

# Executive Scrutiny Committee

<b>10:00</b>	<b>Tuesday, 26 March 2013</b>	<b>Committee Room 2, County Hall, Chelmsford, Essex</b>
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**Quorum: 4**

## **Membership**

Councillor M Mackrory  
Councillor G Butland  
Councillor S Candy  
Councillor W Dick  
Councillor N Edey  
Councillor A Hedley  
Councillor S Mayzes  
Councillor V Metcalfe  
Councillor G Mitchinson  
Councillor M Page  
Councillor J Pike  
Councillor I Pummell  
Councillor J Roberts  
Councillor A Turrell  
Councillor B Wood  
Councillor J Young

Chairman  
Vice-Chairman

Vice-Chairman

**For information about the meeting please ask for:**

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Essex County Council

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## Part 1

(During consideration of these items the meeting is likely to be open to the press and public)

		Pages
1	<b>Apologies and Substitution Notices</b> The Committee Officer to report receipt (if any)	
2	<b>Declarations of Interest</b> To note any declarations of interest to be made by Members	
3	<b>Minutes</b> To approve as a true record the minutes of the last meeting held on Tuesday 26 February 2013 (attached).	5 - 10
4a	<b>ES0913 Localism</b>	11 - 20
4b	<b>Developing the Localism Agenda - petitions</b> To receive a report (ES/10/13) from the Governance Officer on petitions. (Report to follow)	
5	<b>Coroner's Service</b> To receive a report (ES/11/13) on the Coroner's Service.	21 - 28
6	<b>Forward Look</b> To consider the latest work programme (ES/12/13).	29 - 38
7	<b>Date of Next Meeting</b> To note that the next meeting will be held at 10am on 23 April 2013 in Committee Room 2.	
8	<b>Urgent Business</b> To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.	

## Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local

Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

**9 Urgent Exempt Business**

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

## MINUTES OF A MEETING OF THE EXECUTIVE SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD ON 26 FEBRUARY 2013

### Present

G Butland (Vice-Chairman)	M Page
W J C Dick	J Pike
N Edey	Mrs I Pummell
A Hedley	J Roberts
M Mackrory (Chairman)	Mrs A Turrell
Mrs V Metcalfe	J A Young (Vice-Chairman)
G Mitchinson	

County Councillor K Twitchen was also in attendance.

The following officers were present in support of the meeting:

Robert Fox	Governance Officer
Graham Hughes	Committee Officer

### 1. Apologies for Absence and Substitutions

The Committee Officer reported apologies for absence from Councillor S Mayzes.

### 2. Declarations of Interest

During the discussion on fire sprinkler systems within Item 4(vi) below, Cllr Hedley declared a personal interest as he was in receipt of a pension from a company which produced fire sprinkler systems. No other declarations of interest were made.

### 3. Minutes and Matters Arising

The minutes of the meeting held on 29 January 2013 were approved as a correct record and signed by the Chairman.

Matters Arising:

Minute 6: Miscellaneous: Councillor Finch reported that the subsidised sewing classes advertised recently had been scheduled to raise awareness of repairing and reuse of old clothing and to seek further volunteers as part of the Waste Reduction and Awareness Programme. As a result he believed that the cost of running these classes was consistent with corporate objectives and policy.

Minute 6: Employees: Councillor Finch reported that the ECC workforce in May 2009 had been 8,424 FTE and at December 2012 had been 6,713 FTE.

### 4. Health and Safety

Councillor David Finch, Deputy Leader of the Council and Cabinet Member for Finance and Transformation and Cabinet Member with responsibility for Health and Safety, was joined by Sanjay Dhir, Interim Head of Health and Safety, who introduced a report (ES/07/13) on the Performance Dashboard and, via an overhead presentation, outlined the health and safety information and guidance available on the County Council's intranet site, including risk assessment templates, which demonstrated the County Council's commitment to provide clear leadership in promoting a health and safety orientated work culture.

(i) Introduction

Mr Dhir outlined the management structure and reporting lines. A monthly Corporate Health and Safety Board, chaired by the Deputy Chief Executive, reported into the Corporate Leadership Team. Directorate Health and Safety Committees/Forums met regularly to oversee local processes and risk assessments.

(ii) Health and Safety Executive

Two recent health and safety incidents which had led to the Health and Safety Executive issuing formal action against the Council were outlined

One incident, which resulted in the Council being prosecuted, related to insufficient guidance, training and supervision, around a school swimming pool. Comprehensive guidance and risk assessments had now been produced and on-site health and safety training was being provided to County Council controlled schools with their own swimming pools. A chargeable advisory service was also provided to academies. During this discussion it was confirmed that accountability for health and safety in schools remained with the school.

The second incident related to an Improvement Notice against a children's residential home. Procedures, risk assessments and training had been improved and the improvement notice was lifted shortly afterwards.

(iii) Performance Dashboard 2012/13

The statistics showed that schools were reporting the majority of accidents with most of the injuries reported occurring during play, PE and slips, trips and falls. The statistics also showed that the majority of incidents were reported as violence. Health and safety reporting by the County Council only related to County Council controlled schools and academies were excluded from the analysis.

Incidents of reported violence and aggression were predominantly from social care and schools although it was stressed that the statistics would include verbal abuse as well as physical threats. Learning and Development offered courses for staff in how to deal with aggressive behaviour.

It was confirmed that the Corporate Health and Safety Board and Corporate Governance Steering Board received further breakdowns of the Performance

Dashboard such as by school, by cause, by directorate and by month, which were fed into the senior management team.

The County Council was also required to report serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses) under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995).

(iv) Training

An E-learning training module would be launched in April 2013. The Corporate Health and Safety Board had agreed that the module would be mandatory for all staff and Members, including contract and agency staff as appropriate. Completion of the module would be incorporated into the Personal Development (My Performance) Contract for each employee. Members stressed that the training module needed to include an assessment of how much the participant knew at the end of the session. The module had been designed to be engaging and participants would only obtain certification upon completion of the module.

Departmental management were required to monitor training attendance by their team. In addition, local health and safety committees and forums were required to oversee such monitoring and receive employee feedback on the training courses.

The health and safety training courses that were available were listed on the Intranet and were outlined by Mr Dhir. Training courses were an essential element of employee engagement. A Health and Safety Handbook, which included basic guidance, risk information and checklists, had been developed for new staff and Members. Refresher training for Head Teachers and Governors in County Council controlled schools was being completed.

The County Council also provided chargeable advisory services to school academies at minimal cost.

The Corporate Governance Steering Board had agreed to run a health and safety training programme for new Members after the May elections. The Governance Officer was instructed to ensure that this was added to the Scrutiny Board agenda so that it was incorporated into future member training and development.

(v) School Closures

Members raised the issue of winter school closures. Mr Dhir stressed that a decision to close a school was the responsibility of the school governors, after an appropriate consideration and risk assessment, and not the County Council. The County Council gave training to school management on risk management not risk aversion and the Health and Safety Executive endorsed this type of approach. It was acknowledged that sometimes a school would actually be closed because insufficient members of staff could reach the school in adverse weather conditions.

(vi) Fixed fire sprinkler systems

Members discussed the viability of schools installing fixed sprinkler systems in their buildings. There was no County Council or legislative requirement to fix such sprinkler systems. Instead, it was acknowledged that the fire prevention, fire precautions and systems required in schools would be determined by the fire risk assessment undertaken by the Fire Service and that any specific requirement for a fixed sprinkler system was more likely to come from the school's insurer rather than the Fire Service. Despite this, and officers recommending a proportional approach towards further changes to fire systems at schools already built, some Members were still keen that the County Council explored further the possibility of installing fixed sprinkler systems in County Council controlled schools. Anecdotal evidence from Members suggested that the cost of implementing a fixed sprinkler system may only be about 2% of the overall cost of building a school although other Members suggested it could be at a level that was more prohibitive.

(vii) Home workers

It was confirmed that the County Council retained some responsibility for the health and safety of home workers and provided training and equipment to facilitate a safe home working environment, although no home inspection was undertaken. The individual home worker also had to take some responsibility for their own working environment.

(viii) Union engagement

It was confirmed that there was considerable engagement with union representatives as part of the health and safety governance process. In particular, union representatives were members of directorate level health and safety committees and forums and participated in health and safety related workshops. In addition, the frequency of a dedicated health and safety meeting held with union representatives had increased to three a year.

(ix) Best in class aspiration

The County Council was aspiring to be a leading council on good health and safety governance and practices and, in time, would be seeking third party validation of this aspiration.

(x) Conclusion

It was acknowledged that significant work on health and safety processes had been undertaken in recent months and it was **agreed** that the Committee should receive a further update in due course. The Chairman thanked Councillor Finch and Mr Dhir for their presentation and they then left the meeting.

## 5. Forward Look



The Committee considered and **Agreed** the Forward Look (ES/08/13). Members were concerned that the item on Developing the Localism Agenda had again been deferred and **agreed** that representations be made to the Cabinet Member and the Scrutiny Board emphasising the importance of an early opportunity to scrutinise the proposals.

#### **6. Dates of Future Meetings 2013**

The next meeting of the Committee would be at 10am on Tuesday 26 March 2013 in Committee Room 2.

There being no urgent business the meeting closed at 11.07 am.

Chairman  
26 March 2013



	<b>AGENDA ITEM 4a</b>
	<b>ES/09/13</b>
<b>Committee:</b>	<b>Executive Scrutiny Committee</b>
<b>Date:</b>	<b>26 March 2013</b>
<b><u>Developing the Localism agenda</u></b>	

Please see attached report received from the Cabinet Member for Communities and Planning.



## 1. What has the impact been on Essex of the Localism Bill?

The Localism Bill, which became the Localism Act 2011, runs to 495 pages, is divided into ten parts and contains 25 separate schedules. This response therefore focuses on the key areas which best align to the scope of the 'Localism agenda' review defined by Executive Scrutiny Committee.

- i) General Power of Competence (GPC): This is an enabling power, giving Local Authorities the same freedoms as private individuals – i.e. the freedom to do anything that is not otherwise prohibited by law. The impact on Essex has been limited, as ECC had previously been one of the minority of Local Authorities to successfully use the 'wellbeing' powers contained within the Local Government Act 2000. This means that, to date, these new enabling powers have not given additional power to any activity which ECC was already confident it could legally undertake.
- ii) Community Right to Challenge: We have put systems in place to facilitate and process expressions of interest from communities and have created an annual process to fit with our own annual planning cycle. The 'window of opportunity' for expressions of interest to be submitted is currently open, running from March 1<sup>st</sup> and April 30<sup>th</sup> 2013. To date, no expressions of interest have been submitted and, while it is possible that there will be a late flurry of submissions when the window closes, this is not anticipated. Indeed, DCLG's own impact assessment suggested that only 300 valid expressions of interest were expected nationally over the next three years.
- iii) Community Right to Bid: The relevant local authority for this part of the legislation is the District/Borough/City Council rather than ECC, although ECC may in future be impacted as a landowner. This has not happened to date and as the District/Borough/City Councils own the process, the impact on the whole of Essex is not known, although it is thought to be minimal at present.
- iv) Community Asset Transfer: ECC has a policy and protocol in place and a process by which communities can engage in dialogue and submit expressions of interest. In the current financial year to date, there have been twelve active Community Asset Transfer processes across the County. These range in maturity from early conversations to business case reviews through to a completed transfer: that of the former Stock Library to the Stock and Buttsbury Heritage Society, which was agreed in February 2013.

More generally, the context for partnership working has changed with the localist ethos emerging from the Coalition Government and indeed our own desire to see individuals and communities empowered and becoming more self sufficient. There have been many positive impacts in Essex: individuals are taking responsibility for commissioning their own care, communities raise money and allocate grants to community projects, volunteers provide services to people across the local community and many young people provide training to adults wanting to use information technology. Essex citizens and communities are already shaping, rather than simply accepting, the provision of public services, and this goes beyond the scope of the Localism Act.

## 2. How have societies engaged with the Big Society Revenue and Capital Fund? In particular has there been any engagement from societies in urban areas,

### **given that there is no Parish or Town Council involvement in many of these areas?**

As a key element in the Council's broad localism agenda, the main aim of the Big Society Fund (BSF) is to help groups build a stronger civic society and community resilience. The BSF provides funding to local communities to bring a real and lasting benefit to local people by providing better facilities, increasing public participation and citizenship and improving public services. The fund is available to receive applications from community groups, town and parish councils and voluntary organisations who wish to provide an asset of which the local community is in need. Regardless of whether an area is parished or un-parished, funds are evenly distributed, with each city; district and borough area being awarded the same funding for allocation.

Annually to launch the fund, a letter is sent to each town/parish council in Essex, plus each district CVS, as a minimum. The fund is also promoted in the Making the Links magazine and newsletter and in other local media. It is also show-cased at a series funding events throughout the county that are run annually by CVS's. Elected members are made aware of the grant and are involved in promoting the availability of this fund and in seeking out local organisations and signposting them to it. They also attend launch events for successful projects, which acts as an enabler to other groups who are looking to secure funding. The range of techniques employed in promoting the fund helps to ensure that it is widely known among community and voluntary groups beyond Town and Parish Councils.

### **3. How and where have funds against the two strands (Community Capital and Community Response) been distributed?**

Applicants to the BSF initially complete an Expression of Interest Form which is sent to the BSF team. As soon as they are received, Expressions of Interest are entered onto the Monitoring Sheet. The BSF team performs an initial assessment of the project from the information contained in the Expression of Interest. If the team feels the project could be better presented, or is not eligible, they will have a conversation with the applicant to address this.

Internal panel meetings are held on approximately a 4-week basis; membership consists of the Cabinet Member, Deputy Cabinet Member, BSF Manager, Co-ordinator and Administrator. Expressions of Interest are taken to these meetings (the next meeting after the form is received by the BSF team) and are discussed. The panel will decide whether to allocate the project to Community Capital or Community Response or whether to reject the project altogether.

The successful applicants are sent an email advising them which fund their project has been assigned to (or whether it has been rejected), given a reference number (which is also noted on the Monitoring Sheet) and an application form. They are advised that (in the case of the Community Response grant) their application will be considered by the panel at the meeting immediately following receipt of their completed application. In the case of Community Capital, they are advised of the deadlines for receipt of applications and the timescale for the judging panels.

### **Funding Stream Definitions**

#### ***Community Capital***

This fund is subject to a maximum application of £15,000 for any one project.

It is for capital funding only and eligible areas of expenditure could include, but are not limited to, community, social and recreational facilities, village halls (including church halls), community shops (including general stores and pubs in some circumstances), community transport initiatives (not for a single-use group), land purchases, playground equipment, environmental works and any related feasibility, design and planning work.

#### ***Community Response***

This fund is subject to a maximum application of £10,000 for any one project.

Eligible projects for this funding are as described for the Community Capital Fund. The difference is that applications for Community Response funding will only be considered where the need is evidenced clearly by the applicant that funding is required for:-

- time critical initiatives
- initiatives that require one-off start-up funding

This fund will not be used to support the on-going running costs of established organisations.

Uniquely for applications made to the community capital funding stream, the allocation from the BSF is not agreed by Essex County Council, but by local people. The judging panels are made up of members of community organisations, including town and parish councils, community and voluntary organisations and youth groups. In this way the County Council is achieving the real delegation of resources and decision making to local communities. County and district councillors attend judging panels as observers, but do not have a vote in the judging process.

The table below sets out an analysis of funding allocations made from the BSF for 2012/2013, as of February 2013, on a city, district and borough basis.

<b><i>Community Capital</i></b>					<b><i>Community Response</i></b>	
<b><i>District</i></b>	<b><i>No. of Grants</i></b>	<b><i>Total Granted</i></b>	<b><i>Project Totals</i></b>	<b><i>Leverage</i></b>	<b><i>No. of Grants</i></b>	<b><i>Total Granted</i></b>
<b>Basildon</b>	5	£56,899	£1,205,893	21.19	2	£16,814
<b>Braintree</b>	12	£109,500	£733,674	6.70	6	£37,455
<b>Brentwood</b>	2	£25,000	£47,108	1.88	0	£0
<b>Castle Point</b>	5	£70,300	£1,160,600	16.51	1	£8,000
<b>Chelmsford</b>	6	£59,428	£354,000	5.96	3	£26,500

<b>Colchester</b>	11	£111,098	£1,056,485	9.51	6	£29,284
<b>Epping Forest</b>	11	£102,630	£1,724,177	16.80	5	28,771
<b>Harlow</b>	7	£36,059	£74,485	2.07	3	£7,568
<b>Maldon</b>	11	£100,003	£232,738	2.33	2	£6,215
<b>Rochford</b>	7	£49,005	£129,960	2.65	1	£3,700
<b>Tendring</b>	8	£77,078	£137,217	1.78	6	£25,663
<b>Uttlesford</b>	12	£106,560	£1,090,078	10.23	3	£8,500
<b>Totals</b>	<b>97</b>	<b>£903,560</b>	<b>£7,946,415</b>	<b>8.79</b>	<b>38</b>	<b>£198,470</b>

#### 4. How are strategic priorities in the localism agenda being identified?

We have an agreed Corporate Vision 2012-2017 which sets an overall vision for ECC along with key priorities and principles to the way we do business. This was agreed following an extensive period of analysis and consultation with over 1200 individuals, groups and organisations, and reflects both an objective analysis of Essex needs and challenges, and the priorities and concerns of our residents. This corporate vision incorporates many localist principles, for instance we have a priority about giving people a greater say and a greater role in building safer and stronger communities and an overarching principle of promoting local decision-making. Ultimately, the localist agenda is an effective way of delivering our priorities in a manner which gives greater choice and freedom to individuals and communities.

The overarching corporate vision and plan provides an agreed framework within which other policies and priorities develop. Further priorities must support the direction articulated in the vision, and, like all priorities agreed by the council, will be underpinned by a sound evidence base, take into account requirements from emerging legislation or guidance, and best practice from elsewhere.

#### 5. Are the different audiences being effectively communicated with?

We communicate with a range of different audiences and partners to ensure that we work as effectively as possible in our localities. The landscape changes so quickly and with such a multiplicity of stakeholders that inevitably there will be improvements we can make at any given time.

District, Borough, City and Parish/Town Councils are all actively communicated with as the democratic tiers of local government in Essex, and these arrangements are expanded in more detail in answer to question 8 below. More recently, our emerging work as a Whole Place Community Budget (WPCB) pilot has seen multiple new opportunities for engagement and communication across the whole public and voluntary sector in Essex, extending beyond simple communication and moving



towards a two-way dialogue. Specific details of effective communication on the BSF programme are also outlined in answer to question 2 above.

As part of the Voluntary and Community Sector (VCS) Strategy refresh we have also set-up an internal task and finish group, and are consulting with external partners via the Compact Steering Group and local infrastructure organisations such as CVSS and ECVYS. This approach helps to ensure that different audiences are being effectively communicated with and will help to ensure that our future approach is understood and relevant.

Crucially, each individual Member also has a role to play in ensuring that different audiences in their communities are being effectively communicated with. All Members are currently asked to produce an Annual Report outlining how they have undertaken their role, and this will necessarily include appropriate communication and engagement. Ensuring that Members are well equipped to better achieve this is a crucial element of the planned Induction programme which will commence after the May 2013 election.

At a wider partnership level, Essex Partnership Conferences are designed to be as-and-when conferences when the need arises, allowing a wide range of partners and stakeholders to come together to discuss key issues. For example, two Whole Essex Community Budget (WECB) conferences were held in 2012 to discuss and explore the emerging proposals from the WECB programme. This mechanism still exists to enable a wider group of stakeholders to come together as necessary.

## **6. How are communities being worked with to build their capacity to deliver local priorities?**

There are many initiatives currently operational within Essex County Council designed to support communities in building their capacity to deliver local priorities; they include:-

- the Big Society Fund (responses given to questions 2 and 3 refer)
- the 'Thriving Third Sector' Endowment Fund
- capacity building with local credit unions
- the Essex County Council employee volunteering scheme
- our offer of voluntary secondments from Essex County Council to the voluntary and community sector (VCS)
- the support provided to school governors
- our work to support the Duke of Edinburgh Award scheme
- our work to support the Prince's Trust
- the provision of premises for young people's support groups
- the use of former council buildings by voluntary and community groups
- volunteer training for those working with young people
- local intergenerational gardening projects
- intergenerational ICT coaching projects
- engaging young people in voluntary activity
- our on-going work to support time banking
- the promotion of payroll giving

In addition to these examples, the council has recently announced an allocation £1million from ECC's reserves to create a Community Resilience Fund demonstrates ECC's commitment to developing community capacity. The fund is intended to provide long-term, sustainable funding to community and voluntary groups in order to develop community capacity and resilience. It is envisaged that the fund will be politically independent and will operate at community level, with the flexibility to support local, bespoke priorities.

In order to build community capacity even further, one of the key workstreams as part of our Whole Essex Community Budget pilot is on 'strengthening communities'. The aim of the programme is to shift expectations and create different relationships across public, commercial, voluntary and community sectors – managing demand and reducing dependency on services. The workstream is still in the early stages of development rather than an active programme but it seeks to address exactly this issue:

- building independence and resilience rather than creating dependency; helping people to develop solutions that prevent, reduce or delay the need for public sector interventions; encouraging personal responsibility, supporting personal ownership of the issue and the response
- Identifying and supporting reciprocity – people helping each other; passing it on; paying it back
- Building long-term sustainability into community responses
- Identifying existing infrastructure and building on it where it exists, supporting creation of new approaches only where it doesn't

As part of this workstream we are also refreshing our Voluntary and Community Sector Strategy. The strategy aims to design a 'framework' approach for the county, which will create and support the enabling conditions for stronger, more resilient communities. A key element of this work is to encourage local communities to take ownership of local issues and problems and determine their own solutions, thereby devolving decision-making and resource allocation to the community-level.

## **7. How are Members and officers being equipped to deliver the localism agenda?**

The Member Development Steering Group is actively involved in ensuring the Member Induction & Development programme meets the current and future needs of elected members. Working locally is fundamental to the role of a divisional member and is therefore covered across range of different sessions, for instance on working with communities and the public service landscape & partnerships. This programme will be launched after the May election, giving all Members opportunity to learn or to refresh their skills. There is no specific 'localism agenda' topic, as the localist approach is an enabler rather than an end in itself, as previously outlined in the response to question 4 above.

In addition to the forthcoming induction programme, the Member development programme also incorporates aspects of localism and provides tools to support members in this role. For instance, there has recently been a session available to all

Members on 'Essex Insight', which is a tool which can support Members to find detailed information about the area they represent.

ECC also has a comprehensive development programme for members. Our Performance Management approach gives opportunity for employees and managers to highlight any areas where further development may be beneficial. Our Transformation Programme also seeks culture change, ensuring that we do not simply seek to change the community response, but recognise that ECC behaviours need to change too.

The strengthening communities workstream outlined above also embraces this notion, looking not just to ECC officers to change their behaviour, but more widely across the whole public sector. It is exploring how this can be achieved, so that those working in the sector:

- support and encourage the expectation that people can and will resolve their own issues; understanding that they will achieve better outcomes by doing so;
- look to the community first, rather than create or commission a public sector response or 'service' by default; and
- build consideration of the community contribution into all aspects of their work so that the best use is always made of community assets across all other aspects of public sector delivery.

## **8. How is the County engaging with District/Borough/City Councils, and Parish and Town Councils to take forward the localism agenda?**

The Making the Links bulletin is sent out to all town and parish councils at the end of every month. The bulletin includes regular contributions from various areas of the County Council such as Libraries, Planning, Waste and Recycling etc. The bulletin also regularly promotes the Big Society Fund and any other funding opportunities that may be of interest to communities. In between the monthly bulletin, additional emails are sent at the request of various departments, most recently to include the promotion of the Essex BDUK Project - Making the Connection Campaign.

In partnership with Cambridge Open Systems ([essexinfo.net](http://essexinfo.net)) we continue to provide free website hosting, training and technical support for town and parish councils (including voluntary groups and other organisations), this will be developed further in the coming year to include small businesses.

The Essex Clerks Bursary (total of £5k per year) is available for small to medium sized councils for clerks training to enable parish councils to achieve Quality Status and to become eligible to use the General Power of Competence (Localism Act 2011 S.1-8). The lead officer for Making the Links is a qualified parish clerk and also the lead trainer for Essex Equals, a fast track mentoring service for the clerks qualification, the Certificate in Local Council Administration (CiLCA). Essex currently has the highest national first time pass rate and the highest number of qualified parish and town clerks, one of the criteria for both Quality Status and the General Power of Competence.

Support, including financial support (total of £18k per year) also continues for the production of parish plans.

To support effective locality working with District/Borough/City Councils, we currently offer the opportunity for those partners to work with us on a two-tier Locality Board. Seven of the twelve Districts currently participate and this provides a useful avenue for two-way communication and debate. In Districts where there is currently not a locality board, there is often an active Local Strategic Partnership (LSP) and this can provide some opportunity for local engagement, although these LSPs do not usually include all divisional members.

Locality Boards have been established for up to a year in some Districts and a review of locality working including a review of Locality Boards is currently underway. Among other things, this seeks to explore how Locality Boards can be more effective in ensuring that the Localism agenda is pursued across the county, and not just in the seven Districts who currently operate a two-tier board. This review is also exploring our internal arrangements for supporting locality working, to ensure that we are coordinating our partnership arrangements in the most effective and efficient manner.

### **9. How are the Locality Boards and the Essex Partnership Forum performing?**

Locality Boards at present are informal boards which are established and operating through consensus and local choice. As a consequence, they vary in their terms of reference and what they aim to achieve, so formal performance measures are not currently reported. Where they are operating, they are well attended by both tiers of local government, indicating that the attendees find them useful. They have proved to be extremely useful for getting consensus on key issues of local concern, generating debate and suggested solutions.

Where there has been consensus on these issues across a Locality Board, this has enabled particularly powerful dialogue with decision makers. For instance, the Basildon Locality Board has held an Education Summit to discuss and agree a way forward on local education provision/standards; the Maldon Locality Board has championed the issue of hospital facilities for the Maldon District. Some Locality Boards are still in the process of maturing, but they are increasingly gathering pace and identifying mutual local priorities for action.

Following a review of Partnership working in 2011, the Essex Partnership Forum (EPF) ceased to meet. The EPF's role was to engage a wider group of stakeholders in the decisions taken by the Essex Management Board (EMB). However, following the ending of the Local Area Agreement (LAA) and the removal of the statutory duty to prepare a new one, the EMB, and hence the EPF, became redundant. Instead, a wider forum of stakeholders meets as the Essex Partnership Conference whenever the need arises. This is outlined in more detail in answer to question 5.

<b>AGENDA ITEM 5</b>	
<b>ES/11/13</b>	
<b>Committee:</b>	<b>Executive Scrutiny Committee</b>
<b>Date:</b>	<b>26 March 2013</b>
<b><u>Coroner's Service</u></b>	

## 1. Introduction

The Coroner's Service continues to support two jurisdictions.

- Essex and Thurrock (Mrs Caroline Beasley-Murray is the Coroner) comprising the Braintree District Council, Uttlesford, Tendring, Colchester Borough Council, Harlow Council, Epping Forest District Council, Chelmsford City Council, Maldon District Council, Brentwood Borough Council and Basildon District Council areas.
- Southend and South East Essex (Ms Yvonne Blake is the Acting Coroner) comprising the Southend on Sea Borough Council, Rochford District Council and Castlepoint Borough Council areas.

A Coroner is an independent judicial officer and not a local government officer although the relevant council will appoint them, pay them and be responsible for providing them with suitable premises from which their duties are conducted and with the necessary support personnel and financial resources.

A Coroner is responsible for investigating deaths and in some circumstances holding inquests in the following situations:

- Death was violent or unnatural or occurred in suspicious circumstances
- The cause of death is unknown or uncertain
- The death was caused by an industrial disease
- The death occurred in prison or Police custody
- A doctor did not attend the deceased during the last illness or the doctor treating the deceased had not seen him or her either after death or within 14 days before the death
- The death occurred while the patient was undergoing surgery or did not recover from the anaesthetic

Coroners Officers are employees of the local authority. During 2012 the structure of the Service has changed; there are now two team leaders who also deputise for the service manager, and the Service is organised on a geographical basis rather than a functional basis. Incoming work either on day to day death referrals or inquest work is handled within the teams who take responsibility for all work in their area. Each Coroners officer

has a spread of work spending one month working in each geographical area and will rotate between areas. The Officer takes on all new cases from that area and retains these cases through to their completion, whether that is a certificate published by the Coroner or an Inquest. This ensures that resilience is achieved across the service whilst ensuring that, wherever possible, bereaved families have the same key contact throughout their dealings with the Coroner Service.

2012 has seen the departure of the previous Coroner's Service Manager and after a period of interim management the appointment of a permanent replacement. The Coroner for Southend and South East Essex resigned in May 2012 and his former deputy is now the Acting Coroner for Southend and South East Essex pending the resolution of issues around the single jurisdiction referred to later in this report.

## **2. Progress in the Service 2012.**

### **2.1 Service Standards.**

The Chief Coroner was appointed in 2012 and his appointment took effect in September 2012. The Service has adopted the standards for the Charter for the Bereaved and progress against these targets is as follows.

#### **2.1.1 All inquests to be completed within one year of the death being reported to HM Coroner.**

As indicated above, officers retain cases from the beginning to the end of the process. This creates ownership and improves communication. There is still a significant backlog of cases but the service is making significant progress in addressing this. More recently all officers have developed detailed work schedules allowing all outstanding cases to be scheduled to an inquest date. In addition all new inquest cases are now scheduled for an inquest date as they are opened and adjourned. Team Leaders review work schedules with officers on a weekly basis.

In the Essex and Thurrock Jurisdiction there are fewer than 12 cases that are older than 2011 still remaining for completion. Of these 4 are still the subject of on going inquiries and 4 have been scheduled already.

The position in the Southend jurisdiction is that there are 43 cases older than 2011, of those 12 are currently scheduled.

#### **2.1.2 Bereaved to be contacted within 24 hours of referral.**

All bereaved families are now contacted within 24 hours of referral. Since November 2012 day to day work has been bought up to date with investigations being commenced within 24 hours of referral. Dependent on complexity and the level of investigation required cases are concluded by issuing a certificate or opening an inquest. Either of these events means that the deceased can be released to their

families for burial or cremation. The time taken to do this has reduced and this has achieved a significant service improvement for bereaved families.

## **2.2 Telephone system**

The telephone system provided by and to the Coroners Service has been the subject of complaints principally by service users and stakeholders who have found it difficult to contact the Service. Improvements in the time taken to complete day to day cases has significantly contributed to a reduction in the number of telephone calls that are placed to the Coroner's Service as has a redeployment of staff and amendments in the way that the telephones are structured and answered. Stakeholders such as GPs, hospitals, mortuaries and funeral directors have all commented that the telephone service is much improved and there are no longer any difficulties in contacting the Service. Calls lost prior to being answered have reduced from 30% to between 1-1.5%.

## **2.3 Staff engagement**

The recent Your Voice Survey has revealed that the Coroners Service is significantly more engaged than was previously the case. The overall engagement measure has risen by some 30% to 53%. Other encouraging signs evidenced in the survey indicate that the service is making good progress in the engagement of its staff.

## **2.4 Involvement with Stakeholders**

Stakeholders in the Service have been kept advised of changes as they have taken place and consulted where appropriate about those changes. Close links have always existed between the Service and funeral directors and these have been continued and enhanced. Relationships with mortuaries and hospitals have improved in particular because the reduction in backlogs on day to day work has reduced frustration for all involved in the system. A relationship has been established with the representative body of local GPs and two meetings have taken place which have improved mutual understanding of roles and created a conduit for the resolution of problems.

## **3. Future Progress**

### **3.1 Service move**

The Service will move to County Hall as soon as the refurbishment of A block is sufficiently well advanced. The accommodation formerly occupied by the Service will be refurbished and remodelled to provide a permanent Coroner's Court. This will marginally reduce the cost of accommodation for inquests which is currently rented from other providers as well as being provided in the Council Chamber. More significantly the new accommodation will provide a discrete home for the Coroners Court which will obviate the need to book accommodation elsewhere. It will also provide private meeting rooms for families, accommodation for a jury and advocates meeting rooms. It is expected to be a significant improvement for the bereaved families in Essex as well as enabling inquests to be booked without reference to whether or not other services are

using accommodation. A plan of the new accommodation is attached as Appendix 1. It is anticipated that the work will commence as soon as the Coroner officers move to County Hall. The Coroners will continue to have their offices in New Bridge House but will also be provided with some accommodation in County Hall so that they can undertake business with the officers. Reception services will continue to be provided at New Bridge House for the bereaved attending inquests.

### 3.2 Single Jurisdiction

During the summer of 2012 the Ministry of Justice requested expressions of interest in the amalgamation of Coroners jurisdictions nationally. A decision was taken that Essex would be included in this consultation and this was notified to the Ministry of Justice in discussion with Southend Borough Council. The Ministry of Justice commenced a consultation with those affected for 6 weeks on 1<sup>st</sup> March. The effect of amalgamating the two jurisdictions in Essex namely Essex and Thurrock and Southend and South East Essex would be to create a single Coroner post with a subsidiary full time post to assist with the work. A number of marginal benefits would flow from this namely: -

- A jointly agreed approach to all work.
- A single style of communication for the jurisdiction.
- Use of the new court accommodation by both former jurisdictions.
- The service will be more resilient both in terms of its workforce and availability of coroners.

### 3.3 Facts and figures

The annual report for the service that is required for submission to the Ministry of Justice has been prepared and submitted at the end of February. This is published by the Ministry of Justice once all figures have been checked and collated in or about June of each year. The unconfirmed figures are set out below together with the figures from previous years.

#### Timescale for bringing cases to inquest

	<b>Essex and Thurrock</b>	<b>Southend</b>
2009	44 weeks	27 weeks
2010	40 weeks	33 weeks
2011	36 weeks	36 weeks

Continued overleaf...



**Inquests still open or in progress – Essex and Thurrock (as at 31<sup>st</sup> December 2012)**

	<b>2011</b>	<b>2012</b>
Inquests outstanding	280	238
Less than 6 months	50%	64%
Over 6 months but less than 12 months	14%	20%
Over 12 months but less than 2 years	18%	11%
Over 2 years	18%	5%
Date of oldest case	July 2005	November 2008

**Inquests still open or in progress – Southend and South East Essex (as at 31<sup>st</sup> December 2012)**

	<b>2011</b>	<b>2012</b>
Inquests outstanding	205	271
Less than 6 months	36%	32%
Over 6 months but less than 12 months	23%	20%
Over 12 months but less than 2 years	28%	30%
Over 2 years	13%	19%
Date of oldest case	November 2005	March 2006

**Completed inquests for each jurisdiction**

	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Southend and South East Essex	115	112	80	140	104	102	102
Essex and Thurrock	480	478	422	372	601	617	556

The figures show that there has been steady progress in reducing the inquests outstanding in the Essex and Thurrock jurisdiction.

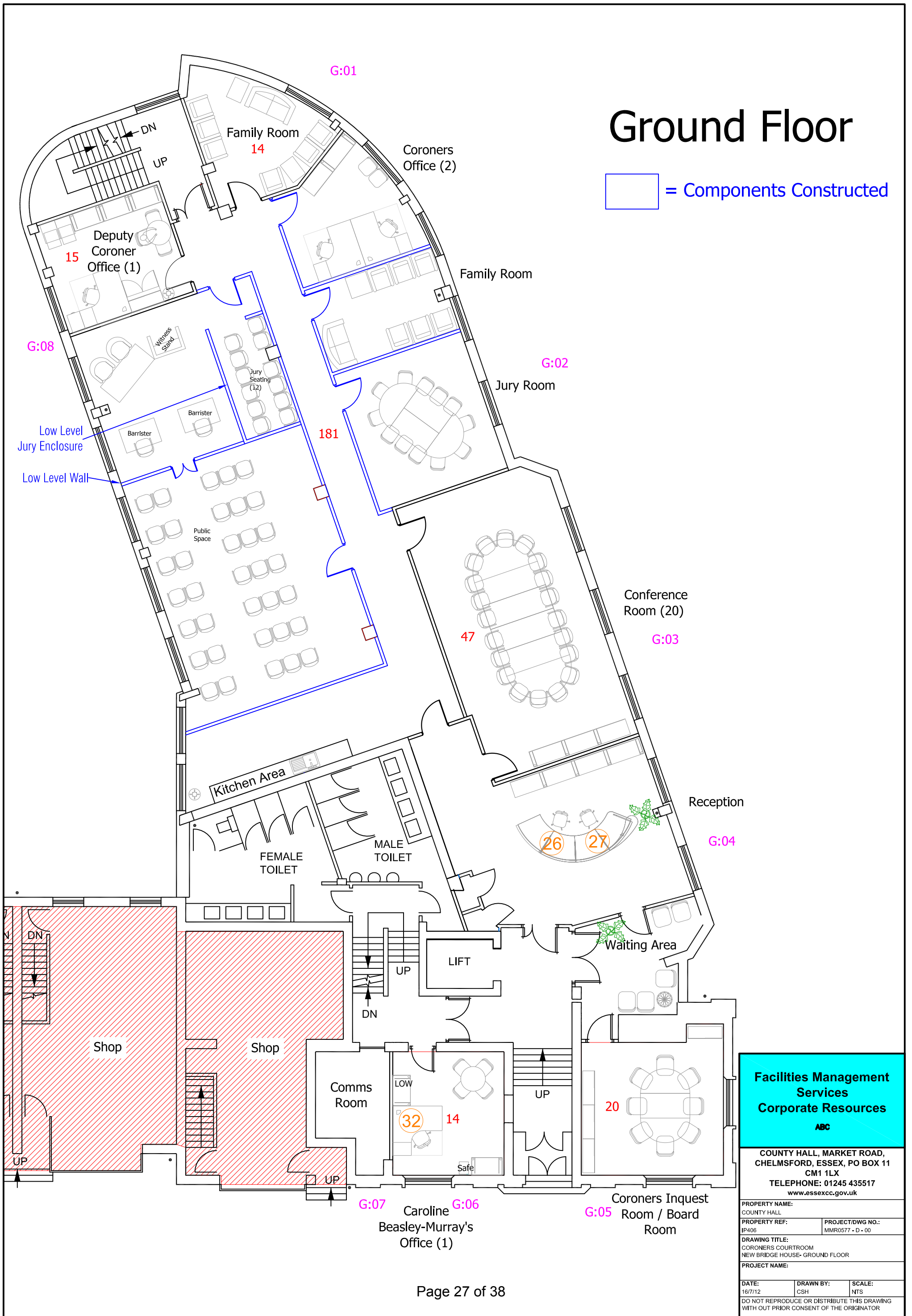
The number of inquests held in the Southend and South East Essex jurisdiction has been exceeded annually by the number that are opened which has created a backlog of inquests for this jurisdiction. These cases are now allocated to Coroners Officers. Planned inquest dates are being scheduled and the scheduling will be completed by 5th April. The Acting Coroner for the jurisdiction has embarked on a programme of review for all cases in the jurisdiction and is working closely with the service to progress cases.

The target for the whole service is that by the end of 2013 there will be no inquests for Essex and Thurrock jurisdiction that will be older than three months and none in

Southend that will be older than six months. In both jurisdictions this target excludes those cases where other investigations are pending from other agencies.

# Ground Floor

= Components Constructed



**Facilities Management  
Services  
Corporate Resources  
ABC**

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PROPERTY NAME: COUNTY HALL		
PROPERTY REF: IP406	PROJECT/DWG NO.: MMR0577 - D - 00	
DRAWING TITLE: CORONERS COURTROOM NEW BRIDGE HOUSE- GROUND FLOOR		
PROJECT NAME:		
DATE: 16/7/12	DRAWN BY: CSH	SCALE: NTS
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	<b>AGENDA ITEM 6</b>
	<b>ES/12/13</b>
<b>Committee:</b>	<b>Executive Scrutiny Committee</b>
<b>Date:</b>	<b>26 March 2013</b>
<b><u>FORWARD LOOK/ WORK PROGRAMME 2012/13</u></b>	
<b>Enquiries to:</b>	<b>Robert Fox, Governance Officer 01245 430526 robert.fox@essex.gov.uk</b>

### **Purpose of Report**

The purpose of this report is to set out the Committee's latest work programme for its consideration.

Meeting	Topic	Approach	Current status
TBA	Property Strategy and Fixed Assets Register	Full Committee	To be agreed – scoping document to follow
23 April	Transformation II	Full Committee	Quarterly update on Transformation Phase II and then ongoing
June 2013	Year End Outturn	Full Committee	Standing item
June 2013	Year End Performance Report	Full Committee	Standing item
Ongoing	External & Internal Communications	Task and Finish Group	In hiatus due to Transformation II
Ongoing	Procurement Strategy	Task and Finish Group	Scrutiny Board referred item to Executive Scrutiny following the initial presentation late 2012. T &F to commence post-May 2013

**Executive Scrutiny Committee:  
Schedule 2012/2013 (provisional)**

<b>Meeting</b>	<b>Topic</b>	<b>Approach</b>	<b>Current status</b>
<b>2012/13</b>			
<b>January and February 2013 and ongoing.</b>	Transformation Programme Scrutiny Review: Beyond 2012/13	Full Committee	<p>To understand the overall vision for the Transformation II Programme and the methodology for its delivery. Also to ensure the governance arrangements are appropriate for a project of this importance and that the maximum benefit to the Council and to public services in Essex is derived from the Programme.</p> <p>Commissioned Services are key in terms of checking the arrangements and scrutiny adding value to the commissioned services.</p> <p>Scrutiny to commence in January 2013 and February 2013 and ongoing.</p>
<b>Date to be agreed</b>	Transformation Programme Scrutiny Review: Shared Services	Full Committee	To consider the Essex Shared Services Strategy 2011-16. A scoping document will be prepared by Mark Hobson, Shared Services and presented to a future meeting of the Committee.
<b>TBA</b>	Health and Safety at Work	Full Committee	The Committee agreed at its 30 May 2012 meeting that as assessment of whether ECC fulfils its H&S legislative requirements in a scrutiny review which will look at the approach the Authority takes to H&S; and to ensure the Authority is fully compliant with relevant H&S legislation. A scoping document was agreed in January 2013. Presentation received in February 2013 – further update in due course.
<b>TBA</b>	Property Strategy and Fixed Assets Register	Full Committee	Councillor David Finch to attend Committee (Scoping Document to

			follow).
<b>March 2013</b>	Coroner's Service	Full Committee	The Committee considered report ES/030/11 on 24 May, and received a report at its 31 January meeting. The Committee will receive a further update in March 2013.
<b>Ongoing via T&amp;F Group</b>	External Communications	Task and Finish Group	The Committee considered a scoping document (ES-SCR-01/12) and agreed that a Task and Finish Group be convened. This Group has met twice to date, and it is anticipated there will be at least two further meetings. The Committee received an interim report in September 2012. This is currently in hiatus due to the Transformation II programme.
<b>From May 2013 via T&amp;F Group</b>	Procurement Strategy	Task and Finish Group	The Committee agreed at its 30 May 2012 meeting that the Deputy Leader be invited to attend the Committee to present on the strategy which is to be revised in September 2013 to ensure the strategy, as it exists and in future, ensures the procurement of cost-effective, high quality services for the residents of Essex. The report was received in November 2012. It was agreed to refer to the Scrutiny Board for further instruction. The Scrutiny Board in January 2013 referred back to Executive Scrutiny to conduct a review via Task and Finish Group with the caveat this commences post-May 2013.
<b>March 2013</b>	Developing the Localism Agenda	Full Committee	The Committee agreed at its 30 May 2012 meeting that an update be invited from the Cabinet Member for Communities and Planning on the Big Society Revenue and Capital Fund. The review should also include elements of Partnership working, the elected Member as a Community leader, the General Power of



			Competence and communities being given the right to run services. The ECC Petitions Policy should also form part of the review. Partnerships and the Impact of the Localism Bill, Locality Boards and the Essex Partnership Forum refresh will also form part of this agenda item. A scoping document was agreed in November 2012.
<b>Standing Items</b>			
<b>Ongoing</b>	Quarterly Budget Reports	The Committee will receive quarterly financial reviews.	The quarterly 2011/12 Financial Reviews were presented throughout the year. The 2012/13 quarterly reviews will be presented to Committee throughout the year.
<b>3 April 2012</b>	Performance Management		The Executive Scrutiny Committee takes an overview of the performance scorecard and referrals to other Policy and Scrutiny Committees. At its 15 February (ES/005/11, minute 7) and 26 April (ES/022/11, minute 33) meetings the Committee considered the new arrangements for reporting performance. Quarter One Performance Report will be presented in July 2012; Quarter Two in October 2012; Quarter 3 in January 2013; and the Annual Report in June 2013.
<b>April 2013</b>	Equality Impact Assessments (ES-SCR-004)	Full Committee	A scoping document setting out the suggested areas of focus for this review was agreed on 23 June 2011 (ES/041/11). Committee received an update on 29 November 2011. A further update will be received in the spring of 2013.
<b>1 May 2012</b>	Capita Resourcing		The final report prepared by a Task and Finish Group convened from the Central Services Policy and Scrutiny Committee was presented for

			consideration on 25 January 2011. Report ES/024/11 containing an update from the Task and Finish Group was presented on 26 April 2011 where it was subsequently agreed that the topic would be brought to the 1 May 2012 meeting for continued monitoring. This report was received in July 2012.
<b>26 June 2012</b>	Customer Satisfaction, Complaints and Public Relations		The Executive Scrutiny Committee considered report ES/029/11 at its meeting on 24 May meeting, with Duncan Wood, Head of Research and Intelligence in attendance to introduce the report, answer questions and provide an update. The Committee agreed that a report providing details of the current performance in this area was brought to the July 2012 meeting (minute 42, 2011). The Committee will receive annual customer satisfaction reports. The first of which will be <b>July 2013</b> .
<b>5 November 2012</b>	Absence Management	Task and Finish Group	The Community Wellbeing and Older Persons Policy and Scrutiny Committee undertook a review into Absence Management for its' relevant Directorate. The Executive Scrutiny Committee awaited the outcome of this scrutiny before continuing with their review. The final scrutiny review report was agreed at the Community Wellbeing and Older Persons Policy and Scrutiny Committee on 9 December. A copy of this report was presented at the 25 January 2011 meeting of the Executive Scrutiny Committee, along with absence figures for all service areas. The Committee agreed (25 January, minute 6) that the topic would be referred to the Scrutiny Board, with a view to discussing each Policy and Scrutiny Committee reviewing their respective directorate absence

			<p>statistics. The Scrutiny Board subsequently agreed that the Community and Older People P &amp; SC undertakes this task on behalf of all P &amp; SC's and established a Task and Finish Group which would report to Executive Scrutiny. The Committee agreed in September 2012 that this review was now complete given that absence rates within ECC are lower than comparable public sector organisations. A final report was presented to the 5 November 2012 Committee. The Committee will receive updated data in <b>November 2013</b>.</p>
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**Completed Scrutiny Reviews by the Executive Scrutiny Committee**

<b>January 2013</b>	Member support, development and effectiveness (ES-SCR-005)	Full Committee	<p>The Executive Scrutiny Committee considered this topic at its 29 November 2011 meeting. The main areas of focus were:</p> <ul style="list-style-type: none"> <li>• Member Development Charter</li> <li>• Member effectiveness</li> <li>• Support for Members</li> <li>• Information and communication for and with Members</li> </ul> <p>A scoping document setting out the suggested areas of focus was agreed on 23 June 2011 (ES/045/11). An update was received in January 2013.</p>
<b>3 April 2012</b>	Corporate Human Resources issues	Full Committee	<p>The Committee will considered a scoping document (ES-SCR-02/12) was considered by the Committee at its 31 January 2012 meeting and a report was received on 3 April 2012 and the Committee agreed that the scrutiny review of this item was complete</p>

<b>25 January 2011</b>	Facilities Management Overspend	The full Committee agreed the summary report	At its 30 November meeting the Committee requested further information about the Facilities Management Service overspend detailed in the Financial Review as at the Half-Year stage 2010/11. A summary report containing details of the overspend was presented at the 25 January meeting.
<b>24 May 2011</b>	Risk Management and contracting arrangements (report ES/33/10)	The full Committee undertook the review.	The Committee monitored the scrutiny review recommendations at 24 May 2011 meeting and received a response from Councillor Louis, Cabinet Member for Major Projects and Commercial Services (ES/031/11). The Committee found that the recommendations had all been accepted, and good progress had been made against them. The Committee agreed that no further action was required in relation to this topic.
<b>29 November 2011</b>	Essex People Strategy 2012 and beyond including staff survey results (ES-SCR-007)	Full Committee	Adam Bowles, Head of Corporate HR and Keir Lynch, Executive Director for Transformation were in attendance to provide an update on the Essex People Strategy, focusing on 2012 and beyond, and include details of the staff survey results and collection methods. A scoping document setting out the areas of focus for this review was agreed at the 23 June 2011 meeting (ES/044/11).  The Central Services Policy and Scrutiny Committee originally considered the Essex People Strategy at its September 2009 meeting.
<b>September 2012</b>	The Changing Pattern of Finance within Local Government	Full Committee	The Committee agreed at its 30 May meeting that it receive a presentation in how the Local Government Finance Bill will affect ECC; what approach the County will be taking to the changes and the areas which might be

			affected. The review should include The Community Infrastructure Levy, Business Improvement Districts, Localism Benefits, National Non-Domestic Rates, and Tax Increment Financing. This report will be received at the 11 September meeting of the Committee. A Member Development Session has been arranged.
<b>June 2012</b>	Refresh of EssexWorks Corporate Vision (ES-SCR-006)	Full Committee	The Committee considered the refreshed EssexWorks Corporate Vision on 29 November 2011, following previous consideration of this topic at the 23 June meeting.

