

Adult Care and Health Overview & Scrutiny Committee

Members' Briefing Pack

June 2017

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1. The Purpose of Scrutiny

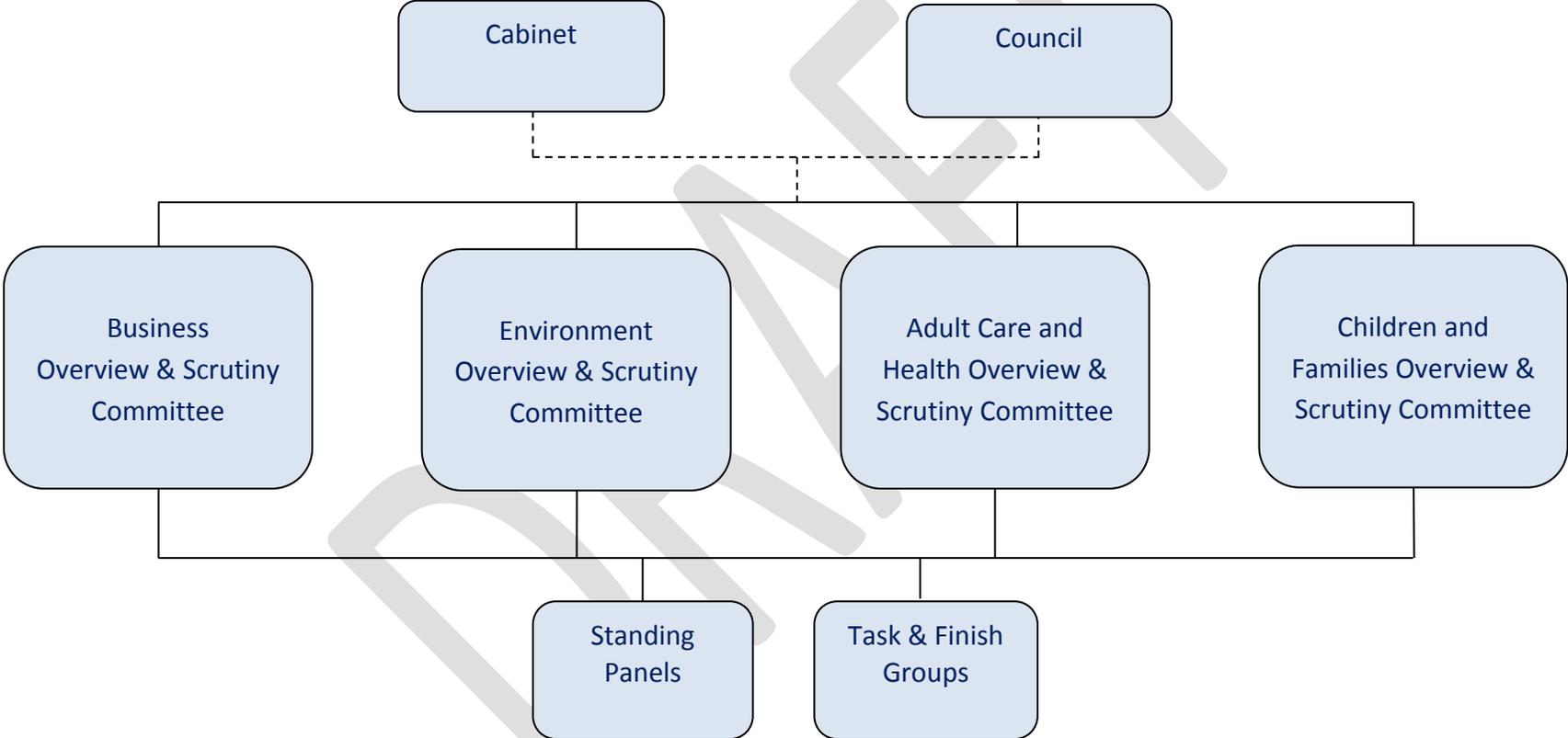
Overview & Scrutiny was introduced by the Local Government Act 2000. It places a statutory requirement on Councils that operate Executive arrangements to have an Overview and Scrutiny function in place. This is discharged through the creation of dedicated committees composed of Councillors who are not members of the Cabinet. Wirral Council's Overview & Scrutiny function is delivered through four Overview & Scrutiny Committees.

Overview and Scrutiny is a vital component of good governance. It provides a mechanism to engage non-executive Members in reviewing the effectiveness of Council policy and service delivery as well as that of local partners and other providers. It has the potential to drive improvement and significantly enhance the quality of Council decision-making, service provision and cost-effectiveness.

Overview and Scrutiny fulfils a number of roles including:

- **Holding the Executive to account** – a primary role is to provide a framework of accountability to modify executive behaviour and prevent the abuse of power. This includes the power to call-in Executive decisions (see page 7).
- **Holding Partners to account** – scrutiny provides an opportunity to investigate the work of public, private and voluntary sector partners and their impact on the community.
- **Horizon-scanning** – looks ahead to future changes in local government in order to help the Council prepare. This will usually mean considering future activity by central government which will have repercussions at a local level.
- **Policy Development and Review** – scrutiny contributes to the development of key policies to be included in the Council's policy framework, as well as examining how well a policy has been delivered and if outcomes have been achieved.
- **Pre-decision scrutiny** – examines the council's proposals and draft programmes to inform their development before they are implemented. This helps improve the quality of proposals and avoids mistakes being made.
- **Post-decision scrutiny** – examines the implementation of council policy and performance and enables the council to review the effects of its decision-making.
- **Performance management and improvement** – involves reviewing achievement against Wirral Plan objectives and targets. This can be a powerful force for improvement by highlighting areas of poor performance and ways to address them.

The Overview & Scrutiny Committee structure at Wirral Council is set out in the diagram below:



2. The Scope of the Adult Care and Health Overview and Scrutiny Committee

The scope and remit of the Adult Care and Health Overview and Scrutiny Committee is set out in the table below:

<p>Wirral Plan Pledges</p>	<ul style="list-style-type: none"> • Older People Live well • People with disabilities live independently
<p>Scope of the Committee</p>	<p>To review and / or scrutinise any strategies and plans, and the delivery of these plans, including:</p> <ul style="list-style-type: none"> • Ageing well Strategy • All Age Disability Strategy • Safeguarding Strategy • Health and Wellbeing Strategy <p>To review and / or scrutinise the commissioning, management and performance of services for:</p> <ul style="list-style-type: none"> • Older People • Health and Social Care • Mental Health (all age) • Learning Disabilities (all age) • Adult Safeguarding <p>To perform the Council’s statutory responsibilities to undertake health scrutiny. The Committee will:</p> <ul style="list-style-type: none"> • Review and scrutinise any matter relating to the planning, provision and operation of health services in the Borough, including significant change to service provision and those jointly commissioned or delivered by the council. • Require the provision of information or the attendance of an officer of a local NHS body to answer questions and provide explanations about the planning, provision and operation of health services in the Borough. • Participate in cross-boundary overview and scrutiny of health services with other local authorities; including the establishment of joint committees; or the delegation of functions to another local authority, where appropriate. • Report to the Secretary of State for Health: <ul style="list-style-type: none"> - Where the committee is concerned that consultation on substantial variation or development of services has been inadequate

	- Where the committee considers that the proposal is not in the interest of the local health service.
Cross-Cutting Themes	<ul style="list-style-type: none"> • Wirral residents live healthier lives pledge (link with Environment) • Zero tolerance to domestic violence (link with Children & Families) • Liverpool City Region Combined Authority

Health scrutiny

Local health partners who can be held to account include both providers and commissioners as follows:

Providers

- Wirral University Teaching Hospital NHS Foundation Trust
- Cheshire and Wirral Partnership NHS Foundation Trust
- Wirral Community Trust
- Clatterbridge Cancer Centre NHS Foundation Trust
- North West Ambulance Service

Commissioners

- Wirral Clinical Commissioning Group
- NHS England North - Cheshire & Merseyside office

In addition, good practice suggests that health scrutiny should develop constructive relationships with bodies such as Wirral Healthwatch, Wirral Health and Wellbeing Board and the Care Quality Commission.

Joint Health Scrutiny

Where more than one local authority's health scrutiny arrangements consider a proposed change in NHS services to be substantial in terms of the impact on its area, health scrutiny regulations place an obligation on the local authorities to establish a joint health scrutiny committee. A protocol has been established to enable joint health scrutiny for Cheshire and Merseyside, covering 9 local authority areas. The protocol was approved by the Policy and Performance Coordinating Committee (1st April 2014) and Annual Council, Part 2 (9th July 2014 – Item 13):

<http://democracy.wirral.gov.uk/ieListDocuments.aspx?CId=123&MIId=4356>

Notices of Motion

Under the council procedure rules, Members of the Council can ask for any matter that affects the Wirral area, or which the council has responsibility for, to be discussed at a council meeting. The procedure is called a "notice of motion". The Mayor or a majority vote at Council can determine that a particular Notice of Motion can be referred either to the Leader or to a Council Committee. Therefore, some Notices of Motion are referred to the most appropriate Overview & Scrutiny Committee for further debate.

A Member of the Council who has moved a motion which has been referred to an Overview & Scrutiny Committee will be given notice of the meeting at which it is to be considered. The Member will be invited to attend the meeting and be given the opportunity to explain the motion. The Committee will be able to endorse, reject or amend the proposal. The decision of the Committee will be reported to a subsequent Council meeting, where the report or recommendation of the Committee will be debated.

Call-in

Non-executive councillors have the power to 'call-in' an executive decision taken by the Cabinet, an individual portfolio holder or a key decision taken by an officer. Once a decision has been made and formally publicised, Councillors have five working days to call-in the decision. A minimum of six councillors must request that the decision be called-in. This results in the implementation of the decision being delayed in order to allow the decision to be scrutinised.

If a valid call-in has been received a meeting of the relevant Overview & Scrutiny Committee is normally convened within 15 working days. The call-in will be dealt with by the Overview & Scrutiny Committee whose remit most closely aligns with the subject of the decision. The call-in meeting gives scrutiny members an opportunity to test the merits of the decision. The Overview and Scrutiny Committee cannot change the decision but will either uphold the decision or refer the matter back to the decision-maker for reconsideration. When it refers a decision back, the Committee may ask the decision maker to consider particular points or alternative courses of action. The Cabinet (or portfolio holder) is not bound to accept any advice offered to it and will have sole discretion on any further action to be taken.

3. Committee Membership and Meeting Schedule

Committee Membership

15 Members		
9 Labour	5 Conservative	1 Liberal Democrat
Julie McManus (Chair) Moira McLaughlin (Vice-Chair) Paul Doughty Treena Johnson Adrian Jones Christina Muspratt Tony Norbury Paul Stuart Irene Williams	Wendy Clements (Spokesperson) Bruce Berry Gerry Ellis Tracey Pilgrim Lesley Rennie	Phil Gilchrist (Spokesperson)

Meetings Schedule

Formal Committee meetings are scheduled for the following dates during the 2017/18 municipal year:

- 28th June 2017
- 13th September 2017
- 28th November 2017
- 30th January 2018
- 20th March 2018

Meetings normally commence at 6.00pm

4. The Work Programme

Good scrutiny relies on members taking the lead, gathering evidence and reporting back their findings. Each Overview & Scrutiny Committee develops a work programme for the municipal year. The work programme should align with corporate priorities and will be informed by:

- The Wirral Plan pledges
- The Council's transformation programme
- The Council's forward plan
- Service performance information
- Risk management information
- Public or service user feedback
- Referrals from Cabinet

Good practice suggests that, in order to maximise the impact of scrutiny, it is necessary to prioritise proposed topics within the work programme. The following criteria will provide a guideline towards ensuring that the most significant topics are prioritised:

Principles for Prioritisation	
Wirral Plan	Does the topic have a direct link with one of the 2020 pledges?
	Will the review lead to improved outcomes for Wirral residents?
Public Interest	Does the topic have particular importance for Wirral Residents?
Transformation	Will the review support the transformation of the Council?
Financial Significance	Is the subject matter an area of significant spend or potential saving?
	Will the review support the Council in achieving its savings targets?
Timeliness / Effectiveness	Is this the most appropriate time for this topic to be scrutinised?
	Will the review be a good use of Council resources?

By assessing prospective topics using these criteria, the Committees can prioritise an effective work programme that ensures relevance and the highest potential to enhance outcomes for residents.

The work programme is presented as a schedule highlighting the topics to be considered. The selection of topics is considered at the start of the municipal year and reviewed at each

committee meeting. The Chair will usually discuss potential topics with the party spokespersons, relevant Portfolio Holder and Strategic Director.

There are a number of mechanisms to carry out scrutiny, depending on the level of detail required as follows:

- Scrutiny reviews undertaken by task & finish groups
- Standing panels
- Evidence day(s)
- Workshops
- Committee reports provided by officers
- Standing committee agenda items, for example, performance monitoring and financial monitoring.

As some of the topics may cut across the Wirral Plan themes, it is anticipated that some of the scrutiny topics may be of interest to members of more than one committee. In these circumstances, opportunities for members of more than one committee to work jointly on an item of scrutiny work will be explored.

5. Relevant Plans and Strategies

- The Wirral Plan
- Ageing well Strategy
- All Age Disability Strategy
- Zero tolerance to domestic abuse Strategy
- Health and Wellbeing Strategy

All strategies can be found on the Wirral Council website:

[Wirral Plan: a 2020 vision | www.wirral.gov.uk](http://www.wirral.gov.uk)

Wirral Plan Performance Reporting

Each Committee receives quarterly performance reports detailing performance against the pledges that fall within the remit of the Committee. This enables Members of Overview and Scrutiny Committees to scrutinise the performance of Wirral Council and its partners in relation to delivering the Wirral Plan.

All Wirral Plan performance reports are published on the performance page of the Council's website:

[Wirral Plan performance | www.wirral.gov.uk](http://www.wirral.gov.uk)

- [Medium Term Financial Strategy](#)

6. Officer Support Arrangements

The Chair and Committee will be supported by the Scrutiny Support Team as follows:

- Working with the Chairs of the Overview & Scrutiny Committee and Review Panels in preparing agendas, work programming and dealing with matters arising at meetings.
- Support in the scoping, planning and management of scrutiny reviews, including notes of working group meetings and coordination of witnesses.
- Ensuring Chairs and Members are kept informed of relevant scrutiny guidance, and that Chairs have the information needed to feel confident in chairing their committees.
- Undertake background research for the committees and for specific scrutiny reviews.
- Working with Review Panel Members to draft reports and recommendations arising from scrutiny reviews.
- Monitoring the progress of previous recommendations from committee meetings or scrutiny reviews.
- Liaising with senior managers and teams across the Council to ensure appropriate officer support is available for committee meetings and scrutiny reviews.
- Facilitating appropriate events for Members and officers involved in scrutiny work.

Officers have developed scrutiny guidance and a toolkit for Members which can be accessed at the following link:

<http://wbcnet.admin.ad.wirral.gov.uk/governance-scrutiny/scrutiny-toolkit>

7. Key Contacts

Director for Health and Care

Graham Hodgkinson

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Scrutiny Support

Alan Veitch – Scrutiny Officer

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Committee Services

Patrick Sebastian – Principal Committee Services Officer

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