

OVERVIEW AND SCRUTINY IN ROCHDALE – 2019/2020

INTRODUCTION

This report summarises the activities of the Council's three Scrutiny Committees and reports on some of the highlights and achievements of the last year.

Throughout the year the Council's Overview and Scrutiny Committees tackle wide and varied work programmes which cut across all Council Directorates. The Committees engage with appropriate Cabinet Members prior to decisions being taken and also held them to account on service areas and policy.

The primary focus for the Health Scrutiny Committee this year has been the transformation of the health and social care landscape and urgent care redesign.

The Council has this year taken a leading role in administering one of the two Joint Health Scrutiny Committees, reviewing the work of Pennine Care NHS Foundation Trust. Good working relationships have continued with Members and Officers in both the NHS and in the partner Local Authorities of Stockport, Oldham, Bury and Tameside.

During the spring of this year the Council established a Joint Overview and Scrutiny Panel with the purpose of maintaining a scrutiny function, to hold the actions of the Leader and other Cabinet Members to account during the early stages and peak periods of the Covid-19 pandemic. The membership of the Panel was drawn from the Council's three Overview and Scrutiny Committees and it met on a number of occasions during the spring and summer months of 2020.

OVERVIEW AND SCRUTINY

Overview and Scrutiny Committees are an important part of the way that decisions are made. Whilst the Committees themselves have no executive powers, the scrutiny process does allow Members to explore issues in depth and help to influence decisions through recommendations to the Cabinet and/or Full Council.

The statutory basis for the Council's Overview and Scrutiny arrangements are:-

The Local Government Act 2000 requires that Overview and Scrutiny Committee(s) have the power to

- review or scrutinise decisions or actions in respect of any functions that are the responsibility of the executive;
- make reports to the local authority or the executive in respect of functions that that are the responsibility of the executive;
- review or scrutinise decisions or actions in respect of functions that are not the responsibility of the executive;
- make recommendations to the local authority in respect of functions that that are not the responsibility of the executive;
- to make recommendations to the local authority or the executive in respect of matters which affect the local authority's area or inhabitants.

Rochdale Council has followed statutory guidance which focussed on overview and scrutiny in the context of executive arrangements, and this has been followed by using policy consultation, budget and service planning consultation, call-in, and financial and operational performance review as the principal mechanisms for undertaking this function.

The Health and Social Care Acts 2001 and 2012 - The 2001 Act provided for an Overview and Scrutiny Committee to review and scrutinise local health services and review any matters relating to the planning, provision and operation of local health services, and required NHS bodies to consult the Committee on substantial developments or variations to services. The 2012 Act gave flexibility to deliver the health scrutiny function; Rochdale Council delegated much of the function to the Health Overview and Scrutiny Committee. Additional 2012 powers included the receipt of referrals from Healthwatch and extension of the health scrutiny function to cover providers of health services commissioned by NHS England and the CCG, including GP practices, pharmacies, opticians and private or voluntary bodies.

Police and Justice Act 2006 - required local authorities to have a 'crime and disorder' Overview and Scrutiny Committee to review and scrutinise decisions or actions in relation to the discharge of crime and disorder functions, and to make reports or recommendations to the local authority or the executive with respect to the discharge of those functions. This function is linked to the local crime and disorder reduction partnership. In Rochdale this is the Rochdale Safer Communities Partnership, which reports to the Communities, Regeneration and Environment Overview and Scrutiny Committee.

In practice, the role of scrutiny committees can be broken down into two broad functions:-

- a. Holding the Cabinet (and other executive decision making bodies – such as Township Committees and the Integrated Commissioning Board) to account - this involves scrutinising decisions before they are implemented by way of 'Call-in' to the relevant Scrutiny Committee for debate. The effect of a 'Call-in' is to suspend the decision until the Scrutiny Committee has had the opportunity to consider the implications of the decision and, where appropriate, to offer comments back to the original decision maker.
- b. Policy Development - this involves Scrutiny Committees undertaking reviews of functions within their individual remits leading to recommendations to the Cabinet, and to assist in the development of future policies and strategies.

Overview and Scrutiny Committee are responsible, wherever necessary, for setting up and monitoring reviews carried out by study groups. These groups are tasked with reviewing particular policy areas with a view to making recommendations that will ultimately result in service improvements.

During 2019/2020 the Council's Scrutiny Committees have looked at a wide range of topics and issues. Various methods have been used to examine and investigate issues which have resulted in positive outcomes in terms of policy development and holding decision makers to account.

In Rochdale the following Committees carry out the Overview and Scrutiny function:

- a. Corporate Overview and Scrutiny Committee
- b. Communities, Regeneration and Environment Overview and Scrutiny Committee
- c. Health, Schools and Care Overview and Scrutiny Committee

Corporate Overview and Scrutiny Committee

The Committee's primary role is to hold the executive to account by way of undertaking policy and budget development reviews as well as questioning/challenging the judgement and decisions making of the Executive, Members, Portfolio Holders and Senior Officers.

The specific functions of the Corporate Overview and Scrutiny Committee are:

- a. Develop a work programme detailing its objectives.
- b. Being the responsible Committee for the scrutiny of Townships generally; corporate service development and delivery; for scrutiny of partnerships or key contractors (e.g. Agilysis); corporate performance monitoring; corporate financial monitoring and the annual budget development consultation, and for overview of the respective Portfolio Holders and Directors.
- c. To respond to consultation by the Cabinet on relevant policy development and on annual budget proposals.
- d. To scrutinise the in-year performance of Council Services in accordance with the Council's Performance Management Framework and against approved Directorate Plans, where appropriate.
- e. To scrutinise in-year budget performance.
- f. To scrutinise inspection reports and associated action plans produced by external agencies (where appropriate to this Committee).
- g. To review and scrutinise executive decisions in accordance with the Council's Constitution, which have been called-in by Members of the Council.
- h. To receive reports, where appropriate, from the Council's representatives on outside bodies, and to direct representatives to report to the Council, where appropriate.
- i. To commission, scope and oversee studies and reviews relating to Council Services and issues directly affecting the Borough and, where appropriate, to make recommendations to the Cabinet arising from such studies and reviews.
- j. To consider relevant Annual Service Plans in line with Council Policy.

The Corporate Overview and Scrutiny Committee is made up of 11 Members, representative of the political groupings of the Council. In 2019/2020 these members were as follows:

Councillor Michael Holly – Chair
Councillor Shaun O'Neill - Vice Chair
Councillor David Bamford

Councillor Malcolm Boriss
Councillor Peter Joinson
Councillor Amna Mir
Councillor Kallum Nolan
Councillor Liam O'Rourke
Councillor Faisal Rana
Councillor Linda Robinson
Councillor Elsie Wraighte

Some of the key issues covered by the Committee in 2019/2020 included:

- Quarterly Directorate Plan Updates (Resources and the appropriate services within the Neighbourhoods Directorate)
- Directorate Plans 2019/2020 (for the Resources and Neighbourhoods Directorates)
- Regular revenue and corporate capital finance updates
- Budgetary reports preparing for the following year's budget and beyond including scrutiny of the authority's capital programme proposals and of its Medium Term Financial Strategy and Capital Programme.
- Performance monitoring reports in respect of Corporate Complaints (including the Local Government Ombudsman's Annual Report); Health Related Absences; performance data around Agilisys and the management of the corporate call centre.
- Presentations on the role of the customer transformation programme, welfare reform, the Council's Digital Strategy and its Communications Strategy.
- Scrutiny of Greater Manchester Combined Authority proposals: Integrated Health and Social Care Pooled Fund 2020/2021, Manchester Airport Group – Strategic Investment Policy and the Greater Manchester Waste Disposal Levy Allocation

Communities, Regeneration and Environment Overview and Scrutiny Committee

The purpose of the Communities, Regeneration and Environment Overview and Scrutiny Committee is:

- a. To be responsible for scrutiny of partnerships or key contractors (eg. Rochdale Development Agency, Rochdale Boroughwide Housing and Link4Life); Economy and Regeneration; Communities; Local Development Framework; Housing; Environment; Highways and Licensing, and for overview of the respective Portfolio Holders and Directors.
- b. To respond to consultation(s) by Cabinet on relevant policy development proposals.
- c. To scrutinise the in-year performance of relevant Council Services, partnership bodies and other appropriate bodies, in accordance with the Council's Quarterly Performance Management Framework and against approved Service Plans, where appropriate.

- d. To scrutinise the discharge by the Responsible Authorities within Rochdale Safer Communities Partnership of their crime and disorder functions as set out in the Police and Justice Act 2006.
- e. To instigate appropriate action in response to adverse service performance.
- f. To scrutinise inspection reports and associated action plans produced by external agencies, where appropriate.
- g. To review and scrutinise executive decisions where appropriate to this Committee in accordance with the Council's Constitution that have been called-in by Members of the Council.
- h. To receive reports, where appropriate, from the Council's representatives on outside bodies, and to direct representatives to report to the Council, where appropriate.
- i. To commission, scope and oversee studies and reviews relating to relevant Council Services and issues directly affecting the Borough and, where appropriate, to make recommendations to the Cabinet arising from such studies and reviews.
- j. To consider Directorate Plans in line with Council Policy

The Communities, Regeneration and Environment Overview and Scrutiny Committee is made up of 10 Members representative of the three political groupings of the Council. Throughout 2019/2020 these members were as follows:

Councillor Daniel Meredith – Chair
 Councillor Angela Smith - Vice Chair
 Councillor Tom Besford
 Councillor Jacqueline Beswick
 Councillor Susan Emmott
 Councillor Andy Kelly
 Councillor June West
 Councillor Peter Williams
 Councillor Peter Winkler
 Councillor Sameena Zaheer

Some of the key issues covered by the Committee in 2019/2020 included:

- Directorate Plans (Neighbourhoods and Economy Directorates – including the Rochdale Development Agency)
- Directorate Plans Quarterly Updates (Neighbourhoods and Economy Directorates)
- Discretionary Crisis Fund (updates on the progress of the Fund)
- Rochdale Boroughwide Housing – performance monitoring information and a question and answer session with the organisation's Chief Executive
- Housing allocations – policy and strategy
- Rochdale Safer Community Partnership – including 'town centre enforcement' via the use of Public Space Protection Orders
- Playing Pitch Strategy proposals
- Waste Collection and Enforcement Policy Updates
- Winter gritting and highway maintenance proposals
- Highways (Bridges and Structures) Inspection Policies
- Highways Maintenance – contract renewal proposals

- Feel Good Festival a presentation on the planning, preparation and delivery of events at the Borough's now annual Festival
- Dippy the Dinosaur – a presentation around the key issues that the Borough will face during the period that Dippy is to be hosted in Number One Riverside
- The growing impact of climate change – which will become a primary feature of the Committee's work programme moving forward

Health, Schools and Care Overview and Scrutiny Committee

The purpose of the Health, Schools and Care Overview and Scrutiny Committee is:-

To be the responsible Committee for the Council's health scrutiny function (with the exception of any referrals to the Secretary of State arising from statutory consultations being referred to Council for determination); for scrutiny of Health and Wellbeing (including scrutiny of the Health and Wellbeing Board, particularly with reference to joint commissioning proposals arising between the Council and the CCG with regard to health and social care arrangements); and for scrutiny of partnerships or key contractors: (eg Inspired Spaces), Child and Adult Social Care Services; Early Help and Schools Services; the Borough's two Safeguarding Boards and for the overview of the respective Portfolio Holders and Directors.

- To respond to consultation by Cabinet and the Health and Wellbeing Board on relevant policy development proposals.
- To scrutinise the in-year performance of relevant Council Services, partnership bodies and other appropriate bodies, in accordance with the Council's Performance Management Framework and against approved Service Plans, where appropriate.
- To instigate the appropriate action in response to adverse service performance.
- To scrutinise inspection reports and associated action plans produced by external agencies (where appropriate to this Committee).
- To review and scrutinise executive decisions where appropriate to this Committee in accordance with the Council's Constitution, which have been called-in by Members of the Council.
- To receive reports, where appropriate, from the Council's representatives on outside bodies, and to direct representatives to report to the Council, where appropriate.
- To scrutinise Safeguarding arrangements, including consideration of Safeguarding Boards' Annual Reports
- To commission, scope and oversee studies and reviews relating to relevant Council Services and issues directly affecting the Borough and, where appropriate, to make recommendations to the Cabinet arising from such studies and reviews.
- To consider Directorate Plans in line with Council Policy.
- To be the Council body identified to receive issues and reports from Health Watch
- To consider, as relevant, reports from the Care Quality Commission as part of the wider health scrutiny considerations.
- To receive minutes of the joint health scrutiny bodies.

The Health Schools and Care Overview and Scrutiny Committee is made up of 10 Members representative of the three political groupings of the Council, plus a co-opted Member, Mr John McGrath, who was appointed by the Council in October 2019 and a representative of the HealthWatch organisation.

Throughout 2019/2020 the elected Members were as follows:

Councillor Ray Dutton – Chair
Councillor Pat Sullivan – Vice Chair
Councillor Sultan Ali
Councillor Patricia Dale
Councillor Irene Davidson
Councillor James Gartside
Councillor John Hartley
Councillor Rachel Massey
Councillor Alan McCarthy
Councillor Susan Smith

Some of the key issues covered by the Committee in 2019/2020 included:

- Directorate Plans and Directorate Plan Updates for Children’s Services, Adult Care Services and Public Health services
- Adult Care quarterly Market Oversight Reports
- Update reports on the development of Integrated Commissioning in Rochdale
- Link4Life Performance Review reports
- Presentations on Special Education Needs provision in Rochdale
- Developments regarding the building of two new schools in the Borough
- An update on the Rochdale Borough Locality Plan
- Updates from healthcare providers: Pennine Care NHS Foundation Trust, Pennine Acute Hospitals NHS Trust and Heywood, Middleton and Rochdale NHS CCG (Northern Care Alliance)
- Rochdale Borough Safeguarding Adults and Children’s Safeguarding Board’s Annual Reports
- Social Care Complaints - quarterly reports
- Adoption Service – Annual Report
- SUNRISE Team’s annual report