
Overview and Scrutiny Management Board – 11th June, 2014

Joint Report of the Lead Officer and the Director of Corporate Resources

Annual Scrutiny Programme 2014/15

Purpose of Report

1. To approve the Annual Scrutiny Programme 2014/15.

Background

2. On 29th April, 2014, the Board considered the development of the draft Annual Scrutiny Programme for the 2014/15 municipal year. Consideration was given to any items to be rolled-forward from the 2013/14 programme and details of a number of suggested topic areas for potential inclusion in the Programme for 2014/15. The draft plan has been developed following consultation with Directorates and Members. Topics have been identified taking account of key corporate challenges and priorities in the business planning process.
3. The draft Annual Scrutiny Plan is set out in the Appendix and it is recommended that this be endorsed to form the basis of work by Scrutiny Committees during the 2014/15 municipal year.
4. Arising from the consultation, a Member has identified a further potential scrutiny item for consideration. This relates to services provided by the Council that are shared between Directorates (eg: Print Services, Public Relations, Human Resources, etc). The scrutiny would involve consideration of the corporate use of shared services of this nature. Subject to the approval of the Board, it is recommended that this topic be included in the work programme of the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee. The Lead Officer for that Committee, in consultation with the Chair of the Scrutiny Committee, will develop the scope of the review for consideration later in the municipal year.
5. In addition to items in the Annual Scrutiny Programme, the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee has an ongoing function to review the quarterly performance management report. The Health Scrutiny Committee deals with a wide range of issues, including statutory health scrutiny items. In the draft plan reported to the Board on 29th April, there was an item relating to the Dudley Physical Activity and Sport Strategy. In view of the workload of the Health Scrutiny Committee, a view was expressed that this item should not form part of the initial Annual Scrutiny Plan, however, this could be reviewed at some future point.

6. As previously agreed, requests for the referral of any further specific items for scrutiny will be channelled through the Overview and Scrutiny Management Board. The Board will then decide whether to undertake the scrutiny review itself or refer the matter to a specific Scrutiny Committee.
7. Last year, informal development sessions were held for Members of each Scrutiny Committee and Officers immediately following the first meeting of each of the Scrutiny Committees in June/July. This allowed a discussion on the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews. This approach will be continued for 2014/15.
8. In 2014/15, Scrutiny Committees will also focus on the detailed scrutiny of individual Directorate budget proposals whilst retaining some flexibility for cross-cutting issues. Following the programmed cycle of Scrutiny Committees in November, the Overview and Scrutiny Management Board will meet to scrutinise the overall budget proposals on a strategic basis. A meeting of the Board has been scheduled for this purpose on 25th November, 2014 (time to be determined).
9. The Council's overview and scrutiny arrangements will continue to be the subject of an annual review process. Any relevant issues will be reported to the Overview and Scrutiny Management Board during the municipal year.

Finance

10. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

Law

11. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.

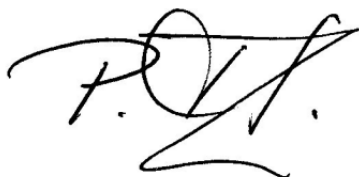
12. Scrutiny powers relating to health are included in the Health and Social Care Acts 2001 and 2012 and associated Regulations and statutory guidance. The Police and Justice Act 2006 gives the Council powers to scrutinise the work of the Crime and Disorder Reduction Partnership and the Local Government and Public Involvement in Health Act 2007 enables local authorities to scrutinise other partners. Much of this legislation has now been consolidated in the Localism Act 2011.

Equality Impact

13. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

14. That subject to the addition of the item referred to in paragraph 4 above, the Annual Scrutiny Programme for 2014/15, as set out in the Appendix, be approved and adopted.



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Director of Corporate Resources



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Ron Sims
Lead Officer

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List of Background Papers

Reports and minutes of the Overview and Scrutiny Management Board dated 29th April, 2014

Annual Scrutiny Programme 2014/15

Scrutiny Committee	Areas for Scrutiny
Corporate Performance Management, Effectiveness and Efficiency Scrutiny Committee	<ul style="list-style-type: none">• The Work and Priorities of the West Midlands Police and Crime Commissioner
Adult, Community and Housing Services Scrutiny Committee	<ul style="list-style-type: none">• Housing Futures Board• Dudley MBC's readiness to implement the Care Bill in April 2015
Children's Services Scrutiny Committee	<ul style="list-style-type: none">• Childhood Neglect• Early Help Offer• Special Educational Needs Reforms
Urban Environment Scrutiny Committee	<ul style="list-style-type: none">• Economic Development (including inward investment)• Environmental Management, Commercial Services
Health Scrutiny Committee	<ul style="list-style-type: none">• Elements of Patient Experience in Acute Care

Corporate Performance Management, Efficiency & Effectiveness Scrutiny Committee	
Portfolio	Cabinet Member for Community Safety
Area for Scrutiny	The work and priorities of the West Midlands Police and Crime Commissioner
Link to Council Plan	Links directly to the Community Safety priorities of the Council
Context	With the election of the West Midlands Police and Crime Commissioner, the overall responsibility for policing and the allocation of resources for commissioning of local community safety actions have been held by Bob Jones as the PCC. He has indicated that he would wish to attend local authority scrutiny committees to outline the work and priorities of the office and the links to local community safety issues within the Borough.
Rationale	The Safe and Sound Partnership has been a long established body that brings local agencies together to help reduce crime and the fear of crime. Dudley Borough is currently the safest area in the West Midlands. The Office of the PCC is now responsible for the region policing plan and its commissioning framework. This will have an impact on the community safety arrangements in the Borough and is therefore an issue that the Committee would wish to scrutinise to assess the effectiveness of existing arrangements and any proposals for the future which will impact on local residents
What are we asking from the Scrutiny Committee?	To review the priorities of the PCC in helping to reduce crime and the fear of crime within the Borough.

	DACHS Scrutiny Committee
Portfolio	Cabinet Member for Housing & Community Safety
Area for Scrutiny	Housing Futures board
Link to Council Plan	Local priority 6, cleaner, greener and environmentally friendly Local priority 2, regeneration , skills and employment
Context	<p>Affordability dominates the housing market:-</p> <ul style="list-style-type: none"> • an increasing proportion of disposable income being consumed by housing costs, • difficulties for younger people to access the housing ladder, • An increasing 'older' population, • continued and growing demand for social housing in the context of the Right to Buy and replacement agenda, • mismatch in terms of supply and demand exacerbated by the consequences of Welfare Reform.
Rationale	DACHS has established a Housing Futures Board Chaired by the Cabinet Member for Housing & Community Safety. The Shadow Cabinet Member also sits on the Board. Within the above context, the remit of the Board is “to ensure that the existing housing provision and any new housing meets the needs and aspirations of local people”. This in turn is intended to promote “social, economic and community regeneration of the Borough”.
What are we asking from the Scrutiny Committee?	<ol style="list-style-type: none"> 1. Sustainability of existing Council Housing provision. 2. Provision of Housing to meet future housing needs.

Adult Social Care and Housing Scrutiny Committee	
Portfolio	Cabinet Member for Adult Social Care
Area for Scrutiny	Dudley MBC's readiness to implement the Care Bill in April 2015
Link to Council Plan	<p>Council Plan Priority no. 4</p> <p>Ensure people live their lives with dignity and respect, a borough where the elderly and vulnerable have fair access to services which supports independence and quality of life.</p> <p>Our objectives for the future will be to:</p> <ul style="list-style-type: none"> • Enable and embed personalised community based support. • Develop sustainable and high quality services which delivery value for money for local people. • Involve and engage people in a meaningful and timely way.

Context

The Care Bill, if enacted, will be introduced from April 2015. The Bill modernises and simplifies the legal framework for social care and introduces some far-reaching changes. This includes responding to the Dilnot Commission on social care funding – resulting in the introduction of a £72,000 care cap.

Although still a Bill and subject to further change, the adult social care and scrutiny committee has an opportunity to consider the Council’s state of readiness against the clauses that are most pertinent to the authority.

Key new statutory duties are including in the legislation:

Prevention – the Bill reflects the shift towards prevention. Local authorities will have a legal duty to prevent, delay and reduce the need for care. This is at the heart of Dudley’s proposals for the Better Care Fund.

Integration – the Bill focuses on the integration agenda. Local authorities will have a duty to carry out care and support functions with the aim of integrating services. This duty applies in particular to ‘health-related’ services, but this is described in the broadest sense – e.g. housing is given as an example of a health-related service.

Information and Advice – the Bill gives local authorities a duty to promote information and advice in relation to care and support regardless of eligibility. There are key links to the prevention agenda, with good information and advice helping some individuals to be self-supporting and access support within their own community. Information and advice will need to be proportionate to need and fully accessible

Eligibility – Currently, each local authority sets its own eligibility threshold based on guidance. This has meant that the amount and type of care can vary depending upon where an individual lives. The Care Bill will introduce a national minimum eligibility threshold. The current understanding is that the threshold is expected to be set at substantial.

Assessments – Councils’ responsibilities in terms of assessing for care and support needs will change – with more emphasis being placed on helping people to explore their options and avoid the need for care where possible. Assessments will look at what support might be available from family and in the community to prevent or delay the individual’s wellbeing deteriorating. Once assessed, people will need regular reviews to identify any changes to their care needs and to expenditure that counts towards the care cap.

Care and support funding reform – the Bill will introduce a cap on eligible care costs – to be introduced from April 2016. The cap will be £72,000 (for people of state age). Once the cap is reached, the local authority will be eligible to fund additional costs. The £72,000 is the total amount regardless of whether the individual is solely paying for the costs themselves or whether payment is split between them and their local authority.

<p>Rationale</p>	<p>INTRODUCTION AND BACKGROUND:</p> <p>The aim of the Care Bill is to modernise and simplify the legal framework for social care. The Bill is the Government’s legal response to the recommendations made by the Dilnot Commission on social care funding and the Law Commission in to Adult Social Care which examined how a social care system could be sustained given increased demand.</p> <p>The Bill builds on the Draft Care and Support Bill that was published for consultation in 2012, and the White Paper ‘Caring for our future: reforming care and support’.</p> <p>The Bill is split in to three distinct parts:</p> <ul style="list-style-type: none"> • Reform of care and support; • Response to the Francis Inquiry on failings at Mid Staffordshire Hospital; and • Health Education England and the Health Research Authority. <p>Changes brought about by the Bill, if enacted, are expected to take place from April 2015.</p>
<p>What are we asking from the Scrutiny Committee?</p>	<p>To consider the key clauses contained within the Care Bill mean and scrutinise both the financial and planning implications for the Council.</p> <p>To identify areas for further work and prioritisation; specifically the impacts of:</p> <ul style="list-style-type: none"> • Potential increase in demand – more people with eligible care needs may contact local authorities; • Financial impact of the cap on eligible care costs • The impact of a new national minimum eligibility standard • Impact on current systems – financial systems will need to be able to support the changes being introduced; and • Information and advice –the information and advice we provide will need to be fit for purpose and able to contribute towards prevention and delaying the need for care and support

Children's Services Scrutiny Committee	
Portfolio	Cabinet Member for Children's Services
Area for Scrutiny	Childhood neglect
Link to Council Plan	Young People Health and Wellbeing Caring for the Elderly and Vulnerable
Context	Over 50% of children on a Child Protection plan and a similar number of looked after children are supported due to neglect occurring within their birth family. The long term effects of neglect are well known in relation to poor outcomes for children and it is critical that professionals have the right tools to assess and intervene appropriately and that the Directorate has a range of family support services to address this issue.
Rationale	This is an area of work which is targeted on very vulnerable children and is a central core of our safeguarding to address the needs of vulnerable children and to keep them safe. It requires a partnership approach and it is also an area of work which needs to be addressed from a broader perspective concerning issues relating to child poverty and economic well being.
What are we asking from the Scrutiny Committee?	To understand and review the data relating to the incidents of neglect and child poverty within the Borough and to identify cross cutting themes and recommendations as to how this can be tackled in the future.

Children's Services Scrutiny Committee	
Portfolio	Cabinet Member for Children's Services
Area for Scrutiny	Early Help Offer
Link to Council Plan	Young people Health and Wellbeing People being served better
Context	The development of early support services will ensure that children and families have the right support at the right time. The overall ambition is to reduce reliance on more intervention services and enable children to achieve permanency and stability within their care arrangements. It will also in the longer term have the effect of cash avoidance and reduce budget pressures on high cost services.
Rationale	In 2013/14 the Children's Services Scrutiny Committee undertook a specific piece of work around the redesign of children's centres. The restructuring will be implemented from September 2014 and will be the core of our early support services working with partners to develop and deliver an early help offer 0-18. Scrutiny of this area of work will build on the involvement of Scrutiny Committee in the children's centres developments and provide a critical view of how well the children's centres are delivering within this context.
What are we asking from the Scrutiny Committee?	To assess the impact of the children's centre restructure and review and support the delivery of early support within the broader corporate and partnership arena.

Children's Services Scrutiny Committee	
Portfolio	Cabinet Member for Children's Services
Area for Scrutiny	SEN Reforms
Link to Council Plan	Young People Health and Wellbeing
Context	<p>The Children and Families Act 2014 sets out new legal duties to implement changes to arrangements for supporting young people with special educational needs and disabilities. This includes the delivery of:</p> <ul style="list-style-type: none"> - Local offer - which needs to be published detailing provision of services for children and young people who are disabled or who have SEN with a 0-25 focus - Education and Health Care Plans - local authorities will be required to consider requests for assistance with special educational needs and co-ordinate services around a child or young person - Joint Commissioning - local commissioners will be required to work together in the interests of children and young people with special educational needs and disabilities
Rationale	<p>The new requirements under the Children and Families Act require a review and implementation of a new 0-25 special needs system which will require significant systems change, partnership working and a determination to consult with and engage families and providers of local services.</p>
What are we asking from the Scrutiny Committee?	<p>To understand the requirements laid on the local authority in this area of work. To understand the local authority's implementation plan and to comment and make recommendations regarding the future delivery of services for 0-25 SEND. Scrutinising priorities determined by the local authority and the resource allocation to support SEND.</p>

Scrutiny Chairs - DUE Topics for consideration		
Portfolio		Cabinet Member for Regeneration
Area for Scrutiny		Economic Development (including inward investment)
Council Priorities	Cabinet Priority:	Regeneration, skills & employment
	Council Plan:	'To create a thriving local enterprise economy' and 'To increase the number and diversity of businesses attracted to the borough'
Context		<ul style="list-style-type: none"> ▪ Dudley has a good pedigree in terms of successfully encouraging businesses to set up in the borough, e.g. Invest in Dudley Bureau est early 1990s dedicated to encourage inward investment into borough and then working at a sub regional (Black Country) level (working with Black Country Investment) ▪ Linkages at a national level with <u>UK Trade & Investment</u> and at a local level <u>Invest Black Country</u> including <u>Black Country LEP</u> and <u>Marketing Birmingham</u> ▪ Initiatives supporting inward investment include: (1) <u>Dudley Business First initiative</u> providing a single point of contact for inward investment enquiries; (2) <u>Dudley Business Investment Zone</u> (joint partnership with Dudley MBC and private sector); (3) Funding through Dudley Business Loan Fund; Black Country Regional Growth Fund and European funding (4) <u>Commercial Property Search</u> –interactive property finder within the Borough (5) New Heritage Regeneration Ltd ▪ UK Competitiveness Index (Dudley's rank is 346 out of 379)
Rationale		<ul style="list-style-type: none"> ▪ Links with Birmingham City Council's White Paper (vision for regeneration) – City Region level covering economic development, skills, employment infrastructure investment and strategic planning) ▪ Supports the priorities of the Black Country LEP Strategic Economic Plan (2014 - 2021) under the themes of (i) improving business competitiveness (ii) infrastructure and the environment; and (iii) transport infrastructure, by promoting the Black Country as a place to invest ▪ Supports the 'Business' theme of the Black Country European Union Strategic Investment Framework (2014 – 2020) by supporting businesses to export, innovate and access finance ▪ Links into the wider borough regeneration agenda including inward investment ▪ Supports the objectives in the borough's Economic Strategy and in particular the Business & Enterprise theme: 'To encourage the development of a dynamic and diverse business base and job opportunities through support to new and existing businesses in the Borough'
What are we asking from the Scrutiny Committee?		<ul style="list-style-type: none"> ▪ Determining the role of inward investment at a local, sub regional, regional, and national level ▪ Determining the inward investment value of what's is and what could be on offer (raising Dudley's rank in UK Competitiveness Index) ▪ Considering whether Dudley could do more nationally to encourage inward investment locally

Environment Scrutiny Committee	
Portfolio	Cabinet Member for Environment & Culture Cabinet Member for Transportation
Area for Scrutiny	Environmental Management, Commercial Services
Link to Council Plan	<p>Cabinet Priority: Cleaner, greener & environmentally friendly and people being served better.</p> <p>Theme - To provide the most customer friendly and responsive services of any council in the Country, (Activities) Explore and develop new methods of recycling the Borough's waste & Make the most of the Green Belt, Rights of Way and access to the countryside and ensure that free leisure activities like walking and cycling are available to everyone.</p> <p>Council Plan: To encourage sustainable waste management practices amongst the Borough's residents and businesses and to provide increased opportunities for recycling; to protect, preserve and develop for appropriate use the unique heritage of the Borough for this and future generations and to preserve and improve the quality and biodiversity of the natural and built environment.</p>
Context	<ul style="list-style-type: none"> • The Environmental Management Division is responsible for a number of services that may have the potential to be expanded and operated on a commercial basis. • Although services like trade waste have operated successfully over a number of years, competing with the private sector, there may be scope for a number of other services to either enter the commercial market or build on existing success, having traded with other Council directorates for a number of years. • It is clear that the current financial constraints imposed on local authorities will not ease in the foreseeable future and therefore any additional revenue will make a welcome contribution, easing the Council's financial burden and securing employment.

<p>Rationale</p>	<ul style="list-style-type: none"> • Help compliment and support existing Council services. • Build on existing commercial expertise within the Environmental Management Division. • Determine constraints of existing legislation and help determine the boundaries of new legislation such as the Localism Act. • Offer potential employment opportunities and further extend the Environmental Management Division's established apprenticeship programme. • Help remove boundaries that often constrain Council services and restrict investment. • Establish a framework that will free Environmental Management from traditional bureaucracy associated with trading Council services. • Help secure employment by seeking out new opportunities.
<p>What are we asking from the Scrutiny Committee?</p>	<p>Scrutiny Committee to consider scope for a commercial strategy that will help support existing Council services, secure jobs and identify additional revenue streams.</p>

Health Scrutiny Committee		
Portfolio		Cabinet Member for HR, Legal, Property and Health
Area for Scrutiny		Elements of Patient Experience in Acute Care
Council Priorities		
	Council Plan:	Ensure local people receive the highest quality healthcare from their local health services.
Context		<p>The independent inquiry into care provided by Mid-Staffordshire NHS Foundation Trust – January 2005 – March 2009, chaired by Robert Francis QC, highlighted serious failings in care at that Trust which were set out in the report published in 2013 and recommended changes at the Mid-Staffordshire acute hospital.</p> <p>The report also comments that in respect of Mid-Staffordshire, it received evidence of <i>'perceived ineffectiveness'</i> of the local authority Overview and Scrutiny Committee (OSC). Comments concerned <i>'lack of understanding and grip'</i> on the real local healthcare issues. Sir Robert Francis found <i>'little evidence that the OSC took a particularly aggressive proactive approach to their scrutiny of the NHS'</i>; though this view was countered by the Chair of the District Council OSC.</p>
Rationale		<p>The Dudley MBC OSC has taken a proactive approach to the quality of care in the local acute trust. The Committee may now wish to take a more in-depth look at the area of patient experience – ensuring that it provides opportunity to hear from patients and their relatives on the standard of care received and seek assurance that the responsible commissioner is adequately monitoring standards of care. It is suggested that the Committee consider 1 of 2 potential areas:</p> <ul style="list-style-type: none"> - personal and oral hygiene - nutrition and hydration.
What are we asking from the Scrutiny Committee?		That the Committee examines, in depth, the quality of the patient experience in 1 of 2 proposed areas of patient experience; and make recommendations for healthcare bodies based upon such a review.