

# WIRRAL COUNCIL

## COUNCIL MEETING

14 JULY 2014

<b>SUBJECT:</b>	<b>Scrutiny Annual Report 2013/14</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>Joe Blott, Strategic Director – Transformation and Resources</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>Cllr Ann McLachlan (Governance &amp; Improvement)</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

1.1 This report provides a summary of the work undertaken by the Council's Overview and Scrutiny function for the municipal year 2013/14. This was an important year with new arrangements introduced for Scrutiny as part of the Council's on-going Improvement Programme. This report provides an overview of the progress made and highlights the key pieces of work delivered.

### 2.0 BACKGROUND AND CONTEXT

2.1 Overview and Scrutiny is a legal requirement for local authorities under the Local Government Act 2000 and a key component for establishing good governance. Effective scrutiny also provides significant opportunities to improve the Council's decision-making, service provision and cost effectiveness.

2.2 Wirral Council commits to the principles of good corporate governance through the development, adoption and implementation of its Code of Corporate Governance. Scrutiny has a key role to play in meeting a number of supporting principles which promote good governance. These include:

- *'Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny'*,
- *'Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive and accountability relationships.'*

### 3.0 THE NEW ARRANGEMENTS ADOPTED

3.1 As part of its on-going improvement journey, Wirral Council enhanced its Overview and Scrutiny function during spring 2013 as part of a series of constitutional changes in support of better governance and decision-making. A new model of Overview and Scrutiny was launched with the creation of four Policy and Performance Committees. Three of these are aligned to the Council's Strategic Directorates, with a fourth Committee having a coordination role and dealing with all decisions that are called in.

3.2 The new arrangements were developed following engagement with Elected Members who put forward the following improvement suggestions:

- Being a Member-led process and not officer-led
- Provide opportunities for focussed in depth reviews
- Clear and consistent approach to work programmes and scrutiny reviews
- Work programmes to be determined by Committee Members
- Committees to be less political and to facilitate scrutiny reviews which breakdown party lines
- Opportunities to review and scrutinise policy prior to decision making – emphasising the importance of pre-decision scrutiny to ensure the system is pro-active and not re-active.
- Members not being overloaded and effective use of their time
- Utilising the skills and abilities of Members to the highest level
- Focussed agendas with fewer items
- Effective support from Council officers

#### **4.0 OVERVIEW OF PROGRESS 2013/14**

4.1 There have been a number of positive outcomes arising from the new arrangements and the collaborative approach adopted by the Committees. All Committee Chairs arranged agenda setting meetings with party spokespersons which provided an opportunity for all groups to influence the shape of agendas and the work programme. There has also been wider participation in Scrutiny Review Panels by Elected Members of all political groups which demonstrates the increased interest and confidence in the role and value of scrutiny.

4.2 In order to demonstrate the progress of the committees, we have looked at the Centre for Public Scrutiny which highlights a number of roles that are undertaken by an effective Overview and Scrutiny Function. These are set out below:

4.3 **Holding the Executive to account** – Scrutiny provides a framework of accountability to keep check on executive behaviour and prevent the abuse of power.

*Three Executive decisions were called-in during 2013/14. Special meetings of the Coordinating Committee were held to allow detailed consideration of the issues involved and whether the decisions were appropriate.*

4.4 **Holding Partners to account** – Scrutiny reviews the work of public, private and voluntary sector partners and their impact on the community.

*Significant progress was made to enhance health scrutiny arrangements during the year following the Review into the findings of the Francis Report. A new Health and Care Performance Panel has been established to review the work of health partners and their Quality Accounts.*

4.5 **Horizon-scanning** – Looking ahead to future policy changes in order to help the Council adapt to them.

*Committees receive a regular policy briefing as a standing item at each meeting. These have been well-received by Members and have informed the work programme during the year. A review into the Council's preparations for Individual Electoral Registration (IER) was carried out in advance of this being rolled out across the country during summer 2014.*

- 4.6 Policy Development and Review** – Scrutiny contributes to the development of key policies, as well as examining how well a policy has been implemented and outcomes achieved.

*A Review Panel has been established to support the development of a new Borough wide car parking strategy. This responds to the findings of a review of the Council's existing car parking charging policy.*

- 4.7 Pre-decision scrutiny** – Examines the Council's proposals, objectives, and draft programmes in order to inform their development before they are delivered.

*In September 2013, following referral by the Leader of the Council, the Coordinating Committee examined proposals for Wirral to enter into a Combined Authority arrangement in the Liverpool City Region in advance of Cabinet taking this decision.*

- 4.8 Post-decision scrutiny** – Examines the implementation of Council policy and enables the Council to review the effects of its decision-making.

*A decision by Cabinet to continue to operate leisure facilities and services 'in-house' was reviewed by the Families and Wellbeing Committee. The Committee received a presentation by the Strategic Director followed by a debate of the key issues, challenges and opportunities relating to the decision.*

- 4.9 In-depth review** – Small groups of Councillors undertaking detailed investigations into specific topics.

*There was a significant increase in the number of Task & Finish Reviews carried out in 2013/14 as compared with previous years. A summary of these is set out in section 5 below*

- 4.10 Performance Management and Improvement** – reviewing achievement against Corporate Plan goals and targets.

*Each Committee has reviewed Council performance as a standing item at each meeting. Where performance is highlighted as falling short, exception reports are provided with responsible officers being invited to meetings to answer questions.*

## **5.0 SCRUTINY REVIEWS UNDERTAKEN IN 2013/14**

- 5.1** Overall there were twelve scrutiny reviews during the 2013/14 municipal year. Seven of these were completed in-year, three of these are still in progress and two were initiated but not progressed beyond the initial scoping stage. A summary against each of these is set out below.

## **Reviews Completed**

### **5.2 Individual Electoral Registration**

A review was completed into the Council's preparations for the introduction of Individual Electoral Registration (IER) during 2014. IER changes the process for registering to vote, transferring responsibility from the head of the household to the individual. The review provided assurances to Members that this should be a smooth transition for Wirral demonstrated by the results of a test run of the data transfer process in which Wirral performed higher than the national average. Analysis was also provided which illustrated those parts of the borough with higher levels of non-registration and Members of the Panel were keen to see how a more targeted canvas process can be designed to address this.

### **5.3 Francis Report**

This review provided Wirral's response to the publication of the Francis Report following the public inquiry into failings at Mid Staffordshire NHS Foundation Trust. The Leader requested that a local review take place to ensure this could not be replicated in Wirral. The seventeen recommendations arising from the review were all supported by Cabinet and are now in the process of being implemented. The majority of recommendations seek to improve arrangements for Health Scrutiny and improved links and dialogue between all organizations that have a role in the health care system including commissioners, providers, regulators, watchdogs and scrutiny.

### **5.4 Quality Assurance and Standards in Care Homes**

This review assessed the processes in place for monitoring the quality of care homes in Wirral and the mechanisms for improving the quality of care homes where necessary. The evidence presented to Elected Members suggests the standard in some care homes is not of sufficient standard, demonstrating scrutiny's role as a 'critical friend'. As a result, the Panel proposed a series of 18 recommendations aimed at raising standards. Committee requested an update report regarding the impact of the recommendations in April 2015.

### **5.5 Outcomes for Looked After Children**

The Panel reviewed the outcomes for the Borough's Looked After Children focusing, in particular, on the impact of foster carers, the social care process, post-16 support, education, employment opportunities and housing. Central to the process for the Review were a series of meetings with young people currently in care, care leavers and foster carers. Placing the emphasis on the evidence of key service users provided a very helpful focus for the review and subsequent report. The outcome of raising aspiration was highlighted as central to the on-going development of provision for this client group.

### **5.6 Co-optees and Partners**

This was a short review to consider the future role of co-opted members within the Families and Wellbeing Committee. The Panel concluded that co-opted members of the Committee should be confined to the four statutory education co-optees. The

Panel also recommended the creation of an Attainment Sub-Committee providing oversight and challenge to the activities of Wirral Council and its partners in relation to educational attainment, narrowing the gap of attainment for vulnerable groups and ensuring a prioritised response to schools undergoing Ofsted inspections.

#### 5.7 Freedom of Information (FOI)

This review was initiated by the Transformation and Resources Committee following a period of enforced monitoring by the Information Commissioner in respect of Wirral meeting the 20 working day requirement for responding to FOI requests. The review focused on ensuring that the Council is addressing any barriers in complying with Freedom of Information requirements. The review acknowledged the Council's overall improved performance but made recommendations in respect of improving the availability of information to the public, developing a more robust and consistent process for managing requests and better monitoring of performance.

#### 5.8 Impact of Budget Options 2013/14 and proposed options for 2014/15

The Regeneration and Environment Committee established a Panel to examine the impact and deliverability of budget options from 2013/14 and make recommendations to inform the debate around 2014/15 options. A series of meetings were convened with the relevant senior officers to review the impact on reduced service delivery, the success of savings performance and the deliverability of future options proposals as part of the consultation on 2014/15 budget options. The recommendations from this review were considered along with consultation feedback at Cabinet in December 2013. The panel found the process offered an opportunity to understand the evidence behind the budget options and the effects of implementation.

#### **Reviews in progress**

5.9 Three Task & Finish Reviews were initiated during 2013/14 and are expected to be completed as part of the work programme for the 2014-15 municipal year, these are:

#### 5.10 Car Park Strategy

A recommendation arising from the Budget Options Review completed by the Regeneration and Environment Committee proposed a review of the Council's Car Parking Strategy. A Review Panel of seven Members has conducted a series of meetings with Senior Officers and is planning to report back to the Committee in September.

#### 5.11 Apprenticeships

A Review Panel of four Regeneration and Environment Committee Members has been established to explore this topic. The panel have met with senior officers, key stakeholders and external organisations including Wirral Met College, National Apprenticeship Service and Connexions. The panel has completed the evidence gathering stage and plans to report to Committee in September.

## 5.12 Safeguarding Children

This review aims to ensure that effective safeguarding practices are in place both within the Council and across the Children's Partnership. The review has been scoped and evidence gathering will commence in the new municipal year.

### **Scrutiny Reviews initiated but not progressed**

5.13 Two Reviews included as part of the 2013-14 work programme were initiated but did not progress to completion. These are summarised below:

## 5.14 Shared Services

A scoping meeting on the Shared Services scrutiny review was convened on 6 February 2014 to inform the direction of the review. Cabinet on 13 March 2014 subsequently agreed to suspend the process of developing shared professional and transactional services with Cheshire West & Chester and Cheshire East, thus negating the need for this review.

## 5.15 Impact of budget options 2013/14 and options for 2014/15

A Review Panel of the Coordinating Committee was established to explore this topic and two meetings were held in Autumn 2013. The Panel had concerns that the subject had not been fully discussed at Committee and there was some uncertainty about what outcomes the review was intended to achieve. The Panel also noted the budget options had been driven by the Council's three strategic directorates and as such had been reviewed by the other three policy and Performance Committees in November. The Panel agreed to refer this topic back to the wider committee recommending that it should not be progressed.

## **6.0 SCRUTINY IN 2014/15**

- 6.1 As we commence a new municipal year, scrutiny has an important role to play in shaping how the Council will operate in these challenging times. At the forefront of this is the Future Council Programme through which all Services are being reviewed to determine the best shape for the organisation to deliver its priorities and key outcomes for residents. In line with the request from the Leader, a process is being developed which engages Policy and Performance Committees to ensure the Future Council Programme is subject to robust challenge and scrutiny.
- 6.2 Wirral is taking a key leadership role in the City Region with the Leader of the Council taking on the role of Chair of the Liverpool City Region Combined Authority. Scrutiny will play an important role ensuring there is public accountability of this new body and that decisions taken are in the best interests of the City Region.
- 6.3 New developments in Health Scrutiny will see improved monitoring of health and social care performance. This will be conducted by a new Health and Care Performance Panel which has been set up as part of Wirral's response to the Francis Report. The Council will also work collaboratively with other authorities in Cheshire and Merseyside as part of new Joint Health Scrutiny arrangements in line with The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. It is anticipated the first Joint Health Scrutiny Committee will be

set up to review the proposed changes to Clatterbridge Cancer Centre NHS Foundation Trust.

6.4 During the 2013-14 municipal year, Elected Members expressed some concern about the lack of sufficient monitoring of previous scrutiny recommendations. A mechanism has been developed to address this going forward and recommendations will now be allocated a clear review date and this will be scheduled into regular committee meetings. The monitoring of recommendations will be programmed across the annual committee meeting cycle.

6.5 In order to support Members in the scrutiny process, a new Scrutiny Toolkit has been developed for the new municipal year. This will be accessible through the Councillor Net section of the Intranet and will be supported by a new Scrutiny Homepage which will go live during July.

## **7.0 RELEVANT RISKS**

7.1 N/A

## **8.0 OTHER OPTIONS CONSIDERED**

8.1 N/A

## **9.0 CONSULTATION**

9.1 N/A

## **10.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

10.1 N/A

## **11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

11.1 N/A

## **12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

12.1 N/A

## **13.0 LEGAL IMPLICATIONS**

13.1 N/A

## **14.0 EQUALITIES IMPLICATIONS**

14.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?  
No, the report is for information to Members and there are no direct equalities implications.

## **15.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

15.1 N/A

## **16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

16.1 N/A

## **17.0 RECOMMENDATION/S**

17.1 Members are requested to note the contents of this report.

## **18.0 REASON/S FOR RECOMMENDATION/S**

18.1 To provide Members with a summary of the work undertaken by the Council's Overview and Scrutiny function during the municipal year 2013/14.

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## **APPENDICES**

N/A

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Council – Reports from Policy and Performance Committee Chairs</b>	<b>10/03/14</b>
<b>Council – Reports from Policy and Performance Committee Chairs</b>	<b>16/12/13</b>
<b>Council – Reports from Policy and Performance Committee Chairs</b>	<b>14/10/13</b>