

# Overview and Scrutiny **Annual Report** 2015-16



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## **FOREWORD**

I am very pleased to introduce this Annual Report to Council which outlines the continued contributions made by the overview and scrutiny committees during 2015-16. Throughout the year scrutiny councillors have engaged in a number of significant reviews and have worked to add value to the delivery of City Council services in a challenging operational environment.

This year, the Council established the Children and Young People Scrutiny Committee providing robust scrutiny of issues relevant to the wellbeing and safeguarding of children and young people in the city. As elected members of overview and scrutiny committees we are aware of the need to consider the effectiveness of local safeguarding arrangements and over the past 12 months we have contributed to the effective partnership working around child safeguarding.

As scrutiny councillors we talk a lot about the need for scrutiny to work closely with the Executive and the Council's leadership and this is something we will continue to do – both providing constructive and critical challenge and gathering data from a range of sources to contribute to service improvement in a meaningful way. In the future it will be increasingly important, as we continue to navigate our way through this period of financial constraint, that we focus our scrutiny resource on areas that matter most to the public and areas where we feel we can help the Council to work smarter and more efficiently.

As is often the case, we owe much of our achievement to the continued support and engagement of councillors and colleagues across the Council and our partners and

contributors from outside the Council. I would like to take this opportunity to acknowledge and thank all of those people who contributed to, and supported the work of all the scrutiny committees and review panels this year.

In particular I would like to thank Beverley Frost (third sector representative), Maria Ward (Children and Young Peoples Network) and Martin Gawith (Healthwatch Nottingham) who regularly attend and contribute to our meetings adding valuable insight and evidence from their organisations and sectors.



Brian Parbutt

**Councillor Brian Parbutt**

Chair of the Overview and Scrutiny Committee  
Nottingham City Council

## **INTRODUCTION**

Overview and scrutiny exists to help improve governance and public services. It ensures the Council's Executive is publicly held to account for its decisions and actions and promotes open and transparent decision-making and democratic accountability. It also has a wide remit to explore how the Council and its partner organisations could improve services for the people of Nottingham by:

- reviewing existing policy and contributing to the development of new policy;
- acting as a 'critical friend' to those making decisions;
- holding decision-makers to account for their decisions and actions through the call-in process; and
- challenging performance to ensure that services are meeting the needs of local communities.

This Annual Report reviews how the overview and scrutiny function performed in 2015-16 and provides a snapshot of some of the contributions it made to improving public services.

The structure for overview and scrutiny in 2015-16 was:

- an Overview and Scrutiny Committee to determine and co-ordinate a prioritised work programme and carry out scrutiny and review of key strategic issues;
- a Children and Young People Scrutiny Committee to provide robust scrutiny of issues and services relevant to the wellbeing and safeguarding of children and young people;
- a series of single session reviews, carried out by review panels, with very focused scopes;
- a Health Scrutiny Committee to scrutinise health and adult social care issues affecting City residents;

- a Joint Health Scrutiny Committee to scrutinise health issues across the Nottingham conurbation with councillors from both the City and County Councils; and
- a Call-in Panel to review executive decisions when requested by non-executive councillors.

The function was supported by two Senior Governance Officers (as part of their wider role), with support from other colleagues in Constitutional Services.

Successful overview and scrutiny is reliant upon active participation not only from non-executive councillors, but also from many others including executive councillors, colleagues, representatives of external organisations and partners, interest groups and individual citizens.

This year scrutiny has been supported by many organisations and individuals including: One Nottingham, Nottingham Community and Voluntary Service (NCVS), Nottingham Crime and Drugs Partnership, Nottinghamshire Police, Nottingham City Safeguarding Children Board, Nottingham University Hospitals NHS Trust, Nottinghamshire Healthcare NHS Foundation Trust, Nottingham CityCare Partnership, Healthwatch Nottingham and Healthwatch Nottinghamshire, NHS England, local Clinical Commissioning Groups, Arriva Transport Solutions, East Midlands Ambulance Service, Circle Partnership, GP representatives, Nottinghamshire Hospice, Alzheimers Society, Royal College of Nursing, Health Education East Midlands and individual service users and carers.

We would like to thank all those who provided us with information, attended meetings and responded to our recommendations throughout 2015-16.

## **CONTRIBUTING TO IMPROVEMENT IN PUBLIC SERVICES**

### **The way we work**

The overview and scrutiny committees look at strategic issues and the work of cross-cutting partnerships which affect the Council, the City's residents and those who work in and/ or visit the City. In this way the committees contribute to the development of policy and strategy and identify priority areas to review in more detail. We look to maximise the opportunities for overview and scrutiny to be of value to the Council, our partners and citizens of Nottingham. With this in mind the annual programme for scrutiny is developed to ensure that each review topic has a clear purpose and focuses on achieving outcomes.

Key in the approach to scrutiny in 2015-16 was continuing to respond to the issues raised in the Jay Report into child sexual exploitation in Rotherham. Following publication of the report in 2014, media attention focused on the sexual exploitation of children and young people across the country. As with the Francis Report into failings at Mid Staffordshire NHS Trust before that, the report highlighted failings in public services but also failings in scrutiny of the provision of those services and outcomes for individuals. We have responded to that. Scrutiny must not place too much emphasis on the assurances of people responsible for services that everything is in order and that they are performing well. It is crucial to consider robust evidence provided by a range of contributors to get a valid picture of what is or isn't happening. We identified the need to prioritise robust scrutiny of issues relevant to the wellbeing and safeguarding of our children and young people and established

the Children and Young People Scrutiny Committee to support services to find solutions to problems, set aspirational targets and instil public confidence.

### **Adding value and making an impact**

#### **Overview and Scrutiny Committee**

This year scrutiny work has been carried out in Overview and Scrutiny Committee meetings and in review panels, which focus on a topic in more depth over one or two meetings. Examples of this work are outlined below to give a flavour of what scrutiny councillors did in 2015-16.

#### **Council Plan**

Both the Council Leader, Councillor Jon Collins, and the Chief Executive, Ian Curryer, discussed their priorities with the Overview and Scrutiny Committee to help shape the work programme for 2015-16. Following the local government election in 2015, the Leader set out a clear context of the need to be as creative as possible to continue to provide services within severe budget constraints.

As a result of the discussion with the Leader, it was agreed that all Executive Portfolio Holders would present their Council Plan priorities to the Committee to enable public scrutiny of progress being made towards delivery of commitments set out in the Council Plan and how challenges are being addressed.

### Putting citizens at the heart of service delivery

The Committee reviewed the Council's drive to put citizens at the heart of service delivery. As part of this strategy, the Council carried out a series of engagement sessions with its employees which became the focus for the 'Summer of Engagement' 2015. In September 2015, the Overview and Scrutiny Committee contributed to this by reviewing 'how do we create a workforce that's right for our citizens?' The Committee made a number of recommendations which included proposing more involvement from scrutiny to support the Council on its journey from 'Good to Great' and the employee transformation strategy. This would enable the Committee to help shape the Council's approach to creating the workforce of the future, to improve their understanding of how it feels to work for the Council, allow the Committee to influence equality objectives and provide insight on how we make the Council more diverse.

It was acknowledged that scrutiny councillors can play a role in the development and monitoring of the model as they scrutinise services, checking for a balanced approach to risk, encouraging innovation and creativity and reducing unnecessary bureaucracy.

As a result of previous scrutiny of Nottingham Plan performance it was agreed that scrutiny councillors should be more involved and engaged in performance monitoring of Plan priorities and three scrutiny councillors now attend the Joint One Nottingham and Scrutiny Performance Panel to take part in regular monitoring and evaluation of progress.

### Management and organisation of elections

On 7 May 2015, Nottingham City Council organised and managed the combined parliamentary and local elections. The elections were held against the backdrop of a new system of voter registration – Individual Electoral Registration (IER) –

which brought a significantly increased level of complexity to the management of the elections for electoral administrators nationwide. In October 2015 Overview and Scrutiny Committee reviewed the management and organisation of the combined election and commented that overall the elections in Nottingham were delivered effectively. To support the review process Democratic Services held conversations with key colleagues who took part in the administration of the elections and sent out questionnaires to polling and count staff, candidates and agents.

Outcomes of the discussion focused on how citizens, candidates and agents can be better supported in the future, how polling station and count management procedures can be improved going forward, and how Electoral Services colleagues can be better supported to ensure that they have the capacity to plan and organise elections effectively.

In its recommendations the Committee requested that Electoral Services produce an instruction manual on the nomination process on how to successfully complete the nomination paperwork and encouraged periodic dialogue with local political parties on best practice in order to improve the standard of submissions in the future.

### Crime and disorder

Major crime related issues are reported on annually by the Crime and Drugs Partnership (CDP) to the Overview and Scrutiny Committee. In February 2016, Tim Spink, Head of the CDP, and his colleagues provided a helpful update to the Committee on the progress in meeting the targets in their Partnership Plan and the results of their Strategic Assessment 2014/15. As part of the discussion, the Committee also welcomed Chief Superintendent Mike Manley, Commander for the City Division at Nottinghamshire Police who attended to



discuss and evaluate performance figures and policing in Nottingham. The Committee was pleased to hear that Nottingham had made huge strides in recent years in reducing crime and anti-social behaviour and the factors that drive them, such as the misuse of drugs and alcohol.

### **Children and Young People Scrutiny Committee**

In September 2015, Nottingham City Council established the Children and Young People Scrutiny Committee to facilitate the scrutiny of issues and services relevant to the wellbeing and safeguarding of children and young people in Nottingham. The Jay and Casey Reports into child sexual exploitation, and how it was addressed in Rotherham, drew specific attention to the need for better local authority scrutiny to contribute to the protection of children and young people, through listening to local people, influencing policy and holding decision makers to account.

The Committee meets bi-monthly and provides an appropriate and robust level of challenge to those in authority, and on actions and performance where they impact on Nottingham's children and young people. The Committee is well attended by a range of senior managers, executive portfolio holders and frontline service providers, including a representative of the Children and Young Peoples Network.

#### **Child sexual exploitation**

In December 2015, the Children and Young People Scrutiny Committee reviewed what action the Council and its partners are taking to protect children in Nottingham from sexual exploitation (CSE). The Committee heard that considerable work had taken place in Nottingham to protect children from harm, including ongoing training and awareness sessions for

staff, carers and young people. The Committee was also reassured by the joined-up working across Nottingham City to track children at risk of CSE and collate information relating to perpetrators by Council colleagues, community protection, police and health colleagues.

#### **Engagement of children and young people**

Part of the Committee's focus is to ensure that children, young people and families are listened to and involved in decisions that affect their lives. As part of this vision, the Committee has sought to support participation in scrutinising services and in February 2016 invited Engagement Officers from the Council to encourage greater participation. The Committee agreed to support and attend the activities that enable children and young people to regularly come together with partners from the Children's Partnership to influence strategic decision making. These include Youth Cabinet meetings, Primary Parliament sessions and engaging with the Action for Young Carers Forum.

#### **School places**

The impact of rising school-age children is an important issue locally which carries significant financial implications. The number of pupils on roll in Nottingham schools has increased steadily since 2011 and the demand for school places continues to grow. In February 2016, the Committee explored the work taking place in Nottingham to support children without school places to ensure that the school organisation programme is being developed and delivered in a way that meets the demand for school places in the City. The Committee heard that the issue of school place availability has been a national problem brought about by an unexpected increase in population and whilst there had been a shortage of school places within the City, the Council responded by expanding school place provision by 4,000 additional school

places by 2017 at a cost of £33 million. The Committee was also reassured by the creation of a dedicated post of a Children Without a School Place Manager to focus on finding school places for children.

## **Scrutiny Review Panels**

### **Support for children with disabilities or special educational needs**

In 2015, councillors carried out a review on action the Council is taking in relation to:

- school attendance for children with disabilities or special educational needs and the support mechanisms in place to improve attendance; and
- progress on the transition from Statement of Special Educational Needs to the new Educational, Health and Care Plans, arising from the Children and Families Act 2014.

The Panel concluded that parents and carers did not have sufficient understanding of personal budgets and what they were entitled to and the Panel supported the view that clear guidance should be made available.

The Panel recognised the efforts of the Council and noted that it is performing well in transitioning Statements of Special Educational Needs to the new Educational, Health and Care Plans.

Panel members were very appreciative of the time and input given by 10 parents/carers who are service users and whose insightful testimony formed part of the evidence considered by the Panel. The Panel were also grateful to the Special

Educational Needs staff that supported the review and explained how these services are managed and run.

### **Enforcement agents**

In October 2015, councillors reviewed the use of enforcement agents by Nottingham City Council, with a particular focus on the collection of council tax. This followed the implementation of new procedures and a fee scale relating to the enforcement of debts, such as the non-payment of council tax. The review focussed on:

- the use of enforcement agents, seeking to balance the ability to collect debt with the rights of the creditor to receive effective and proportionate enforcement;
- are the processes adopted by the Council reasonable and are they applied reasonably;
- how the Council compares with the recommendations made by the Children's Society in its report titled, 'The Wolf at the Door'; and
- whether the collection of debt by the Council could be improved for both debtors and enforcement agents by being provided in-house.

During the review, councillors were supported by the Citizens Advice Bureau, the Nottingham Law Centre and the Head of Operations for Revenue and Benefits at Nottingham City Council.

The review found that the Council currently utilises 3 external enforcement agencies for the collection of debt. Following the publication of the Children's Society's report, 'The Wolf at the Door', Nottingham City Council carried out a self-assessment against the recommendations. The Panel concluded that the Council exhaust a range of alternatives prior to the use of enforcement agents, and in practice, the Council has a very good working relationship with debt and specialist support



services in Nottingham, such as Advice Nottingham and the Nottingham Law Centre. The Council regularly refers citizens to support services prior to enforcement.

There was little evidence available to suggest that adopting an in-house enforcement service would reduce the number of cases currently referred to enforcement in Nottingham and the Panel were satisfied that the current process already includes a number of referral stages to local and independent debt agencies.

### **Call-in Panel**

The Call-in Panel met three times in this last year:

#### **Wollaton Vale Service Station**

On 22 June 2015, the Panel considered a call-in request from non-executive councillors on the delegated executive decision 'Wollaton Vale Service Station, NG8 2GR – Variation of User Clause.' This decision varied the user covenant under the lease allowing for the development of a larger scale shop unit at Wollaton Vale Service Station. The existing lease prohibited use of the site for anything other than a filling station. The decision was called in on the basis that relevant information had not been considered and that there was justification for the decision being open to challenge on the basis of the evidence considered. However, the Panel did not uphold the request to reconsider the decision and supported its immediate implementation.

#### **Fernwood Primary School**

On 30 March 2015, the Panel considered a call-in request from non-executive councillors on the delegated executive decision

'Approval of the allocation of funding for the provision of additional accommodation at Fernwood Primary School for September 2016'. The decision was to approve the allocation of £750,000 to create two infant classrooms at Fernwood Primary School. The decision was called-in on the basis that there had been inadequate consultation relating to the decision, that relevant information had not been considered, that viable alternatives had not been considered and that the decision was open to challenge on the basis of evidence considered. However, the Panel did not uphold the request to reconsider the decision and supported its immediate implementation.

On 12 April 2016, the Panel considered a call-in request from non-executive councillors on Executive Board decision – 'Proposed expansion of Fernwood Primary and Nursery School, Wollaton'. The decision was to approve the expansion of Fernwood Primary and Nursery School from an 840 place school to a 1050 place school from September 2016 and to approve the allocation of £1.250 million for the expansion of Fernwood Primary and Nursery School. The decision was called-in on the basis that the decision was outside the budgetary and policy framework, that there had been inadequate consultation relating to the decision, that relevant information had not been considered, that viable alternatives had not been considered and that the decision was open to challenge on the basis of the evidence considered. The Panel did not uphold the request to reconsider the decision and supported its immediate implementation.

## **Health Scrutiny**

The Council has a statutory role to review and scrutinise the planning and delivery of local health services. This role includes:

- strengthening the voice of local people in decision making, through democratically elected councillors, to ensure that their needs and experiences are considered as part of the commissioning and delivery of health services;
- proactively seeking information about the performance of local health services and challenging and testing information provided to it by health service commissioners and providers; and
- being part of the accountability of the whole health system and engaging with the commissioners and providers of health services and other relevant partners such as the Care Quality Commission and Healthwatch.

In addition to the powers afforded to all overview and scrutiny committees, health scrutiny committees have additional powers to require information from, and make reports and recommendations for improvement to organisations which commission and provide NHS funded services. They also have a statutory role in considering proposals to substantially develop or vary health services affecting City residents to ensure that patients and the public have been fully consulted and their views taken into account when making significant changes, as well as ensuring that such changes are in the best interests of patients and the public.

During 2015-16 health scrutiny was carried out by the Health Scrutiny Committee (for issues affecting only City residents) and the Joint City and County Health Scrutiny Committee (for issues affecting residents in both the City and County).

During the year, health scrutiny has continued to build good working relationships with its partners including commissioners, providers, Care Quality Commission, Nottingham City Health and Wellbeing Board and Healthwatch. The Chair of Healthwatch Nottingham regularly attends health scrutiny meetings to provide insight and evidence gathered by Healthwatch on issues under scrutiny. Informal meetings are also held regularly with Chief Executives and/or other senior representatives of key organisations such as Nottingham University Hospitals NHS Trust and East Midlands Ambulance Service to build relationships, share information on current and future issues and provide a mechanism for councillors to informally raise questions and issues of concern in support of public scrutiny further down the line.

Set out below are just some of the issues that health scrutiny has engaged with during the last year:

### **Urgent Care Centre**

During 2014-15 councillors scrutinised substantial changes to the provision of urgent care services with the closure of two walk-in centres in the City and the commissioning of an Urgent Care Centre. The new Urgent Care Centre opened in October 2015 run by Nottingham CityCare Partnership. The Health Scrutiny Committee visited the Centre to see how it operates in practice and speak to the Centre Manager. Future scrutiny will focus on whether the Centre is achieving expected outcomes, including how effective it is in reducing pressures on the emergency care system.

### Dermatology services

During 2014-15 the Joint Health Scrutiny Committee received information from the British Association of Dermatologists expressing concern about the availability of dermatology services in Nottingham. In April 2015, NHS Rushcliffe Clinical Commissioning Group (on behalf of all commissioners) commissioned an independent review of the dermatology service in Nottingham and during 2015-16 the Committee monitored implementation of the arising recommendations. Councillors concluded that the action plan had been successfully implemented and had positively impacted on patient experience.

### End of life and palliative care services

The Health Scrutiny Committee carried out a review of end of life and palliative care services with a focus on whether services are meeting the needs of patients, their families and carers, including in relation to cultural and faith needs. Councillors gathered evidence from desk top research and speaking to contributors including representatives of Nottingham City Clinical Commissioning Group, Nottingham University Hospitals NHS Trust, Nottingham CityCare Partnership, Nottinghamshire Hospice, service users in receipt of end of life care and carers of people who have received end of life care services. Study group members also visited some services.

Based on the evidence gathered, the Committee made seven recommendations to commissioners and providers on issues including support for carers; provision of services at weekends; GP engagement with end of life care and the recording of information; and ensuring the needs of BME communities are taken into account in commissioning. All of the recommendations were either fully or partially accepted.

Progress in implementing the recommendations will be monitored during 2016-17.

### Services for people with Dangerous and Severe Personality Disorders

The Joint Health Scrutiny Committee was advised of proposals to change services for the treatment and care of people with dangerous and severe personality disorders (DSPD) at Rampton Secure Hospital. Members of the Committee visited Rampton Hospital to see the current service in operation and speak with the Clinical Director and front line staff about the mitigation plan to manage the impact of decommissioning the DSPD service at Rampton. Next steps for the Committee will be to speak with NHS England about how the quality of care provided under the new Offender Personality Disorder Pathway will be assured and to explore Psychologically Informed Placement Environments and services for those with personality disorders in prison.

### East Midlands Ambulance Service (EMAS) – CQC inspection

The Care Quality Commission (CQC) carried out an inspection of EMAS and concluded that it 'requires improvement' with a rating of 'inadequate' for the safe domain. A representative of health scrutiny attended the Quality Summit at which CQC presented its findings and EMAS and commissioners outlined their initial response to the findings. We subsequently worked with health scrutiny colleagues across the East Midlands to organise a regional meeting with the EMAS Chief Executive and Chair and the commissioner, Hardwick CCG, to hear about their response in more detail and to discuss how scrutiny can work together to support improvement. A key action taking place is a Strategic Demand, Capacity and Price Review and health scrutiny councillors will be considering the outcomes of this Review in due course.

### Health and social care workforce

A recurrent theme in many issues considered by health scrutiny is workforce challenges with a lack of medical, nursing and allied health professionals in many disciplines. Councillors frequently hear about the significant impact that this has on the delivery of many services. The Joint Health Scrutiny Committee invited a representative of Health Education East Midlands to outline the current workforce challenges and how these are being tackled. Councillors heard that one factor is that evidence shows that the East Midlands is not a popular place in the country to come and train. Building on good work already taking place to promote the City, the Committee recommended that the councils work with partners such as Marketing Nottingham and Nottinghamshire to support Health Education East Midlands to promote the East Midlands as a place for health professionals and students to train and work. This recommendation was positively welcomed and the Committee will be reviewing action taken during 2016-17.

### Care for people with learning disabilities and/or autism spectrum disorders

Following the response to failings at Winterbourne View, nationally plans have been developed to transform care for people with learning disabilities and/or autism spectrum disorders. Nottingham is one of five 'fast-track' areas and was required to submit plans in autumn 2015 to design services that would strengthen community services, reduce reliance on in-patient facilities and close some in-patient facilities. Health scrutiny councillors have reviewed consultation plans and the outcomes of consultation carried out to ensure plans reflect the issues raised. The Committee will monitor implementation of the Plan to ensure it is in the best interests of service users and carers.

### Merger between Nottingham University Hospitals NHS Trust and Sherwood Forest Trust NHS Foundation Trust

In spring 2016 it was announced that Nottingham University Hospitals Trust (NUH) would be entering into a long term partnership arrangement with Sherwood Forest Hospitals Trust. The Joint Health Scrutiny Committee had submitted a letter of support for the partnership given the potential for benefits across the Nottinghamshire health system, particularly in the context of the Sustainability and Transformation Plan. The Joint Health Scrutiny Committee heard from NUH Chief Executive about future plans for the partnership and received reassurance around minimising risks to NUH, including from Sherwood Forest's PFI investment. The Committee will keep an eye on how the partnership/ merger develops to ensure that risks to services for patients at NUH are minimised and benefits maximised.

## **LOOKING AHEAD**

The scrutiny committees held sessions to give in-depth consideration to the areas for overview and scrutiny to focus on during 2016-17. This included a review of lessons learnt from 2015-16; gathering information about the priorities of councillors, colleagues and partners; and horizon-scanning of forthcoming issues.

Following the result of the referendum on Britain's membership of the European Union, there is considerable uncertainty regarding both the process leading up to withdrawal and the impact that withdrawal will have on the UK economy. Whilst the medium and long-term impact is difficult to assess at this stage there are some immediate implications that require understanding over the coming months, such as the impact on jobs, growth, investment, community cohesion and infrastructure. This is likely to be a theme in review work during the year ahead.

In 2015-16 we established the Children and Young People Scrutiny Committee and during 2016-17 we will work to embed this new scrutiny committee so that it can effectively drive and support services to find solutions to problems and set aspirational targets, instilling public confidence in relation to the safeguarding and wellbeing of our children and young people.

As councils continue to operate within tight financial constraints, scrutiny will seek to continue its contribution to making sure that best use is made of Council resources and assets. As local government continues to evolve overview and scrutiny will also evolve while maintaining its approach to promoting improvement through focussed scrutiny and constructive challenge.

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