
Overview and Scrutiny Annual Report 2011

PREFACE

By Councillor John Aldridge, Chairman of the Scrutiny Board

It is important that every aspect of the Council's activity adds value to the organisation: this applies to Scrutiny function as much as any other aspect of the Council's work. As Chairman of the Board I have a crucial role in ensuring the effectiveness of the Council's Scrutiny function. The structure has been rationalised by the removal of an additional Committee (Safer and Stronger Communities Policy and Scrutiny Committee) and the challenge now is to satisfy all members as to their preferred Committee place; as it is important to maximise the skills and aspirations of members whenever possible.

During the year Colin Ismay was appointed as the Statutory Head of Scrutiny. Under the new Constitution the "Call In" function has been extended to all Policy and Scrutiny Committees.

Whilst I believe that the work of the Policy and Scrutiny Committees continue to improve, I believe that there is still more to be done; with a need for an increased emphasis on outcomes and Scrutiny being properly recognised for its contribution to the work of the Council. Scrutiny will have an important role to play in the new world envisaged by the Localism Bill and Transformation in providing assurance for the people of Essex of the services they receive.

I commend the Report to the Council.

THE SCRUTINY BOARD

The Board has responsibility for the direction and management of the Council's overview and scrutiny functions. With the recent cessation of the Area Forums their Chairmen no longer form part of the membership of the Board. The contribution of the Area Forum Chairmen to the Board's work was greatly appreciated.

The Board continues working to achieve a consistent level of high performance across the Committees and ensure that the resources available to it are used wisely. Over the past year the Board responded to the recommendations contained in a scrutiny review by Internal Audit of the effectiveness of the function and has been consistently working to secure improvements. The Board supported a business case for the continuation of the Web casting pilot and would wish to see web casting resumed and extended to include Cabinet meetings when financial circumstances permit.

The Board has taken an keen interest in attendance of Members at Committees and ensuring the best use is made of “Task and Finish” Groups. It has monitored the work of Committees and made suggestions of topics to be reviewed. All Committees have been encouraged to ensure they are engaging with Transformation issues as this is crucial to the work of the Council going forward.

The Board has worked with Glen Sanderson, Chairman of Scrutiny at Northumberland County Council, to provide a peer review of scrutiny in Essex. He has given the Board some valuable insights which are being used to improve the way scrutiny functions. Most recently the Board has been working with Internal Audit to understand how to get the best out of its scrutiny objectives, using revised audit processes, from initial development to reporting and effective follow up.

The Board believes that the current structure is right for Scrutiny in Essex with the ability to make efficient use of Task and Finish Groups and so maximise the skills of members. The Board is also aware of the need to keep the structure under review to ensure that it is fit for purpose to meet the needs of the rapidly changing circumstances in which the Council finds itself.

CHILDREN AND YOUNG PEOPLE POLICY AND SCRUTINY COMMITTEE

Given the Council’s role as a corporate parent for Children Looked After, the Committee considered it particularly important to be kept up to speed on this subject at every meeting with a report on Corporate Parenting matters. In addition Members are encouraged to become involved in all ECC activities involving young people. During the last year, Members have mentored and supported the Young Essex Assembly and the Youth Scrutiny Committee; visited children’s homes; visited apprenticeship schemes; and attended events for young people from all backgrounds organised by the Council.

Crucial to this Council’s responsibilities is the safeguarding of children in Essex. All Members will be aware of the work the Council has undertaken since the first adverse inspection reports were received in 2008/09. A standing Safeguarding Sub-Committee has been established and has completed Stage 1 of its scrutiny early in 2011. For Stage 1 it was vital to ensure that the correct processes and procedures were in place to enable not only the County Council but also all the other agencies involved with the safeguarding of children to move forward from the inadequate rating. This was crucial to the future safeguarding of Essex children.

The Committee then moved swiftly into Stage 2, concentrating on qualitative rather than quantitative issues. This involves (a) talking to front line staff and service users, to ensure that theory is being converted into front line practice and that services to Essex children and families can demonstrably be shown to have improved; (b) talking with witnesses from other statutory agencies and the third sector; and (c) monitoring the progress on the issues raised in this first stage of its work. The Stage 2 report is due out in September 2011.

The Committee has received regular updates on the Council's Improvement Plan and seen substantial improvements in practice and outcomes during this time. One area of improvement that is particularly welcome is the close working relationships that have been established between agencies. All agencies now seem to accept their responsibility for previous shortcomings in safeguarding children.

The third strand of work has been sessions with the Cabinet Members and senior managers of the SCF Directorate. The Committee has been able to discuss the vision and values behind the ethos of the Directorate, as well as look in depth at the reasons for service changes, such as the externalisation of children's homes and the revised structure for the youth service. It has made a number of recommendations to the Cabinet Member in relation to the externalisation of children's homes and will be monitoring the outcomes on a regular basis. It is worth commenting that members would find it beneficial to make a more meaningful contribution by having sufficient opportunity for pre-scrutiny of major areas of policy change.

The Committee plays an active role in holding Cabinet Members and the Head of Service to account. In the last year other issues looked at by the Committee have included educational attainment levels, school standards and keeping under review performance relating to looked after children, community cohesion, academies, Child and Adolescent Mental Health Services (CAMHS) and Speech & Language provision. The Committee's wide remit has very recently increased following the demise of the Safer and Stronger Communities Policy and Scrutiny Committee.

COMMUNITY AND OLDER PEOPLE POLICY AND SCRUTINY COMMITTEE

Occupational Therapy Service Review: The Committee has concluded and published its review of the Occupational Therapy Service and presented the Cabinet Member(s) with six recommendations. The Committee will consider the review again in December. A review of the Disabled Facilities Grant will commence in September/October 2011.

Meals on Wheels: The Committee has concluded and published its review of the Meals on Wheels Service and presented the Cabinet Member(s) with seven recommendations. The Committee will consider the review again in January 2012.

Transformation: The Committee has received reports on both the Adult Social Care and the Libraries Target Operating Models. The Libraries TOM will return to Committee in September 2011, with the Adult Social Care TOM to return before the end of the year.

Adult Safeguarding: Is a standing item on the Committee, with the ESAB Annual Report, and quarterly updates received.

Extra Care Sheltered Housing: Members have commenced scrutiny of Extra Care Sheltered Housing, plus have undertaken a visit to the new Extra Care accommodation in Witham (building upon visits to two accommodation sites in Cambridgeshire). The Borough/District Authorities in Essex with no Extra Care

accommodation have attended a scrutiny meeting to give detail on future plans. This will be revisited in the autumn.

Absence Management: A review of the absence management with AH&CW following Committee recommendations is returning to the Committee in the autumn.

Complaints and Representations: A review of the handling of complaints and representations in AH&CW following Committee recommendations is returning to the Committee in the autumn.

ECONOMIC DEVELOPMENT AND ENVIRONMENT POLICY AND SCRUTINY COMMITTEE

The Committee considered a report on the Winter Service Review referred to it by the Cabinet Member. the Committee was satisfied with the action being proposed by the Cabinet Member for improvements to the highways winter service and asked to receive a brief update on progress on the series of actions that are proposed or are underway to develop solutions to those issues that have been identified for improvement.

The Committee approved the final Scrutiny Report entitled 'A Review On Bus Telematics In Essex, And The Outcomes Of The Committee's Original Recommendations Set Out In Its Scrutiny Report Published In 2009'. The Committee agreed that whilst no further action was required it was concerned about the length of time that had been taken before a decision on real time passenger information would be reached.

The Committee has initiated a review of the relationship with Statutory Undertakers in the way works are undertaken on the highway.

The Committee considered the performance indicator on the County Council's involvement in Inward Investment and the work of INVEST Essex. While the Committee did not propose any further action to be taken on the scorecard referral, Members emphasised that in view of their local knowledge they could be of assistance to INVEST Essex in the work it undertakes e.g. identifying vacant property that may be suitable for business projects.

The Committee dealt with a Call in of the decision on the withdrawal of Saturday Operation at the Sandon Park and Ride Site, Chelmsford.

The Committee considered the final report setting out findings in respect of the review on the effectiveness of planning control upon the use of inert waste for recreational development such as golf courses. It outlined how development using inert waste may be controlled through the planning regulation and waste permitting frameworks, and some of the initiatives that have been introduced in Essex to improve the effectiveness of planning control. The review has highlighted the importance of planning applications being considered by the most appropriate planning authority, and provided clarification on control of inert waste in development. In the past there have been instances where District Councils have determined planning applications that should have been referred to the Waste Planning Authority

because of the volumes of inert waste required for a recreational development. However, the County Council's publication of the Guidance has provided better clarification on development where waste is a part of proposals for recreational development. It was notable that District Councils have been referring more planning applications to the Waste Planning Authority, and there is more two way communication to ensure that applications are determined by the most appropriate planning authority.

The Committee agreed that in the summer of 2012 the Cabinet Member be invited to inform the Committee on the longer term effectiveness that the 'Development Involving County Matters. Guidance Notes, March 2009' may have had in Essex since its publication. The Environment Agency will also be invited to provide a progress report on the implementation of the new Environmental Permitting Regulations. The Committee recommended that the Cabinet Members for Highways and Transportation, and Communities and Planning continue to explore opportunities to reduce the impact of lorry movements associated with development upon the local highway network.

The Committee considered a petition received by the County Council in April 2011 regarding the crossing at Shenfield Green Dragon Junction and have made a number of recommendations to the Cabinet Member:

The outstanding items from the former Safer and Stronger Policy and Scrutiny Committee will be taken forward under the auspices of the new Economic Development, Environment and Highways Policy and Scrutiny Committee

EXECUTIVE SCRUTINY COMMITTEE

The Committee have considered the financial reviews at each quarter stage of the financial year, and the provisional outturn report at the year end.

In keeping with the Committee's terms of reference a new feedback mechanism was introduced to enable scrutiny of overall performance against the corporate plan of all referrals to Policy and Scrutiny Committees made against the performance scorecard targets. This feedback report is presented on a quarterly basis and allows the Committee to take an overview of the referrals and action taken by the Policy and Scrutiny Committees in response to the issues raised. Further changes to the performance monitoring arrangements have been implemented with effect from April 2011, to enable increased involvement of Members in performance management.

There have been 2 call-ins since June last year:

- One call-in of the decision to restructure the Integrated Youth Service
- One call-in of the decision to appoint a School Governor

One of the call-ins was resolved at the informal stage. The Committee has subsequently been asked by the Scrutiny Board to undertake a review of the outcome of the Integrated Youth Service restructure. Following a number of call-ins

relating to the appointment of School Governors, the Committee undertook a review of the School Governor appointment process in October.

At its September meeting, the Committee were invited to undertake scrutiny of the Council's budget preparations for the 2011/12 financial year by the Cabinet Member, who enabled the Committee to consider the draft budget on a further four sessions. This pre-budget scrutiny and involvement in the budget-setting process was welcomed by the Committee. In addition, the public consultation budget setting priority responses received by the Council were considered by the Committee in June 2011.

Since December 2009 the Executive Scrutiny Committee has been carrying out a scrutiny review of the Council's Transformation Programme - a significant project that aims to radically change the way public services are delivered and respond to significant financial challenge.

Since June 2010, the Committee has taken evidence from Cabinet Members and Officers on the following Transformation Programme themes:

1. Procurement
2. New Ways of Working
3. Customer Interface Development
4. IT Modernisation and cloud Computing
5. Governance and Risk Management
6. Property Strategy
7. Shared Services
8. Financial Savings

Two reports containing findings and recommendations have been sent to the Cabinet Member.

In November 2010, the Committee undertook a scrutiny review of the risk management and contracting arrangements for capital programmes, and made six findings and recommendations to the Cabinet Member, all of which were accepted and are in the process of being fully implemented.

The Committee has taken forward the work programme of the now disbanded Central Services Policy and Scrutiny Committee, including reviewing the Coroners Service and performance indicator on overall satisfaction with the Council.

HEALTH OVERVIEW AND SCRUTINY COMMITTEE

The Essex Health Overview and Scrutiny Committee (HOSC) has continued to undertake a strategic scrutiny role on health matters involving all or large parts of the county. Proposed changes in the health sector have been one of the major issues of discussion nationally in the last year and this has been reflected in the HOSC's local discussions on issues such as the creation of the Health and Well Being Board; the transfer of responsibilities for public health; the establishment of GP commissioning consortia; and the move from LINKs to Healthwatch. The Essex HOSC was the only

one in the region which responded to the recent 'pause and reflect' exercise organised by the Government and it will continue to look at all these matters regularly.

There continue to be major changes taking place regardless of any future restructuring of the National Health Service. In the last year the HOSC has commented on some very substantial changes, such as the implementation of the Pharmaceutical Needs Review, the updating of Primary Care Trust Strategic and Financial Plans and Hospital Trust responses to inspections.

The main event in the last year was an Away Day of HOASC Members and representatives of the Hospital and Mental Health Trusts, LINKs and the Southend and Thurrock HOSCs. These events provide an excellent opportunity to consider a range of subjects in an informal setting and the outcomes will influence our agenda for the next 18 to 24 months.

A number of Task and Finish Groups have undertaken work on specific topics and the HOSC would like to thank the Area Forums for the major role they played in a number of these. The largest report has been a comprehensive study of dementia services and the HOSC welcomes the engagement of the Community Wellbeing and Older Peoples P&SC and the Mental Health Trusts in undertaking this study.

The Committee attempts to keep the number of purely local issues on its agendas to a minimum and its constitution allows for these to be dealt with by its Secretary if appropriate, subject to items being reported to the HOSC on a quarterly basis for information. This arrangement has worked well and enables the HOSC to concentrate on the 'bigger picture', as well as preventing unnecessary delays to local projects.

As in the previous two years, Essex continues to take the lead role regionally, with the HOSC Chairman chairing the East of England Regional Health Chairs Forum (comprising the 11 HOSCs in the region). Much work on the commissioning of high value and highly specialised services is carried out at the regional level.

SAFER AND STRONGER COMMUNITIES POLICY AND SCRUTINY COMMITTEE

The Committee reviewed the outcomes of its original Scrutiny Report on Street Lighting that contained 13 recommendations to the Cabinet Member for Highways and Transportation. The Committee's advice to the Cabinet Member was based on the principle that the level of street lighting could and should be reduced and wherever possible new technology should be the means of achieving targets in this filed. The Cabinet Member reported back to the Committee that he had accepted the 13 recommendations and so concentrated how he proposed to roll out a Central Management System for the control of street lighting throughout Essex. The Committee welcomed the Cabinet Member's positive response to its recommendations and the progress being made. It agreed to have an update in 12 months' time.

A number of members of the Committee had taken part in a site visit to view Operation Mermaid in action. Operation Mermaid was a nationwide policing initiative to take dangerous vehicles off the road. It had been very informative and provided an important insight as to how measures are in place to ensure the County's roads are kept safe for all users. Those who attended shared their insights with the rest of the Committee.

The Committee finalised its report of a Scrutiny Review of Essex Heritage which represented an in-depth study into the many issues facing the Heritage and Conservation of the historic environment so prevalent across the County of Essex. The report makes a number of recommendations for consideration by the Cabinet Member and for action at a national level. The Cabinet Member broadly endorsed the overall thrust of the report.

Prior to the submission of the Council's response to the Government Consultation "Policing in the 21st century: Reconnecting police and the people" the Committee gave its views to the Cabinet Member.

The Committee considered the transfer of the role and responsibilities of the County Emergency Planning Officer to the Chief Fire Officer and Chief Executive of the Essex County Fire and Rescue Service. A number of members had visited the Essex County Fire and Rescue Service Headquarters at Kelvedon with the aim of learning about the new arrangements, the advantages and disadvantages associated with the new working arrangements, and the potential for future joint working. The Committee generally welcomed the new joint working arrangements for emergency planning services in Essex and confirmed to the Cabinet Member its continuing interest in the way that the new working arrangements are taken forward in practice.

The Committee has initiated reviews into the A Board Policy on the Publicly Maintainable Highway and Off Site Emergency Planning Requirements around COMAH Sites in Essex.

The Committee has considered flood and water management in Essex and the way it is being taken forward in Essex in the light of new legislation and responsibilities. The Committee agreed to recommend to the Cabinet Member for Environment and Waste that the Essex Partnership for Flood Management be requested to submit an annual report on its activity to the Committee, together with notification of the publication of important documents such as the FLOODCOM report. The Committee also asked to be advised of the final funding arrangements for the County Council's Lead Local Flood Authority responsibilities. However, in the meantime it considered that funding for the Council's new responsibilities should be ring fenced to ensure that the new Service may be developed effectively.

The Committee considered proposals on the way that the specialist services currently provided by the Council's Sustainable Environment and Enterprise Service may be provided in future. Based upon the evidence considered, the Committee supported the creation of a Local Authority Trading Company as a way forward. In taking the Project forward, critical consideration should be given to the safeguarding of the high quality approach to transmitting knowledge throughout the Services; the benefits of close working among the specialist teams as well as with their customers in the

County Council complex at County Hall, Chelmsford; and the ways of retaining goodwill of existing staff who may not necessarily be employed on a full time basis by a new trading company, but who may be recruited on a contract basis for individual cases. The Committee asked to be afforded an opportunity to comment upon the Business Case for the new Trading Company before a final decision is made by Cabinet.

The Committee's work was dispersed among the remaining three Committees in May: the outstanding items will be taken forward under the auspices of the new Economic Development, Environment and Highways Policy and Scrutiny Committee.

Councillor John Aldridge
Chairman of the Scrutiny Board
