

Scrutiny at Leeds City Council

Annual Report 2012/13



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Foreword

As the Council's Statutory Scrutiny Officer, I am pleased to present the 2012/13 Scrutiny Annual report.

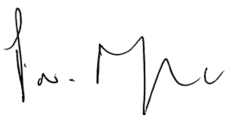
As you will read, all Scrutiny Boards have undertaken a significant amount of work this year using a combination of formal committee meetings and working groups, site visits and workshops. The development of innovative approaches to evidence gathering will remain a key action point for the coming year as will working with our partners and the public to get the best out of scrutiny.

Scrutiny will also strive to undertake more pre-decision scrutiny and will work with the Executive to ensure that such opportunities are given to Members sitting on Scrutiny Boards.

Further to the new policing reforms introduced last year, we are pleased to report that scrutiny has already established close links with the West Yorkshire Police and Crime Commissioner and welcomed his attendance at a Board meeting in May.

Similarly, arrangements are now in place to ensure adequate scrutiny of the Health and Well-being Board and the Council's role in promoting public health. This is complemented by our working relationship with Leeds Healthwatch.

Finally, the dedicated work of the Joint Health Overview and Scrutiny Committee (Yorkshire and Humber), led by Leeds City Council, has received national recognition by being shortlisted in the Centre for Public Scrutiny 'Good Scrutiny Awards'.



Peter Marrington
Head of Scrutiny and Member Development

Scrutiny is sometimes perceived to be 'the opposition'. This is not the case. A strong administration should welcome robust scrutiny as it is a key performance tool. There should be no conflict between the ambition of the council to be the best and the role of scrutiny in driving improvements in services.

I am reminded of the Centre for Public Scrutiny's 'Good Scrutiny principles'

- Provides critical friend challenge
- Is carried out by independent minded people
- Enables the voice and concerns of the public
- Drives improvement

This Administration supports these principles.

I am convinced that the future strength of scrutiny lies in its outward looking nature, including assessing the role of external partners in delivering the Best City.

It is important that we ensure that we get the best out of scrutiny and the considerable efforts put in by members who sit on Scrutiny Boards. Scrutiny must continue to demonstrate the added value it can bring to the decision making processes of the Council by focusing on the key issues affecting the City and help drive improvements through robust research and offering innovative solutions and recommendations.



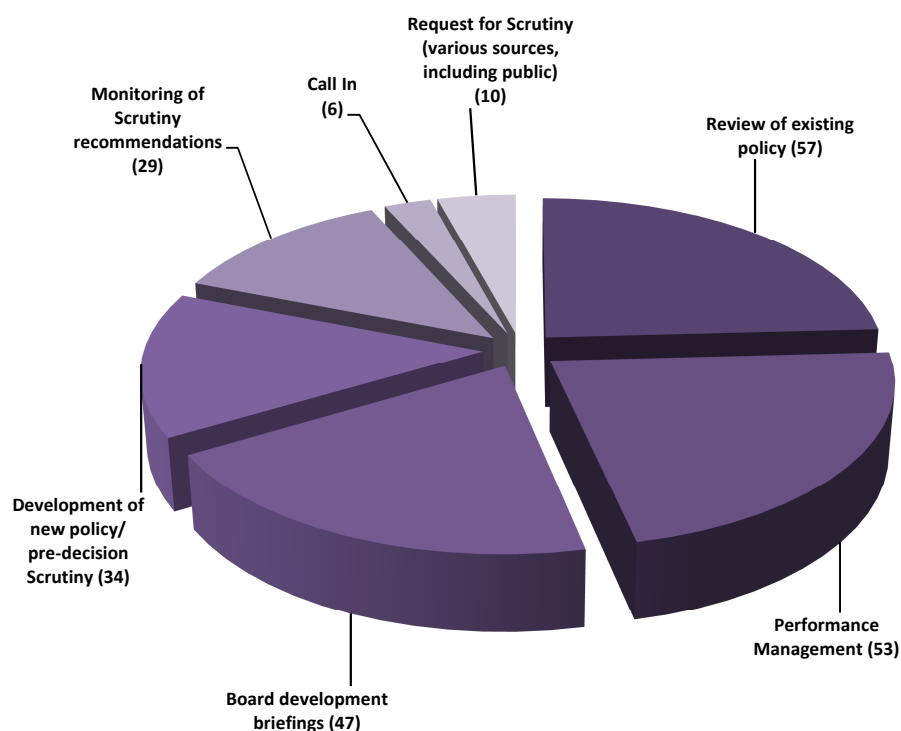
Councillor Peter Gruen
Executive Member for Neighbourhoods,
Planning and Support Services

Summary of work and Publications 2012/13

Summary of Scrutiny work in 2012/13

This section provides an analysis of the work undertaken by scrutiny over the last 12 months. The chart below represents the type and proportion of work that the Scrutiny Boards have done this year.

Type and total number of scrutiny work items in 2012/13



Scrutiny Boards remain responsible for ensuring that items of scrutiny work come from a strategic approach, as well as a need to challenge service performance and respond to issues of high public interest. In doing so, the good practice of working closely with Executive Members, Directors and the Strategic Partnership Boards in identifying potential areas where scrutiny can add value has continued to be embraced by all Scrutiny Boards.

A key action area for scrutiny this year was to explore more opportunities for undertaking pre-decision scrutiny and the development of new policy. As such, there has been a notable increase in the number of work items relating to pre-decision scrutiny (34 items compared to 20 items last year). In terms of driving forward improvement, the number of work items relating to the review of existing policy more than doubled this year (57 items compared to 24 items last year), which equates to almost a quarter of the Scrutiny Boards' workload. This is a trend that Scrutiny Boards would wish to see continue.

Final Inquiry reports published by the Scrutiny Boards in 2012/13

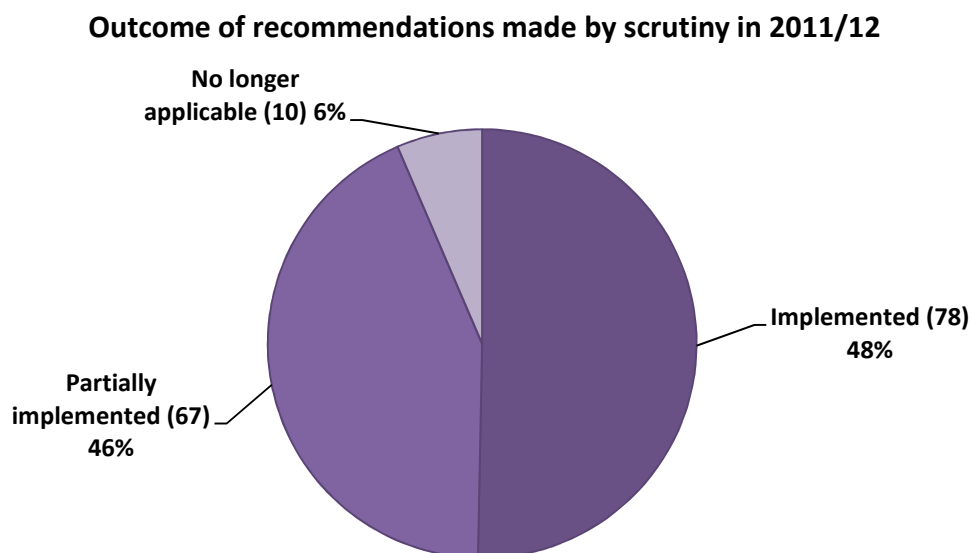
- Strengthening the Council's relationship with local Parish and Town Councils
- Review of the new Grounds Maintenance Contract
- Community First Programme
- Improving recycling through effective communication and recycling
- Private Fostering
- Combating Child Poverty and Raising Aspirations
- Safeguarding Children – Private Care Homes
- Welfare Reform
- Increasing the Number of Young People in Employment, Education or Training
- Transformation of Health and Social Care Services in Leeds
- Scrutiny review of Strategic Partnership Boards 2012/13

These reports are available to download via the Council's website
www.leeds.gov.uk/scrutiny

Outcome of recommendations made by Scrutiny in 2011/12

A key element of the Scrutiny Boards' work involves ongoing monitoring of recommendations arising from previous scrutiny reviews. A statistical analysis of the recommendations made by the Scrutiny Boards in the previous municipal year is produced, showing the outcome status of the recommendations after 12 months of monitoring.

The chart below shows the outcome status (as of May 2013) of all the scrutiny recommendations made during 2011/12.



Scrutiny Boards now make clear in their final reports the desired 'outcomes' of their inquiries and recommendations and focus more strongly on making an impact, adding value and showing that value. In moving forward, this should assist in monitoring the impact of scrutiny in terms of making a real difference. Exploring other effective methods to help demonstrate the added value gained from the work of the Scrutiny Boards throughout the year is also a key action area for scrutiny next year.

Highlights and Achievements

A summary of the significant pieces of work undertaken by scrutiny over the last 12 months is presented below. This snapshot identifies the added value brought by scrutiny.

- **Leading on Regional Scrutiny**

Established in March 2011, the **Joint Health Overview and Scrutiny Committee** (JHOSC), led and supported by Leeds City Council, was established to make an assessment of and, where appropriate, recommendations on the potential options to reconfigure the delivery of Children's Congenital Heart Services in England.

The JHOSC – made up of representatives from all the 15 top-tier local authorities across Yorkshire and the Humber – published its first report in October 2011. This sent a very clear message to the Secretary of State for Health, in addition to those responsible for carrying out the review, that children and families across Yorkshire and the Humber would be disproportionately disadvantaged if the existing surgical centre in Leeds was not retained in any future service model.

In response to the decision to close the Paediatric Cardiac Surgery Unit in Leeds, the JHOSC published a second report in November 2012 referring the matter to the Secretary of State for Health for detailed consideration. The Secretary of State for Health commissioned the Independent Reconfiguration Panel (IRP) to undertake a full examination of the *Safe and Sustainable* review process and associated decisions.

Both of the JHOSC's reports helped form the basis for a successful judicial review of the decision to close the Unit, led by Save Our Surgery Ltd. and were taken as evidence by the IRP in its review commissioned by the Secretary of State for Health.

On 12 June 2013, in his statement suspending the *Safe and Sustainable* review process, the Secretary of State for Health confirmed the findings of the JHOSC, stating:

“The Safe & Sustainable review was based on a flawed analysis of the impact of incomplete proposals, and leaves too many questions about sustainability and implementation. This is clearly a serious criticism of the Safe & Sustainable process. I therefore accept their recommendation that the proposals cannot go ahead in their current form and am suspending the review today.”

The JHOSC sought to use the full extent of its health scrutiny powers to initially challenge the proposals and then refer the decision to the Secretary of State for Health. The concerns and criticisms highlighted by the JHOSC were vindicated by the IRP's findings, which subsequently resulted in the reversal of a decision that, otherwise, may have gone unchallenged.

- **Challenging existing policy**

The **Resources and Council Services Scrutiny Board** has challenged the responsible Executive Member to address the current arrangements for the letting of community centres to make it more transparent to users, to introduce a clearer charging structure, remove the need for five Directorates to be involved and remove the need for expensive and bureaucratic recharging processes. This is an on-going piece of scrutiny.

In reviewing how Community First funding is being administered locally, the **Safer and Stronger Communities Scrutiny Board** reported its findings to the Minister for Civil Society. As well as highlighting a need for more localised governance and delivery frameworks for this programme, the Scrutiny Board also stressed that the financial support available to local Community First Panels is disproportionate to the level of work required in delivering the programme effectively. The Minister for Civil Society welcomed the Scrutiny Board's report and explained there would be an additional package of support made available to the Community First Panels in response to the feedback provided by the Scrutiny Board and other key stakeholders.

The private care homes inquiry undertaken by the **Children and Families Scrutiny Board** presented challenge on a local and national level as the Scrutiny Board issued their findings to the Children's Minister Edward Timpson MP, to be taken into consideration as part of a wider review to strengthen the safeguarding of children. In response the Children's Minister stated that the Board's findings were very welcome contributions to the national review.

The **Safer and Stronger Communities Scrutiny Board** conducted a review of the new Grounds Maintenance Contract, awarded to Continental Landscapes Ltd in August 2011. In doing so, the Scrutiny Board made further recommendations aimed at maximising available resources and delivering a value for money service. In response to a particular recommendation, the Council is now working more closely with Continental to identify where additional services provided by Continental could lead to further cost savings and also support staff retention.

- **Influencing Executive Decision Making**

During 2011/12, the **Sustainable Economy and Culture Scrutiny Board** held an inquiry on maximising the use of the council's powers to promote employment and skills opportunities. As a result of the recommendations from this inquiry, the council is now routinely using its planning and procurement powers to help people access jobs and apprenticeships. The Board has also monitored the introduction of similar changes to procurement guidance to ensure environmental performance is taken into account.

The **Housing and Regeneration Scrutiny Board** considered whether the Strategic Housing Land Area Assessment (SHLAA) was actually fit for purpose and in particular whether it had been robust enough to challenge sites listed in the SHLAA but classified as sites not achievable for development. As a consequence, the Executive Board agreed to consider in 2013/14 changes to the membership of the SHLAA.

Resources and Council Services Scrutiny Board undertook a significant piece of work around Welfare Reform. The Board made 14 recommendations including the proposal for the Council to redesignate bedroom space. This is now being actively pursued by the Executive.

The **Safer and Stronger Communities Scrutiny Board** was asked to support the Safer Leeds Executive in developing a Community Safety Business Plan to outline the city's priorities in relation to policing and crime reduction. In doing so, all of the recommendations made by scrutiny were incorporated into the plan prior to it being approved by the Safer Leeds Executive.

The **Children and Families Scrutiny Board** has conducted a significant amount of work to assist the process of the Youth Service Review, making a number of recommendations to Children's Services particularly in response to the report of Damian Allen, and expressing concern about the range of consultation undertaken. This was undertaken prior to the submission of Children's Services report to Executive Board in March 2013.

Resources and Council Services Scrutiny Board has, through its work with HR colleagues, re-shaped the People Plan Score reporting process to focus on the Big 5 issues; staffing numbers, agency, overtime, attendance and appraisals. A robust process now exists for scrutiny to review policy and compliance in these areas.

The **Housing and Regeneration Scrutiny Board** identified that 49 residential properties (which form part of the ALMO Management agreement) were being used for non-residential, community or office purposes. As a result, this helped to speed up the process in terms of assessing which of these properties could be brought back into residential use.

Further to the Council's stakeholder consultation and engagement on the charging review for non-residential services, the **Health and Wellbeing and Adult Social Care Scrutiny Board** considered the revised proposals prior to them being approved by Executive Board. Whilst welcoming attempts to limit the impact on service users, further recommendations surrounding the proposed charging schedule were put forward by the Scrutiny Board and subsequently agreed by Executive Board.

• Holding the Executive to Account

The Call In process provides the facility for Scrutiny Board Members to require a decision taker to reconsider a decision. This is a separate function from the Scrutiny Board's ability to review decisions already taken and implemented.

The Call In facility was used on six separate occasions during 2012/13. These related to the following decisions:

1. Provision of the Young Carers service (June 2012)
2. Proposed Scheme to Permit Hackney Carriage use of Bus Lanes (July 2012)
3. Shared service partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care technology requirements (August 2012)
4. The Community Infrastructure Levy - Preliminary Draft Charging Schedule (March 2013)

5. Kirkgate Market Strategy (April 2013)
6. Allocation of Funding to Clusters (April 2013)

All decisions were subsequently released for implementation. However, a number of Call Ins have led to further scrutiny work resulting in positive recommendations for change.

• **Championing Collaborative Working**

This year, the Scrutiny Boards were required to act as 'critical friend' to their relevant Strategic Partnership Boards. In line with this approach, the Scrutiny Boards conducted an annual assessment of how well their relevant Partnerships have been working in practice, with particular focus on how well they have increased the pace of change in relation to a specific priority area and also more generally in terms of tackling poverty and addressing inequality within Leeds.

There is a separate report available from Scrutiny which details the findings of the individual Scrutiny Boards and provides an overview of common themes. The general consensus from scrutiny is that a major strength of the Partnership Boards has been their ability to bring together a range of partners within the public, private, voluntary and community sectors, including Elected Members, to explore opportunities for collaborative working in addressing a whole variety of issues.

Separate to this, the Scrutiny Boards have also continued to champion collaborative working throughout other pieces of scrutiny work. Particular examples are highlighted below.

The **Safer and Stronger Communities Scrutiny Board** conducted a review aimed at strengthening the Council's relationship with local Parish and Town Councils. The Board acknowledged that, despite having mutual roles for providing strong local leadership, the relationships between Area Committees and local councils were not consistent across the city. Following consultation with local councils, Area Chairs and Area Leaders, the Scrutiny Board made recommendations aimed at promoting more open and meaningful dialogue between local councils and Area Committees to enable them to work more collaboratively and positively in the future.

In view of its broad remit, the **Sustainable Economy and Culture Scrutiny Board** ensured that all of its main inquiries this year involved partners, to ensure a wider perspective to the Board's work. This included bus company representatives and passenger representatives as part of its Bus Services inquiry; the involvement of Yorkshire Water, the Environment Agency and a local flood group representative in its Flood Risk Management inquiry; and Leeds and Partners and several major arts organisations took part in the inquiry on marketing and promotion of the city.

The inquiries of the **Children and Families Scrutiny Board** have involved participation from a number of organisations including the NSPCC and the British Association for Adoption and Fostering. The Board's desire to strengthen partnership arrangements and collaborative working was clearly stated in the inquiry report on increasing the number of young people in employment, education or training. The Board recommends the strengthening of relationships with employers, clusters, schools, voluntary organisations and other Council departments to provide a

coherent and effective whole city approach to reducing the number of young people who are NEET (not in employment, education or training).

In recognition of the implications of the Health and Social Care Act 2012, the **Health and Wellbeing and Adult Social Care Scrutiny Board** continues to work closely with key partners in adapting to the changing landscape of health and social care across the city. In particular, the Board is forging a close working relationship with the new Healthwatch Leeds, which was introduced on 1st April 2013 to replace the role of Local Involvement Networks (LINKs) as the consumer champion for both health and social care. As such, Healthwatch Leeds is committed to working with the Board in ensuring that patient and public views are reflected in the work of scrutiny.

Further to the new policing reforms and the introduction of Police and Crime Commissioners in November 2012, the **Safer and Stronger Communities Scrutiny Board** began forging strong links with the Council's representatives on the West Yorkshire Police and Crime Panel in order to relay to the Commissioner any issues that have been raised through local scrutiny and vice versa. Linked to this, a wider 'Principles for Engagement' document was also developed in liaison with the five local Crime and Disorder Scrutiny Committees and the West Yorkshire Police and Crime Panel to promote such collaborative working in the future. The West Yorkshire Police and Crime Commissioner also attended his first meeting of the Scrutiny Board in May 2013 and reiterated the importance of integrated joint working.

The **Sustainable Economy and Culture Scrutiny Board** started an inquiry into the role of leisure and culture in promoting public health, which has been a joint undertaking with the Children and Families and Health and Wellbeing and Adult Social Care Scrutiny Boards. The Chairs of both Boards have taken part in the inquiry, which will continue into the new municipal year.

- **Enabling the voice and concerns of the public to be heard**

Following concerns raised by the **Housing and Regeneration Scrutiny Board**, work was undertaken with the City Development directorate to produce a community engagement guide to encourage developers to engage more effectively with the community at an early stage in the planning process.

The private fostering inquiry by the **Children and Families Scrutiny Board** highlighted that professionals need to be adequately trained and given information to provide them with the skills to identify and report private fostering arrangements. The desired outcome is that this will improve safeguarding arrangements for children in a private fostering situation. Children's Services was also asked to raise awareness with children and young people and ensure that they know where to go and who to speak to if they require help and support.

Arising from its earlier review around Dog Control Orders, a particular recommendation made by the **Safer and Stronger Communities Scrutiny Board** related to the best use of Dog Control Orders within community parks that are used by schools that do not have their own sports facilities. As a result, it was agreed that this would form part of the council's consultation around potential new sites for Dog Control Orders in order to gauge public opinion first.

The **Housing and Regeneration Scrutiny Board** relayed concerns raised by local councillors about levels of consultation undertaken by the directorate to enable them to effectively contribute to the formulation of Section 106 agreements. Whilst recognising that the Plans Panels were the ultimate decision making body, it was thought essential that Plans Panels, in considering proposed Heads of Terms for Section 106 agreements as part of the developer's planning application, be made aware as to whether Ward Members were content or not with the terms of that agreement.

Linked to its earlier investigation into the provision of services for the blind and visually impaired across Leeds, the **Health and Wellbeing and Adult Social Care Scrutiny Board** has continued to track the implementation of its recommendations and in doing so, ensured there was opportunity for direct feedback from key stakeholders i.e. the National Federation of the Blind (Leeds and District).

The **Sustainable Economy and Culture Scrutiny Board** received a request for scrutiny, supported by the local Area Committee, into the closure of the West Park Centre. The Scrutiny Board has committed to undertaking a learning lessons review of the events leading to the closure of the centre as a discrete exercise, once the Executive Board has made a decision about the future of the building.

- **Developing innovative methods of evidence gathering**

A key action area this year was around developing innovative approaches in gathering evidence for Scrutiny reviews. Linked to this, there was also a focus around undertaking more 'primary' research, utilising external data sources and identifying best practice.

Prior to the **Safer and Stronger Communities Scrutiny Board** scoping its recycling review, the Scrutiny Unit used Twitter to invite views from a wider audience as to what the Council could do to encourage people to recycle. A common response related to the provision of better information to explain what happens to recyclable materials and help address any misconceptions or mistrust relating to the recycling service. Taking this on board, the Scrutiny Board focused its review around improving recycling through effective communication and education. In doing so, a key recommendation from scrutiny was to make better use of the Council's website to provide comprehensive guidance on how to reduce, re-use and recycle waste. In undertaking its own research, the Scrutiny Board cited City of York Council's website as an example of good practice.

Linked to the work undertaken by the **Joint Health Overview and Scrutiny Committee** around the delivery of Children's Congenital Heart Services, the Independent Reconfiguration Panel (IRP) acknowledged the challenges facing Health Overview and Scrutiny Committees given the absence of a national representative body. However, in doing so, the IRP acknowledged within its final report the approach adopted in Yorkshire and the Humber to form a regional joint committee and referred to this as a 'helpful and pragmatic response'.

In response to a request that the **Sustainable Economy and Culture Scrutiny Board** look into the impact of the M62 managed motorway roadworks, the inquiry took place at the Highways Agency site offices. A working group of the Board had the opportunity for a round table discussion with Highways Agency officers,

stimulated by a presentation from the Site Manager, combined with the opportunity to view the on-site camera control room.

The **Health and Wellbeing and Adult Social Care Scrutiny Board** held two Healthwatch development workshops during July 2012, which were facilitated by the Centre for Public Scrutiny. This proved to be a very effective approach in terms of scrutiny helping to feed into the tender process for a local Healthwatch organisation and also developing ideas for future areas of collaboration with Healthwatch.

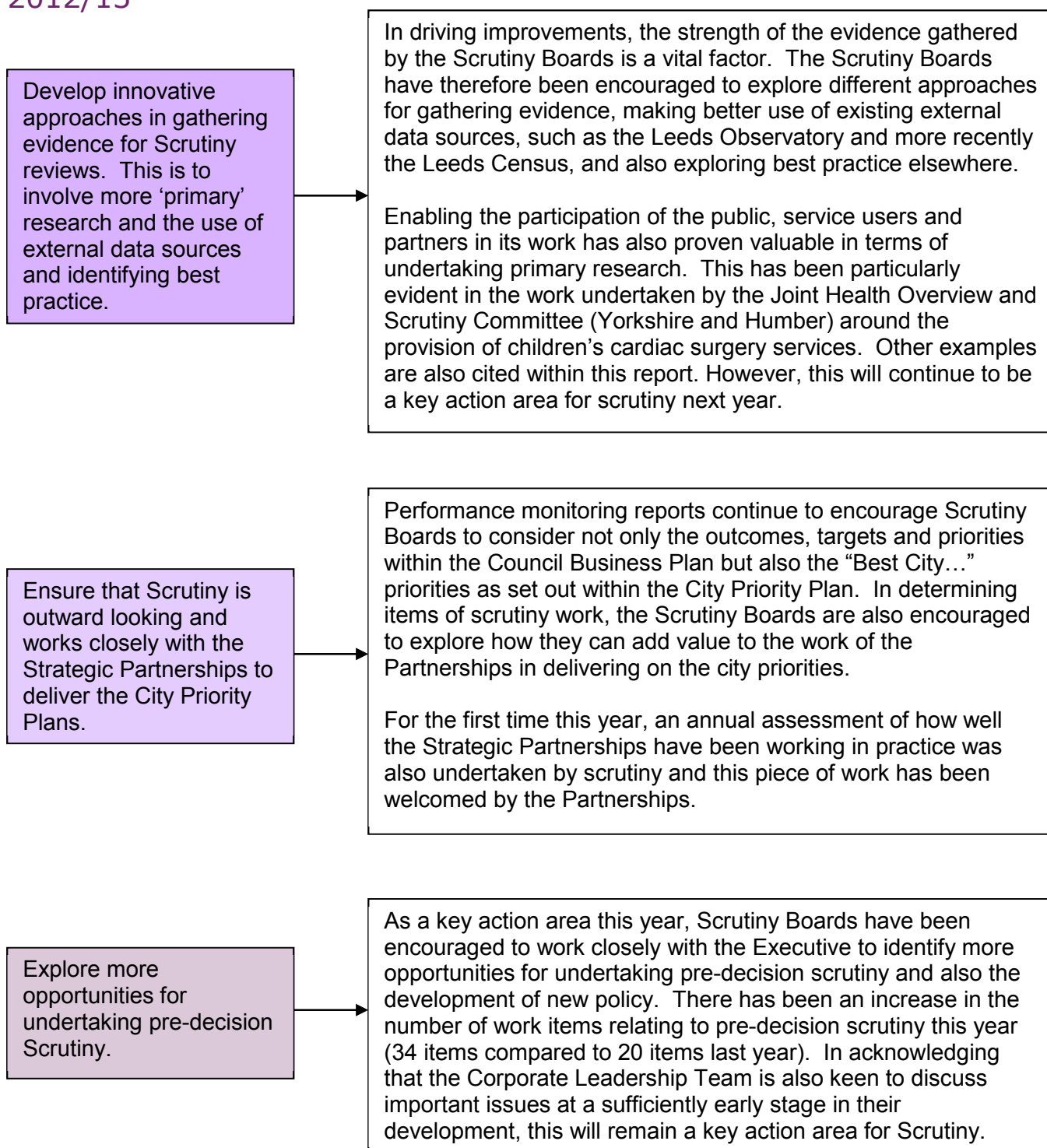
The use of working groups continues to be a popular alternative approach to the formal Board meetings as it provides greater flexibility and encourages open and honest debate within a more informal setting. This year more Scrutiny Boards have also used this approach to meet with relevant officers and partners in scoping their inquiries. A total of 46 working group meetings were held during the course of the year.

Reflecting on the Year and Planning for the Future

It is vital that we reflect on the experience of past scrutiny activity in order to identify best practice and also continue to improve the way that scrutiny operates in Leeds. Last year we identified a number of key action areas to help develop the scrutiny function. Progress made in delivering these key action areas is summarised below.

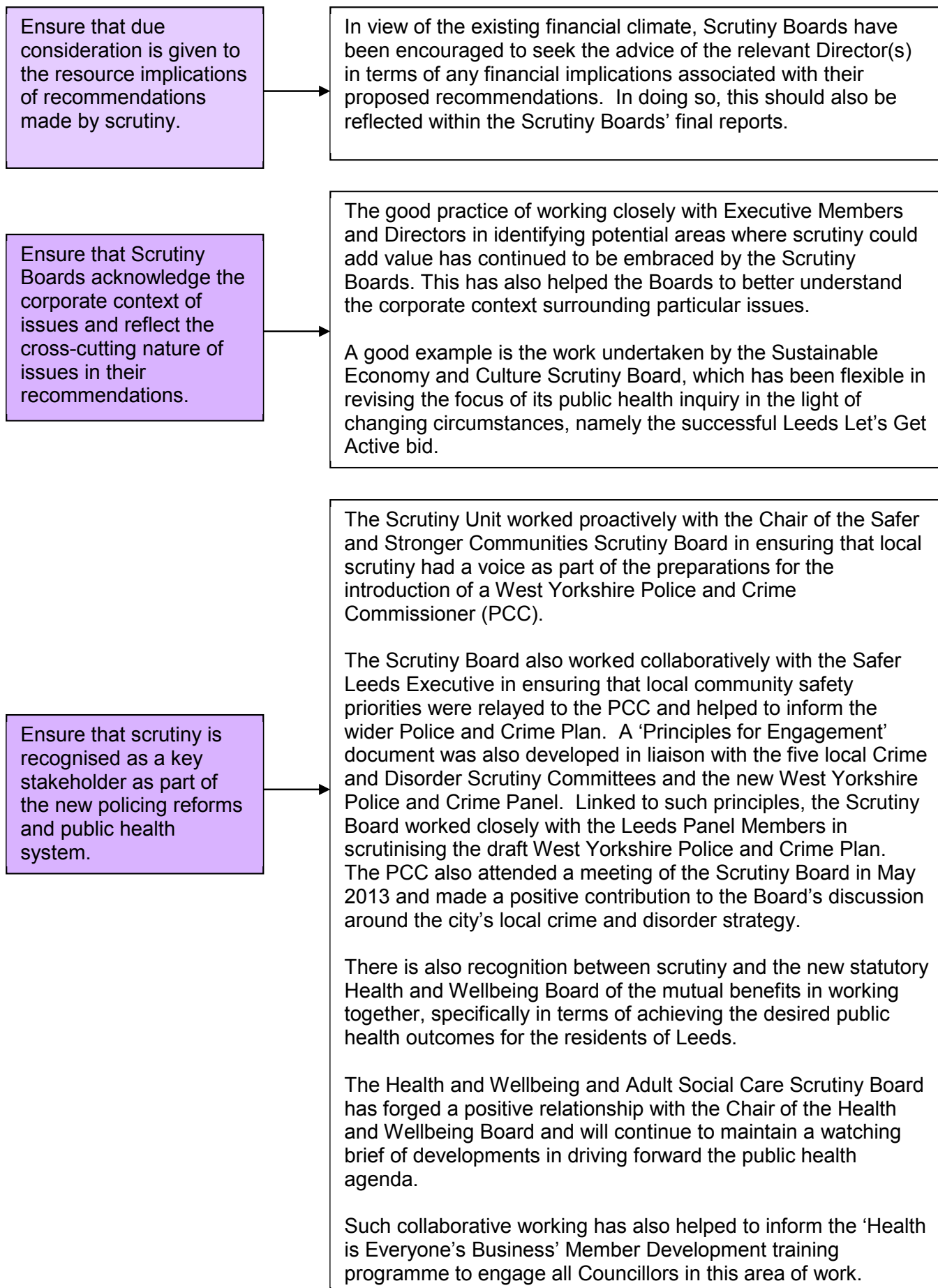
Key Action Areas 2012/13

Progress



Key Action Areas 2012/13

Progress



Developing Scrutiny

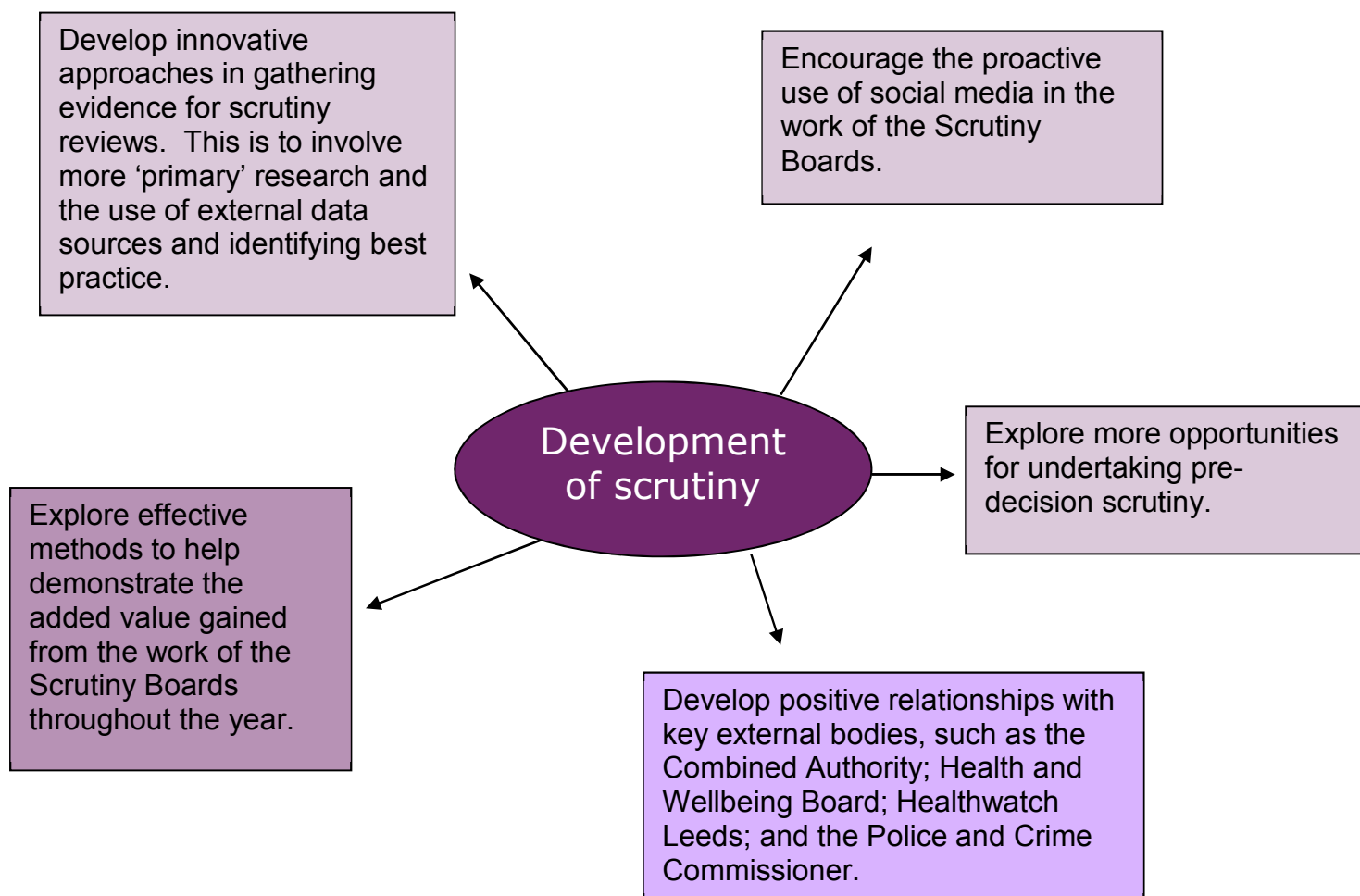
As always a key focus remains on ensuring that scrutiny is a worthwhile process for elected Members and adds value to the running of the Council.

As has been our practice in previous annual reports, we have published an action plan for the coming year identifying our key development areas.

The actions shown below are not an exhaustive list and a number of actions from previous years will continue to be progressed.

Our goals this year include

Key Action Areas 2013/14



For those with access to the internet, further information on scrutiny is also available at www.leeds.gov.uk/scrutiny . This site includes information about each Scrutiny Board and provides links to the meeting papers and minutes. A list of all final reports since 1999 can also be found on our website.

You can also follow us on twitter @scrutinyleeds for updates and links to useful information.