

SCRUTINY ANNUAL REPORT

2021-2022



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Bury Council's Scrutiny Committees have continued with the role of scrutinising and reviewing the work of the Executive and services of the Local Authority. The work of these bodies has ranged from pre-scrutiny of new policy initiatives prior to consideration by the Executive, monitoring and holding departments to account on aspects of service provision including Ofsted findings and a Corporate Peer Review and gathering information from Departments about their work and resources.

During the past 12 months the three Committees have undertaken thematic and in-depth reviews that have provided positive, and effective Scrutiny in terms of policy development, service reviews and service development. For example, the Overview and Scrutiny Committee have reviewed the findings from the LGA Corporate Peer Review and will continue to see progress on future reports from the Executive. They have also provided effective Scrutiny of the Cabinet Member for Environments during the challenges of the Refuse Collection Round reviews; this again demonstrates the Committee holding to account the Cabinet Member in real time on an issue which was important to the Public. The Children and Young People Scrutiny Committee has reviewed the Ofsted Report and set an update on the Improvement Plan as a standing item at the Committee. The Health Scrutiny Committee has been well briefed on the response during and after the Pandemic along with Elective Care and GP Access. The Committee has also established a sub-group to look at planning and licencing impacts on health in the Borough.

During the year, steps have been taken to encourage greater collaborative working across the three Scrutiny Committees and a dedicated meeting for the three Scrutiny Chairs has been established and embedded. An example of the good practice this has established is that the Health Scrutiny Chair and Children and Young People Scrutiny Chair both attended Overview and Scrutiny (Budget) Committee with the Chair opening to questions from both Chairs to input on the Scrutiny of the Budget.

We would like to thank the Elected Members, Education representatives and Co-opted Members of all the Scrutiny Panels and Commissions and the Sub-Groups, and also the Directors, Officers and Internal and External Partners involved, for their hard work over the past 12 months, and look forward to the challenges ahead.



Councillor Bernstein,
Chair for Overview
and Scrutiny
Committee



Councillor Wright,
Chair for Children
and Young People
Scrutiny Committee



Councillor Holt,
Chair for Health
Scrutiny Committee



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.

Throughout the year the Overview and Scrutiny Committee has tackled a wide and varied work programme cutting across all Council Departments. The Committee has engaged with Cabinet Members and other external partners prior to decisions being taken and held them to account on service areas and policy development.

All the Scrutiny Committee's this year have been thematic covering areas in depth and allowing a full meeting to be dedicated to one themed topic which has streamlined focus and improved impact.

For the municipal year of 2021-22 the Council has taken the lead role in administering the Joint Health Scrutiny Committee established in January 2004,

which review the work of the Pennine Acute Hospitals NHS Trust. Throughout the year of 2021-22 the focus of Members and Officers in both the NHS and in Partner Local Authorities has been on the pandemic. The year 2021-22 marked the completion of the formal Transaction of the Pennine Acute Trust.

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: -

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.

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.

OVERVIEW AND SCRUTINY COMMITTEE

This Committee is 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.

As well as:

- Budget and policy framework matters
- Statutory flood risk management scrutiny powers
- Statutory community safety and policing scrutiny powers
- Services within the business and regeneration directorate
- Services within the corporate core/Corporate performance

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 review the policies and performance of the Council and external organisations in relation to the following areas:

- Adult social care (including adult safeguarding)
- Health and wellbeing board
- Housing
- Public health
- Adults and Communities budget and policy framework
- Statutory health scrutiny powers including the review and scrutiny of any matter relating to the planning provision and operation of health services for children and young people, including transitional health care services, affecting the area and to make reports and recommendations on these matters

A dedicated Children and Young People Scrutiny Committee was set up to scrutinise children and young people issues relevant to the residents of the Borough. Full terms of reference are:

To review the policies and performance of the Council and external organisations in relation to the following areas:

- Education and Schools
- Children and Young People Support and Safeguarding Services
- Children and Young People Specialist Services
- To scrutinise individual Cabinet decisions relating to the above areas.
- To monitor the Council's performance in the above areas.

To scrutinise statutory inspection reports and oversee the implementation of any recommendations arising from such reports:

- Transitional arrangements between children and adult services
- Statutory education scrutiny powers

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.

During the municipal year two project groups have been established. Health Scrutiny has established a Planning and Licencing Sub-Group. This group has been established to look at opportunities to improve the planning and licensing of take-out food venues and premises that sell alcohol and the decisions that take place once applications are submitted. The Subgroup is inclusive of the Chairs of Health Scrutiny; Planning Committee and the Licensing Committee along with an opposition member from the Health Scrutiny Committee.

The Overview and Scrutiny Committee has established a sub-group to focus on the Performance and Finance of the Council. The group is responsible for doing in-depth scrutiny of the Corporate Performance and Finance reports for the Council. The group was developed as the Overview and Scrutiny Committee felt they did not have sufficient time within the usual cohort of meetings to provide rigorous scrutiny of these topics.

The Health Scrutiny Committee established a sub-group to focus on planning and licensing in the Borough and to investigate opportunities for policy development which considers the microecological impacts on wider health issues.

KEY OUTCOMES

During 2021/2022 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.

♦ **Performance and Finance Sub Committee**

This was established by the Overview and Scrutiny Committee. Members of the group supported by Strategic Leads within the Department have met on three occasions and interviewed the two Cabinet Members responsible for Corporate Performance and the Finances of the Council respectively and discussed themes under these two themes with five different Officers.

During this municipal year the Committee agreed that the focus for 2021/22 would be:

Corporate Performance – The Committee receive quarterly data updates from the Performance team and choose areas to do a deep-dive of the data.

Bad Debt Provision – The Committee has shown great interest in the Council's understanding of 'Bad Debt'. As a result of the topic a documented bad debt provision paper has been produced outlining all the bad debt of the Council and what is recoverable.

The Council's Financial Position – The Committee has received reports on the Council's Financial Position including having briefings on COVID grants and criteria of these.

Project Safety Valve– Scrutiny of Project Safety Valve has taken place at the Committee and the Chair of the group opened up attendance to the Chair of the Children and Young People Committee as it was felt he could provide valuable input to the Scrutiny of the project. This example of collaborative working between the Scrutiny Committees has been continued throughout the year.

Performance Monitoring - Update on the work being undertaken as part of the development of Corporate Performance monitoring.

Members have continued to hold the Corporate Core and other Council Services to account by providing continued, effective, and constructive scrutiny of performance and finance within the Council.

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

♦ **The Planning and Licencing Sub-Group**

The was established by the Health Scrutiny Committee. Members of the group supported by Strategic Leads within the Department have meet on two occasions as a newly established group and have invited the Chair of Planning and the Chair of Licensing to the Committee for their valuable input. The group has received updates and engaged in discussion with officers within Planning, Licensing and Health directorates

During this municipal year the Committee agreed that the focus for 2021/22 would be:

Planning– The Committee received updates on the Planning process including the opportunities for positive planning and how planning policies have positively reduced obesity levels.

Licensing– The Committee has shown great interest and received updates on the Licensing process including requesting for the creation of a blended Bury Data system.

Decisions Called In 2021/22

Under the Council's Constitution, the Overview and Scrutiny Committee, Children and Young People's 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 2021-22 the Overview and Scrutiny Committee called in the Accelerated Lands Disposals which was well received by the public and Cabinet.

SCRUTINY CHAIR BRIEFINGS

During the municipal year 2021/22 a new networking group of the three Scrutiny Chairs was established. This group brought the Children and Young People Scrutiny Chair, the Senior Scrutiny Officer (once in post from October 2021) and the Monitoring Officer. These meetings took place quarterly and covered the following topics: Scrutiny Training, the Annual Report, Budget Briefings, Member questions and meeting deadlines. A final meeting with the Chair's and the Leader of the Council concluded the municipal year and a review of the past year took place. The Chair's took this time to reflect on their relationships with the Cabinet and each portfolio holder who contributed to the Committee.

The group is an opportunity for the Chairs of each Committee to share in successes and problems whilst promoting good practice and support to one another.

SCRUTINY TRAINING

The Scrutiny Committee attended two types of Scrutiny Training over the municipal year. Scrutiny Members were invited to take part in Scrutiny Specific training – “Supporting Scrutiny Member Development” - which was provide by the Centre for Governance and Scrutiny on the 10 November 2021 and 1 December 2021.

Bury Council then approached the LGA to support members of the Council’s Health Scrutiny Committee to identify and develop ways in which the impact of health scrutiny can be enhanced.

The training was delivered over two sessions. The first session was provided to all members of the three Scrutiny Committees: Overview and Scrutiny Committee, Children and Young People Scrutiny Committee and the Health Scrutiny Committee. The second session was exclusive to Health Scrutiny and the Chairs of the other two Committees.

The first session was able to explore common challenges, issues as well as shared opportunities. The second session looked at the evolving role of health scrutiny, the relationships with local partners and the opportunities that the Health Scrutiny Committee could consider in supporting impactful scrutiny of health and care.

This second session included both a ‘rapid review’ of the activity to date of the health scrutiny committee and critical challenge of the role that health scrutiny takes and could take in the wider place-based governance of health and care.

FURTHER WORK OF THE COMMITTEE

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

- Environmental Quality & Climate Change
- Air Quality
- Regeneration
- Housing, Homelessness and Rough Sleeper Initiatives
- Corporate Peer Review Challenge
- The 'Lets Do it' Strategy
- Crime and Disorder
- Financial Services and the Budgetary Reports
- Bury Council Corporate Plan and Performance Framework

In addition to the above, the Overview and Scrutiny Committee invited Chief Superintendent Chris Hill attended to inform the Committee on Crime and Disorder within the Borough including plans for tackling continued issues within local areas. In relation to regeneration, Sir Howard Bernstein attended to provide assurances and transparency on Radcliffe regeneration programme. This highlights how Overview and Scrutiny has been proactive in its engagement with relevant partners and stakeholders within the Scrutiny process. There has also been pre-scrutiny on Places for Everyone with a recommendation that went to Cabinet following the discussion.

The Committee also received information with regards to:-

- Work of the Performance and Finance Sub-Group
- The Anti-Poverty Strategy
- The response and recovery following the Pandemic

PERFORMANCE MONITORING

As part of its performance monitoring role, the Overview and Scrutiny Committee and Performance and Finance Sub-Group has received regular reports in relation to

Corporate Performance; Financial Monitoring; Treasury Management; and all the 2021/22 draft Budgetary reports.

WORK OF THE JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

The Joint Health Overview and Scrutiny Committee was 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 Pennine Acute Transactions, Elective Care Recovery Programme. In addition, the Committee received an update on COVID. In consideration of the Pennine Acute Transaction item, it was concluded that services had been disaggregated as planned and Manchester University NHS Foundation Trust (MFT) had acquired North Manchester General Hospital by commercial transfer. Phase 2 of the transaction which was the legal aspect was completed on 1 October 2021 and the transfer of Oldham, Rochdale and Bury Care Organisations to Salford Royal NHS Foundation Trust (known as the Northern Care Alliance) was concluded. As Pennine Acute NHS Trust was dissolved it was resolved that the Committee concluded.

CONCLUSION

The Scrutiny function is well established in Bury, with good examples of in-depth reviews and partnership working. The Scrutiny Committees will continue to work thematically with 'spotlights' on areas of particular interest to develop and provide effective Scrutiny.

Appendix 1



O&S Work Plan
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Agenda Plan
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Health Scrutiny
Work Programme 21