

North Yorkshire County Council

16 May 2012

Scrutiny Board

Statement by the Chairman

Here we are at another annual full council....is it just me or does each year seem to come round quicker than the last!

It's been a busy year for Overview and Scrutiny with scrutiny reviews looking at such topics as the library service, reducing street lighting, the 'Big Society, Children's and Maternity Services at the Friarage Hospital and youth participation. As you can see the scope of the reviews is wide ranging but the focus remains on topical issues that affect the citizens of North Yorkshire.

Government requires local authorities to scrutinise an ever increasing range of services and functions to ensure service providers are held to account in a public forum and local citizens have the opportunity to influence the services they want, deserve and ultimately pay for.

My colleagues across all political groups have met these challenges with enthusiasm and professionalism.

On that note, I would like to take this opportunity to thank the Scrutiny Chairmen who have played their part in selecting and directing the work of their individual Overview and Scrutiny Committees and to all officers of the County Council involved in Overview and Scrutiny for their professional and consistently high quality support.

I am pleased to present our Scrutiny Annual report (attached at Annex A) and I hope you find it a useful and informative document.

County Councillor John Blackburn
Chairman of Scrutiny Board

May 2012

Overview and Scrutiny Annual Report, April 2011 – March 2012

“Scrutiny sounds fine in theory. A cross party selection of back bench councillors investigate policies and performance, hold officers and councillors to account and open up the workings of the authority to the media and the public. But effective scrutiny depends on having sharp minds conducting the scrutiny and an Executive that is open to criticism and willing to learn from its mistakes.”
The Guardian 24 Feb 2012

We have worked hard here at the County Council to ensure that the part scrutiny plays in the decision making process is effective. Each of the Committees undertakes its own in-depth scrutiny reviews working closely with officers from the Directorates and taking on board advice from other Local Authorities and relevant experts to establish a clear and realistic set of recommendations. They also undertake the important roles of; pre decision scrutiny to ensure that decisions being taken by the Executive are based on sound information; monitoring the performance of the Authority and challenging when needed; whilst also assisting in the development of the County Council's policies and protocols.

To ensure that this work is undertaken in a coordinated way and to avoid duplication the Chairmen meet as a Scrutiny Board. This is a key opportunity to; learn from each other on the approach taken within a review and point out what worked well...and what didn't! To also share knowledge and to identify where there would be benefit from a joint approach. As Chairman of the Scrutiny Board I hope my contribution is to take that strategic view and to ensure that we challenge ourselves so that the scrutiny reviews are timely, appropriate and remain value for money.

May I take this opportunity to thank all those Members, Officers, partners and external representatives for their hard work and contributions to Overview and Scrutiny over the past year.

Overview and Scrutiny at North Yorkshire County Council is not just about the theory of scrutiny moreover it continues to provide effective challenge to both officers and the Executive, and this annual report gives a glimpse of just some of the work that has been undertaken by the Committees over the past 12 months. I hope you find it both interesting and informative.

County Councillor John Blackburn
Chairman Scrutiny Board

Overview & Scrutiny Chairmen



left to right

County Councillors John Blackburn, Tony Hall, Liz Casling, Jim Clark, David Jeffels & Keith Barnes

Care and Independence

Scope:

The needs of vulnerable adults and older people and people whose independence needs to be supported by intervention from the public or voluntary sector.

*Supported by Ray Busby
Corporate Development Officer*

“The more we understand the more we can help”

It is always better if you can both plan for things that are on the horizon but react nimbly as events occur. As I reflect upon a busy year I truly believe the Committee has done just that.

Take the future of the Library Service. We were determined to use the learning from the consultation process so that we could review the package of proposals from a community perspective. That meant bringing the right amount of constructive challenge. We were particularly pleased with the meaningful dialogue both the County Council and the Committee had had with communities. Our overriding concern was that the proposals to reconfigure a service would be right for now and the long term. We concluded they clearly met that objective.

Anticipating ahead is just as evident in our review of Substance Misuse. Like many people I had concerns about drug treatment services across the county. It was heartening to hear that positive changes to governance, staffing and contractual arrangements had transformed the North Yorkshire Substance Misuse Partnership Board into an effective body. Evidence from those discussions persuaded us to examine the balance between commissioning for drugs awareness and treatment and that of alcohol misuse.

In recent years we have seen a worrying rise in alcohol consumption. The arguments for public health initiatives to reduce the level of alcohol related harm are now overwhelming. We support unreservedly the notion that more money spent on intervention and preventative services to combat alcohol abuse, benefits other services upstream. The Committee is well placed to advocate that this be a priority for the new Director of Public Health. We will continue to press the case for a new strategy and make every effort to make sure this is promoted and owned by the County Council and partners.

Like many members of the Committee I have signed the Dementia Declaration. This is a personal commitment to do all that I can to improve the quality of life for people with Dementia, ensure they have access to services in the community and can choose the support they need to live well.

This is why we listened to the concern of local residents at the possible withdrawal of Day Services at Stokesley and across the County. We were reassured that the objective is to commission an equitable service which includes the provision of appropriate daytime activities to people at the early to moderate stages of their Dementia. We will maintain a weather eye on developments especially as options for support for people with Dementia in the community are taking shape. This will be done in tandem with a more wide ranging involvement in how partners are responding to the launch of the Prime Ministers Challenge with its emphasis on creating Dementia friendly communities that understand how to help.

Local arrangements for Safeguarding are subject to scrutiny and challenge. Our focus is to ensure that adults are properly safeguarded and their life chances improved. We do this in part by reviewing the efforts of the Safeguarding Adults Board to improve awareness, promote inclusion and how it ensures people are supported to manage risks and benefits when they are organising or receiving adult social care services. We found the level of integrated activity remains impressive; much has been done on the ground to ensure information is being brought to the attention of the public and people who use the service.

Anticipating change featured in our analysis of the Government's Welfare Benefits changes. Universal benefit reform will have an impact on some service users we currently support, but also potentially people who may turn to the County Council for additional support. We saw the evidence we needed that the Directorate is preparing effectively and intend to monitor implementation.

Carers always feature in our considerations, especially when we looked at Dementia and employment of people with learning disabilities. However, we decided to review the topic in its own right by assessing how the County Council supports carers. We followed this up by working with the Directorate to help shape and refine the approach to the current comprehensive consultation exercise.

Looking ahead we want to understand better the impact of personalisation and commissioning arrangements on social care providers.

County Councillor Tony Hall
Chairman Care & Independence O&SC

Corporate and Partnerships

Scope:

The Council's corporate organisation and structure, resource allocation, asset management, procurement policy, people strategy, equality & diversity, performance management, communication and access to services.

Partnership working, community development, community engagement, community strategies and community safety. This Committee shall be the Crime & Disorder Committee for the purposes of Part 3 of the Police and Justice Act 2006.

Supported by Jonathan Spencer
Corporate Development Officer

Our work programme in 2011 was informed by some of the biggest changes affecting local government for a generation.

For example, we looked at the challenges and issues for communities to successfully run services. This was with reference to the Big Society agenda and the drive from government to devolve responsibility for delivering public services to charities, social enterprises, voluntary and community bodies and private companies. Our findings were that even in communities where many of the resources required to run a service are already in place some outside support is still required. The Council has an important role to play in signposting community groups to relevant sources of help and assistance. In coming years, where community groups wish to run public services the Council may need to provide them with additional support, as it has done recently for groups interested in running some of our libraries. My special thanks go to members of the Stillington Community Association, Hudswell Community Pub, the Vale of Mowbray project and voluntary sector representatives who gave up their valuable time to meet with us. They provided us with lots of useful insights which we will be able to make use of in the year ahead when scrutinising the Council's progress of supporting community-run libraries.

The Committee examined the extent to which overview and scrutiny committees had been involved in the 2010/11 budget process, examining what had worked well and what had worked less well. Arising from this review Scrutiny Chairs will be asking their respective committees, when developing their work programmes in 2012, to take into account the Year 3 and 4 savings proposals for services in their remit. Earlier involvement in the process should mean that overview and scrutiny committees are better placed to influence and comment on proposals.

Councils up and down the country are of course being required to make difficult budget decisions about their services. One of the areas of challenge that they face in relation to this is around whether they have met their obligations under Equalities legislation. The Committee's review of the Council's use of Equality Impact Assessments (EIAs) is checking to see that they are being used appropriately and to identify if there are any improvements that could be made to the EIA process. After all it's in all our interests to be given a clear picture of the impact of proposed service changes on communities.

The Committee's One Council Task Group set up to monitor the development and delivery of the programme has and will continue to provide sufficient challenge to officers to ensure that the desired benefits and outcomes of One Council are delivered. In common with all Members I want to see the savings targets met and ideally exceeded so that further savings do not have to be taken from front-line services.

County Councillor Liz Casling
Chairman, Corporate and Partnerships O&SC

Scrutiny of Health

Scope:

To review any matter relating to the planning, provision and operation of health services in the County, including Ambulance Trusts and the policies of the Strategic Health Authority.

The aim is to act as a lever to improve the health of local people, ensuring that the needs of the local people are considered as an integral part of the delivery and development of health services.

To focus on action to achieve health improvement; to examine health care in the context of the wider determinants of health; to examine how health services address the needs of local communities; especially to address health inequalities; to ensure that local health and health related issues are being tackled jointly and in a co-ordinated way across agencies

To contribute to the annual health checks by providing commentaries to the Health Care Commission on the performance of NHS Trusts serving North Yorkshire and on the experiences that the Committee has had with those Trusts.

Supported by Bryon Hunter
Scrutiny Team Leader

This has been another busy year for the Scrutiny of Health Committee.

Nationally we have seen the Health and Social Care Act finally complete its journey through Parliament and receive Royal Assent in March 2012. A key element of the Act is the setting up of Health and Wellbeing Boards (H&WBs) in shadow form and for them to be fully operational from 1 April 2013. A key role for H&WBs is to promote the integration of health and social care so it will be essential that the scrutiny function as a whole not just the Scrutiny of Health Committee establishes good working relationships with the North Yorkshire H&WB.

Locally, in August 2011 the Independent Commission led by Professor Hugo Mascie-Taylor (Medical Director, NHS Confederation) published its report on the Review of Health Services in North Yorkshire and York. Against a background of the NHS needing to become 20% more efficient by March 2015, the report highlights efficiency savings required in North Yorkshire are likely to be in excess of £230M pa. This does not represent a reduction in the budget, which will broadly keep pace with inflation, but rather a predictable and substantial increase in demand. The report highlighted the need for a radical solution and a shift in how healthcare is provided, to be achieved by:

- Redesigning care so that patients are treated according to their level of need.
- Reducing hospital inpatient beds, while increasing activity.
- Making efficiency savings and increasing productivity in every sector.
- Shifting care from the hospital to the community sector, and significantly developing community services (health and social care).
- Introducing strategic planning to improve integration within primary care, and between primary care, secondary care, community services (health and social care), mental health, and public health. Also, integrating with the voluntary and private sectors.
- Creating more responsive provision by encouraging innovation by new and existing providers.

Against this background the emerging GP Clinical Commissioning Groups (CCGs) which will take over the commissioning of hospital care from NHS North Yorkshire and York from 1 April 2013 and the acute trusts themselves are now coming forward with early thoughts and plans on how to take forward the measures above. It is reassuring that CCGs and acute trusts are willing to engage with the Scrutiny of Health at a very early stage in their thinking. Our meeting on 20 April 2012 was a good example – the Harrogate and District NHS Foundation Trust and the Tees, Esk and Wear Valleys Mental Health Foundation Trust attended to discuss their early thoughts on a number of developments.

The most significant area of involvement for the Committee and which is currently on-going is in relation to Children's and Maternity Services at the Friarage Hospital. Toward the end of 2011 we were informed by the South Tees Hospital NHS Trust which runs both the James Cook University Hospital in Middlesbrough and the Friarage Hospital in Northallerton that like many other small hospitals across the country the Friarage is finding delivery of paediatric services to meet clinical guidelines and workforce requirements difficult. This issue was highlighted by the temporary change to services in 2009 and clinicians at Trust expressed their renewed concern following the publication of recent guidance on paediatric standards and forthcoming consultant retirements. This led to the Hambleton, Richmondshire and Whitby CCG inviting the National Clinical Advisory Team to review paediatric services at the Friarage and consider all possible options to maintain the clinical viability of paediatric and related maternity services. The NCAT team published their report in January 2012 which confirmed that the clinicians were right to be concerned. They concluded that it would not be possible to sustain in-patient and consultant led obstetric services at the Friarage and recommended that an alternative vision for the services be developed with clinician and public engagement. The NCAT also highlighted the need to develop a broader vision for the future of the Friarage Hospital. The CCG has begun a process of engaging the public to explain the findings. Part of that engagement is a series of public meetings which I am chairing and we are working with the NHS to look at developments in other parts of the county involving visits and a possible survey.

The involvement of the Scrutiny of Health Committee is against a background of the resolution from County Council on 15 February 2012 that "this Council calls upon all those involved in considering the future of maternity and paediatric services at the Friarage Hospital to consult and engage with all of the communities affected and to leave no stone unturned in an effort to retain the existing consultant led services at what the public rightly considers to be an excellent Hospital". Consequently we are seeking to make sure the CCG considers all options.

County Councillor Jim Clark
Chairman Scrutiny of Health Committee O&SC

Transport, Economy & Environment

Scope

Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.

Supporting business, economic regeneration and development and helping people develop their skills, including lifelong learning.

Sustainability, climate change strategy, countryside management, waste management, environmental conservation and enhancement, and cultural issues.

Flood and coastal erosion risk management

*Supported by Lorraine Laverton
Corporate Development Officer*

The work of the Committee over the last 12 months has been varied to say the least! From renewable energy to flood risk management and reducing street lighting to the consideration of the new highways maintenance contract. I do not have the space here to tell you about all the work the Committee has undertaken over the past year but here is just a taster of what we have done.

A major piece of work for the Committee was the review of street lighting. The Task Group, chaired by County Councillor Michael Heseltine, looked at the reasons why the County Council should reduce street lighting, the powers and duties related to street lighting, the options for reducing street lighting which included switching off, part night lighting, dimming, trimming and utilising low energy equipment. One example of excessive lighting could be seen on the A63 Selby bypass! We also looked at what other Local Authorities were doing and took on board the thoughts of the North Yorkshire Police.

When it was considered by the Executive on 5th July 2011 comments included; that it put forward 'pragmatic and sensible' recommendations and that it was a 'very informative report'. All the recommendations were agreed. There will now be extensive review and consultation area by area across the County and we urge local County Councillors to get involved in that work.

As the County Council is also the lead local flood authority for North Yorkshire, the Committee is kept informed about ongoing projects and reviews around flooding and coastal erosion the development of a flood risk assessment and its associated investigation policy.

The Committee looked at the processes and procedures surrounding the award of the Highways Maintenance Contract (HMC) 2012 and Road Lighting & Illuminated Traffic Signs to ensure that they were open and robust. After all this is a 10 year contract worth £250 million so it is important that the County Council gets it right! The contract was awarded to Ringway Infrastructure Services Ltd and we were recently updated that the handover had gone well and had taken place over a single weekend.

Members also contributed to the development of the Parking Strategy and Countywide Civil Parking Enforcement (CPE) Project. We considered that improving access to public transport should be an integral aim of the Strategy whilst also discouraging long-stay on street parking. This will inevitably influence the provision of off-street parking and consequently there is a need to work closely with the District Councils. We felt that the driver for the Strategy should not be raising revenue through on-street parking charges but rather part of a much broader strategy for managing the road network.

We have been pleased to welcome members of the public to speak at recent meetings looking at the findings of a review into how the matter of Irton tree was handled and the

minimum separation distance for wind turbines in relation to residential properties. It was important that lessons were learned from the Irton Tree review and an 8 point action plan has been developed as a result. It was reassuring that the investigation work was reported in an open and honest way with this public report.

Members of the public were also keen to give their views when the Committee considered renewable energy and particularly on-shore wind turbines and their proximity to residential properties. As we are not a planning authority any policies we might have on this may only be for guidance but the Committee felt we should recommend to the Executive that we should advocate a 2km minimum separation distance. We also believe that Areas of Outstanding Natural Beauty and their settings should be considered inappropriate for such commercial developments. The report on this is presented to the Executive on the 22nd May 2012 so we will watch with interest their decision!

County Councillor David Jeffels
Chairman Transport Economy & Environment O&SC

Young People

Scope:

The interests of young people, including education, care and protection and family support.

Supported by Stephanie Bratcher
Corporate Development Officer

“Councillors who have played no direct part in the decisions taken will have a clear explicit responsibility to review and question those decisions, whether or not they belong to the same party as the Executive”¹

This committee covers Education, Youth Services and Children’s Social Services. Our work does not normally cover the performance of individual schools, as they are funded by direct grant from the Department for Education. In addition to planned briefings and reports we have had regular opportunities to ask questions of, and discuss issues with Executive Members.

There are approximately 138,000 children and young people in North Yorkshire. Whether they live in the two main urban centres, market towns or the rural areas of North Yorkshire the county council’s aim is to ensure all young people have the opportunity to secure good prospects for the future.

Safeguarding remains a key focus - a presentation on the restructure of Children’s Social Care put into context the national and local pressures facing the service. The briefing also assured the committee that performance improvement is continuous and that the increase in frontline services would see early and intensive interventions available, when needed, to children, young people and their families.

We realise that some families choose to educate their children at home, for a number of reasons. However, we were surprised to learn from a report on Elective Home Education that the responsibility for a child’s education rests with the parent. The responsibility and legal duty of a local authority is concerned only with children who appear not to be receiving a suitable education. This highlighted how important it is for the local authority to keep in touch with these families who are not required to maintain any contact. Members were assured that Educational Social Workers support and work closely with these families wherever possible.

¹ DETR, Modern Local Government: In Touch with the People, HMSO, London, 1999, p.26

The economic situation for young people nationally continues to be difficult. Here in North Yorkshire whilst the levels of young people not in education, employment and training (NEET) are still low in comparison to national figures they are increasing slightly. We continue to request regular updates on the number of young people NEET and to ask about the levels of support available to this group of young people.

In our capacity as Corporate Parents a number of Members from this committee and the Looked After Children Members Group took part in a 'Whistle Stop Tour' of the Children's Residential Homes and Resource Centres across the County. It provided a very good insight into how these homes care for young people who may have some very challenging behaviours. It was also very apparent that the teams of staff working in this field are very dedicated and committed to supporting young people. We had the pleasure of meeting several young people who showed us around their home and shared some of their future plans.

Academies, the Review of School Funding and the Pupil Premium have been a key interest of the committee. We understand that currently eight North Yorkshire Schools have converted to Academy status with two further conversions expected. This total of ten schools represents 2.6% of schools in the county, i.e. approximately 1/3rd of the national average. This has meant that in 2011-12, North Yorkshire County Council (NYCC) was top-sliced by £2.1m, rising to £3.8m next year. In a recent briefing we heard that discussions are still ongoing with regard to the Academy top-slice and that North Yorkshire's response to the first consultation made it clear that any top-slicing should reflect actual numbers (not future predictions) and be based on current, rather than historic budgets. These points have been accepted by the government. Whilst this news was welcomed there are still a number of concerns remaining regarding the calculation and recovery arrangements for the Academies Funding Transfer.

During a briefing on North Yorkshire's response to the national consultation on school funding reform three important concerns were highlighted: North Yorkshire County Council's additional funding to the education budget beyond the national formula; the system NYCC uses to allocate funds to individual schools; and decisions about local funding should be at a local level and not a national average.

We have followed the implementation of the new Pupil Premium with interest. We were advised that from 2012/13 this will rise from £488 to £600 per pupil on free school meals or for children who are looked after and from £200 to £250 for service children. The total paid to schools however will be based on numbers from the January pupil count and is not allocated in proportion to the overall budget of each school. Members welcomed this increase and asked about the publicity the County Council has undertaken to encourage parents, where appropriate, to register for free school meals.

The committee has been made aware of the changes in the Ofsted Inspection framework for Children's Centres. With very short notice three North Yorkshire Children's Centres were inspected in mid-October under this new rigorous inspection framework. There is now a strong focus on partnership working and how the sharing of information and data impacts on outcomes for children and parents. Safeguarding has been broadened to include Fire, Road Safety and Safety within the Home. All three centres were graded as 'satisfactory'.

Members were well briefed in relation to the new strategy on Special Educational Needs and Disability (SEND) which focuses on a more integrated approach. Following consultation and some individual approaches to members by parents, we expressed concerns about the difficulties of transition from child to adult for SEND children. The transition is also difficult for Looked After Children, albeit in different ways. There are no easy answers to these

problems but we were reassured that officers are devoting considerable resources to tackle them.

A scrutiny review about Youth Participation, with a focus towards Youth Councils, is underway. A consultation with representatives of the North Yorkshire Youth Council proved to be very useful, with meaningful discussions and a positive step forward towards linking Youth Councils with local Members. We have also made contact with two other groups: the Flying High Group is a council for young people with special needs or disability; and the Young People's Council is for Looked After Children.

Members of the committee will continue to challenge and ask informed questions on behalf of the electorate to achieve a clear, but not necessarily detailed, understanding of the work of the Children and Young People's Service. We would also like to acknowledge that the council is fortunate in having hard working, professional staff who are committed to securing the best for the young people of North Yorkshire, often in difficult circumstances.

Finally, on behalf of all Members of this committee, may I thank the very dedicated staff who support this committee so well.

**County Councillor Keith Barnes
Chairman Young People O&SC**