

# REPORT FOR DECISION

<b>DECISION OF:</b>	<b>Council</b>
<b>DATE:</b>	<b>15 May 2019</b>
<b>SUBJECT:</b>	<b>Overview and Scrutiny Annual Report 2018/2019</b>
<b>REPORT FROM:</b>	<b>Councillor S Smith Chair – Health Overview and Scrutiny Committee</b>
<b>CONTACT OFFICER:</b>	<b>Leigh Webb – Democratic Services Manager</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	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.
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<p><b>Option 1 (Recommended)</b></p> <p>1. Note the contents of the report and progress made by the Council's Scrutiny Committees over the past year.</p> <p><b>Option 2 (Not recommended)</b></p> <p>1. Reject the above recommendation</p>
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	<p>Do the proposals accord with the Policy Framework?</p> <p>Yes</p>

<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	The scrutiny function of the Council takes place within existing budgetary provision.
<b>Statement by Executive Director of Resources:</b>	There are no wider resource implications arising from this report.
<b>Equality/Diversity implications:</b>	Yes Equality Analysis was undertaken as part of the review of the Councils Scrutiny function and structures in 2012
<b>Considered by Monitoring Officer:</b>	
<b>Wards Affected:</b>	All
<b>Scrutiny Interest:</b>	Overview and Scrutiny Committee Health Scrutiny Committee

## TRACKING/PROCESS

**EXECUTIVE DIRECTOR: LYNNE RIDSDALE**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
	02.05.19		
Scrutiny Committee	Committee	Council	
		15.05.19	

## 1.0 BACKGROUND

- 1.1 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.
- 1.2 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 on service areas and policy.
- 1.3 The primary focus for the Health Scrutiny Committee this year has been the transformation of the health and social care landscape and urgent care redesign.

- 1.4 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 Foundation Trust. Excellent working relationships have continued with Members and Officers in both the NHS and in the partner Local Authorities of, Stockport, Oldham, Rochdale and Tameside.

## **2.0 OVERVIEW AND SCRUTINY IN BURY**

- 2.1 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.

- 2.2 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**

- 2.5 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 2018/2019 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.

### **➤ Children's Safeguarding Sub Committee**

Members of the group supported by Strategic Leads within the Department have met on four occasions, interviewed 18 different Council Officers and visited the Multi Agency Safeguarding Hub, based at Bury Police Station.

The Chair also met with the Executive Director Children and Young People to discuss specific concerns in respect of social worker recruitment, agency spend, caseload and staff sickness. These concerns and further assurances were sought at a subsequent meeting of the sub-committee.

During this municipal year the Committee agreed that the focus for 2018/19 would be:

**Child Sexual Exploitation** – Receive briefing on the work of the team across Greater Manchester with focus on the awareness raising work undertaken and areas of concern within the Borough.

**OFSTED** – Overview of the inspection findings as well as plans in place to address the issues raised.

**Healthy young minds**– Update on the healthy young minds safeguarding processes, including the transformation plan and waiting times.

**Performance Monitoring and LGA Peer Review**– Continue to receive quarterly monitoring reports in relation to safeguarding children

**Troubled Families**– Examination of the support and early intervention provide by the team.

**Care Leavers**– Update on the work being undertaken to address those children reported as Missing from Home.

Members have continued to hold Children’s Services to account by providing continued, effective and constructive scrutiny of safeguarding within the Council.

Looking forward, it is hoped that the work to date can be built upon during the forthcoming Municipal Year.

### **Decisions Called In 2018/19**

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 2018-19 there were no decisions “called in”.

### **Further Work of the Committee**

The Overview and Scrutiny Committee requested updates from the relevant Cabinet Members in respect of the following Council services:

- Highway Maintenance
- Environmental Quality & Fly Tipping
- Waste Management
- Greater Manchester Devolution
- Combined Authority
- Parks and Countryside
- Forestry Commission/City of Trees
- Air Quality
- Income re: Council owned Car Parks/parking spaces
- School Finances/SEN Costs
- Education performance
- Radcliffe Hall Primary School – Performance update
- Permanent Exclusions from Schools
- Lifelong Learning – changing education environment

- Recruitment to senior Council positions
- Use of consultants/advisors
- Council Assets Review/s106 information

The Committee also received information with regards to:-

- Children's Social Care Annual Complaints
- Adult's Social Care Annual Complaints
- Local Government and Social Care Ombudsman Complaints
- Work of the Safeguarding Overview Project

## **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 2018/19 draft Budgetary reports.

## **4.0 Local Health Scrutiny Committee**

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

1. Proposed Changes to In-vetro fertilisation
2. Transformation
3. Autism Spectrum Disorder
4. Persona Care

### **➤ Proposed Changes to In-vetro fertilisation**

Representatives from Bury's Clinical Commissioning Group attended the committee and informed members of the proposed changes to the provision of IVF across the Borough.

Members considered the proposed changes, this followed an informal briefing undertaken by representatives from Bury CCG with the Committee Chair prior to the commencement of the consultation.

Members were mindful of their duties as prescribed in the Health and Social Care Act and were satisfied that the Chair had been engaged early in the process and by undertaking this engagement, the Chair was able to influence the consultation process. Members discussed the consultation documentation and were satisfied that sufficient information had been provided as to the reasons for the proposed change and adequate time had been allowed for the public consultation.

The committee discussed the rationale for the proposed changes in particular the wider financial pressures facing the CCG and the inability of the CCG to continue to address the financial gap through the use of non-recurrent monies.

Members received assurances that responses to the public consultation would be taken into account by the CCG Governing Body.

Member discussed the number of cycles offered across the other Greater Manchester areas; neighbouring authorities in Heywood, Middleton and Rochdale; Oldham and Tameside and Glossop currently all provide 3 cycles. Only four of the 195 CCG's currently offer three cycles of treatment, all four areas are in Greater Manchester.

A response was provided on behalf of the Committee to the public consultation stating that:

- Members of the committee agreed unanimously that a reduction in the number of IVF cycles, would still allow safe, sustainable and accessible services for the local population.
- In light of the financial pressures, members resolved not to specify a preference with regards to the number of IVF cycles stating only, that a service must still be provided (not option 4)

### ➤ **Transformation**

The Transformation agenda incorporating the development of the Local Care Organisation and the One Commissioning Organisation continued to be a primary focus for members during this municipal year.

The Chair recognised the need for members to be fully briefed in respect of this particular area of work. Members had expressed concern that despite previous discussions, there had been a lack of progress in respect of the development of the LCO and OCO and the scale and pace of change had not been as quick as members had anticipated.

Members therefore agreed at the commencement of this municipal year to interview a range of stakeholders including; The CCG Chief Operating Officer, The CCG Chair, The Independent Chair of the LCO, representative from Pennine Acute/Bury And Rochdale Care Organisation and the GP Federation and the Chief Officer, LCO.

A "Transformation item" was considered at every meeting of the scrutiny committee, items included:

- Locality Plan update
- North east acute sector transformation
- Urgent Care Transformation
- Locality Care Organisation – Mutually Binding Agreement
- Transforming Health and Social Care in Bury

Members accepted the rationale that the way healthcare services are delivered will need to change to address the CCG's £75 million shortfall in funding and

sought assurances that any changes will be effectively communicated to staff, stakeholders and members of the public.

Going forward, the development of a single commissioning function will be an area of scrutiny for members of the committee in the next municipal year.

### ➤ **Autism Spectrum Disorder**

Following concerns raised by elected members in respect of waiting times to access these services; commissioner and provider representatives from Bury Clinical Commissioning Group, Pennine Acute, and Pennine Care, attended the meeting to provide members with an overview of the services provided to diagnose and assess people with Autism Spectrum Disorder.

The number of children and young people requiring review at the Multi-Disciplinary Team case review meeting has increased year on year from 75, 2012/13 to 144 in 2017/18. The average wait from referral to first assessment is 8-9 weeks. The referral to diagnosis outcome waits for some children and young people could be up to 18 months.

The Programme Manager, Bury CCG acknowledged that an 18 month wait is too long, a number of changes have been implemented to ease the pressure on the system:

- New service description set up within the electronic referral service to ensure accurate streamlining of referrals and children booked into the correct clinics from the outset
- Improved triage of referrals
- Improved information provided prior to referral
- Environmental changes and improved patient information at PAHT resulting from CYP and family engagement

Members sought assurances that the changes proposed would reduce waiting times and that the increase in the number of multi-disciplinary meetings would reduce the backlog.

### **Persona Update**

Kat Sowden, Managing Director Persona Care and Support and Stewart McCombe, Chair, Persona Care and Support attended the meeting to provide members with an update on Persona Care.

Members focused their discussions on the challenges in maintaining a Good CQC rating across all services, in particular the requires improvement rating at Spurr House.

Members also expressed concerns with regards to the high levels of reported sickness across the organisation.

Members also requested that Persona provide the committee (at a future meeting) details of complaints across the organisation. Member discussed the lack of Councillor Representation on the Persona Board. The Managing Director reported that there was a good relationship with the Council and governance is strong within the organisation.



### **Other issues considered by the Committee:**

- Bury And Rochdale Care Organisation Improvement Journey
- Changes as a result of the Care Act
- Transfer of Pennine Care Community Services
- GP extended working hours and access to primary care update
- Neuro-Rehabilitation Service
- Substance Misuse Service
- Adult Complaints Report

## **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.

The Pennine Acute Joint Committee considered the North East sector Acute Strategy as well as the Pennine Acute Improvement Plan. Jon Rouse attended the meeting to provide an overview of the Pennine Acute Transaction Programme. Due to ongoing recruitment problems across the footprint members received regular staffing updates, including; recruitment and retention rates, sickness rates and the use of agency staff.

In respect of the Pennine Care Joint Committee; the Committee choose to focus their scrutiny on the CQC Action Plan, the Trust Financial Position, mixed sex accommodation, the Staff and Workforce Strategy. As well as consideration of the decision by the Trust to divest themselves of Community Services.

## **6.0 CONCLUSION**

The Scrutiny function is well established in Bury, with good examples of in depth reviews and partnership working.

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### **List of Background Papers:-**

#### **Contact Details:-**

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