

BRISTOL CITY COUNCIL

OVERVIEW & SCRUTINY MANAGEMENT BOARD

11th July 2013

Report of: Chair of Overview and Scrutiny Management Board

Title: Overview and Scrutiny Annual Report 2012/13

Ward: City-wide

Presenter: Cllr Derek Pickup, Chair of OSMB

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RECOMMENDATION

OSMB considers the draft Annual Report and approves it for final publication and presentation to Full Council on 10th September.

Summary

The report at Appendix A outlines the achievements of the Overview and Scrutiny function for the 2012/13 municipal year.

The significant issues in the report are:

The Overview and Scrutiny Annual Report 2012/13 at Appendix A

Policy

1. The production of an annual report is a statutory requirement of Overview and Scrutiny functions. It is one of the ways in which those who undertake scrutiny make themselves accountable to the Council and the wider public of Bristol.

Consultation

2. The content has been agreed by the individual Scrutiny Commissions at their annual reviews.

Context

3. Effective scrutiny is essential to the wellbeing of the democratic process in Bristol. Scrutiny has a number of roles including both reviewing and developing policy, holding the Executive to account and monitoring service performance. The Annual Report is designed to highlight the effectiveness of the scrutiny function in these areas over the past year.
4. The report also highlights the fact that Scrutiny has been at its most effective when it has worked collaboratively with others - the Executive; partners; residents; and community groups - to improve services and practices and drive forward positive, meaningful change.

Recommendation

5. OSMB considers the draft Annual Report and approves it for final publication and presentation to Full Council on 10th September.

Other Options Considered

6. Not applicable.

Risk Assessment

7. Not applicable.

Equalities Impact Assessment

8. None carried out.

Legal and Resource Implications

Not applicable.

Appendices:

Appendix A: Overview and Scrutiny Annual Report 2013/14

ACCESS TO INFORMATION

Background Papers:

None

Foreword



**Councillor Derek Pickup,
Chair of Overview & Scrutiny
Management Board 2013/14**

This Annual Report is one way in which the Scrutiny function can reflect on the past year and provide a snapshot of its work and achievements. The collaborative work of members, officers and partner agencies is one of the key principles of effective scrutiny and this report clearly illustrates how well this works in Bristol.

Another aim of the Annual Report is to look ahead and focus on some of the key issues that face Scrutiny and the Council. The challenges are

considerable and include further financial constraints which will influence the operation of the Council.

The Council will continue to look at using resources to best effect whilst ensuring that frontline services are still delivered to the highest standard for the people of Bristol. Scrutiny will continue to play an important role in helping the Council to achieve this goal and contribute to the decision making process and the overall sound governance of the city.

However, with diminishing budgets and limited resources there is always the need to look at how as a function we can operate more effectively, more innovatively and more efficiently while still maintaining that important contribution to governance arrangements.

One of the key messages from the [Scrutiny Inquiry](#) held in September 2012 was that Scrutiny members and officers need to work together to ensure that the function provided is

fit for purpose and provides the City Council and partner organisations with a robust Scrutiny function .

From 2013/14 a new scrutiny operating model is being introduced which will provide a more responsive Scrutiny function. A key feature of this new scrutiny model will be the ability to act and respond to emerging and developing issues through the commissioning of in-depth but time-limited policy reviews, and work is currently underway between members and officers to develop realistic procedures to enable this new model of working.

Scrutiny will work very differently in 2013/14 but Scrutiny members will continue to build on the effective working relationships that have been developed with the Mayor, cabinet colleagues, partner organisations and Council officers. This will ensure that these new arrangements work well, provide an effective challenge and ultimately result in contributing

to the improvement of public services.

The Scrutiny function through its in-depth policy review work will continue to help drive improvements in service delivery and deliver outcomes that will have real benefits for the Council, partner organisations, communities and individuals.



Introduction

The role of Overview and Scrutiny

Since the Local Government Act 2000, Bristol has operated with an Executive function, which makes major decisions, complemented by an Overview and Scrutiny function. The Overview and Scrutiny is the way for those Councillors who are not part of the Executive to:

- examine executive proposals and decisions
- monitor and drive up the Council's service performance
- contribute to research, policy-making and development
- involve the community in the Council's work
- exercise the Council's statutory powers to scrutinise the work and performance of partnerships and partners, in relation to health, crime and disorder and flood risk

The Executive

In Bristol, since 15th November 2012, the Executive Powers sit with the elected Mayor.

Scrutiny Commissions 2012/13

The Scrutiny function is guided and co-ordinated by the Overview and Scrutiny Management Committee. This is a committee of elected members which sets up scrutiny commissions, select committees and reviews. It also agrees their terms of reference and work programmes and monitors their activities.

The 2012/13 current Scrutiny Commissions are:

- Community Cohesion and Safety
- Children's Services
- Health and Adult Social Care
- Quality of Life
- Resources
- Sustainable Development and Transport

Joint Scrutiny Committees

There are also three scrutiny committees, which are joint with neighbouring local authorities. These scrutinise decisions that are made on a regional basis:

- Joint Health Scrutiny Committee
- West of England Local Enterprise Partnership (LEP) Joint Scrutiny Committee
- Joint Ambulance Committee

The 2013/14 Budget



The continued reductions in funding for local authorities has dominated the year and meant that effective scrutiny of the budget has had added importance. It is an integral and valued component of the process.

This year we were faced with a unique political situation when the first elected Mayor of Bristol took office on 19th November. The budget is the responsibility of the Mayor and in order to give him reasonable time to formulate his proposals it was not possible to publish a draft budget for

consultation before the end of December 2012.

This meant that the opportunity to scrutinise the detailed budget proposals was extremely limited. The Resources Scrutiny Commission (RSC) took the lead role. The Mayor's proposals were presented to RSC at three meetings on the 14th, 16th and 21st January. At these meetings members discussed the proposals with Strategic Directors, Service Directors and the relevant Cabinet portfolio holders. The Mayor was also in attendance for the meeting of the 14th and part of the meeting on the 21st when the Transport budget proposals were discussed. Members of other Scrutiny Commissions were also invited to attend and actively participated in the discussions.

Scrutiny's main focus was on the strategic budget assumptions and the impact that they would have on front-line services. It was particularly concerned with the cumulative impact of the proposals and the

possible unintended consequences these may have.

A detailed summary of findings and recommendations was submitted to Cabinet and Full Council to consider as part of the budget setting process.

Looking ahead

It was agreed with the Mayor and Assistant Mayor for Finance and Corporate Resources that there was scope for Scrutiny to contribute more fully. We shall be looking at devising a way of ensuring that more members can have meaningful input at an early stage into discussions around long term budgeting and options for re-designing services.

Resources Scrutiny Commission

As mentioned above the Commission devotes a substantial amount of time each year to scrutinising the budget process and also the Capital Programme, Treasury Management Strategy and the Housing Revenue Account.

In addition to its contribution during the preparation of the 2013/14 annual budget, Resources Scrutiny Commission also undertakes the important role throughout the year of monitoring performance against both the capital and revenue budget at quarterly intervals. This includes examining savings proposals that come forward, monitoring financial forecasts, and holding the Council to account for delivering its budget and savings as agreed.

In addition to this ongoing monitoring role the Commission had an extensive programme of one-off reviews.

- reviewed the combined Revenue Outturn and Directorate Scorecards for 2011/12 and noted that overall performance continued to improve. However members were concerned that the number of BME employees had declined
- reviewed and supported the aims of the Bristol Workplace Programme
- supported the introduction of the Bristol Pound (£) and requested that the Council helped raise its profile by using it where possible
- considered the impact of the changes to the Council Tax Benefits System and recommended that decisions related to the single person's Council Tax discount should be made at a local level and that Party Leaders should lobby the Secretary of State to this end.
- considered the implications of the City Deal and the

- increased financial flexibility and freedom that it would give to the City
- welcomed the progress that had been made in reducing energy usage in Bristol City Council and the progress made on achieving our carbon reduction target. The Commission also supported the Council's overall Energy Procurement Strategy, in particular the work being done with neighbouring authorities for joint energy procurement and the plans to increase the usage of locally sourced low carbon biomass fuel
- looked in-depth at the effectiveness of financial controls and project management systems associated with the Bus Rapid Transit (BRT) schemes
- reviewed the performance of the Avon Pension Fund and the plans to tackle the deficit as well as the impact of future changes, in particular auto enrolment
- welcomed the plan to establish a Local Crisis and Prevention Fund, but expressed concern that there had not been formal political input into the decision making and procurement process
- supported the Mayor's decision to retain full Council Tax benefit for recipients under the new Council Tax Reduction Scheme
- examined the effectiveness of the Performance Management Development System (PMDS) and its link to overall corporate performance
- explored the financial cases for the South Bristol Household Waste & Recycling Centre and the Bristol East Pool

Health & Social Care Scrutiny Commission

Key outcomes

In April 2013, the Commission hosted an all-day session in the Council Chamber to focus on the detail of proposals to reconfigure Pathology Services across Bristol, North Somerset and South Gloucestershire. Members listened and put detailed questions to officers from the NHS and Health Protection Agency as well as lay representatives.

This session was the culmination of a long period of involvement by health scrutiny members, lasting over 18 months, over which the proposals for the new service model were developed. Due to the complexity of the issue and the geographical area affected, members decided to hold this session jointly with the health scrutiny committees of North Somerset and South Gloucestershire Councils.

All the Committees requested the NHS to provide further assurance on governance and accountability, an update on IT procurement and the timeline for completion. Notwithstanding this however, the Scrutiny Commission agreed that the proposals were a positive development and did not require the NHS to carry out a formal consultation.

Last year the Scrutiny Commission hosted an Inquiry Day on modernising Mental Health Services, which was timed to coincide and inform NHS Bristol's re-commissioning of mental health services. This year the Commission took part in the public consultation on the model of care that is being proposed by the NHS. Members were broadly in agreement with the proposals and keen to see these implemented.

In July 2012, the Commission debated the Health and Social Care Transformation proposals for Day Opportunities and Residential Care

prior to the reports going to Cabinet, and three members of the Commission subsequently participated in the Mayor's Review of Health and Social Care Decisions. The Review Panel made a number of recommendations, including the development of a 3rd strategic partnership to deliver an additional home for people with dementia, and further analysis in September 2014 on whether there is still sufficient capacity in the planned three Community Hubs.

Holding to account

The Commission has continued to monitor progress in the implementation of the recommendations of the Histopathology Inquiry, and this year, elected to work collaboratively with South Gloucestershire Council's Health Scrutiny Committee. The combined resources and perspectives of both Committees resulted in thorough scrutiny as members sought reassurance about safety and quality assurance.



A Care Quality Commission (CQC) report regarding children's cardiac surgery at the Bristol Children's Hospital led to the Commission requesting UHB NHS Trust to provide information to its December 2012 meeting. Members also invited the CQC to attend the meeting and to comment on the actions that had been subsequently taken by UHB to address the issues raised. The Commission still had concerns however, and asked UHB to return to its April meeting with an update on the establishment of the High Dependency Unit, and will now be requesting further information at its meeting in June 2013.

Following the closure of Lansdowne Unit at Blackberry Hill Hospital after a CQC report, the Commission requested AWP Partnership Trust to attend its December meeting for questioning on a number of issues including staffing levels, adherence to basic ward procedures, and the role of trustees. The CQC Compliance Manager was also canvassed for her views on the remedial actions that had been taken by AWP.

Community Cohesion and Safety Scrutiny Commission

The Commission's work programme 2012-13 aimed to achieve a balanced programme prioritising:

- In-depth single-issue reviews
- Monitoring progress against previous recommendations
- Keeping abreast of major changes to police governance and commissioning frameworks and their implications

Female Genital Mutilation (FGM) Inquiry Day

The Commission held an intensive evidence session of Female Genital Mutilation (FGM) place on 11th December.

Members heard from all key partners in the city, including the police, NHS, relevant Council teams, community groups, young people, and speakers included a major national

campaigning organisation and an award-winning youth-led project which tackles FGM through video, drama and creative writing. Over 40 people participated in the review, including members of the public from a range of communities, some of whom gave personal statements from the public gallery.

The Commission reviewed work under way in relation to both safeguarding and enforcement, including views on what further action is needed. A report and recommendations was agreed at the Commission's January meeting.

Monitoring previous recommendations

The previous year's recommendations on the English as a Second language services (ESOL) were monitored in September and March.

In February, the Commission conducted an inquiry into outcomes of scrutiny reviews undertaken in previous years. The following reviews

were revisited and outcomes evaluated with the help of expert witnesses:

- Human trafficking
- Restorative Justice
- Wet provision for street drinkers
- Young people and street violence

Changes to Police governance

The Commission tracked the transition from the Police Authority to the new Police and Crime Commissioner/Police and Crime Panel, and explored the relationship between the scrutiny role of Police and Crime Panel and its own role as the Council's statutory Crime and Disorder Committee. The Chair and Vice-Chair of the Commission were members of the Police and Crime Panel, ensuring liaison between scrutiny bodies.

Other

In July the Commission requested a briefing on strategy for management of the English Defence League march on July 14th, and in September discussed the effectiveness of the strategy and lessons to be learnt for the future.

The Commission has also reviewed:

- Drugs Needs Assessment and future commissioning
- Strategies for management of the night-time economy
- Community Cohesion Strategy and Action Plan by focussing on three projects, LinkAge Intergenerational Programme, Planet Southmead and School Linking

Sustainable Development & Transport Scrutiny Commission

The Sustainable Development and Transport Scrutiny Commission met formally six times this year and as part of these meetings it ran in-depth reviews, inquiries and witness sessions.

The formal meetings were based on structured themes in its portfolio and included pre-decision input into issues such as rail, proposals for a bid for the Local Sustainable Transport Fund and community transport.

The main in-depth review work included a jobs and economy session with witnesses, a safety for [cyclists inquiry](#), a working group [on highway maintenance standards](#), and an in-depth session on [flood risk](#). It also held a session with stakeholders about community transport in March and a workshop with a range of

community and academic experts on air quality.

Key outcomes

Commission recommendations on the emerging Council's Economic and Enterprise strategy, the report of the inquiry on cycling safety and recommendations on the Council's management of flood risk were all reported to Full Council where they were received very positively. Following the election of the Mayor, referrals were made to him on cycling safety, air quality and community transport.



The Commission continued its Bus Rapid Transit reference group from 2011/12; this ensured that there was cross-party involvement in the on-going discussions around potential changes to the routes which the

Mayor introduced following his election.

Public involvement

The Commission has an excellent reputation for involving other organisations and the public in its work. Public Forum is used as a campaign vehicle by many groups and is valuable in contributing to the Commission's work with expert advice being put forward.

It regularly webcasts its meetings and other events such as the jobs and economy in-depth session. This session included speakers from a variety of local organisations which had expertise in generating jobs and supporting unemployed people, including young people starting their working lives, for example Hartcliffe and Withywood Ventures, National Career's Advice, Job Centre Plus and Outset.



The air quality workshop the Commission ran in February was videoed and was shown at its public meeting in March and was also put on YouTube for general viewing. In addition, the Commission's session on improving community engagement in the Green Capital bidding process was enhanced by the attendance of the Green Capital Partnership's Chair, whilst the discussion on the Council's proposals for community transport included representatives from local providers.

Holding to account

The Mayor and relevant Cabinet Members were invited to all appropriate Commission sessions and attended to discuss particular

policy and decision-making issues with members.



The scrutiny of the Bus Rapid Transit changes and the green capital programme are some examples of holding the Executive to account in formal meetings. Earlier work by the Commission is monitored and ensures that the Executive is responding appropriately to its recommendations on an on-going basis.

Children's Services Scrutiny Commission

The Commission focused its Work Programme to examine issues in more depth, monitoring the outcome of previous reviews and making recommendations to Cabinet on key policy decisions.

The Encouraging Aspiration: Creating Opportunity Inquiry report and recommendations was endorsed by Council on 18th September. There was an update on progress against recommendations to Children, Young People and Skills in January 2013, in particular the developing youth employment strategy and further information on issues relating to young people not in education, employment or training (NEETs).

In addition the Commission

- Reviewed and commented on proposals relating to the future role of the Local Authority in Education
- Reviewed the School Organisation Plan and made comments prior to decision by Cabinet
- Reviewed progress against recommendations made by the Scrutiny Inquiry into School Admissions (Primary)
- Received a briefing on the Troubled Families Initiative and agreed to review implementation of the programme and progress against objectives at regular intervals
- Reviewed Annual Children's Safeguarding Report and Action Plan focusing on the issue of Female Genital Mutilation. This was followed up by an Inquiry sponsored by

the Community Cohesion and Safety Scrutiny Commission

- Reviewed the implementation of the Youth Links contract and agreed to examine impact of the changes annually jointly with the Youth Select Committee

The Commission reviewed the provisional school results for 2011-2012. The session was attended by Headteacher representatives from the Secondary, Primary, Early Years and Special schools sectors.

In March the Commission hosted an Inquiry on [Improving Services for children and young people with SEN/Disabilities](#). This is an area where considerable change is taking place and is part of Bristol City Council's Children First Change Programme. Councillors identified it as an area where they could help shape emerging options and contribute to improving the experience and outcomes for children, young people and their families.



There was a high degree of consensus on key areas which need to be addressed in order to ensure the success of the new model of delivery and improve outcomes. Many of the opportunities and challenges discussed mirrored those identified nationally and those experienced by Pathfinder Authorities. The Inquiry highlighted key priorities and areas for action, particularly in relation to:

- Multi Agency Working
- Assessment Process and single Education, Health and Care Plans (EHCP)
- Engaging with Children, Young People and Families

- Person Centred Planning and Personal Budgets
- Communication, Signposting and Support
- Preparing for Adulthood
- Training and Cultural Change

The report was agreed by the Children's Scrutiny Commission on 17th June 2013 and progress against recommendations and the impact of incremental changes will be regularly reviewed up to the final implementation date of September 2014.

Early Years Cross Party Scrutiny Review Group

The Commission also established a cross-party Scrutiny Review Group to look at issues relating to early help/early years to help inform the budget process and priorities for 2014/15. The Review examined in particular the following issues:

- The Early Years funding and policy context

- The Council's Children First Programme and Integrated Family Support
- Early Years Vision
- Children's Centres: Principles, Purpose and Funding
- Expansion of places for 2 year olds
- Transition from Early Years to Primary Schools
- Integration with health

The report was agreed by the Children's Services Scrutiny Commission on 7th June and the Assistant Mayor for Children, Young People and Education has been asked to provide feedback, particularly in relation to challenges identified in relation to: funding and increasing demand, improved outcomes for all children and integrated health and education services.

Quality of Life Scrutiny Commission

The meetings of the Commission were themed around its main portfolio areas of housing and landlord services, culture and leisure, waste and recycling and the street scene. The major activities are listed below.

The Quality of Life Survey

The Commission undertook an examination of the findings of the Quality of Life Survey 2011 where it was noted that the results showed an improvement on 2010. However, there were areas of concern notably dog fouling and issues raised by residents living in Hillfields ward. These were passed on to the relevant officers and the executive for information and action.

Housing and Landlord Services

Members evaluated the new caretaking service which Landlord services had recently introduced. It was noted that this had led to a marked improvement in the environment of the initial sites involved. There were some concerns over the cost of the scheme to tenants and officers were asked to review this area.



There was support for the proposal from Landlord Services to introduce flexible tenancies with some reservations about the possible social impact which were summarised for the Cabinet to consider.

The aims of the pilot scheme for Discretionary Licensing of private landlords in certain areas of the city were welcomed. If this pilot proved successful, members were keen to see it extended.

Members reviewed and endorsed the new proposals for commissioning of low, medium and floating support for Homelessness Prevention.

Housing and Welfare Reforms

The Commission has been regularly monitoring the progress that had been made in implementing the recommendations from the report of the inquiry into Housing and Welfare Reforms. Members were encouraged to see how the Council departments and external bodies were working together to tackle the issues.

Access to Services

The Commission listened to the financial arguments that were driving the Improving Access to Services initiative but emphasized that the Council must not lose sight of the fact that it had a statutory duty to ensure that all communities and age groups were able to access the services that they needed.

Waste Collection and Recycling

The planned changes in operation Bristol's Household Waste & Recycling Centres also came under scrutiny, and a number of recommendations for officers to consider were suggested including improved publicity and signage at the sites.



The Commission also carried out a 12 month review of the kerbside waste collection & recycling service and identified some areas for improvement in particular dealing with missed collections.

Culture and Leisure

The Commission discussed in detail the future governance options for the Museums, Galleries & Archives Service with the Executive Member. They supported the favoured option of transferring it to a charitable trust as it gave more flexibility, allowed a more entrepreneurial approach and improved financial performance.



The condition of Ashton Court Mansion was debated and members welcomed the plans to secure its future.

Food Poverty



An area of particular concern has been the increase in food poverty in Bristol evidenced by the number of people using Food Banks. Members felt that supporting and educating people to make the right choices was a key factor. They noted that the authority was working with a range of agencies across the city to look at food procurement and healthy eating, including school meals and provision for older people.

Fuel Poverty

This was another area of concern and members were encouraged to see the action that the Council and its partners were taking to alleviate its impact. It was recommended that the impact of the various interventions needed to be monitored to establish which were the most cost effective.

Adult Safeguarding Select Committee

The Adult Safeguarding Select Committee was established by the Overview and Scrutiny Management Committee to examine the strategic and operational Adult Safeguarding Service.

The Select Committee focussed on making recommendations to improve the effectiveness and efficiency of current service provision in the light of economic constraints, the changing health and social care environment, current legislation and policy guidance.

The Committee took evidence from a wide range of witnesses, providers, commissioners and service users. The Committee also considered the final report of the Department of Health on Winterbourne View Hospital and the Serious Case Review, which identified lessons to be learned across all organisations in

relation to adult safeguarding. A number of recurrent issues emerged from evidence provided to the Committee and recommendations were made relating to:

- Governance of the Adult Safeguarding Board and resource issues
- Operational safeguarding models and maintaining and developing multi-agency working
- Adult safeguarding training for people involved with vulnerable adults
- Commissioning, contract management and quality assurance in care provision
- Improved data collection, analysis and intelligence sharing
- Securing prosecutions
- Prevention in adult safeguarding, including work with communities and making best use of the Council's and partner's opportunities to engage and educate the wider

public on adult safeguarding issues, publicity campaigns, public information

- Involving service users in feedback and service design

The final report was endorsed by Full Council on 15th January 2013 and progress against an action plan based on the recommendations will be reviewed annually by the Health, Wellbeing and Adult Social Care Scrutiny Commission.



The West of England (Local Enterprise Partnership) Joint Scrutiny Committee

This met in February and September 2012 to scrutinize the Local Enterprise Partnership Business Plan and the on-going proposals for major transport schemes across the four unitary authorities. It was also asked to comment on the DfT's consultation for the Great Western Franchise Replacement.

The Great Western Ambulance Joint Overview and Scrutiny Committee

This is made up of members from 6 of the local authorities that are served by Great Western Ambulance NHS Trust. It met three times to scrutinise the performance of ambulance services, in the main, response times.