



Scrutiny in Sandwell

Annual Report 2014 - 2015

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Purpose of Scrutiny

Scrutiny is a statutory process, independent of the Council's executive, which reviews existing policy, develops new options for improving services, holds the Council's executive and partner agencies to account, and monitors the delivery and performance of Council services against its scorecard priorities.

The purpose of scrutiny is to provide a constructive challenge to the executive, allowing non-executive members to raise and investigate issues. It is an evidence-based process which engages non-executive members and community representatives more closely in the Council's decision-making process.

Scrutiny is a member-led process which adopts an overarching approach to cross-cutting issues. In Sandwell, members set the agenda for scrutiny, steer in-depth investigations, and formulate recommendations for consideration by the executive. Scrutiny has built up a strong reputation as a credible and influential source of advice, analysis, and future policy options.

Whilst formal meetings are predominantly committee style, task group work allows greater flexibility for meetings and focused sessions within the community. Targeted groups and visits are used as a way of gaining a snapshot of an issue locally, or viewing services from a user perspective.

Increasingly, the activities of partner agencies are an important element of scrutiny work, particularly in areas such as health and social care, community safety, and children's services. The purpose of scrutiny is to help make sure that the policies and decisions of the Council, and these other organisations, are in the best interest of local residents and that they make the best use of all the resources available.

Effective overview and scrutiny provides:

- **Review and scrutiny of decisions taken by the Cabinet**

Holding the executive to account is a key part of scrutiny's role. This is done through bringing cabinet members, scrutiny chairs and senior officers together through tripartite working and the call-in of decisions. This means that scrutiny can question cabinet members (or other decision makers) at public meetings about their decisions and about service performance: how the Council is spending money, what it is being spent on and how services meet the needs and wants of local people. This helps make sure that the decision making process is transparent and in the best interest of local people.

- **Considers aspects of the Council's performance**

Scrutiny has regard to the Council's scorecard priorities in carrying out its work.

- **Shapes and influences policies**

Having an input on draft policies and strategies before they have been agreed by cabinet or the Council helps ensure they are more robust.

- **Involves itself with external organisations operating in the Borough**

To ensure that the interests of local people are enhanced by collaborative working, scrutiny has undertaken work in relation to the Safer Sandwell Partnership, the Domestic Abuse Strategic Partnership and has statutory duties to hold all health agencies to account.

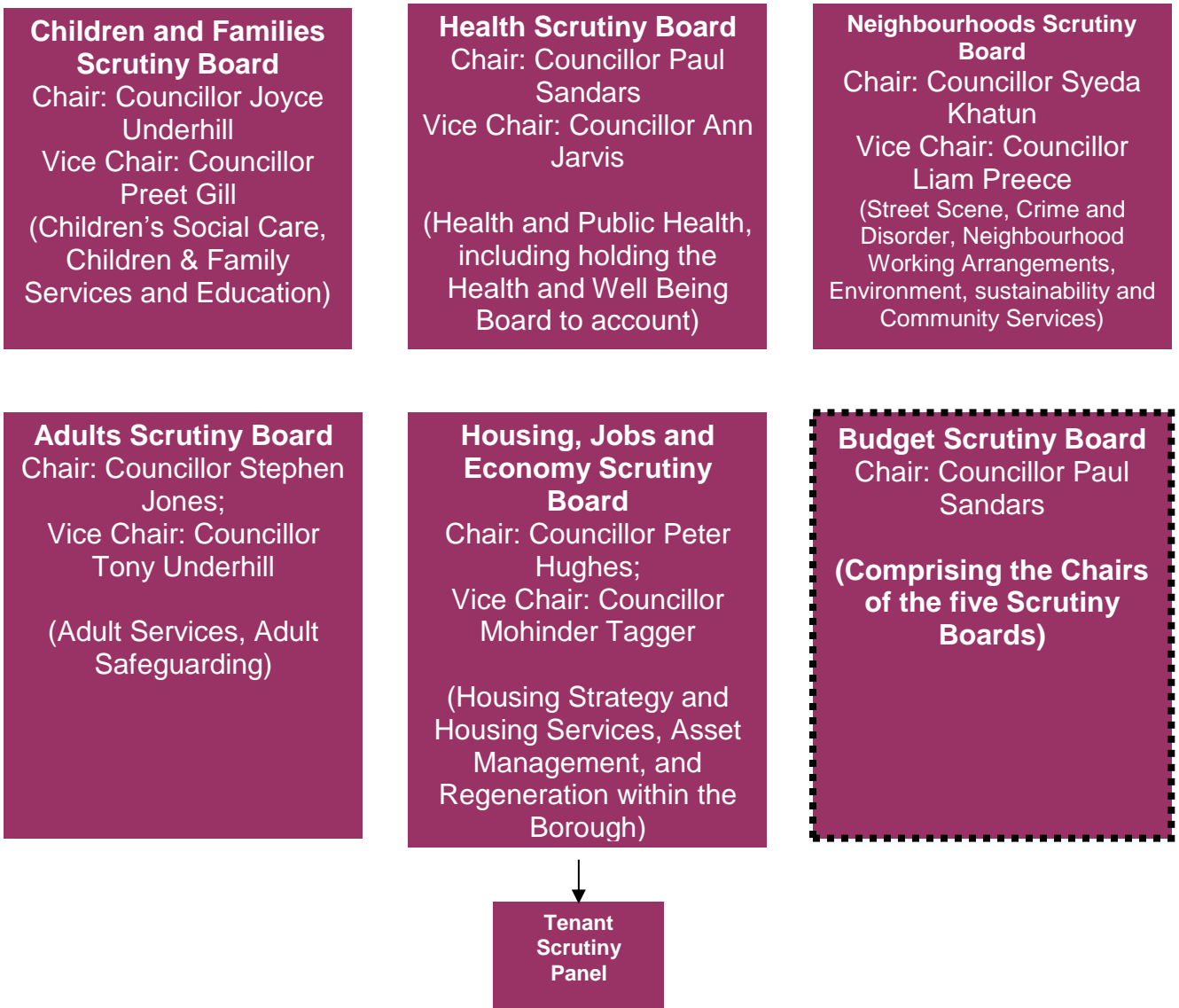
- **Provides a means of involving the community in the Council's work**

Scrutiny may wish to hear the views of wider members of the public, or from organisations delivering the service. Scrutiny's recommendations are based on evidence gathered during these reviews.

- Monitors and tracks recommendations – internally and externally**
 Ensuring that scrutiny’s work results in service improvements is an essential part of the process. Six-monthly and annual reports are produced to show boards how outcomes arising from reviews of services are being achieved.

Scrutiny Arrangements

In Sandwell during 2014/15 there were six scrutiny boards, the diagram below shows the scrutiny structure that was in operation during 2014/15:-



Scrutiny boards are the main vehicles for carrying out scrutiny work. There were seven scrutiny members on each Board who were appointed at the annual meeting of the Council, in line with the political balance of the Council. The boards decide their own work programmes and some reviews may be carried out jointly by more than one board. The main meetings of the boards are held in public and the agenda and supporting papers are published on the Council's website:-

<http://cmis.sandwell.gov.uk/cmis5/Home.aspx>

Tenant Scrutiny Panel

Changes to Housing Regulations in England from April 2012 required landlords to be more proactive in self-regulation and adopt a co-regulatory approach involving tenants in the scrutiny process. In addition, the localism agenda envisages a greater role for service users at a local level to influence and scrutinise service delivery.

The enhanced role for tenants in relation to scrutiny provides additional challenges in ensuring that the Council is able to meet the requirement that landlords support the formation and activities of tenant panels, or equivalent groups, and provide them with the right level and type of support and information.

The regulations mean that the Council, as a landlord, must ensure that the required standards are delivered to its tenants.

The social housing regulator has been very clear in that:-

“Providers are expected to engage meaningfully with their tenants and offer them opportunities to shape the tailoring of services to reflect local Priorities. Tenants should have the ability to scrutinise their provider's performance, identify areas for improvement and influence future delivery. Providers will also need to continue to support tenants in developing their skills and capacity so that engagement and scrutiny are effective.”

The Tenant Review Panel scrutinises and makes recommendations to the Cabinet Member for Town and Neighbourhood Services in relation to service provision and policy development.

Membership is restricted to Council tenants and leaseholders only. A representative from the Panel sits on the Housing, Jobs and Economy Scrutiny Board to enhance links to the council scrutiny function.

The Panel is supported by the Council’s Scrutiny Officers within the Democratic Services Unit.

Outcomes from Scrutiny Work

The tables in the following sections are quantitative measures of activity. This section attempts to show the qualitative outcomes and impacts from each piece of scrutiny work. The indicators used are all key measures of effective scrutiny.

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Adult Social Care Scrutiny Board									
Critical Areas in Adult Social Care:- i) Better Care Fund; ii) Care Bill; iii) Budget Cuts; iv) Issues with Transformation; v) Managing the process of cuts.					Y			Y	
The Care Act 2014			Y	Y				Y	

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Adult Social Care Safeguarding – Re-structure				Y					
Peer Review							Y	Y	
Adult Safeguarding Board – Implications of the Care Act, 2014			Y	Y					
Continuing Health Care		Y	Y				Y		
Locality Working						Y		Y	
Adult Safeguarding Board – Annual Report and Governance Arrangements				Y			Y	Y	
Findings from the Peer Review.					Y			Y	
Better Care Fund				Y			Y	Y	
Progress in implementing recommendations from the Peer Review.				Y				Y	

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive / Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Children's Social Care Scrutiny Board									
Issues Raised by the Foster Carer Forum.	Y		Y	Y	Y				
Referral from the Cabinet Member for Children's Services on the Travel Assistance Policy for Children with Special Educational Needs.	Y		Y	Y				Y	
Education Representatives on the Performance Accountability Board and the Sandwell Safeguarding Children Board.	Y		Y		Y			Y	
Update on the Children's Services Improvement Plan				Y	Y		Y	Y	
Update on the quality audit processes in Children's Services (including data on quality, numbers completed etc)	Y		Y	Y				Y	
Update on the Improvement Programme for Children's Services				Y	Y		Y	Y	
Update on the restructuring of the Youth Service	Y		Y	Y				Y	

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive / Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Invitation to the Chair of the Sandwell Safeguarding Children Board to share his vision and to update on the Child Sexual Exploitation Strategy		Y		Y	Y		Y		
Foster Carers:- Complaints Statistics Support Group	Y			Y	Y		Y	Y	
Invitation to the Headteacher Representatives on the PAB/SSCB to discuss their views	Y		Y	Y	Y			Y	
Update on the use of the Pupil Premium Grant		Y			Y			Y	
Careers Advice in Schools		Y			Y			Y	
Actions to be Taken in Response to the Outcomes of the Children's Services Independent Peer Review Report	Y		Y		Y			Y	
Feedback from Ofsted Inspection									
Update on the Improvement Plan (to include the impact of the Ofsted Inspection)									

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Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive / Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Sandwell Safeguarding Children Board:- Business Plan and discussion with SSCB Chair									
Health Scrutiny Board									
Assisted Conception Policy.		Y	Y	Y			Y		Substantial Variation.
Domestic Abuse Strategy Delivery Plan – Gap Analysis.	Y	Y	Y	Y			Y	Y	
Establishment of Joint Health Scrutiny with Birmingham City Council.									Statutory Requirement
Establishment of Joint Health Scrutiny with Birmingham City Council.									Statutory Requirement
Feedback from Work Programming Session.									
Mailing Health Update.									
Scope for Review on Access to Primary Care.									
Leisure Services Impact on Public Health.									

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive / Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Health and Wellbeing Board – Priority areas 1 and 2.				Y	Y		Y		
Health Visitor Provision.		Y	Y	Y	Y		Y		
Health and Wellbeing Board – Priority areas 3 and 4.				Y	Y		Y		
Hospital Car Parking		Y	Y	Y			Y		
Progress on the Building of New Health Facilities		Y		Y	Y		Y		
Cabinet Member for Health and Wellbeing – Councillor Moore				Y				Y	
Sandwell Joint Health and Wellbeing Strategy – review of outcomes.		Y		Y	Y		Y		
Current provider report on health visiting service.		Y		Y	Y		Y		

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Joint Health Overview and Scrutiny Committee									
Stroke Reconfiguration Programme.		Y	Y	Y			Y		Statutory requirements for substantial variations in service (Regulations under Section 7 of the Health and Social Care Act 2001, as amended by the Health and Social Care Act 2012)
End of Life Care		Y	Y	Y			Y		Statutory requirements for substantial variations in service (Regulations under Section 7 of the Health and Social Care Act 2001, as amended by the Health and Social Care Act 2012)
Right Care, Right Here – programme update.				Y	Y		Y		

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Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Patient Choice Policy		Y	Y	Y			Y		Statutory requirements for substantial variations in service (Regulations under Section 7 of the Health and Social Care Act 2001, as amended by the Health and Social Care Act 2012)
Right Care, Right Here – required substantial variations (Acute Surgery and Cardiology)		Y	Y	Y			Y		Statutory requirements for substantial variations in service (Regulations under Section 7 of the Health and Social Care Act 2001, as amended by the Health and Social Care Act 2012)

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Urgent Care		Y	Y	Y			Y		Statutory requirements for substantial variations in service (Regulations under Section 7 of the Health and Social Care Act 2001, as amended by the Health and Social Care Act 2012)
Right Care, Right Here – Consultation Approach		Y	Y	Y			Y		
Housing, Jobs and Economy Scrutiny Board									
Community Infrastructure Levy	Y		Y					Y	
Sandwell's Housing Strategy	Y		Y	Y				Y	
Skills and Training Elements of the Black Country Growth Deal (including discussion with Sandwell College and LEP)	Y		Y	Y			Y	Y	
Changes to Digital Services in Job Centre Plus				Y	Y		Y		

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Update on Housing in Sandwell				Y	Y			Y	
Housing Update				Y	Y			Y	
Town Area Panels			Y	Y	Y			Y	
Housing and Regeneration Company			Y	Y	Y			Y	
Proposals for Town Area Panels	Y		Y	Y	Y			Y	
Neighbourhoods Scrutiny Board									
Domestic Abuse Strategy Delivery Plan - funding gap analysis and best practice review.	Y	Y	Y	Y			Y	Y	
Consideration of 2014/2015 Work Programme					Y			Y	
Feedback on Consultation on Proposed Neighbourhood Governance Arrangements	Y		Y	Y				Y	
Discussion with Cabinet Member for Highways and Environment (Councillor Crompton)				Y	Y			Y	

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Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Report back on implementation of scrutiny recommendations in relation to the investigation into domestic homicide reviews.				Y	Y			Y	
Discussion with Deputy Leader and Cabinet Member for Town and Neighbourhood Services (Councillor Hussain)				Y	Y			Y	
The Anti-social Behaviour, Crime and Policing Act 2014	Y		Y	Y				Y	
Police and Crime Commissioner				Y	Y		Y		
Proposed Closure of Police Station Front Office		Y	Y	Y			Y		
Discussion with Town Lead Members:- Councillor Costigan (Wednesbury) Councillor B Price (Rowley Regis) Councillor Hadley (Tipton)				Y	Y			Y	
Delivering Innovative and Sustainable Library Services.	Y		Y	Y				Y	

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Consideration of Petition "Save Our Sandwell Canada Geese"			Y	Y	Y			Y	
Discussion with Town Lead Members:- Councillor Hosell and Liz Nembhard (West Bromwich) Councillor L Horton and Susan Geddes (Smethwick) Councillor Trow and Andy Langford (Oldbury)				Y	Y			Y	
Safer Sandwell Partnership Strategic Assessment		Y	Y	Y	Y		Y		
Sandwell Local Policing and Crime Plan 2015/2016		Y	Y	Y	Y		Y		
Budget and Corporate Scrutiny Board									
Consideration of Council's Service Areas' 2013/14 Financial Outturn Reports				Y	Y			Y	
Consideration of Council's Service Areas' 2013/14 Financial Outturn Reports - Consideration of responses from chief officers				Y				Y	

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Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
<p>Monitoring of Finances 2014/15: Exception Reporting on Period 3</p> <p>Budget Monitoring Children's Services</p>				Y				Y	
<p>Monitoring of Finances 2014/15: Exception Reporting on Period 6;</p> <p>Treasury Management and Prudential Indicators – Half-yearly monitoring</p> <p>Report Back on Costing Exercise in relation to Charging Right to Buy Home Owners for Some Services</p> <p>Management and Operation of the Housing Revenue Account</p> <p>Employee Rewards Scheme</p> <p>Progress Report on "Ask Ade" Website.</p>				Y				Y	
<p>Initial Consideration of the Council's Service Areas' Service Plans and Budget Proposals 2015/16</p>				Y	Y				

Topic	Recommendations to Cabinet/Member	Recommendations to other	Contribution to Policy	Executive/Partners Held to Account	Performance Monitoring	Report noted	Involvement of Partners	Involvement of Service	Other
Monitoring of Finances 2014/15: Exception Reporting on Period 9 Formulation of recommendations to the Cabinet in relation to the Council's Service Areas' Service Plans and Budget Proposals 2015/16				Y				Y	

Regional Scrutiny Work

Sandwell is a member of two regional scrutiny networks:-

i) West Midlands Overview and Scrutiny Network

The network meets quarterly and is going into its fifth year of operation. Its purpose is to provide a forum for members and officers to consider, discuss and exchange views and information on national and regional issues affecting local authorities in West Midlands and to voice those views as appropriate. The network has no formal standing as a joint scrutiny committee and meets on an informal basis.

Past meetings have been attended by relevant scrutiny chairs or board members. The aim is to bring knowledge and ideas into Sandwell and to share our good practice with regional colleagues.

ii) **Regional Health Scrutiny Chairs and Officers Group**

This is a mature network which has been operating for a number of years and meets quarterly. Its purpose is to act as a vehicle for regional and national health bodies and policy makers to inform scrutiny about proposals and consultations affecting health services in West Midlands. It is also a forum for discussing and exchanging views between member authorities.

Spotlight on Scrutiny Case studies

IVF Services for Sandwell Residents

The Clinical Commissioning Group wanted to reduce the number of IVF cycles that residents could access from two to one to bring Sandwell in line with Birmingham. Members did not want Sandwell residents to see a reduction in services just because Birmingham had a lower level of provision. After rejecting the CCG's proposals we went through mediation then a Joint Health Scrutiny Committee with Birmingham, the end result being that Sandwell residents will continue to receive two free cycles of IVF treatment.

Health - Substantial Variations

Health scrutiny has considerable powers in relation to 'substantial variations' in the delivery of services by health service providers.

Regulations under Section 7 of the Health and Social Care Act 2001, as amended by the Health and Social Care Act 2012, require relevant NHS bodies or relevant health service providers to consult relevant overview and scrutiny committees on any proposals for substantial variations or developments of health services.

Department of Health guidance, and good practice indicates that, in deciding whether a proposal is substantial, the following issues should be considered:-

- a) changes in accessibility of services;
- b) impact of the service on the wider community and other services, including economic impact, transport and regeneration;
- c) number of patients affected, changes may affect the whole population of a geographical area or a small group. If a change affects a small group of patients it may still be 'substantial', especially if patients need to continue to access that service for many years;
- d) methods of service delivery, e.g. moving a particular service into a community setting from an acute hospital setting.

Where a substantial variation or development of service causes a major issue to arise that cannot be resolved locally, health scrutiny has the unique power to refer the matter to the Secretary of State. However, the power is not to be used lightly, and should always be a last resort for local authorities. A consulting body should always be allowed the opportunity to respond to the reports and recommendations of health scrutiny before the decision to make a referral is made.

Where there are proposals for substantial variation or developments to services affecting more than one overview and scrutiny committee area, the Secretary of State has made Directions stating that in such circumstances all local authorities within the area must establish a joint committee. As a result of this direction, and as Sandwell's health area includes West Birmingham during 2014/15, we have held several joint committees with Birmingham City Council.

During 2014/15 the following substantial variations have been considered:-

- i) End of Life Care:
Re-design of service provision and delivery, matter still ongoing and being considered by Joint Health Scrutiny in 2015/16.
- ii) Stroke Reconfiguration Programme:
Re-design of service provision and delivery, matter still ongoing and being considered by Joint Health Scrutiny in 2015/16.

- iii) Cardiology:
The Scrutiny Board considered the service re-design pre and post consultation and supported the proposals.
- iv) Acute Surgery:
The Scrutiny Board considered the service re-design pre and post consultation and supported the proposals.
- v) Urgent Care:
The Scrutiny Board considered a pre-consultation report setting out the proposed approach to consultation activity.

Scrutiny prior to Cabinet considering a topic

The Housing, Jobs and Economy Scrutiny Board considered the Draft Community Infrastructure Levy Charging Schedule prior to its consideration by Cabinet. The Board made recommendations to include community energy and utilising the neighbourhood governance arrangements to allocate parts of the funds received from the levy. The Cabinet agreed the proposals for the levy put forward by officers and instructed the relevant director to submit the schedule to the Planning Inspectorate, taking into account the recommendations of the Board. The Planning Inspectorate has now, subject to minor amendments, agreed the schedule for use in Sandwell. This levy will provide an income stream to the Council from new residential and supermarket developments across Sandwell and retail developments in West Bromwich.

The Scrutiny Board's consideration of the levy prior to the Cabinet making a decision enabled scrutiny to be assured that the proposals were right for Sandwell and allowed members an opportunity to put forward further improvements. These were accepted by the Cabinet and the process caused no delay to the decision being made or implemented.

Children's Services Scrutiny

The Children's Services Scrutiny Board has conducted a series of visits to front line services to meet with and hear the concerns of staff. The visits included the Multi Agency Safeguarding Hub, Multi Agency Enquiry Team, Care Management, Looked After Children, Early Help and Family Solutions.

The Board developed recommendations arising from the evidence members gathered on these visits and these were welcomed and agreed by the Cabinet Member. These recommendations included reviewing staffing arrangements to ensure adequacy of support to social workers and ensuring all members are kept up to date on key issues in Children's Services.

Training and Development

Training and development is provided for scrutiny members to ensure that scrutiny in Sandwell continues to deliver effective outcomes that contribute to the Council's scorecard priorities and that where applicable partners are effectively scrutinised.

During 2014/15 the following training has been delivered to members involved in scrutiny:-

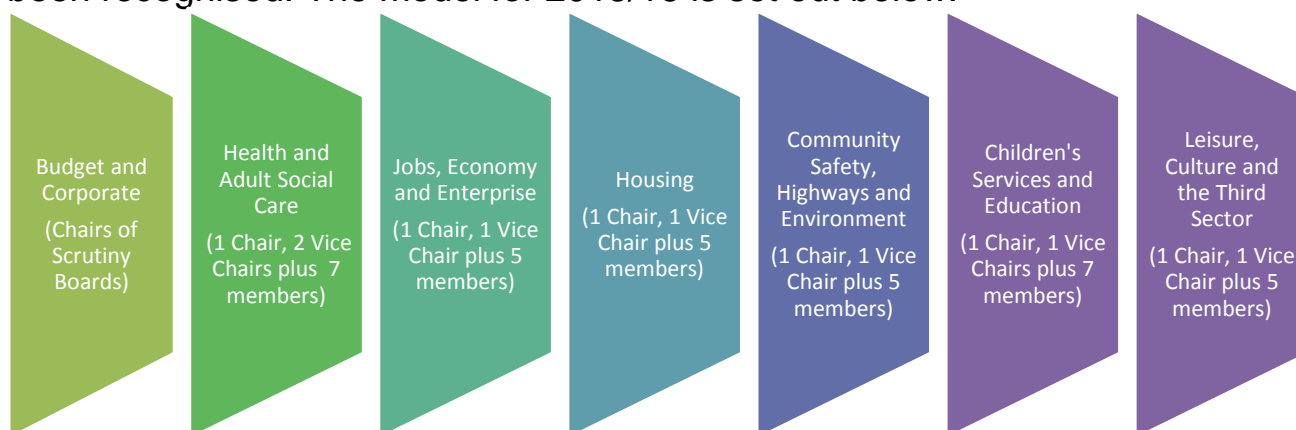
- i) Care Quality Commission;
- ii) Overview and Scrutiny – introduction for new members;
- iii) Questioning Techniques;
- iv) Development workshops for Children's Services Scrutiny Board (x3 sessions).

Through the work of the Children's Services Scrutiny Board development workshops for all 72 elected members were delivered to raise awareness about the Council's and members' responsibilities for corporate parenting and safeguarding children and what this meant in practice for members. An external facilitator, a peer mentor with the Local Government Association was commissioned to deliver the training.

Scrutiny officers have undertaken additional training and development so that they are able to deliver future member training in-house, creating efficiencies and reducing cost.

Looking Forward 2015/16

The model for 2015/16 approved by the Council on 26 May, 2015 builds on the structure used in 2013/14 and 2014/15. The continued difficulty of maintaining the Health Scrutiny Board and Adult Social Care Scrutiny Board separately, given the overlap in these areas due to a continued national agenda to integrate health and social care, has been recognised. The model for 2015/16 is set out below:-



Scrutiny members met in May 2015 to develop a work programme for each scrutiny board in 2015/16. This is to ensure that each board is able to deliver on programmes of work which seek to deliver improvements to the Council and its partners and assist in the delivery of the Council's scorecard priorities.

Key areas for investigation in 2015/16:-

- i) Continuing Health Care;
- ii) Review of Urgent Care;
- iii) OFSTED Report;
- iv) Performance of Schools and Academies;
- v) Building of New Homes in the Borough;
- vi) Anti-Terrorism;
- vii) Tenant Involvement;
- viii) Friends Groups/Community Led Initiatives;
- ix) Leisure Facilities in the Borough.

In relation to the West Midlands Regional Scrutiny Network, Councillor Peter Hughes has been appointed as Chair of the Network for 2015/16. This provides an opportunity for Sandwell to be at the forefront in developing regional working, particularly in view of the developing Combined Authority.

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