

REPORT FOR DECISION

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| DECISION OF: | Council |
| DATE: | 18 May 2016 |
| SUBJECT: | Overview and Scrutiny Annual Report 2015/2016 |
| REPORT FROM: | Councillor Iain Gartside Chair – Overview and Scrutiny Committee |
| CONTACT OFFICER: | Leigh Webb – Democratic Services Manager |
| TYPE OF DECISION: | COUNCIL |
| FREEDOM OF INFORMATION/STATUS: | This paper is within the public domain |
| SUMMARY: | This report provides a summary of progress and key outcomes made over the past year by the Council's Scrutiny Committees. It also highlights work undertaken by the Joint Health Overview and Scrutiny Committees for Pennine Care and Pennine Acute. |
| OPTIONS & RECOMMENDED OPTION | <p>Option 1 (Recommended)</p> <ol style="list-style-type: none"> Note the contents of the report and progress made by the Council's Scrutiny Committees over the past year. <p>Option 2 (Not recommended)</p> <ol style="list-style-type: none"> Reject the above recommendation |
| IMPLICATIONS: | |
| Corporate Aims/Policy Framework: | Do the proposals accord with the Policy Framework? |

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|---|---|
| | Yes |
| Statement by the S151 Officer: Financial Implications and Risk Considerations: | The scrutiny function of the Council takes place within existing budgetary provision. |
| Statement by Executive Director of Resources: | There are no wider resource implications arising from this report. |
| Equality/Diversity implications: | There are none arising from the options in this report. Equality Analysis was undertaken as part of the review of the Councils Scrutiny function and structures in 2012 |
| Considered by Monitoring Officer: | Yes (JH) |
| Wards Affected: | All |
| Scrutiny Interest: | Overview and Scrutiny Committee Health Scrutiny Committee |

TRACKING/PROCESS

DIRECTOR: STEVE KENYON

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|---|---------------------------|--------------|----------|
| Chief Executive/ Strategic Leadership Team | Executive Member/Chair | Ward Members | Partners |
| | | | |
| Scrutiny Committee | Committee | Council | |
| | | 20.05.15 | |

1.0 BACKGROUND

This Annual Report summarises the activities of the Council's Scrutiny Committees and reports on some of the highlights and achievements of the last year. 2015/2016 has been the fourth year of the current scrutiny structure which has streamlined the number of Committees. Within the structure there is provision for Overview Project Groups to be set up to carry out detailed reviews on a task and finish basis. Details of the outcomes from individual reviews are included within the report.

Throughout the year the Overview and Scrutiny Committee has tackled a wide and varied work programme cutting across all Council Departments. The

Committee have engaged with Cabinet Members prior to decisions being taken and also held them to account following decisions through the call-in mechanism.

The Health Scrutiny Committee have scrutinised the provision of adult care and local NHS services as well as being consulted on proposed changes that will affect 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.

2.0 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 does allow Members to explore issues in depth and help to influence decisions through recommendations to the Cabinet or Full Council.

In Bury, the role of scrutiny bodies can be broken down into these two main functions:-

2.3 Holding the Cabinet 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 Cabinet.

2.4 Policy Development

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

In Bury the following Committees are constituted to carry out Overview and Scrutiny in Bury:

2.6 Overview & Scrutiny Committee

Set up to scrutinise Cabinet decisions and Council performance, the Overview & 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 set up, appoint and monitor Overview Project Groups (set up to carry out reviews of policies, services or the impact of decisions).
- To make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the Scrutiny process.
- 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.
- Oversight of the provision, planning and management of the assets and audit arrangements.
- Oversight of the Council's corporate plans and strategies and the monitoring of the corporate plan and departmental plans.
- To scrutinise outside bodies and partners relevant to the Council.
- To receive all reports from external inspectors.

2.7 Health Scrutiny Committee

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

- 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 oversee the health and well being of the borough's population
- To scrutinise the provision, planning and management of Adult Care Services.
- To monitor the implementation of any scrutiny recommendations accepted by the Cabinet.

2.8 Overview Project Groups

The Overview & Scrutiny Committee is responsible for setting up and monitoring reviews carried out by 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.

3.0 KEY OUTCOMES

During 2015/2016 the Council's Scrutiny Committees 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.

3.1 Children's Safeguarding

Set up and monitored by the Overview and Scrutiny Committee, the Children's Safeguarding Overview Project Group carried out a detailed review of Children's Safeguarding services and performance. Since the first meeting in November

2014 a large amount of work has been undertaken by the Group. Much of the initial work has focused on providing Members with a detailed context of the issues surrounding the safeguarding of children and ensuring an understanding of the processes, procedures and policies that are in place.

Evidence to assist the Group has been provided from a number of Senior Officers and practitioners, through both written reports, visits and interview sessions.

During the current year the Group have focussed attention on the following areas:

Looked After Children(LAC) – Exclusions/Managed Moves –
Interviewed Marie Holmes, Virtual Headteacher

Phoenix Team – Received briefing on the work of the team across Greater Manchester with focus on the awareness raising work undertaken.

Performance Monitoring - Continued to monitor performance in relation to safeguarding children

Domestic Violence – Examined the Audit into the “Toxic Trio” which includes Domestic Violence/Alcohol/Mental Health.

At an early stage Members of the Group recognised the complex multi agency approach to safeguarding meant that to treat the review as a time bound, self contained piece of work would not do justice to the critical nature of the subject matter. An interim report was submitted to the Overview and Scrutiny Committee in March 2016 where agreement was given for the continuation of the Group with the existing membership where possible.

3.2 Alternative Services – Under 5’s

The Overview and Scrutiny Committee questioned the Cabinet Member for Children and Young People on proposals to re-design the way in which Children’s Centres in Bury are currently operating to support under 5’s and their families. Following the implementation of the new model the Committee have monitored the situation and heard from the Cabinet Member and service users.

3.3 Anti Social Behaviour

The overview and Scrutiny Committee examined the work being undertaken to tackle anti-social behaviour (ASB) in the Borough following implementation of the Ant-social Behaviour, Crime and Policing Act, 2014.

The Committee considered the findings of an independent evaluation of the JET (Joint Engagement Team); a multi- agency team established to test integrated working principles and improve information sharing, problem solving and responses to victims and perpetrators of ASB.

During consideration of the issue, the Committee largely welcomed the progress made and were particularly keen for the Police to continue to develop local PACT

(Partners and Communities Together) meetings to engage local residents in work to tackle ASB. Members also commented on the value of township forums as a mechanism to brief wider councillors and the public on work to tackle ASB. The support of the Committee and additional suggestions were formally submitted to the Cabinet as part of the decision making process.

3.4 Decisions Called In 2015-16

Under the Council's Constitution, the Overview and Scrutiny Committee and Health Scrutiny Committee has the power to call in decisions made by the Cabinet, individual Cabinet Members and key decisions made by officers. In 2015-16 the Overview and Scrutiny Committee dealt with one request for a decision to be reconsidered before being implemented. Although the decision was noted with no further action being required, the process enabled public scrutiny of important matters.

| Date/Subject | Decision Maker | Reason for Call In | Outcome |
|---|----------------|--|--------------------------------|
| Prestwich High Street Regeneration Scheme | Cabinet | Negative impact on traffic flow No previous consultation with the Scrutiny Committee Similar scheme in neighbouring area resulted in detrimental effect on traffic Parking bays dangerously sited inside cycle lanes Dissatisfaction expressed by the public, cyclists and other stakeholder groups Failure to take account of the concerns expressed in the consultation | No comments offered to Cabinet |

3.5 Performance Monitoring

As part of its performance monitoring role, the Overview and Scrutiny Committee has received regular reports in relation to Corporate Performance; Financial Monitoring; Treasury Management; and all the 2016/17 draft Budgetary reports.

4.0 Local Health Scrutiny Committee

Throughout the year the committee has chosen to focus its scrutiny on four overarching areas of work:

1. Devolution Manchester and proposals for the reconfiguration of services.
2. Provision of non-emergency patient transport service
3. Delayed Discharge

4. Pennine Acute NHS Trust Maternity Services

4.1 Devolution Manchester and proposals for the reconfiguration of services

In considering these items members received information from representatives from the Pennine Acute NHS Trust, Bury Clinical Commissioning Group, Bury Local Authority and the Northwest Ambulance Service.

Members reviewed the proposals for Manchester Devolution, the Boroughs Locality Plan, and the Healthier Together reconfiguration proposals. As well as smaller changes to services in-Borough, including, changes to the Bardoc service; changes at Whitefield Ambulance service, the lifestyle change scheme, changes to Gluten free prescribing; changes to Healthier Radcliffe and alternative provider services.

Members expressed concern regarding the need to make 2 billion pounds of savings while at the same time devolving power to Greater Manchester. In light of these concerns, Members agreed to continue to review the Manchester Devolution proposals and in particular the role of health scrutiny and elected members going forward.

4.2 Provision of non-emergency patient transport service

Representatives from Arriva and Blackpool Clinical Commissioning Group (CCG) were invited to attend the meeting to discuss concerns raised by Members of the Health Scrutiny Committee.

In attendance Hadrian Collier Communications and Engagement Specialist, Blackpool Clinical Commissioning Group and Asiya Jelani, Arriva Transport Solutions addressed concerns in respect of the number of crew members required, the type of vehicle, the nature of the patients illness/disability, the requirement not to be on a vehicle for too long, eligibility criteria for those wishing to access the service.

The Blackpool CCG representative reported that the service was currently being re-tendered, the outcome of which will be reported shortly. Members resolved to invite once known, the new provider to present at a future meeting of the Health Scrutiny Committee.

4.3 Delayed Discharge

Members considered this item at two meeting of the Health Overview and Scrutiny Committee and in doing so received evidence from the Assistant Director for Operations (Adult Care) Bury Council, Joanne Moore, Divisional Director for Medicine Pennine Acute NHS Trust and Stuart North, Chief Operating Officer Bury CCG.

Members considered the types of delays; the proportion of patients delayed across all hospital sites, the number of Medically Fit For Discharge (MFFD) by site and the distribution of medical MFFD and Delayed Transfer of Care by local authority area and hospital site.

The Divisional Director reported that the reason for the delays are multi-factorial and community and Local Authority partner organisations are working with the Trust to develop and implement solutions. The Divisional Director reported that it is the Trust's aspiration to have single site discharge, a northeast sector discharge group meets regularly to discuss these issues and monitor progress.

4.4 Pennine Acute NHS Trust Maternity Services

Following an external review of Pennine Acute NHS Trust Maternity services brought about by several reported serious untoward incidents, Members agreed to review the findings from the external report. There were twelve recommendations made as a result of the review and the Trust has developed a comprehensive improvement plan to address the issues raised. Dr Anton Sinniah, Acting Medical Director, Pennine Acute NHS Trust attended the health overview and scrutiny meeting.

Dr Sinniah reported that in response to the concerns raised about clinical leadership the Trust must ensure that there is clarity in relation to individuals' roles and responsibilities and that information is disseminated.

Members agreed to receive an update in respect of the external review of maternity services at a future meeting of the committee.

As well as these strands of work, members of the health scrutiny committee requested reports and updates on a number of topics, evidence to assist the Committee was also provided by a number of Senior Officers from the Council, CCG, the Trust as well as from service users. Reports were received in respect of:

- Health and Wellbeing Strategy and Annual Report
- Adults Safeguarding Annual Report
- Director of Public Health Annual Report
- Activity and Finance Report I Will if You Will
- Proposed changes to the Deferred Payment Scheme
- Fuel Poverty Update
- In-house infection Control Service Update
- Oral Health Strategy
- Drug and Alcohol Service
- Quality Assurance Annual Report
- Adults Social Care Complaints Report

4.5 Working Groups (Health Scrutiny)

4.6 Physiotherapy Overview Project Group

Following concerns raised at meetings of the Health Overview and Scrutiny Committee, Radcliffe Township Forum and Bury's Health and Wellbeing Board, in respect of changes to physiotherapy services in Radcliffe; Members resolved to establish a working group to review physiotherapy provision in Radcliffe and across the Borough. The working group was chaired by Councillor Skillen and included Councillors Preston, Haroon, Kerrison and Harris.

Members agreed that the working group would consider the following issues:

- ❖ In respect of proposed changes to the provision in Radcliffe:
 - Lack of consultation with Patients/Patient Cabinet and the Local Authority

- A lack of information in respect of the transitional arrangements during the interim period
- Longer waiting times at Fairfield
- Demographic factors mean that the need for quick and easy access to physiotherapy is greater in Radcliffe
- Increased costs
- Problems with transitional arrangements

In respect of the Borough

- Inequity of access
- Waiting times
- Difficulty in accessing physiotherapy at Fairfield

Evidence to assist the Group has been provided from a number of Senior Officers and practitioners, through both written reports and interview sessions, including: Dr K Patel, Chair Bury CCG, Mr Galvin, Patient Advocate as well as Service Users.

- Members sought assurances that there would be consistency of provision/staffing at the new clinics
- Members expressed concern with regards to a perceived lack of planning in respect of the transitional arrangements
- Members expressed concern with regards to the problems with communications between the acute sector and the providers of community services in respect of physiotherapy provision
- Members wanted to be assured that the waiting times for access to physiotherapy services would not be greater than three to four weeks

Assurances were received from Bury CCG and the Overview Project Group agreed that the provision of the revised physiotherapy service would be reviewed by the Group in six months.

5.0 WORK OF THE JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEES (JHOSC)

The two Joint Health Overview and Scrutiny Committee were established jointly by Bury, Manchester, Oldham and Rochdale Councils to consider issues affecting the health of local people (the overview role) and to call the NHS to account on behalf of the local communities (the scrutiny role).

Each of these Councils has appointed three representatives to sit on each Committee.

5.1 Work undertaken by the JHOSC for Pennine Care during 2015/16

Suicide prevention; following concerns raised by Elected Members in respect of the increase in the number of reported suicides, members resolved that this topic would be a major focus for the Committee during the municipal year 2015/16.

To get a full understanding of the issues and challenges facing the Pennine Care Trust in respect of suicide prevention the Joint Committee interviewed the following representatives:

- John Battle – Deputy Police and Crime Commissioner.
- Laura Mercer – Head of Partnerships, Office of the Police and Crime Commissioner.
- Stan Boaler – Service Director North and South Division, Pennine Care
- Karen Maneely – Adult Service Line Manager, South Division, Pennine Care.
- Dan Smith – Area Consultant Paramedic – Northwest Ambulance Service.
- Ben Woffenden – Complaints Manager – Pennine Care.
- Wendy Meston – Chair of the Greater Manchester Suicide Prevention Group.
- Dr Henry Ticehurst – Medical Director - Pennine Care.
- Matt Walsh – Head of Patient Safety - Pennine Care.

Following evidence received in respect of the under-reporting of suicides, Members were invited to attend Stockport Coroner's Court to observe an inquest and interview Joanne Kearsley - Deputy Coroner.

The Joint Committee also scrutinised the Pennine Care NHS Foundation Trust's quarterly complaints reports to consider if there were any trends in respect of complaints reporting and suicide, as well as their proposed changes to secondary Mental Health services to identify any potential gaps in service provision.

The Joint Committee identified a number of themes in respect of suicide prevention, namely;

- There were difficulties in establishing how many individuals may have been service users of the Trust.
- The number of complaints to the Trust relating to services users who had committed suicide (as identified by the complainant) were low.
- A coordinated approach with Public Health services was needed to better understand population need and prevention.
- The importance of collecting data to monitor effectiveness of interventions, including 'live' data prior to coroner verdicts.
- The work with local media organisations to handle stories about suicide sensitively and to limit details that may be copied by others.
- Engagement of GPs in mental health issues was variable with some considering it a secondary health care issue.
- Expansion of the Sanctuary Programme in the East of Greater Manchester may help professionals to access a place of safety for clients which would allow access to interventions
- The threshold is too high for accessing mental health services

Details of the themes raised have been forwarded to the Pennine Care NHS Foundation Trust and relevant partner agencies.

Going forward, the Joint Committee will focus its attention on mental health waiting times and the prevalence of people with mental health problems in the criminal justice system and eating disorder services.

5.2 Work undertaken by the JHOSC for Pennine Acute during 2015/16

Following concerns raised by elected members, the JHOSC determined to undertake a full scrutiny review of Delayed Discharge across the Pennine Acute NHS Trust.

The focus of the review was:

- Number of bed days lost due to Delayed Transfers of Care (DTC)
- Number of bed days lost due to Medically Fit for Discharge (MFFD)
- the proportion of patients delayed across all hospital sites
- the number of MFFD by site
- the distribution of medical MFFD and DTC by local authority area.

Following initial information presented by the Trust, Members requested further information from the Trust in respect of:

- Number of Operations Cancelled as a result of MFFD and DTC
- Impact of Sickness Absence across the Trust
- Cost of Agency Staff
- Site based system for allocating social workers
- Role of the district nurse

Evidence to assist the Committee was provided by senior officers of the Trust, including the Chief Nurse and the Acting Medical Director, the Chief Operating Officer, Bury CCG the Local Authority and representatives from RCN.

Following consideration of this item, Members agreed to; receive further updates in respect of the number of bed days lost as a result of MFFD and DTC; write to the Home Office to express the JHSOC concerns in respect of visa changes that will impact on the number of overseas nurses; await outcome of the Care Quality Commission inspection before agreeing next steps.

❖ North East Manchester Diabetic Eye Screening Review

Members of the Joint Committee for Pennine Acute were the statutory consultee for the proposed reconfiguration of the North East Manchester Diabetic Eye Screening service.

Members of the Joint Committee interviewed the following representatives as part of the scrutiny review of the proposals:

- Dr Graham Wardman: Consultant in Screening and Immunisation
- Audrey Howarth: Screening and Immunisation Manager
- Jane Pilkington: Head of Public Health Commissioning, NHS England
- Mr T Hashmi: Clinical Lead Diabetic Eye Screening Programme
- Tanveer Kausser: Programme Manager – Diabetic Eye Screening Programme
- Amanda Stocks: Communications Hub Team Manager
- Hilda Yarker: Strategic Consultant for Patient and Public Engagement, NHS England

Members of the Joint Committee also received evidence from a number of concerned service users. Following concerns raised by members of the public, the Joint Committee agreed the following recommendations:

1. Members of the Joint Committee were agreed that patients, the public and staff were engaged throughout the development of the proposals.
2. An additional public event will be held in Rochdale during the four week engagement period.
3. The Joint Committee are satisfied with the proposals and agree to the start of a 4 week period of formal public engagement from Monday, 3 August to Sunday, 30 August 2015.
4. Following the conclusion of the engagement a reporting detailing the findings will be circulated to members of the Joint Health Overview and Scrutiny Committee.

A post engagement report was circulated to Members of the Joint Committee for their consideration. The Chair reported that he had meet with representatives from NHS England; Dr Graham Wardman, Ruth Molloy and Tanveer Kausser to discuss the proposals. A number of issues were raised as a result of the meeting; these issues have been incorporated into the post engagement report.

Following the engagement exercise the majority of consultation responses show that option B is the preferred option. Option B reconfiguration proposals include 12 screening sites across the three CCGs to include the existing 6 sites and six additional sites.

Members were satisfied that the concerns highlighted had been incorporated into the final decision and further information in respect of the development of the proposals will be provided at a future meeting of the Joint Committee.

Members of the Joint Committee requested reports and updates on the following issues:

- Pennine Acute NHS Trust Service Transformation
- External Review of Maternity Services
- Patient Led Assessment of the Care Environment
- Quality Account

Going forward the Joint Committee will focus its attention on the reconfiguration of services, the Trust's financial position and the findings from the CQC inspection.

6.0 CONCLUSION

The Scrutiny function is well established in Bury, with good examples of in depth reviews and partnership working. Through the Council's Member Development Group, future Scrutiny training is to be arranged, which will include a training session for all Members in June 2016.

List of Background Papers:-

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