on the latest information on all services they subscribe to.

Internal ICT support should be requested to develop a solution for the satellite navigation systems fitted in each gritter to ensure that they are working to their full capability next season.

To consider increasing the stock of salt at Bolton from 2500 tonnes to 3000 tonnes in 2011 to provide greater resilience and less dependency on deliveries.

In order to maintain close control of salt stock Bury to order salt direct from Salt Union through the automated stock replenishment system.

Working arrangement with Bolton to be jointly reviewed.

Business Continuity Plans to be monitored and reviewed prior to next winter.

Work of the Joint Health Scrutiny Committees

Joint Health Overview and Scrutiny Committee for Pennine Care

The Committee reviewed Pennine Care Foundation Trust's plans to acquire the community provider services for Bury, Heywood, Middleton and Rochdale and Oldham Primary Care Trusts; the **Transforming Community Services** agenda.

What was the issue?

The Joint Committee wanted to scrutinise these proposals to ensure that in transferring the services into the Pennine Care Foundation Trust that:

- a) Mental health services, did not suffer as a result of the expansion of the Trust.
- b) The Trust would continue to be financially viable.
- c) Provider services would not be reduced.

What we did?

The Joint Committee accepted the rationale for change and was supportive of the Pennine Care Foundation Trust in acquiring these services. The Joint Committee resolved to interview a number of witnesses from the Primary Care Trust, Department of Health, Trade Unions, staff representatives and Pennine Care Trust Management.

What did we achieve?

The Joint Committee identified a number of recommendations, all of which were accepted by the Trust;

Key Recommendations

In Transferring community services into Pennine Care Foundation Trust, the Trust alongside its partner organisations ensures the community services are properly integrated, with clear care pathways, specifically agreed outcomes and clearly defined contractual arrangements.

The Transfer of community services would not be used as a “cost cutting exercise”, and the proposed 4% reduction in costs would not be at the expense of community or mental health service provision.

The Joint Committee has received assurances from the Pennine Care Trust management, the Trust Board and the Primary Care Trusts that the Pennine Care Foundation Trust would continue to be financially viable following the expansion of the Trust; the Joint Committee would want to receive regular financial/budgetary reports from the Pennine Care Foundation Trust regarding the Trust’s financial position.

The Trust would develop a strategic plan in conjunction with its partner organisations in preparation for the changes in legislation as a result of the Health Bill; Equity and Excellence, Liberating the NHS.

Best practice gained from the integration of community and mental health service in the North Borough would be shared and highlighted with colleagues in the South Borough.

Department of Health Consultation – Health and Wellbeing Boards

The Joint Committee responded to the Department of Health white paper Liberating the NHS, Equity and Excellence; the Joint Committee response is detailed below; as a result of this response and others the Bill was amended.

“The Joint Committee do not believe Health and Wellbeing can plan, commission and potentially reconfigure services while at the same time have the statutory powers to challenge, call in and refer to arbitration the closure or reconfiguration of services; this two conflicting roles would invariably lead to claims and a perception from members of the public of potential conflicts of interest. Health and wellbeing boards would be created to set the local direction of health services the Joint Committee would want to see the retention of Health Overview and Scrutiny Committees and the separation of executive and scrutiny in health.”

Joint Health Overview and Scrutiny Committee for Pennine Acute

The Pennine Acute Joint Health Overview and Scrutiny Committee (JHOSC) undertook a review of hospital nutrition for older patients across the Trust footprint, in 2009/10. An emphasis on help and encouragement and the provision of food that the patient wanted.

Key Recommendations

Meal choices to be made at mealtimes, or as close to the mealtime as possible.

A review of packaging, which made food, drinks, condiments and cutlery difficult for patients to access.

For the Trust Board to proactively promote protected mealtimes to all hospital staff.

The Pennine Acute NHS Trust informed the JHOSC, at the beginning of 2010/11, that:

- A pilot, using volunteers to assist patients at mealtimes, had been successful on four wards and would be rolled out across the Trust.
- The Trust had revisited the ordering of food by patients. Whilst it was not feasible for patients to order their food on the day at all sites, communications between wards and catering departments had been improved to ensure the meals were sent up for the patients currently on the wards.
- The Trust was reviewing packaging with a view to reducing both the amount of packaging and the use of disposables.

A further update from Pennine Acute NHS Trust, in March 2011, informed the JHOSC that:

- Adherence to protected mealtimes for patients had been re-launched across the Trust.
- The 'productive ward' team and the catering department had worked together to improve the service of food to patients and release 'time to care' for nursing staff.
- A 'red tray' system had been introduced in one of the hospitals to help staff check at a glance which patients required assistance with feeding.

This year the JHOSC has undertaken a review of the Pennine Acute NHS Trust's communication with patients. The review report recommends:

- A trust wide policy for communication with individual patients.
- A quality assurance system for individual letters.
- A quality assurance system for verbal communication with patients, their families and carers.

The JHOSC will be monitoring the Trust's response to this report during 2011/2012.

Higher than expected mortality rates, within Pennine Acute NHS Trust hospitals, concerned the Committee throughout the year. The JHOSC has monitored the Trust's action plan to reduce mortality rates and have been pleased to see an improvement against the mortality rates in similar hospitals.

The 'Choose and Book' system for booking hospital and clinic appointments is seen to be working well by the Pennine Acute NHS Trust. However, the Committee has been aware of many problems, encountered by patients, with this system. This is not specifically a problem with Pennine Acute NHS Trust as it also relates to appointments with other hospitals and clinics, and is a national system. Nevertheless, the JHOSC has raised the issue in its review report on communication with patients and will be looking, along with the Patients' Council, to secure improvements for patients during the next year.

The JHOSC Chairman and Officer have been involved in a national project, with the Centre for Public Scrutiny, to develop relationships and information sharing with the Care Quality Commission (CQC). This has resulted in the development of local relationships and the production of guidelines for Councillors on the work of the CQC and guidelines for the CQC on the work of Health Overview and Scrutiny Committees, which will be published in the summer.

In October, 2010, the government consulted on its white paper, Liberating the NHS: Local Democratic Legitimacy in Health. The JHOSC submitted comments to this consultation, along with the JHOSC Pennine Care NHS Trust and many other local scrutiny committees, regional scrutiny networks and the Centre for Public Scrutiny. As a result of the consultation, the government changed its proposals and acknowledged that its original proposal to confer the health scrutiny function on Health and Wellbeing Boards was flawed. The government said that scrutiny has a crucial role to play in providing transparency and that it intended that enhanced scrutiny powers for local authorities would come into force from April 2013.

The Joint Committee also continued to monitor the implementation of two major health service reconfigurations (Healthy Futures and Making it Better) across the area, which have included a government directed review of the original decisions for reconfiguration and the night closure of the A&E department at Rochdale Infirmary.

CONTACT US

For further information on the content of this Annual Report or about Overview and Scrutiny work in Bury, please contact us through any of the following methods:

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APPENDIX 1 – Performance summary

Scrutiny Committee	Description	Council Priority
Internal Scrutiny Committee	Special Educational Needs	Centre of excellence for education and training in the north west
Internal Scrutiny Committee	Financial Monitoring	
Internal Scrutiny Committee	National Affordable Housing Programme Bid	The place to live in Greater Manchester
Internal Scrutiny Committee	Review of AGMA Arrangements	
Internal Scrutiny Committee	Local Area Partnership	Each Township thriving
Internal Scrutiny Committee	Regulatory Investigatory Powers Act	
Internal Scrutiny Committee	Futre of Sheltered Housing	The Place to live in Greater Manchester

Completion Date	Work undertaken/Progress
October 2010	Work carried over from Resource Scrutiny Commission. Progress reviewed June 2010, further information received at October meeting in respect of updated and amended statements along with attainment results
Ongoing	Committee received quarterly revenue and Capital Outturn reports. Approved Mid Year Treasury Management Strategy for onward submission to Council.
Februray 2011	Budgetary reports received and considered in advance of Council Budget Meeting
August 2010	Urgent decision taken in consultation with the Chair. Committee informed of decision and undertaking given to provide an update on the Project.
August 2010	Committee asked to comment on consultation document relating to sub regional scrutiny under a Combined Authority – Comments Submitted.
October 2010	Referral from Council (Motion). Recommendation to Cabinet Member submitted
October 2010	Council's Policy and procedural Guide approved.
Ongoing	Updates to be provided in relation to actions taken
Ongoing	Committee consulted on proposals for sheltered housing. Commitment given by Cabinet Member to appraise the Committee of consultation response in advance of decision being taken.

Scrutiny Committee	Called In Items	Council Priority
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Internal Scrutiny
Committee

Home School
Transport Policy

Homelessness
Strategy

Children's Centre
Charges

Completion Date	Work undertaken/Progress
November 2010	Referred to Full Council
November 2010	Decision not supported. Working Group established, with the agreement of the Cabinet Member to examine Strategy in detail prior to making recommendations.
March 2011	After 3 meetings and a visit to Homeless Hostel the Working Group submitted the following recommendations which were accepted by the Full Committee and, subsequently, the Cabinet Member
January 2011	Recommendation accepted by Cabinet Member - that the decision not be implemented and be subject to further scrutiny through the submission of a detailed evidence based report.
March 2011	Decision accepted (with concerns highlighted) by Committee following the receipt of detailed financial, evidence based information. Comments made to the Cabinet Member to ensure robust monitoring.

Scrutiny Committee	Description	Council Priority
Internal Scrutiny Committee	Winter Preparations	Area with first class services
External Scrutiny Committee	Podiatry Services	Healthiest Borough in the North West
External Scrutiny Committee	Transforming Community Services	Healthiest Borough in the North West
External Scrutiny Committee	Making it better reconfiguration – update	Healthiest Borough in the North West
External Scrutiny Committee	Review of AGMA Arrangements	
Internal Scrutiny Committee		
External Scrutiny Committee	White Paper – Equity and Excellence: Liberating the NHS	Healthiest Borough in the North West
External Scrutiny Committee	Pharmaceutical Needs Assessment	Healthiest Borough in the North West
External Scrutiny Committee	Patient Transport Services – Pilot scheme - change to the eligibility Criteria	Healthiest Borough in the North West
External Scrutiny Committee	Update on implementation of Healthy Futures reconfiguration	Healthiest Borough in the North West

Completion Date	Work undertaken/Progress
December 2010	Executive Director of Environment and Development Services invited to appraise the Committee of preparations. An evaluation will take place following the winter period.
April 2011	Evaluation report received. 7 recommendations around future actions to improve the service
June 2010	Consultation document received from NHS Bury – Comments given by the Committee and the changes to the service approved
Feb/March 2011	Presentation received June 2010 explaining work being carried out in relation to Transforming Community Services – Questions and comments from the Committee – Progress report due Feb/ March 2011
Ongoing	Representatives from Making it Better team reported on progress made to date on the implementation of the Making it Better programme and the implications to services in Bury. Representatives also reported on the further tests to be carried out following the announcement from the Secretary of State and what this meant for services in Bury.
September 2010	Committee asked to comment on consultation document relating to sub regional scrutiny under a Combined Authority – Comments Submitted.
August 2010	
September 2010	Committee received briefing on the contents of the White Paper and were asked to submit comments by deadline.
November 2010	Draft Needs Assessment Document submitted to the Committee at its meeting in October 2010. Questions and comments of the Committee passed to NHS Bury for inclusion in the consultation.
April 2011	Committee consulted on proposed changes to eligibility criteria. Committee Members questioned proposals and made comments. Pilot Scheme approved and feedback requested.
Ongoing	Representatives from the Healthy Futures Team attended to report on the progress made to date on the implementation of the Healthy Futures programme and the implications to services in Bury. Representatives also reported on the further tests to be carried out following the announcement from the Secretary of State and what this meant for services in Bury.

Scrutiny Committee	Description	Council Priority
External Scrutiny Committee	Review of Local Area Partnerships	Each Township thriving
External Scrutiny Committee	Community Safety Partnership	Area where people feel safe and secure
External Scrutiny Committee	Fairfield Hospital	Healthiest Borough in the North West

Completion Date	Work undertaken/Progress
February 2011	Clarification sought from Chair of Team Bury that any decision made regarding the future of the LAPs does not become operative until April 2011 to allow for Scrutiny input. Briefing note received following Team Bury Executive Meeting in December and comments fed through to Team Bury Representative prior to their attendance at February 2011 meeting.
December 2010	Report explaining progress made on refresh of the Community Safety Partnership which was currently taking place.
December 2010	Director of Operations at Pennine Acute invited to report on services provided at Fairfield General Hospital. Members of the Committee requested a representative attend to enable questioning following article in press relating to the future of services provided.

Overview Project Groups	Review	Council Priority
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Highways Overview
project Group

Resource
Management

Safeguarding Children

Completion Date	Comments
May 2011	<p>The Group met on 4 occasions with representatives from the Highways Network Services. Project Plan confirmed.</p> <p>Also attended benchmarking meeting with representatives from Walsall Council.</p> <p>Review of software in use – Visit to see live operation of software.</p> <p>Visit to view resurfacing carried out . Meetings held with Highways Inspectors and the Cabinet Members.</p> <p>Final report submitted to Overview Management (May 2012) containing 9 recommendations.</p>
April 2011	<p>Group have met on 3 occasions. Project Plan produced and agreed. Interviewed Cabinet Member.</p> <p>(Review carried over 2012).</p>
May 2012	<p>Membership agreed, Lead Officer appointed. Project Plan agreed 11 January 2011.</p> <p>Final report submitted to Overview Management Committee (May 2012) containing 6 recommendations.</p>