

## Scrutiny Activity – Annual Report 2016-18

### 1. Scrutiny

The Centre for Public Scrutiny (CfPS) describes local government scrutiny as ‘an independent function, led by local elected Councillors, that works with local people and local bodies to help improve services’. Essex County Council’s (ECC) policy and scrutiny committees gather evidence and prepare reports on issues of importance to the local community, often making recommendations to the Council’s Cabinet Members and other local bodies (including the health service) to bring about these improvements.

Scrutiny aims to contribute to the Council’s outcomes in many ways, including:

- Giving Councillors a role in policy development
- Providing a forum for direct engagement with communities and their representatives
- Feeding into the planning of consultations and other public engagement
- Giving Cabinet Members and officers a constructive forum through which to seek Councillor’s input or support for ideas in a political environment
- Keeping Councillors and members of the public informed
- Playing a key role in monitoring, influencing and holding to account the Health Service
- Monitoring the Council’s performance, tracking progress against plans, reviewing the success of the Council’s actions
- Acting as a critical friend to the Leader and Cabinet, holding to account when necessary
- Helping the Authority champion success and learn from experience.
- Through the call-in process, providing a structure for scrutinising specific decisions of the Cabinet or Cabinet Members.

Essex County Council has four scrutiny committees:

- [Corporate Policy and Scrutiny Committee](#)
- [Health Overview Policy and Scrutiny Committee](#)
- [People and Families Policy and Scrutiny Committee](#)
- [Place Services and Economic Growth Policy and Scrutiny Committee](#)

Much of their work is carried out by smaller sub-groups which report back to the main committees. Because these are always time-limited groups with a specific purpose, they are called ‘Task and Finish groups’.

The four committees are overseen by the Scrutiny Board, made up of the Chairmen of each Scrutiny Committee, and the Chairman of the Audit, Governance and Standards Committee. The Board has a role in steering the direction of Scrutiny, encouraging and disseminating best practice, allocating work across the committees, looking out for new issues on the horizon, leading scrutiny member development and playing a key role in engagement with cabinet members and senior officers. Following the election in May 2017, the Board has worked to fulfil this role of

managing the Council's Overview and Scrutiny function through overseeing the scrutiny function, managing resources and championing its work.

## **2. Induction**

In advance of the County Council elections a specific Scrutiny Induction programme was developed with the Scrutiny Board. The programme took place in July and August (postponed from the dates originally programmed) due to the timing of the General Election) and was led by officers from Democratic Services and the Chairman of each Scrutiny Committee.

The first generic sessions for each of the Committees:

- Outlined the legal context for scrutiny and the expectations placed on scrutiny members
- Defined scrutiny at Essex County Council and provided an overview of scrutiny procedures
- Explored the remit of the individual Committees
- Outlined the schedule of meetings and expectations
- Gave details of support officers

Each of the first sessions were presented with an outline of the role of the Scrutiny Board; had discussions on being an expert scrutineer, the benefits of team working; the Centre for Public Scrutiny principles; how to challenge; and the resources available to be an expert scrutineer. Some broad best practice principles of work programming and topic selection were also introduced in either the first or second sessions. The value of using different types of scrutiny activity was also discussed.

The timetable and sessions were drawn up so that both new and returning Members would find some elements of the programme useful, if by way of an introduction or a refresher. Attendance, given the timing of the induction programme, was very encouraging.

The Committees are now undertaking ongoing development, of which the Scrutiny Board has an oversight role, to support their specific requirements; a recent example was the development day that the HOPSC had in relation to Sustainability and Transformation Plans.

## **3. Work of the Committees**

### **Corporate Policy and Scrutiny Committee**

The committee has a wide ranging remit covering financial administration including the budget, procurement and commercial services, customer and registration services, libraries, information technology, property and facilities management and democratic representation. The committee shadows the Cabinet Members for Resources; Culture, Communities and Customer; Housing, Property and Planning; Economic Growth, Skills, Infrastructure and the Digital Economy and the Leader of the Council.

### *Member Enquiries Task and Finish Group*

In January 2017, a task and finish group was set up by the committee to review the Member Enquiries service.

A number of meetings were held to discuss a variety of areas that could be improved and as a result, a number of recommendations were put forward which were agreed with the Cabinet Member and officers. Some of the recommendations have already been introduced and are working well, such as Members now receiving an automated email acknowledgement within 24 hours of sending an enquiry to the Member Enquiries Team.

### *Coroner's Service*

In October 2017, the committee received a report from the Coroner's Service detailing the work of the service, along with good news stories and also some of the challenges they are currently facing. The committee agreed that further reports are brought back to the Committee on progress of the case management system, stillbirth reviews, jury accommodation, digital scanning and mortuary provision.

Members of the committee also visited Seax House for a tour of the Coroner's Office to understand the issues in context.

### *Local Government Association (Call-In)*

In March 2017, a call-in was made after the Chairman of the Committee received notification of Essex County Council's decision to give notice to leave the Local Government Association at the end of March 2018.

As a result of this call-in, it was proposed and subsequently agreed that the committee will re-address this issue at a future meeting.

### *Budget*

In November 2017, the committee received an update on the financial position of Essex County Council following the announcement of the national Autumn Budget statement. In depth reports were reviewed by the committee and very productive discussions took place. All of the concerns raised by the committee were responded to and as a result, a number of suggestions were taken on board by officers which would be taken into account during the budget setting process.

### *Reserves*

In January 2018, the committee were briefed on how the Council is managing its reserves, with a number of questions posed to the presenting officers. Assurances were given that the Council has the right amount of reserves in the right places, should they need to be called upon in the future.

### *Transformation updates*

The committee made a decision not to continue to receive quarterly updates on the Council's transformation programme. This enabled the committee to free up more of its time to concentrate more on specific projects within the agenda and the savings these projects deliver.

## **Health Overview Policy and Scrutiny Committee (HOPSC)**

### *Context*

The Essex health arena is complicated with multiple health bodies; some who identify patient needs and purchase (or commission) health services on their behalf (these are generally called Clinical Commissioning Groups), and others who are providers of those services. Some of the biggest providers of health services in Essex are the five hospital trusts and these continue to face significant financial, performance and resource issues and, during the last two years, two of them have been subject to a higher level of regulatory oversight as a result of those issues. This is exacerbated by demand pressures arising from demographic growth, longer life expectancy, and people increasingly having more complex and multiple health conditions.

The HOPSC has had a programme of engagement activity with these and other provider organisations (as well as commissioners), to increase transparency and accountability and offer support and constructive challenge on how they are driving quality improvements.

### *Mergers*

Colchester and Ipswich Hospitals have been working towards a merger of both hospital trusts due to complete later in 2018. On 9 January 2018 the respective trust boards of Basildon, Mid Essex and Southend Hospitals also announced that they are set to discuss proposals which could see them moving towards the creation of a single NHS trust.

The HOPSC will be working with scrutiny colleagues in adjoining authorities to monitor the planning and governance of these proposed mergers both formally through Joint HOSCs already established and in other informal arrangements. In addition, the HOPSC will also continue to have oversight of these mergers.

Over a 15 month period the HOPSC also monitored and challenged the planning the progress of the merger of North Essex Partnership Foundation Trust and South Essex Partnership Trust (who provided adult mental health services in Essex) and, in particular, the governance processes established to oversee the merger. The merger competed in the summer of 2016 with the establishment of the Essex Partnership Trust.

### *Sustainability and Transformation Partnerships*

Sustainability and Transformation Partnerships (STPs) have established health and social care footprints across England and Wales – three of them cover parts of Essex and all cut across administrative borders. The HOPSC's role has been to

challenge the plans being developed by these partnerships, how they will engage with other key stakeholders and the public and are the changes proposed sustainable and in the best interests of the overall local health system. The HOPSC has held a number of sessions with STP leaders over the last two years as the STP plans have been developed.

Patient Engagement in the Success Regime (subsequently the Mid and South Essex Sustainability and Transformation Partnership)

With Healthwatch Essex the HOPSC co-hosted a conference which brought together health bosses and asked how they would listen to the people of Essex when considering the redesign of health services in the county. The conference was also attended by representatives from patient engagement groups, health commissioners and providers, and the community and voluntary sector. In particular, delegates stressed that service users must be involved at the beginning of service redesign processes and that there need to be sufficient time allowed for meaningful engagement prior to formal proposals being finalised. NHS England was also asked to demonstrate how they will engage early with patient groups, primary care and community and voluntary organisations.

#### *Working in partnership with neighbouring HOSCs*

As STP proposals have been further developed into specific changes to services the HOPSC has started to work formally in joint committees with the HOSCs of neighbouring authorities. With the three STPs footprints overlaying the county of Essex all operating at different speeds this has been reflected in how far those joint scrutiny arrangements have been developed. The current status on these is as follows:

North East Essex and Suffolk STP - a Joint HOSC is running with Suffolk County Council to scrutinise proposals.

Mid and South Essex STP - a Joint HOSC is to be established with Southend and Thurrock Unitary Authorities with the first formal meeting in late February 2018.

Hertfordshire and West Essex STP – this STP is not yet near a stage of formal consultation on proposals for service changes. No substantive discussions have yet been held with Hertfordshire HOSC regarding joint working.

During the last two years the HOPSC has also worked formally with neighbouring authorities on other health issues:

#### *Complex urological cancer surgery in Essex*

A specific Joint HOPSC was established with Southend and Thurrock Unitary Councils to look at NHS England proposals for a single specialist centre in Essex for complex urological cancer surgery and the process leading up to their conclusion of recommending a site at Southend Hospital. As part of its review the Committee spoke to patient group representatives and clinical nurse specialists to hear how they felt the communication process had been managed as well as discussing the proposal directly with NHS.

The committee supported the evidence for a single specialist centre. However, it had concerns around the adequacy and clarity of stakeholder engagement and made recommendations primarily around future communications, more partnership working with external stakeholders, including patients, on this and similar reconfiguration issues in future.

#### *PET CT Scanner for south Essex.*

A Joint HOSC with Southend Borough Council reviewed a proposal to identify a sole site for a fixed PET CT Scanner to serve the south of the county. The Joint HOSC reviewed the clinical cases for the two competing sites and recommended that NHS England implement their chosen site as soon as possible to ensure that capacity could be quickly increased to enable earlier diagnosis and improved patient outcomes whilst making future communication clear in distinguishing the project from the proposals for urological cancer surgery.

#### *Informal joint working*

The HOPSC has also sought to work informally with adjoining authorities to develop a combined scrutiny approach to specific issues. Southend Councillors participated in an Essex HOSC Task and Finish Group reviewing emotional wellbeing and mental health services for children in Essex whilst Essex and Hertfordshire county councillors attended a site visit at Princess Alexandra Hospital (Harlow) to look at how the provider was implementing improvements to respond to issues raised in a Care Quality Commission inspection report. That site visit then informed a formal scrutiny session with the provider the following month.

#### *Emotional wellbeing and mental health services for children and young people*

A Task and Finish Group, including two Southend Borough Councillors, reviewed the perception, signposting and accessibility of mental health services for children and young people in Essex, the level of co-ordination and joined up working between different partners and included a review of a new service being provided by North East London Foundation Trust (NELFT).

The Group spoke to NELFT, Healthwatch Essex, school staff, Essex County Council officers and some community and voluntary bodies before making recommendations on closer working with the community and voluntary sector, NELFT developing a clear strategy to further reduce waiting times for assessment and first treatment and clearer communication of their service thresholds as well as all Essex schools understanding the developing the best practice support for mental health established by some Essex schools.

#### *Cross-committee working*

With increasing integration of health and social care it is also expected that there will be more joint working with the People and Families Policy and Scrutiny Committee in looking at cross cutting issues. Already the two committees have had joint briefings on issues of common interest and a joint task and finish group has just been established to look at issues around hip fractures and falls prevention.

### *Future focus*

The challenge for HOPSC now is to scrutinise how the overall local health system is responding to all the financial, performance and resource pressures and how commissioners and providers are working collaboratively in meeting the challenges. This will also include increasing focus on prevention and the role of Public Health as part of the health system. Therefore, it is anticipated that the HOPSCs future focus will be more towards scrutinising cross cutting issues and partnership and wider system working rather than just the performance of individual providers although the latter will still feature to some extent in its work programme.

The HOPSC's future work programme is structured under the following headings: Quality and Transformation of Services (which includes Sustainability and Transformation Partnership plans), Community Healthcare (which includes Public Health and prevention), Capacity and Financial Sustainability (includes hospital bed management and ambulance service and Equity – access to services.

### **People and Families Scrutiny Committee (PAF)**

#### *Context*

The committee has a wide remit ranging from education, through children's and youth services, sport and physical activity to social care. The Committee 'shadows' the portfolio responsibilities of three Cabinet Members (Education, Health and Adult Social Care, and Children and Families).

Some items are kept on the committee's work programme indefinitely for regular monitoring and challenge and these are usually reviewed at least annually. Two particular examples of this are:

#### *Safeguarding*

Each year the committee reviews the work and priorities of the Essex Safeguarding Adults Board and the Essex Safeguarding Children Board. The latest sessions on this are scheduled for February and March 2018 and will be concentrating primarily on future priorities and the business plan for each Board whilst also noting the contents of the annual report for each Board which detail the historical work undertaken by them. This year, for the first time, the Committee has decided to look at the work of the two boards separately on different days to help emphasise and differentiate their issues and priorities.

Previous discussions on the work of the Safeguarding Boards have led to recommendations for Safeguarding and PREVENT training took place on 31 January 2018.

#### *Educational Attainment*

As a result of a Task and Finish Group review of educational attainment (see below) the committee considers an Annual Report on Educational Attainment to assess the

progress made in education standards over the previous year with the presentation including an overview of outcomes, full data and data broken down by district. The next update on this is scheduled for April 2018.

During the last two years the full committee has also considered updates on other matters some of which were linked to past or subsequent Task and Finish Group activity (as detailed below); the updates included the Carers Strategy, Children's Centres and Healthy Child Programme – Key Performance Indicators, Children's Centres Public Consultation and Adult Community Learning.

In addition to work within full committee, over the last two years there has also been work conducted by smaller sub-groups (Task and Finish Groups) with the main work as follows:

#### *Educational Attainment Task and Finish Group*

A Task and Finish Group looking at educational attainment made recommendations on the pooling of staff resources across schools, improving information on staff recruitment and retention, how best to link Early Years provision with Infant/Primary Schools in order to create a seamless transition from pre-school, more support for school governors including the sharing of knowledge and best practice, and encouraging an aspiration for further increasing educational attainment. The Cabinet Member undertook to embed these within the service. It was also agreed that the committee should receive regular updates on educational attainment (see reference above).

#### *Carers service Task and Finish Group*

A Task and Finish Group looked at Carers' Strategy (which was being updated to reflect the requirements of the Care Act 2015) and made recommendations around presentation and greater clarity of aspects of the strategy and these were then incorporated into the redesign of the carers support service for adults. The redesign included improved identification of and support for carers in health settings, improved access to information including accessing personalised breaks and all support to be delivered through a single provider.

#### *Residential and Domiciliary Care Task and Finish Group*

A Task and Finish Group considered whether residential and domiciliary care services in Essex were safe, effective, caring, responsive and well-led. The Group made recommendations on grant funding, member visits to care homes, member training, communicating the requirements of the Care Act to all stakeholders and partners, encouraging more links between services and partners and the establishment of an all-party Corporate Carers Panel. The Group also highlighted some good practice in place supported by the Quality Innovation team.

#### *Young Carers Task and Finish Group*

The committee established a Young Carers Task and Finish Group to host a Scrutiny in a Day workshop attended by carers' bodies, charity groups, young adult carers to look at support available for young carers. Discussion and recommendations included extending Public Health social prescription referrals to

young carers, holding a seminar to raise awareness of housing issues specifically related to young carers, further discussions on the key role of schools in supporting young carers, and considering the inclusion of young carers' specific targets in the specifications of the 0-19 contract. The discussions helped inform a paper presented to the Health and Wellbeing Board on the future offer for young carers.

### *Call-ins*

During the last two years the Committee has considered the following call-ins:

- (i) Final Award of Contract for Integrated Pre-birth to 19 Health Wellbeing and Family Support services.

Members considered the case for the call-in which centred on concerns about the procurement process, the intended contractor and consideration of alternative delivery models. The Committee also considered questions that were raised during the public question time that preceded the formal discussion. Whilst the Committee made some observations they supported the decision. It was noted that the scrutiny committee had been regularly updated on the development of the proposals.

- (ii) Procurement of a New Model to Deliver Integrated Pre-Birth to 19 Health, Wellbeing and Family Support Services

Members considered the case for the call-in of a decision to procure an integrated pre-birth to 19 service incorporating Health Child Programmes, Healthy Schools Programme, Family Nurse Partnership and Children's Centres. In particular, concerns were raised about the proposed delivery model for children's centres and access for vulnerable people. After discussion the Committee supported the decision.

- (iii) Housing Related Support: Post 16 Services

Members considered the case for the call-in of a decision to recommission the service to focus in future on particular priority cohorts of young people. The committee also heard from residents of local supported housing developments. The committee supported the decision subject to a three month pause in the procurement process to allow further discussion with stakeholders and service users.

In addition, call-ins can be resolved informally before they get to full committee by way of a private discussion between the Cabinet Member making the decision, the member(s) who have called it in and the Chairman of the relevant scrutiny committee. A recent example of this was a call-in on the proposed new in-house young carers service (which would include bespoke 1 to 1 support) which was withdrawn at the informal stage on the basis that the committee will review performance six months into the new contract (October 2018).

### *New membership*

With the majority of the committee membership after the May 2017 elections being new to Essex County Council, there have been a number of specific briefings and

member development sessions held to develop knowledge of topics and issues that specifically come under the remit of the committee. Formal work of the committee has now commenced.

### Cross-committee working

With increasing integration of health and social care it is also expected that there will be more joint working with the Health Overview Policy and Scrutiny Committee in looking at cross cutting issues. Already the two committees have had joint briefings on issues of common interest and a joint task and finish group has just been established to look at issues around hip fractures and falls prevention. Scoping has been completed and the review started in early February 2018. The review is expected to last up to three months.

### Future Focus

The committee (sometimes also with the Health Overview and Scrutiny Committee) will seek to challenge the progress on the integration of health and social care. It will also seek to further strengthen links with other partners (such as Healthwatch Essex), and identify opportunities for direct engagement with communities and community representatives in developing its future work programme.

## **Place Services and Economic Growth Scrutiny Committee**

### *Context*

The committee has a wide ranging remit covering highways, the environment and waste, public transport, libraries, culture and economic growth in Essex. The committee shadows the Cabinet Members for Highways and Transportation; Culture, Communities and Customer; Environment and Waste; Housing, Property and Planning; and Economic Growth, Skills, Infrastructure and the Digital Economy.

### *Essex Country Parks: Car Park Charging Consultation*

In November 2017, the committee received an update on the car parking consultation at Essex County Council's Country Parks. As a result of questions posed by the Committee, the Chairman suggested a one-off task and finish group be set up to identify recommendations that could be passed to the Cabinet Member for consideration.

### *Localism and Subsidiarity Task and Finish Group*

Following a motion at full Council in July 2017 the committee established a task and finish group to look at how possible and practical it is for services to be delivered at a more local level and for budgets to be devolved. This Group has met four times to date and will be proposing recommendations to the committee in the near future.

### *Jobs, Welfare and Skills*

A Task and Finish Group worked extensively over a significant period of time during 2016/17 and updates have been received from the Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy which have included the report being sent to the relevant Ministers of State to lobby government on the basis of the recommendations set out in the original scrutiny report. The report was also widely distributed to stakeholders throughout the county and region.

### *Library Service*

In January 2018 the committee received a report on the Mobile Libraries consultation and outcomes. The Cabinet Member for Culture, Communities and Customer was able to seek the views of the committee in advance of the report going to and being approved by Cabinet. The committee also received notice about the public engagement exercise on the static library service.

### *Gypsies and Travellers*

In September 2017 the committee received a report from the Cabinet Member for Housing, Property and Planning on the countywide strategy on Gypsy and Travellers groups. The report updated members on the Essex Countywide Travellers' Unit, unauthorised encampments, travellers' education and safeguarding.

### *Large Scale Housing Developments*

September 2017 the committee received a report from the Cabinet Member for Housing, Property and Planning on the large-scale housing developments in the county, given there are around 180,000 new homes needed in the county between 2016 and 2036. At this stage the committee does not intend to revisit this issue.

### *Culture*

In September 2017 the Committee received a report from the Cabinet Member for Culture, Communities and Customer on the heritage, tourism and culture offer in Essex. This updated the Committee on the review undertaken on this issue in 2011, which had moved on substantially since then. The Cabinet Member welcomed the Committee views on specific tourism sites and tourist accommodation in the county; the digitisation of the records service and signage, amongst other things.

### *Call-in*

#### Proposed One-Way 7.5 Tonnes Weight Limit on a road in Rivenhall

In February 2017 a decision relating to a proposed restriction of larger vehicles in one direction on a road in Rivenhall was called-in. Following an informal meeting between the Member and Cabinet Member the call-in was withdrawn.

### Street Lighting

In January 2018 a call-in was made by a Member of the Committee in relation to a decision on street lighting. Following an informal meeting between the Member and Cabinet Member the call-in was withdrawn.

### *New Membership*

With much of the Committee membership after the May 2017 elections being new to Essex County Council there were two specific induction and member development sessions held to develop knowledge of topics and issues which specifically come under the remit of the committee, as well as develop the committee work programme.

### *Future Focus*

The committee will be receiving a report on Air Quality in Essex, following a motion passed at the Council meeting in December 2017, which asked the committee to consider the issue. There will be an initial presentation prior to the committee deciding whether a review is best undertaken by the full committee or as a Task and Finish Group. Highways related issues and public transport will be to the fore as the committee work programme moves forward

## **4. Key topics proposed for 2018-19**

To be effective, scrutiny must be proactive and should respond to issues as they emerge. For this reason, the proposed list of topics below can only be indicative, it will be subject to revision and alteration.

For further details about the committees' work programmes, information on any particular items or scheduling information, please contact Democratic Services. Email [democratic.services@essex.gov.uk](mailto:democratic.services@essex.gov.uk)

### **Corporate Policy and Scrutiny Committee**

- Budget
- Reserves
- Member Enquiries/Highways Report It Tool – follow-up
- Fees and charges review
- Registration Services
- Property Investment
- Administration of grants
- Commercial Property Fund – follow-up

### **Health Overview Policy and Scrutiny Committee**

- Quality and Transformation of Services (including Sustainability and Transformation Partnerships)
- Community Healthcare (including Public Health and prevention)
- Capacity and financial sustainability of providers (includes hospital bed management and ambulance service)
- Equity – access to services (includes emotional wellbeing and mental health services – children/young people)

### **People and Families Policy and Scrutiny Committee**

- Safeguarding
- Educational Attainment
- Young Carers
- School Places Planning
- 0 – 19 contract with Virgin Care
- The care market and relationships with providers

### **Place Services and Economic Growth Policy and Scrutiny Committee**

- Localism and Subsidiarity
- Highways and Transportation
- Air Quality Monitoring and Control
- Passenger Transport and Bus Withdrawal Process
- Moving Around Essex