

# Scrutiny Annual Report

2005 / 2006



# Contents

<b>Foreword</b>	<b>2</b>
1 Introduction	3
2 What is Scrutiny?	4
3 History, structure and process of Scrutiny at Luton Borough Council	5
4 Environment and Non-Executive Functions Scrutiny Committee	10
5 Lifelong Learning Scrutiny Committee	15
6 Performance, Resources and Assets Scrutiny Committee	19
7 Regeneration and Citizenship Scrutiny Committee	22
8 Social Inclusion Scrutiny Committee	27
9 Other forms of Scrutiny	32
10 Forthcoming Year	34
<b>Appendices</b>	<b>36-46</b>

# Foreword

It is now six years since Luton Borough Council adopted the new political structures of Executive and Scrutiny. There have been relatively few changes to the constitutional arrangements over those years. However Scrutiny has developed and improved by learning from good practice elsewhere including at other Councils and by a programme of development for scrutiny Councillors.

The last twelve months have been a difficult time for scrutiny with five of the six committee Chairs resigning shortly after the annual meeting of the Council in May 2005 as a consequence of a disagreement between the political parties about the nomination and appointment of chairs to scrutiny committees. Following legal advice the Vice Chairs chaired the committees on a meeting by meeting basis. The result has been that most meetings have taken place and business has been transacted but the informal processes that would normally have taken place between meetings have been frustrated.

Nevertheless the last twelve months have seen a number of important studies completed. The study of 'conservation' looked at the way in which the Council conserves the green environment and resulted in the Executive agreeing that a greenspace strategy should be developed and that the organisational arrangements for nature conservation should be improved. The study of special educational needs focussed on improving outcomes for children, accountability for funding and the application and use of pupil monitoring and tracking systems. The study of 'domestic violence' revealed the scale of the problem and the impacts it has on people's lives and looked at the agencies involved in supporting victims. Significant gaps in service provision were identified and the Executive has accepted the conclusions and recommendations from the study. The housing stock options survey led to a recommendation that was accepted by the Council that the preferred option should be retention and investment to achieve the 'decent homes plus' standard. The review of the accommodation needs of people with learning disabilities has resulted in a new strategy being adopted by the Executive the main theme of which is a move away from residential care towards supported living. This will involve providing additional capacity and an extended range of provision with new models of support. This approach will be incorporated into the Council's housing strategy. The Executive welcomed all of these reports and whilst Scrutiny must recognise that it will take time and resources to implement many of the recommendations, the progress being made will be kept under periodic review.

The budget scrutiny protocol developed by Performance Resources and Assets Scrutiny Committee which, when it was used for the 2004-05 budget round, had proved to be a vast improvement on the previous year's process was reviewed, revised and adopted for use during the 2005-06 budget round.

The Scrutiny team is very small with only four officers being devoted exclusively to supporting the five committees, the Board, the Best Value panel and the joint health scrutiny committees. It would not be possible for the Members and the committees and panels to do their job effectively if they were entirely dependent upon the Scrutiny Team so I would like to use this opportunity to say 'thank you' on behalf of Scrutiny to the many other officers of the Council that have worked for and supported scrutiny and to officers and Members of other authorities and organisations that have helped with information and advice or have hosted visits or appeared as witnesses. Thanks are also due to members of the public, who have shown an interest in what we are doing by participating in working groups, attending meetings, asking questions and expressing their views.

Geoff Bocutt,  
Director of Scrutiny

# 1. Introduction

**Welcome to Luton Borough Council's Scrutiny Annual Report for 2005/06. The report details the work carried out by the five Scrutiny Committees, panels and joint committees over the last year.**

It provides further evidence to support the fact that Scrutiny at Luton has achieved some fundamental milestones since its implementation and has moved on from the developmental stage and is actively challenging the Executive and holding Portfolio Holders to account for executive decisions and service delivery and performance. This is in spite of a gap in proceedings following the resignation of all but one of the Scrutiny Chairs. The fact that, although they have been required to chair meetings, the Vice Chairs have not been prepared to take on the role of Chairs of the committees has had consequences for the way in which the work of scrutiny has been organised.

It has meant that the officer team has had to be very clear about topic project plans and committee work programmes so that authority to undertake work for committees is obtained at formal meetings and recorded in the minutes. It has also meant that Scrutiny Officers have had to work much more on their own initiative without the encouragement, support, guidance and leadership of elected Chairs. Inevitably there has been some loss of momentum; however this annual report shows that, in spite of these difficulties, a number of important pieces of work have been completed and recommendations from Scrutiny that should improve services to local people once they are implemented have been accepted by the Executive.

The process of learning from best practice elsewhere was put 'on hold' during this year; however, towards the end of the year, the Scrutiny Board called for a report on options for improving the scrutiny arrangements and commissioned the Improvement and Development Agency to advise them on a report to be based around the results of the annual survey by the Centre for Public Scrutiny. In the event the April 2006 meeting of the Scrutiny Board was cancelled due to the threat of strike action so consideration of options for change will take place next year.

## **Inspection Reports**

The Council opted for a CPA that was carried out in November 2004. The comments in relation to scrutiny were "The council uses scrutiny reviews effectively to focus on key strategic issues such as care services for frail elderly people; this ensures focus on both user needs and service provision. Scrutiny has continued to improve in its effectiveness and is providing useful challenge to the council in understanding areas of weaker performance for instance the ongoing review of educational attainment is beginning to bring out important issues to inform the executive's future policy decisions". "the lifelong learning scrutiny committee has looked extensively at better performing councils and is in the process of incorporating the learning into its recommendations on the way forward for Luton to improve educational attainment." "Scrutiny and best value reviews demonstrate effective learning. The best value review scrutiny committee is actively involved in reviewing the delivery of services and is effective in challenging lack of progress to implement plans and deliver service improvements."

None of the inspectors' comments about scrutiny were negative and their report did not identify scrutiny as an area requiring improvement.

## 2. What is Scrutiny?

The Local Government Act 2000 introduced scrutiny as part of the modernisation of the governance of local authorities. The primary aim of scrutiny is to improve efficiency, transparency and accountability in Local Government.

The Local Government Act 2000 required all Local Authorities to implement a new political structure in the form of an Executive and a Scrutiny function. At Luton most of the decisions taken on running Council services are made by a small group of elected Members called the "Executive". Other Councillors, through the "Scrutiny" process, can challenge decisions taken by the Executive but those decisions cannot be overturned either by a scrutiny committee or even by the full Council provided they are within the policy framework approved by the Council.

Scrutiny Committees operate in a similar way to Parliamentary Select Committees by examining decisions taken by the Executive. Scrutiny reviews the performance of the Council in delivering services, enquires into issues of concern to local people, including services provided by other public bodies, and helps to develop Council policies.

### 3. History, Structure and Process of Scrutiny at Luton Borough Council

Executive and Scrutiny Functions have been in place at Luton Borough Council since May 2000.

#### The Role of the Scrutiny Board

The role of the Board is to plan, organise, monitor and review the work of the Scrutiny Committees and panels and to evaluate the quality and effectiveness of the scrutiny process. The Board gives advice to Committees about how they should conduct Scrutiny and is able to exercise the power of Scrutiny in its own right.

The Council's constitution, introduced in December 2001, states that each of the scrutiny committees reports once a year to the Scrutiny Board and the Board reports once a year to the Council. This is that report.

The Board appoints individual members to oversee the work of Scrutiny Committees. Membership of the Board and their individual remits for 2005/06 is as follows:



Cllr Mead (Vice Chair)



Cllr Haji Abid



Cllr Bashir



Cllr RJ Davis



Cllr Garrett



Cllr Roden



Cllr Siederer



Cllr Timoney

# The Role of Scrutiny Committees

## The five Scrutiny Committees are:

- Environment and Non-Executive Functions
- Lifelong Learning
- Regeneration and Citizenship
- Social Inclusion
- Performance, Resources and Assets

## The role of scrutiny committees is as follows

- To hold the Executive to account
  - by considering Executive decisions which are 'called in'
  - by giving advice to the Executive about matters included in their forward plan
- To monitor and evaluate performance
  - using performance Indicators
  - and best Value reviews of services
- To examine topics of public interest or concern
- To consider topics referred by the Executive
- To undertake policy development, reviews and revision
- To undertake the role of community champion
  - by reviewing the performance of other public and 'common' services
  - by considering matters affecting the area and/or local people

From time to time Panels may be set up to deal with specific topics, usually because a topic overlaps the remits of more than one Committee or includes aspects which are the responsibility of other public agencies. Most panels have a limited life and are disbanded once the task is completed. (See Other Forms of Scrutiny PG: 31)

# The Scrutiny Process - Reviews

All Scrutiny reviews undertaken by Scrutiny Committees, undergo a six-stage process:

1. Scoping and planning. This first stage involves making key decisions about the aims and objectives of the review, including the purpose, the evidence to be collected and key stakeholders who have an interest in the review. It also involves agreeing a timetable and plan for the work involved.
2. Evidence and information. This second stage involves collecting all relevant evidence and information from sources such as council officers, key stakeholders, best practice examples, publications and statistics. This may also involve taking evidence from witnesses and undertaking visits to see best practice elsewhere.
3. Analysis of evidence and information. This third stage involves drawing together all the evidence and information gathered at stage two and identifying key points and common themes that have arisen as a result of the review. (see below)
4. Draw conclusions and formulating recommendations. This fourth stage involves drawing conclusions from the evidence gathered, answering the question "what has been found?" and from these conclusions developing 'SMART' recommendations to be submitted in the final report to the Executive and/or the Council.
5. Report stage of the review. The fifth stage involves writing a report of the review from stages 1-4; setting out what the aims were, how the review was conducted, what the evidence showed, and ultimately what was recommended should be done as a result of the review. The report is presented to the Executive (the decision making body), who then decide whether or not the recommendations made by the Scrutiny Committee should be accepted and implemented.
6. The monitoring of progress and outcomes. This stage is only undertaken if and when the Executive accepts the recommendations presented to them in the Report of a Scrutiny Committee. This stage involves reviewing and monitoring whether the recommendations have been implemented in a timely fashion and the "value added" effect the recommendations have had on the service in question, (i.e. Has the implementation of the recommendations had the desired or predicted effect?).

**The following table sets out a variety of ways in which stages of the process are conducted by scrutiny committees:**

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**Selection of topics...** Topics for scrutinies can be suggested by Members of the Council, local citizens and service users. Heed is also taken of the 2011 Agenda, or any developments at a central government level that affect the citizens of Luton.

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**Scope – who decides?...** Elected Members of the relevant Scrutiny Committees determine the scope of scrutinies. This includes identifying evidence requirements, witnesses and data sources.

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**What are the most common sources of evidence?...** Literature research e.g., Government Papers / articles, on new policies and guidance, transcript of spoken word e.g. when meeting Users/ providers of visual images through photos e.g. the Album of good and bad practice (see Social Inclusion), presentations at Committees e.g. speakers who relate their own experiences, users may get an opportunity to actually use some of the equipment and service provision.

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**Data types...** Qualitative and quantitative data, both primary and secondary. Primary data is collected through e.g. visits to sites to experience services and find out first hand information.

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**How is the Qualitative and quantitative evidence processed?...** Summarising, weighting, sorting, merging, interpreting

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**How is evidence collected?...** Interviews, focus group, hearing at Committees or at service delivery points, inquiry, observation, survey and site visits to authorities with recommended good practice.

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**Where is the evidence collected and where is it kept?...** Evidence taken at meetings of scrutiny committees is summarised in the record of the meeting (minutes) and set out fully in the summary of evidence produced at stage 3. Evidence collected on visits is reported to the committees. A full record is kept in the Scrutiny office.

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**Is it used?...** Yes, mostly. The conclusions drawn by a committee should be based on the evidence they have taken during their scrutiny of the topic.

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**Why is it used?...** To inform stakeholders, to inform policy, to adhere to government guidance, good practice, and mainly to improve performance. To help Members arrive at conclusions and recommendations.

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**Who uses it?...** Members, officers and other stakeholders e.g. Users. After the scrutiny is completed the Executive may use the evidence to plan their implementation of the adopted recommendations.

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# Monitoring Function of Scrutiny

## Performance

The Scrutiny Board has decided that the scrutiny committees should receive reports on priority performance indicators in relation to services that fall within each committee's remit. The way in which scrutiny carries out performance monitoring is currently under review.

## Call in

During a five day window of opportunity following the publication of the decisions taken by the Executive, any two Members of the Council can call in a decision (provided it is not exempt from call in) and that decision can then not be implemented until it has been scrutinised by the appropriate scrutiny committee. The committee has to deal with it within four weeks and then either raise no objection or advise the Executive to think again. Even so the scrutiny committees have no power to make the Executive change their decisions. Attached as appendix A is the record of Executive decisions called in to scrutiny during 2005-06.

## Best Value Reviews

A Best Value Scrutiny Panel had been set up to oversee the work carried out on Best Value Reviews; however the Panel stopped meeting part way through the year because no Member of the Panel was willing to chair the meetings. Scrutiny Committees also consider the reports of Best Value Reviews before submission to the Executive for approval and implementation. The best value review programme is coming to an end and consideration is being given to establishing a programme of value for money reviews to deliver step change in performance delivery.

## Scrutiny Topics

Completed studies of major topics invariably result in recommendations for change that are developed into action plans either by the scrutiny committee as part of the study or by the Executive following the submission of the scrutiny report and recommendations. It has become the practice of the committees to set a timetable to review the progress made in implementing those action plans. Usually the intervals are long, often twelve months; however the committees look not only at the timeliness of the actions being implemented but also their effectiveness and any unintended consequences (see stage 6 above).

Completed reviews are normally reported to the Council's Executive; however, occasionally a report will be made to the Council. This may be done if there is a desire to show that the whole Council supports the conclusions of the review as was the case with the report on community cohesion.

**4.**

**Environment  
and  
Non-Executive  
Functions  
Scrutiny  
Committee**



# Environment and Non-Executive Functions Scrutiny Committee

## Membership

### Councillors:



Cllr Dolling (Vice Chair)



Cllr Ireland



Cllr Boyle



Cllr Chapman



Cllr Haji Abid



Cllr Hoyle

## Terms of Reference

### Executive Portfolios:

- Environment and Regeneration
- Housing and Waste

### Functions:

- Physical infrastructure – provision and maintenance
- Use of land and impact of uses
- Local Agenda 21 and sustainability
- Pollution Control
- Pest Control
- Value and appropriateness of services
- Operation of external partnerships
- Critiques budget proposals, standards, performance and best value including views
- All functions within the terms of reference of:
  - Administration Committee
  - Development Control Committee
  - Regulation Committee

## Completed Reviews

The committee completed the review on 'conservation' that remains a controversial issue that stems back to the decision taken by the Executive in 2002 to continue with the Countryside Stewardship Agreement at Warden and Galley Hills for grazing practices in the lower paddock to continue allowing the ten year contract with DEFRA to proceed. The review highlights several key areas based on questions determined at the scope and the evidence received and makes reference to research conducted at other local authorities to ascertain how they consider similar issues faced at Luton relating to nature conservation

The committee's recommendations, endorsed by the Executive were:

- For responsibility for nature conservation service be moved from Museums, based within the Housing and Community Living Directorate, to the Environment and Regeneration Directorate, where currently other services with nature conservation responsibility is located.
- That clear clarification is received from the Executive Leader in terms of the portfolio responsibility for nature and building conservation.
- That a Green Space Strategy be produced with sub sections that relate to the nature conservation strategy and the bio diversity action plan as soon as is practicable, given resources.
- That grazing at certain sites continues and seen as a legitimate part of the council's Nature Conservation Strategy.
- That the Communications Division be requested to work with the Nature Conservation Service and others in relation to advertising, publicity and signage to develop a Communication Strategy for the Nature Conservation Service.
- That a Friends Group for Nature Conservation covering the whole Borough be established to ensure decisions made are open and transparent.
- That the cross-departmental steering group continues.
- That the Executive undertakes a thorough review the budgets for nature conservation as part of the budget process for 2006/07.
- That the Environment and Regeneration Directorate takes over the Nature the existing budget provision for nature conservation transferred from the Housing & Community Living Directorate.
- That the Executive undertakes to actively promote the role of the council in protecting green and natural spaces in or around Luton whenever practical by seizing opportunities as they arise; for example, the purchase of Kidney Wood.

## Outcome of the Review

The committee will monitor the recommendations endorsed by the Executive to ensure that they are met with a report back at regular intervals throughout the year from the relevant department stating progress made to date.

## Review in Progress

The committee's next topic is 'waste and recycling'. The committee received a report in October 2005 on the production of a waste minimisation and landfill allowance trading scheme strategy. The Government announced in 2003 its intentions to introduce a Landfill Allowance Trading Scheme (LATS) to assist Waste Disposal Authorities in meeting their obligations to drastically reduce the amount of waste sent to landfill. Each Waste Disposal Authority is given statutory limits on the amount of waste sent to landfill each year.

The waste management arrangements currently in place in Luton see the Council meeting their LATS obligations up to 2008/2009. However, this can only be achieved if the Council:

- a) Maximises the current recycling capacity to 50% from resources already in place.
- b) Implements a comprehensive public awareness campaign on waste minimisation ensuring householders in Luton are aware of the current recycling options available and their importance.

A reduction in residual waste is required by 2010/2011 by which time 10,400 tonnes of waste is required to be diverted from landfill. This figure will increase to 35,800 tonnes by 2020 to comply with LATS obligations.

The council are unlikely to meet its targets solely by relying on current or future recycling initiatives alone. Therefore, the review will be looking at alternative waste management strategies and partnership working with other local authorities, such as Bedford County Council to ascertain what they are doing in terms of meeting their LATS obligations and to determine if a partnership scheme is feasible with Luton.

Members of the committee will be visiting waste technologies sites to gain a better insight into the alternative solutions; witnesses from the Government Office and other Local Authorities will be invited to give evidence; to help the committee find a possible solution for Luton and to avoid the Council from incurring hefty fines if it does not meet the required targets that increase year on year.

Articles have been published in the local papers to raise awareness of potential future problems faced by the Council that will impact on the local residents of Luton.



## Monitoring Reports

Throughout the year the committee has received monitoring reports on:

- Priority Performance Indicators
- Waste Management Strategy
- Local Transport Plan
- Eastern Corridor
- Completion of the inner ring road
- Luton, Dunstable and Houghton Regis Growth Area Proposals
- Clean Streets Action plan – progress
- Bus Priority Measures
- Traffic & Transport Action Plan – progress
- Liquor Licensing
- Environmental Health Service – Best Value Vision Report

## Call-ins

The committee received one call-in item during the year that related to the renaissance of St George's Square. The committee made various recommendations in respect to the improvement of Silver Street for the Executive to consider. The Executive left the decision to the Head of Engineering and Transportation to investigate the feasibility of the recommendations regarding improvement to the Silver Street environment.

## Future Topics

The future topics decided by the committee are:

- Co-ordinated Street Scene
- Commercial and Industrial Recycling
- Underground Services
- Impact of the Environment on Health

**5.**

**Lifelong  
Learning  
Scrutiny  
Committee**



# Lifelong Learning Scrutiny Committee

## Membership

### Councillors:



Cllr D Chapman  
(Vice Chair)



Cllr Ashraf



Cllr Bailey



Cllr Bullock



Cllr Roden



Cllr Wates



Cllr Campbell



Cllr Hinkley



Cllr Pantling



Cllr Simmons



Cllr Yasin

### Co-opted Diocesan:

B O'Bryne

### Representative:

J Chipperton

### Parent Governors:

C Brown

V Cowell

### Employee:

M Austins

### Representatives:

G Ryan

I Smith

## Terms of Reference

### Executive Portfolio:

- Children's Services, Youth and Culture

### Functions:

- Schools
- Education and achievement
- Training
- Further education and higher education links
- Post 16 and learning skills council
- Adult education
- Libraries
- Developing Young People and Citizens
- Youth Services

## Reviews Completed

The 'special educational needs' review is completed with the final report presented at the April meeting of this committee. The aim of the review was to look at the special educational needs and inclusion model in place since 1997 including the resources in schools catering for those needs. The review focused on:

- Improved outcomes for children with special educational needs
- Accountability for SEN funding
- Tracking and monitoring procedures in schools for pupils with SEN

The committee received evidence from mainstream and special schools in Luton looking at the best practice adopted by schools in respect of monitoring and tracking pupils with SEN. A local audit of best practice sent to all primary, secondary and specials schools in Luton found:

- Most schools use all or more than their allocated money to support children with SEN;
- All schools used most of their funding to provide staff but there is considerable variation in whether the schools choose to buy teachers or support staff;
- Schools consistently used the same general systems for monitoring and tracking pupils' progress but use a wide range of individual assessments

The review found good working relationships in partnership working between mainstream and special schools that offered outreach and inreach in support and advice in areas of particular concerns to mainstream schools. There was also effective partnership working between the local authority and mainstream and special schools in helping children irrespective of their SEN disability to raise awareness through training and in understanding the complex issues that special educational needs entails. The funding allocated to mainstream and special schools was found to be adequate, but Heads stressed the need for teaching assistants pay scales to be looked into.

The SEN and Inclusion agenda is the highlight of the review with the committee receiving two influential papers that have had a major impact in moving the agenda forward. Professor Alan Dyson presented to the committee in March 2005 the DfES report on 'Removing Barriers to Achievement', which has been incorporated in the draft SEN Strategy for Luton. Anne Berger from HMI was invited to speak on the Ofsted report; entitled "SEN Disability: Towards Inclusive Schools ", unfortunately due to the political situation at the council she was unable to attend but a summary of the report has been included as part of the evidence.



## Outcomes of the Review

The outcomes of the SEN review that were recommended to and agreed by the Executive are as follows:

- That the Executive acknowledges the good work practices taking place in schools and within the local educational authority to address pupils with special educational needs.
- That the partnership arrangements between mainstream and special schools in terms of advice, support and outreach services continue.

- That the Executive endorses the SEN and Inclusion Strategy for Luton and recommends the co-operation of the Primary and Secondary schools Heads in terms of monitoring the process to help push the agenda forward.
- That the Executive recognises the difficulties and challenges that exist and that are needed to monitor carefully the needs of children with special educational needs.
- That the Executive recognises the need for adequate provisions to be put in place for schools to meet the requirements of the Disability Discrimination Act through the 'building schools for the future' programme.
- That the Executive gives approval for the Council to lobby the Government on rules relating to the graduate training programme to be relaxed or to be made more flexible for graduate trainees to continue their training in the school of their choice.

## Reviews in Progress

The committee has chosen Adult Learning as its next topic. However, scrutiny is currently embarking on a consultation exercise to gain the public, senior officers and department's views on what should be included on each committee's work programme.

## Monitoring Reports

Throughout the year the committee has received monitoring reports on:

- Priority Performance Indicators
- Educational Achievement Plan
- Leadership Incentive Grants
- Budgets Prospects
- Children & Young People's Plan
- South Luton High – update
- Building Schools for the Transport – update
- 14-19 Partnership Board – update
- Teacher Recruitment

## Call-ins

The committee dealt with two call-ins during the year. The first related to Denominational Transport, in which the decision of the Executive was that the proposed subsidy arrangements for transport to denominational schools has been subject of continuous consultation since February 2005 and that the subsidy arrangements agreed at the meeting of the Executive held on 31 October 2005 be confirmed. The second call in related to the closure of Hart Hill Primary School in which the Executive decided that authorisation be confirmed for the Director of Children and Learning to publish the statutory notice and Lifelong Learning Scrutiny Committee be assured that it is the intention of the Executive that if Hart Hill Primary School is closed the relevant pupils monies will follow the affected pupils into their future schools.

## Future Topics

Future topics decided by the committee are:

- School Meals – obesity and healthy eating
- Funding Initiatives – audit of outcomes against 2011

**6.**

**Performance,  
Resources and  
Assets Scrutiny  
Committee**

# Performance, Resources and Assets Scrutiny Committee

## Membership

### Councillors:



Cllr Titmuss  
(Chair)



Cllr P Chapman  
(Vice Chair)



Cllr Ashraf



Cllr Bailey



Cllr Harris



Cllr Pantling



Cllr Siederer

## Terms of Reference

### Executive Portfolio:

- Leader's
- Finance and Information
- Performance and Customer Service

### Functions:

- Capital Asset Management
- Human Resources
- Property
- Information Management
- Financial Strategy
- Stewardship of Public Funds
- London Luton Airport
- Trusts
- Subscriptions and contributions to outside agencies
- Pooled Budgets
- To act as the Council's "Audit Committee"

### Panels:

Members of Performance, Resources and Assets Scrutiny Committee serve on the Best Value Panel and the Joint Health Scrutiny Panel with the County Council.

## Reviews completed

The Committee undertook a review of the operation of the budget scrutiny protocol that had been developed the previous year and first used during the 2004-05 budget round. The committee concluded that the budget scrutiny process had been much better with the protocol in place than it had been the previous year without it and recommended to the Executive that, with some very minor amendments and subject to agreeing the timing of the final stages of the process, the protocol should be adopted for the 2005-06 budget round. In the event, although the protocol worked satisfactorily at the earlier stages, for various reasons including the late release by the Government of the information about the Revenue Support Grant settlement and the grant allocation for Luton, the timing of the final stages was too tight and there was insufficient time between the release of the Executive's proposed budget and the Council meeting for adequate or effective scrutiny.

## Reviews in progress

The committee chose as their major topic for this year the challenge of balancing the medium term financial position. This was triggered by the approval by the Council prior to the beginning of the year of a balanced budget for 2005-06 but with an associated medium term financial plan that predicted a growing and ultimately unsustainable deficit position over the following four years. The scope of the topic was determined by the committee at their meeting in April 2005 and the committee has taken evidence from a range of sources on a variety of aspects including efficiencies, procurement, partnerships, shared services, outsourcing and benchmarking. Aspects still to be examined include exit strategies for programmes with time limited funding, reducing extraneous activity, centralisation to achieve economies of scale, savings from the 'Gershon' programme, charging for services, powers to trade and rank prioritisation of services. This topic is not planned to conclude until November 2006.

## Monitoring Function

The committee has received reports on:

- Audit – the committee is the Council's audit committee
- Performance indicators
- Employee turnover
- Restructuring
- Council tax collection
- Council tax on unoccupied properties
- East of England Regional Assembly and Development Agency – exposure of member authorities to undisclosed liabilities
- Budget
- Business partnership with Atos Consulting
- Workforce survey results
- Recruitment statistics
- Prudential borrowing
- Corporate plan
- Charges for services
- Human resources function
- Customer Services – strategic review

## Future Work

The committee's future work programme includes:

- Procurement
- Performance management – strategy and systems
- Budget monitoring – system
- Budget preparation – process
- Collection of Council Tax
- Business partnership with Atos

**7.**

**Regeneration  
and Citizenship  
Scrutiny  
Committee**



# Regeneration and Citizenship Scrutiny Committee

## Membership

### Councillors:



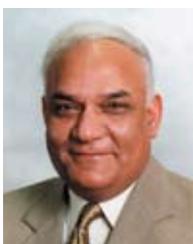
Cllr Hinkley (Vice Chair)



Cllr RJ Davis



Cllr Hoyle



Cllr M Hussain



Cllr Mead



Cllr Skelphorn

## Terms of Reference

### Executive Portfolio:

- Youth and Culture
- Regeneration

### Functions:

- Physical regeneration
- Inward Investment
- Major Projects
- Economic Development
- Heritage and Tourism
- Jobs and Training
- Business Advice and Interface
- New Deal – Welfare to Work
- Funding Regimes and Lottery
- Single Regeneration Budget
- New Deal for Communities
- Regionalism
- Sports Action Zone
- Community Empowerment
- Democracy and Citizenship
- Community Plan
- Social Regeneration
- Culture and Arts
- Crime and Community Safety
- Equalities
- Leisure and Amenities
- Consumer Protection\*
- Community and Leisure Centres

*\* i.e. Trading Standards and Environmental Health – except for pollution control and pest control*

# Completed Review

## Community Safety – Domestic Violence

The review into Domestic Violence was split into two sections. The first dealt with a context review, which enabled the Committee to answer questions like:

- How widespread is domestic violence in Luton?
- What is the difference between actual and reported domestic violence?
- What are the different types of domestic violence?
- What are the causes of domestic violence?
- What are the effects of domestic violence, on the person experiencing it, the person's family and wider society?



The Committee agreed the following definition of domestic violence:

*"Any violence inflicted by a partner, former partner or current or former family member, at any time and in any location. This violence can be physical, sexual, emotional or financial. And the victims include not only the immediate person on whom the violence is being inflicted, but all related persons who witness such violence."*

The review then concentrated on the services that are available to people experiencing domestic violence in Luton. Firstly looking at services delivered by the Council and then services that are delivered by external agencies, such as the Police, Women's Aid, Primary Care Trust and the Probation Service. This enabled the Committee to establish whether there were any gaps in services, and to determine, by examining examples of best practice from other local authorities, how these gaps could be filled.

The recommendations of the review are set out below:

- Training – Training around domestic violence be part of the core mandatory training programme for Luton Borough Council employees, ensuring priority is given to all frontline staff and that outcomes from the training are monitored.
- Drop-in Facility – The Committee concluded that the need for a drop in facility within Luton, as a previous gap in service and welcomed the provision provided by the Luton All Women's Centre; and recommended adequate provision in relation to publicity being provided for victims/survivors and other agencies to be made aware of its existence. This will encourage better participation, which if, the pilot is deemed a success could lead to the drop-in becoming a permanent facility within Luton.
- Domestic Violence Co-ordinator – The Council should fully fund the post of a Domestic Violence Co-ordinator when the funding for the current post terminates in March 2006.

- **Publicity** – There is a need for adequate publicity for victims/survivors of domestic violence. The Committee also recommended that the council take a proactive approach to ensure posters/leaflets in relation to domestic violence are placed in customer contact points to raise awareness.
- **Housing Options** – The Committee recognise the dilemma in the increasing numbers of victims/survivors leaving their homes due to domestic violence and welcome the approach taken for the PSA bid to help 10 victims/survivors to remain in their homes, with adequate security measures being put in place. However, the Harrow Sanctuary Project relies heavily on the partnership maintained with the Police and Women’s Aid and therefore it was recommended that a similar partnership arrangement be considered at Luton for the scheme to succeed. It was also recommended that other sources of funding need to be identified to carry the Sanctuary Scheme beyond one year as the PSA bid is for one year only.
- **Work Place Domestic Violence Strategy** – The Council develops a workplace strategy along a similar line taken by Sheffield City Council.
- **Substance Misuse** – The needs of victims/survivors who request refuge should be considered, especially if a concerted effort is made to undergo a treatment programme.
- **Child Therapy** – More information is made available on the type of child therapy services offered.
- **Perpetrators Programme** – The Committee understands the pressures placed on Bedfordshire Probation Service to produce a perpetrators programme with no extra funding allocations being granted to help implement the programme and hope that the problem incurred will no longer delay the programme as it is an integral part of the criminal justice programme.
- **Information Sharing** – A protocol for information sharing be established by the multi-agency domestic violence forum and in consultation with the domestic violence forum.
- **Advocacy Services** – Further consideration is given to the possibility of funding and training independent support advisors for victims/survivors to link into the Luton’s domestic violence court to encourage and support victims through the criminal justice system.
- **24 hour help line** – A review is undertaken to investigate the possibility of using existing Council resources to provide a 24-hour help line.
- **Crisis Counselling** –The Councils current service level agreement between Supporting People and Luton’s Women’s Aid to be made clearer in terms of service specification in relation to counselling. If these services cannot be provided directly by Women’s Aid then provision should be made within the service level agreement for women to access these services elsewhere.

The recommendations were agreed by the Executive, subject to financial resources being available.

## Review in Progress

### Encouraging and Supporting New Businesses

The Committee is currently undertaking a review entitled “Encouraging and Supporting New Businesses”. The aim of the review is to help Luton Businesses to be as successful as possible, and to ensure there is a timely and co-ordinated approach to assistance and that interventions are productive.

The review seeks to answer the following questions:

- What happens now?
- When and where is intervention appropriate?
- What type of intervention is successful?
- Which agency is best placed to deliver help?
- What works elsewhere and what is best for Luton?
- Where does Luton fit in the regional context?

The Committee are at the evidence gathering stage of this review. They have already received evidence from Beds and Luton Business Link and the University of Luton.

The Committee’s aim is to complete the review by November 2006. If in the meantime you can contribute to the work the Committee are doing with regards to encouraging and supporting new businesses, please contact the Scrutiny Team.

## Monitoring Function

The Committee has received reports on:

- “Sticking Together ” report (the report on the Scrutiny of Community Cohesion) – action plan
- Grant Applications
- Priority Performance Indicators
- Drugs Strategy - Monitoring of progress
- Best Value Review of the Regeneration Service

## Future Work Programme

The future work programme of the committee includes:

- Community Safety – alcohol

A public consultation regarding the future work programmes for all the Committees is currently underway.

**8.**

**Social Inclusion  
Scrutiny  
Committee**



# Social Inclusion Scrutiny Committee

## Membership

### Councillors:



Cllr Yasin (Vice Chair)



Cllr Shaw



Cllr Wates



Cllr Bullock



Cllr Skepelhorn



Cllr M Hussain

## Terms of Reference

### Executive Portfolio:

- Children's Services
- Housing and Waste
- Community Living

### Functions:

- Children's Issues and Initiatives
- Disabilities
- Youth Offending Team
- Corporate parent
- Looked After Children
- Exclusion & Disadvantage
- Anti Poverty
- Health & Health Action Zone
- Housing
- Benefits & Welfare
- Services to vulnerable People
- Elders
- Mental health
- Homes & Day Centres

### Public engagement

The issue of a wider involvement by the citizens, users of the Council's services, partners and providers in the scrutiny process has been a key challenge for Scrutiny Committees on a national basis. It remains a matter of concern for a number of Scrutiny Committees and has been a constant issue. However, the experience of the Social Inclusion Scrutiny Committee in Luton has for the past three years been distinctly different. There has been an active involvement of our citizens, stakeholders, partners and providers in the scrutiny reviews. This was mainly through the Scrutiny Way Forward Groups. Their efforts have enabled the Committee to fulfil its aims in relation to public engagement.

Members of the public have an opportunity to ask questions at Social Inclusion Scrutiny Committee meetings. They respond to personal invitations, personal interests and some are members of the Scrutiny Way Forward Groups. Local newspapers are used to invite them to comment on the current scrutiny that is underway and to suggest topics for future scrutiny. However, their main motivation is through the fact that they know that they will get a chance to air their views freely and frankly. Their views are taken very seriously and, where possible, taken on board. At Committee meetings, if possible, Members bring forward the items that the public want to contribute to and great importance is attached to their views and concerns.

The setting up of Scrutiny Way Forward Groups has been the key to this level of engagement. The relationship of the Social Inclusion Scrutiny Committee with its stakeholders has had tangible results e.g. the acceptance by the Executive of the recommendations of the Stock Option Appraisal Review, Older Peoples Future Living Needs etc. However, it cannot be assumed that the Executive will always accept the recommendations of Scrutiny, the main restrictions being the budgetary constraints and the balancing of priorities against competing demands.

The Scrutiny Way Forward Groups are made up of current or potential Users and Carers, Providers, Partners, pressures Groups like Age Concern, Councillors, Key Officers. The Scrutiny Officer can organise visits to good practice authorities, meetings, help with putting their view forward, select and invite on their behalf relevant speakers etc.

Meetings of the Scrutiny Way Forward Groups are usually held where their places of meetings / interaction are, this could be in Libraries, local community centres, Day Centres etc. Smaller groups of the Scrutiny Way Forward Group are facilitated to visit examples of good practice authority.

Efforts have continued to increase public awareness of and participation in the work of the Social Inclusion Scrutiny Committee, for instance through the improved content on the Council's website, public participation leaflets and meetings of the scrutiny way forward groups which are mostly held in venues convenient to the users.

The presence of some of the visible socially excluded groups is evident. This next year the scrutiny Team is committed to carrying out a number of impact assessment initiatives to ensure that none of its processes or practices are directly or indirectly discriminating against any of the groups. A proactive attempt will be made to ensure that the participants are representative of the communities in Luton and that their choice is reflected in the selection of Scrutiny topics. It needs to be borne in mind that nearly all of our topics are most pertinent to those who are classed as socially excluded.

## Reviews completed

### **Future accommodation needs of people with a learning disability**

This year the scrutiny of people with a learning disability focused on future accommodation needs. A representative scrutiny way forward group, made up of Users, Providers, Partners including Cllr Maureen McGarvie (who had been a Member of the committee in 2004-05), the Scrutiny Officer and the Lead Commissioning Manager, helped produce a draft strategy for the future accommodation needs of people with a learning disability. It was agreed by this Committee and has recently been endorsed by the Executive.

Some of the key questions that were addressed were:

#### **Key Questions**

- How the Housing and Community Living Directorate was meeting the supported accommodation needs of adults with a learning disability.
- How it planned to meet the projected future housing needs of adults with a learning disability.
- Would a lot of people still choose the residential care model that Luton Borough Council was relying on?
- Can a local market be made for some of the people who were placed outside of Luton?
- How best the Council can respond to the core values of Rights, Independence, Choice and Control highlighted in the Government's Strategy for people with a learning disability.

## **The Key Findings**

- Luton Borough Council is still relying too heavily on the residential care model. A lot of the people who were cared for in this way would not choose this form of care.
- Too many people, particularly those with more complex needs, were living outside the Borough at great expense to the Authority. The investment being made in placements outside of Luton is disproportionately high – as it was primarily for people with more complex needs, at a high unit cost. This in turn made it difficult to build up the local market.
- The range of housing options for people with a learning disability in Luton was too narrow and the volume of available housing too low.

## **Key Recommendations made by the Review Group and accepted by the Executive:**

- Extend the range of ordinary housing options available to people with a learning disability.
- Focus more on the supported living model than on residential care.
- Build up local housing capacity accessible to people with a learning disability, to reduce the need for people to be placed away from family and friends.
- Very significant increases in a variety of 24 hour supported living units.
- Introduction of assistive technology & introduction of shared ownership options.
- Increases in the number of adult placements available and in floating support for people with a moderate learning disability.
- Development of Community Landlord schemes and development of new models of support for people with pre-senile dementia and high physical care needs.
- Development of a local specialist resource for people requiring medium-term detention under the Mental Health Act and that a high priority for support be given to the following:
  - Young adults in transition who cannot be supported by informal/family carers.
  - People living with older family carers.
  - People living away from Luton who wanted to return to the Borough.
- Need for the Authority to recognise the continued growth in floating support options for people with a moderate learning disability, to prevent people ending up eventually needing residential care.
- The proposed development programmed had addressed the high priority needed over the next five years. If achieved that would increase local capacity by approximately 105 new places, but doubt was expressed as to whether, given the high level of housing demand from many other quarters, this scale of increase would prove achievable.
- A Member of this committee emphasised that this information needed to be included as a high priority in the Three Year Housing Strategy to be submitted to government.

## **Visits**

Various members of the scrutiny way forward groups made visits to witness for themselves how the service was being provided. At least 10 to 15 different visits were made.

These were both local and outside the borough as well. At the end of each visit the information collected was presented to the Way forward Group and discussed.

## Outcomes of Reviews in 2005/6

No	Topic	Outcome
I.	Accommodation needs of Older people in Luton	All recommendations accepted- Older People's Scrutiny Group now a part of the design team along with their 'Album of Good and Bad Practice'
II.	The Day care needs of people with a learning disability	Users, providers and key workers in Day Care services are a part of the Partnership Board. Quarterly monitoring reports are submitted to the scrutiny committee
III.	Stock Option Appraisal - action plan for achieving decent homes and partnering arrangements	The Council will retain its stock and achieve the decent homes plus standard by 2010
IV.	Budget Scrutiny	Members had an opportunity to scrutinise the draft Budget and put forward their views to the Executive
V.	Community care eligibility criteria	The eligibility criteria is now "substantial" and "critical". Despite a very strong representation by the scrutiny committee and older people, the scrutiny recommendation to retain the "moderate" criterion for eligibility for services was rejected by the Executive
VI.	Housing strategy for people with a learning disability - joint review	This Strategy was produced with full participation of users, providers, and partners. Regular monitoring reports will be received biannually. Executive endorsed the Strategy

### Monitoring Function

The committee has received reports on:

- Adaptations for the disabled
- Bedfordshire sub-regional choice based lettings
- Best value improvement plan for review of children's services
- Mental Health and Social Care Partnership NHS Trust – Progress Report
- Proposals for Kirkdale and Rochdale Courts
- Recruitment of social workers – children and families
- Referral pathways for the voluntary sector
- Supporting people Audit Commission re-inspection report
- The Bedfordshire sub-regional housing strategy
- The Commission for Social Care Inspection on services for Older people
- Stock option appraisal
- Services used by vulnerable adults - The scrutiny of services used by vulnerable adults is a major topic and has a number of dimensions. The committee concluded the scrutiny of the future living needs of older people and the day care needs of people with a learning difficulty. Regular monitoring reports were submitted to the committee

### Future Work Programme

The Committee's future work programme includes:

- Tenant participation
- Care for the elderly – services for older people
- Social housing development in neighbouring areas
- Accommodation needs of people with a learning disability

**9.**

## **Other Forms of Scrutiny**

## Other forms of Scrutiny

### 9.1 Panels

- The Best Value Scrutiny Panel was formed in July 2003 to advise the scrutiny committees on the best value reviews at their various stages and to keep a watching brief on reviews in progress. The Board also delegated to the panel the approval of the annual programme of reviews. Subsequently the remit of the panel was widened to include performance and procurement. The panel met only twice during the year in October and November 2005. Other meetings called were either inquorate or no Member present was prepared to take the chair.
- The Swimming Pool and Leisure Facilities Panel was constituted but did not meet during the year.

### 9.2 The Bedfordshire and Luton Joint Health Scrutiny Committee

When first tier local authorities were given a statutory duty to scrutinise local health services the Scrutiny Board decided that this was best done jointly with the Bedfordshire County Council. A joint committee was established with three Members from Luton, five Members from the County Council and one Member from each of the three district councils in Bedfordshire. Subsequently two members representing the patients forums have been co-opted without voting rights by the joint committee. The joint committee has met on a monthly frequency throughout the year. This Council's representatives were Councillors Roden, Titmuss and Yasin. The joint committee has scrutinised the work of the health trusts within Bedfordshire and Luton. The annual report of the Bedfordshire and Luton Joint Health Scrutiny Committee is attached as appendix B.

A joint health scrutiny committee has been established with both Bedfordshire and Hertfordshire County Councils. The committee was set up to consider and respond to the consultation on the future of mental health services by the Bedfordshire and Hertfordshire Strategic Health Authority (Investing in your Mental Health); however its terms of reference include monitoring the implementation of the physical health strategy for the two counties, 'Investing in your Health', scrutinising the Bedfordshire and Hertfordshire Ambulance and Paramedic Trust across the area and responding to statutory consultations about proposed changes or developments affecting patients from all three areas. Following the decisions of the Secretary of State to establish a Strategic Health Authority and an Ambulance and Paramedic Trust each covering the whole of the Eastern Region, this joint committee has decided to disband.

A special joint health scrutiny committee had been formed by Cambridgeshire County Council to receive and respond to the consultation about the proposal to move Papworth Hospital to Cambridge; however Luton decided not to participate in that joint committee.

**10.**

**Forthcoming  
Year**

## **Training**

The one event arranged for Members during the year was not well attended and officer training was provided on a one to one basis on request. Member training and development is not expected to be a high priority during 2006-07 as Members of scrutiny committees are by now familiar with their roles and the techniques that make for effective scrutiny; however work will go on to plan and prepare to meet the needs of new Members in May and June of 2007. Officer training will be planned following decisions on new scrutiny arrangements.

## **Handbook**

The scrutiny handbook, which is a useful source of information about scrutiny in general and about how it operates at Luton, is accessible on the Council's website. The handbook will be updated for 2007-08 following any decisions about revised scrutiny arrangements.

## **Newsletter and other publications**

In order to improve communications and raise the profile of Scrutiny internally a newsletter is now published electronically every half year and circulated (by a link to the intranet website) to Members and senior officers. The first two issues were well received and it was intended that this should be a regular feature. The newsletter was suspended during 2005-06 but will be reinstated for 2006-07.

Guides to witnesses have been produced and are used to advise witnesses, both internal and external, what to expect when they appear in front of a scrutiny committee or panel.

## **Website**

The Council's website continues to develop and the scrutiny section contains a number of completed reports on major topics and other information about scrutiny such as the handbook.

## **Centre for Public Scrutiny**

The Council is a member of the Centre for Public Scrutiny and participates in many of their events such as the annual conference, the parliamentary visits and the health scrutiny network. A member of the team was on the national working group that developed a self assessment framework to enable scrutiny functions to assess how effective they are being and to identify areas for improvement. Luton was a pilot site for the self assessment tool.

# Appendices

# Appendix A

## Record of executive decisions "called in" to Scrutiny 2005/06

No.	Decision Called in	Subject of Decision	Reason	Name of Members	Date of Executive Meeting	Date of Call in	Date of Meeting Considered
1	EX/306/05	Community Premises for the Hebrew Community	Dissatisfied with Report	Harris Bullock	20/6/05	20/6/06	Regeneration and Citizenship 14/7/05 *
2	EX/308/05	Tenant Participation Compact 2004	Report incomplete	Shaw Bullock	20/6/05	20/6/06	Social Inclusion 14/7/05 *
3	EX/404/05	Consultation on Community Care Eligibility Criteria	Would not be considered in a decent society	Shaw Roden	17/6/05	17/11/05	Social Inclusion 10/11/05
4	EX/425/05	Denominational Transport	Policy Change	Harris Simmons	31/10/05	2/11/05	Lifelong Learning 23/11/05
5	EX/419/05	Hart Hill School Closure	Opposition to closure	Harris Simmons	31/10/05	2/11/05	Lifelong Learning 23/11/05
6	EX/32/06	The Renaissance of St George's Square (Update)	None Given	RJ Davis Roden	23/1/06	23/1/06	Environment and Non Executive Functions Scrutiny Committee 23/2/06

\* These meetings were called but did not take place

## Appendix B

### **Annual Report to Bedfordshire County Council, Luton Borough Council, Bedford Borough Council, Mid- Beds District Council and South Bedfordshire District Council on the work of the Bedfordshire & Luton Joint Health Scrutiny Committee for the Municipal Year 2005-06**

#### **1. Composition of Committee**

- 1.1 The Joint Committee comprises five elected County Councillors from Bedfordshire County Council and three elected Borough Councillors from Luton Borough Council. These two authorities are the relevant social services authorities. In addition the committee has a co-opted councillor from each of Bedford Borough Council, Mid Bedfordshire District Council and South Bedfordshire District Council. All the councillors have full voting rights. The Joint Committee also has two representatives from the Patient & Public Involvement Forums operating in Luton and Bedfordshire who have speaking but not voting rights.

#### **2. Membership of the Committee**

- 2.1 The Membership of the Joint Committee is as follows:

##### **Bedfordshire County Council**

Councillor Alan Carter - Chairman of the Joint Committee during 2005-06  
Councillor Mrs Gershon  
Councillor Rita Drinkwater (until April 2006)  
Councillor Stephen Male (from April 2006)  
Councillor Goodchild  
Councillor Duncan Ross

##### **Luton Borough Council**

Councillor Shiela Roden  
Councillor Yasin  
Councillor Titmuss - Vice Chairman of the Joint Committee during 2005-06

It has been the practice that the Joint Committee's Chairman comes from the County Council and the Vice Chairman from Luton Borough Council.

##### **South Bedfordshire District Council**

Councillor Ann Sparrow

##### **Mid Bedfordshire District Council**

Councillor Doreen Gurney

##### **Bedford Borough Council**

Councillor Judith Cunningham

- 2.2 The places for the Patient and Public Involvement Forums have been taken up by different people at different meetings depending on the agenda, with Mrs Jo MacLean, Mr Arthur Hoggard, Mr Brian Smith and Mr Mike Paul attending most frequently during the past year.

#### **3. Member Briefing and Development**

- 3.1 Using a consultant from the Improvement & Development Agency, under a Centre for Public Scrutiny (CfPS) financed and supported programme the Joint Committee held a briefing and training session for Members in early summer before the Committee's first meeting. The event was also supported by the Strategic Health Authority and local health bodies.

- 3.2 As part of that programme of work, arrangements were also made for the Joint Committee to host a Local Health Conference at County Hall, Bedford, on 28 November 2005. In the event the numbers registering for the Conference did not merit it proceeding and it was postponed. If there is sufficient demand the Conference could be held during the forthcoming municipal year.
- 3.3 Various members of the Joint Committee have also attended briefing and training events organised by the LGA and the CfPS and Inlogov at the University of Birmingham.

#### **4. The business transacted by the Joint Committee during 2005/06**

- 4.1 The business transacted at meetings of Joint Committee during the past year was as set out below. Meetings were not held in May, August or December. At each meeting, in addition to the substantive items, the Joint Committee has been furnished with briefings and correspondence on matters of national import and local interest falling within its terms of reference.

##### **June 2005**

- Reports to constituent Councils on the work of the Joint Committee
- Appointments to Statutory Joint Committees
- Local consultations on NHS proposals falling below the Regulation 4 threshold
- Programme of future Regulation 4 Consultations
- Assessment for Improvement – The Annual Health Check – Measuring What Matters – Proposals from the Healthcare Commission
- Work Programme and Frequency of Meetings
- Annual Reports from Patient & Public Involvement Forums

##### **July 2005**

- Financial recovery Plans – Joint Report from:
  - Bedford Hospital NHS Trust
  - Bedfordshire Heartlands NHS Primary Care Trust
  - Bedfordshire & Luton Mental Health & Social Care Partnership NHS Trust
  - Luton & Dunstable Hospital NHS Trust
  - Luton Primary Care Trust
- Breast cancer services in the South of the County – consultation
- Milton Keynes & South Midlands Growth Area – Health implications
- Local consultations on NHS proposals falling below the Regulation 4 Threshold
- Work Programme including programme of future Regulation 4 consultations

##### **September 2005**

- Luton PCT and Bedfordshire & Luton Mental Health and Social Care Partnership – Mental Health Services – Gateway and Early Intervention Services
- Financial Recovery Plans of Local NHS Bodies -
  - Part A – NHS Bodies' proposals to bring forward Regulation 4 Consultations
  - Part B – Local Definition of a Major Service Development or Variation
- Eastern Region Health Strategy
- Milton Keynes & South Midlands Growth Area – Health Implications
- Healthcare Commission requirements for Self Assessments by local Health Bodies
- National Burns Strategy

##### **October 2005**

- Draft self assessments for submission to the Healthcare Commission from:
  - Bedford PCT
  - Bedfordshire Heartlands PCT

- Luton PCT
- Bedfordshire & Luton Mental Health & Social Care Partnership NHS Trust
- Bedford Hospital NHS Trust
- Luton & Dunstable Hospital NHS Trust
- Relocation of staff and services from Dunstable Health Centre Lewsey Farm Clinic - Consultation

### **November 2005**

- Public Health Report from Bedford Primary Care Trust
- Strategic outline case for Women's & Children's Unit at the Luton & Dunstable Hospital
- Update on Luton & Dunstable Hospital Trust's financial situation
- Child and adolescent Mental Health Service – Consultation proposals

### **January 2006**

- Luton & Dunstable Hospital Trust Application for Foundation Status
- Annual Public Health Report from Luton PCT
- Changes to Bedfordshire Heartlands PCT's Wheelchair, Podiatry and Continence Services

### **February 2006**

- Ensuring a Patient-led NHS reports from Luton PCT, Bedfordshire Heartlands PCT, Bedford PCT. BHAPS
- Milton Keynes & South Midlands Growth Area = Health Implications

### **March 2006**

- Healthcare Commission self assessments for :
- Bedford PCT
- Bedfordshire Heartlands PCT
- Bedfordshire & Luton Mental Health & Social Care Partnership NHS Trust
- Bedford Hospital NHS Trust
- Luton & Dunstable Hospital NHS Trust
- New NHS Dentists' Contract and provision of dentistry in Luton & Bedfordshire
- Investing in Your Mental Health – Re-provision of Weller Wing at Bedford Hospital

### **April 2006**

- Healthcare self assessment – Luton PCT
- Review of Elective Surgery arrangements at Bedford Hospital
- Report on the findings of the consultation on the Child and Adolescent Mental Health Service Strategy

## 5. Papworth Hospital Joint Committee

- 5.1 The Committee was represented by two County Councillors, Councillors Carter and Goodchild on the statutory Joint Health Scrutiny Committee convened by Cambridgeshire County Council to consider the relocation of the Papworth Hospital and its world class facilities from its existing site onto the Addenbrookes bio-medical and bio-science campus in Cambridge. The Joint Committee comprised members from Lincolnshire, Norfolk, Peterborough, Essex, Hertfordshire, Suffolk, Southend and Bedfordshire. The Joint Committee endorsed the location of Papworth to Cambridge. It was wound up after it had completed its work.

## 6. Bedfordshire, Hertfordshire & Luton Joint Health Scrutiny Committee

- 6.1 The committee was a full participant in the voluntary joint health scrutiny committee established by the County Council, Hertfordshire County Council and Luton Borough Council. The County Council's representatives were Councillor Alan Carter and Councillor Rita Drinkwater. The Borough Council's representatives were Councillors Roden and Yasin. The Committee met on five occasions during the Year:
- 20 June 2005
  - September 2005
  - 24 October 2005
  - 20 December 2005
  - 6 April 2006
- 6.2 This Joint Committee has focused on three major issues over the past year:
- Investing in Your Mental Health – the strategy for mental health services across the Strategic Health Authority area. This was signed off at the Joint Committee's meeting in April.
  - Healthcare Commission Self Assessments by the Bedfordshire and Luton Ambulance and Paramedic Service NHS Trust – the Committee endorsed the final submission.
  - the health implications of the growth associated with the Communities Plan.
- 6.3 The Bedfordshire, Hertfordshire and Luton joint Health scrutiny Committee has agreed to wind itself up after 30 June, this being the date when the new Eastern Region Strategic Health Authority comes into being. Alternative regionally based health scrutiny arrangements are discussed below.

## 7. Healthcare Commission self assessments

- 7.1 The Committee has been involved in a new area of work this year. It has considered and commented on the self assessments made by local NHS bodies prior to their submission to the Healthcare Commission. This involved the Committee considering over forty separate measures over seven domains or areas of focus for each of six local Trusts. The seventh, the Ambulance and Paramedic Service Trust's submission was considered by the Bedfordshire, Hertfordshire and Luton Joint Committee – see *above*.

The Committee's comments have been included verbatim in the individual Trust's submissions, along with those of the Bedfordshire & Hertfordshire Strategic Health Authority and the local Patient and Public Involvement Forums. It will be interesting to see the response from the Healthcare Commission to the Joint Committee's contribution in this area.

## 8. Ensuring a Patient-led NHS

- 8.1 The Joint Health Scrutiny Committee does not have the statutory power to consider organisational change in the NHS locally under its Regulation 4 powers. However it was a named consultee and chose to respond to the consultation papers. It responded to three consultation papers, those dealing with the PCTs, the Strategic Health Authority and the Ambulance and Paramedic Service. Each of these is dealt with below.

## PCTs

- 8.2. In its submission the Committee opined that it believed that the existing legislative responsibilities of health bodies set out in Sections 7 and 11 of the Health and Social Care Act 2001 are adequate. They are less convinced that that they are fully understood or properly applied by health bodies. The Committee noted that the move towards Foundation status by provider trusts, with their Governing Body and Membership arrangements may call into question the role of PPI Forums as they apply to these bodies. The Committee believes that the PCTs should continue to operate with PPI Forums, although there may also be a case for increasing their capacity to do the job envisaged for them.
- 8.3. The Joint Committee believes that there is a need for it to receive a report each year from the PCTs on their Commissioning Plans. Such a report would tie together the PCTs service delivery and financial plans. In considering such a report the Joint Committee would agree which of the proposals contained in the Commissioning Plans would be the subject of specific Regulation 4 consultations on major service developments or changes. It would be expected that the PCTs would wholeheartedly embrace their Section 7 and Section 11 responsibilities. Too often health bodies have cited the need to secure financial balance to implement changes without adequate consultation with patients, the public and the Health Overview & Scrutiny Committees.
- 8.4 In its submission to the consultation paper, the Joint Committee noted that the consultation took place at a time when the Office of the Deputy Prime Minister (ODPM) had launched a separate and apparently unconnected consultation on the future configuration of local authorities, including social services authorities. The Committee hoped that the reconfigurations arising from this current consultation in respect of health bodies will not have to be revisited in light of the outcomes of the ODPM review.
- 8.5 The Committee also noted that the renewed emphasis on practice based commissioning, while being analogous to the devolution implied in the proposals for new forms of neighbourhood government in the ODPM consultation, does not appear to be connected to it, or indeed recognise the potential synergies.
- 8.6 The Committee was also concerned that the process of reorganisation will itself be detrimental to the agreed objectives of improving health provision and health outcomes, detrimental to providing innovative community based health arrangements and detrimental to securing a stable financial framework for the NHS locally. The Committee noted that the consultation paper made no mention in any detail of the arrangements for transferring deficits from the existing to the inheritor bodies. The Committee believes that this is an issue which needs to be addressed.
- 8.7 The Committee was also concerned that the consultation paper did not specifically make reference to the challenges faced in Bedfordshire, Luton and Hertfordshire from the developments, demographic growth and impact on the NHS services and funding locally as a consequence of the Sustainable Communities Plan, and how those challenges are to be met.
- 8.8 Most importantly the Committee was concerned that yet another structural reorganisation of the NHS did not commit the successor bodies to the delivery of the local health strategies, Investing in Your Health and Investing in Your Mental Health. The Committee had understood that these were the drivers to secure improved health in Bedfordshire, Luton and Hertfordshire and yet they receive scant mention in the consultation paper. The Committee is yet to be convinced that yet another structural change in the NHS will secure the early achievement of the ambitions set out in those strategies.
- 8.9 Finally the Joint Committee believes that the health needs of Luton are significantly different from those of the rest of Bedfordshire. Indeed that is why there is a separate unitary authority for Luton. It is also clear from the public health reports from the PCTs that there are significantly different health priorities. The consultation paper stresses the need for joint working with the local authorities in respect of the provision of joined-up community based services. On this basis the committee supported either of the options which provides for a separate Luton PCT. The Joint Committee requested the Strategic Health Authority to reflect its comments in its submission to the Secretary of State and the Department of Health. In the event the Strategic Health Authority recommended that there should be a single PCT for Bedfordshire & Luton. At its meeting in April

the Committee resolved to write to the Secretary of State for Health reiterating its view that there should be a separate PCT for Bedfordshire and a separate PCT for Luton. At the time of writing the outcome is not known.

### **Reconfiguration of the Ambulance and Paramedic Service**

8.10 In its submission to this consultation the Joint Committee opined that the proposals to establish a regional ambulance and paramedic service were part of a wider move to secure an unelected regional tier of government. To that extent the Joint Committee was sceptical about the reasons for change. The Committee recognised that there are the possibilities for cost savings from a reduction in the duplication of management and administrative structures. However, the Committee believed that the case for change had not been made, neither had the consultation paper offered a proper analysis of transitional costs nor of the continuing operating costs compared with the current arrangements. The Joint Committee regretted that such an important change was proposed in a national consultation document which because of its national focus did not allow discussion of the impact of the change on Bedfordshire and Luton. The consultation document recognised that there would need to be "clear local management and operational structures that reflect the different communities they serve". The Joint Committee regretted that the consultation document did not provide any details of what was proposed for Bedfordshire & Luton and indicated that it would expect, in time, to be consulted on a "daughter document" that focuses on how the new arrangements will work locally. The Committee believes that this is an essential part of local democratic engagement with the NHS.

8.11 The Joint Committee remains unconvinced, in the absence of any evidence to the contrary, that the proposed non-financial benefits of larger scale and removal of duplication will be delivered. The Committee believes that, in the Bedfordshire & Hertfordshire Ambulance and Paramedic Trust, it has one of the best performing Ambulance & Paramedic Services in England. The Committee believes that the proposed reorganisation is unwelcome. The Committee would wish to see the retention of the current organisational arrangements. It will monitor the position very closely to ensure that the benefits of the current arrangements are not lost in the process of transition to, and in the operation of, the proposed new configuration. The Committee has indicated that it will work with any body that is established to perform the function of the Ambulance and Paramedic Service serving Bedfordshire & Luton.

### **Strategic Health Authority**

8.12 The Joint Committee has been content with the current Strategic Health Authority arrangements for Bedfordshire and Hertfordshire. In its relatively short tenure the StHA has developed strategies for improving health and health services, most notably, Investing in Your Health and Investing in Your Mental Health. The Joint Committee has been supported by the StHA and has enjoyed cordial arrangements with its senior management. The Committee has however had concerns about the StHA and its role in monitoring the financial performance of PCTs and other NHS Bodies. The Committee believes that if the StHA had been doing its job adequately the PCTs and other NHS Bodies would not have belatedly "discovered" that they were in such financial difficulties over the past two to three years.

8.13 The Joint Committee believes that the current proposals to establish a Strategic Health Authority based on the six Eastern region counties covered by the Government Office for the Eastern Region are part of a wider move to secure an unelected regional tier of government. To that extent the Joint Committee is sceptical about the reasons for change. The Committee recognises that there will be a diminution in the regulatory and supervisory role of StHAs with the movement of provider Trusts to Foundation status, where those functions will be undertaken by the independent regulator Monitor. The Committee believes that the case for change has not been made and that an even more remote supervisory body for PCTs, which the proposed East of England StHA represents, despite its greater capacity, will struggle to perform the supervisory role that is so clearly needed.

8.14 The Joint Committee also noted that the StHA role as set out in the consultation paper makes no reference to its interaction with, or relationship with, the Health Overview & Scrutiny Committees in the proposed regional configuration. The joint Committee's experience of scrutinising the health strategies referred to above have demonstrated the benefits to all parties of there being

such arrangements which, when they work well, can be most effective in supporting the health improvement ambitions of all parties. The Committee believes that the proposed reorganisation is unwelcome..

- 8.15 The Joint Committee sees very few advantages in the new regionalised arrangements. To the extent that strategic supervision and management costs have the potential to be reduced, this is to be welcomed, but not at the expense of the new StHA performing its statutory role. The Joint Committee believes that the time and transitional costs in making the change means that it will be some time before any such financial benefits could be realised. The Committee recognises the organisational tidiness of having a StHA which matches the boundary of the Government Office region, but believes that this proposal will be at the expense of local democratic input to the work of the NHS at a strategic level.
- 8.16 The Joint Committee has a number of concerns about the new arrangements. First, considerable energy and commitment has been put into developing the sub-regional health strategies, Investing in Your Health and Investing in Your Mental Health. The Committee would be most concerned if the new StHA required these strategies to be revisited, or worse, changed, when they have been developed at such expense, both financially and with such community and organisational commitment. The consultation paper makes no commitment in this regard and this is to be regretted. The Joint Committee would wish to see a commitment, at an early stage, to the continued implementation of those strategies and the commitments to investment contained therein.
- 8.17 Secondly, the Committee believes that the new, relatively remote, regionally based Strategic Health Authority will find it more difficult to discharge its strategic health development and its monitoring functions in respect of the PCTs. The Committee's experience is that this is a difficult job per se and it will demand greater sophistication and more effective systems than it has been demonstrated thus far that the NHS has, or has access to, or could procure in reasonable time and at reasonable cost. The Joint Committee would wish to engage with any new StHA in discussion of how it would discharge its responsibilities, receive assurances that its methods will be the subject of consultation and that the Joint Committee would be a named consultee.

## **Regional Health Overview & Scrutiny arrangements**

- 8.18 Thirdly, there will be an implication for all ten social services authorities in the Eastern Region if, as expected and over time, proposals for major change in the NHS are promoted by the new Regional StHA or by the proposed new Regional Ambulance and Paramedic Trust. In such circumstances the ten social services authorities in the Eastern region, or combinations of them, will need to come together in a Joint Health Scrutiny Committee to meet the requirements of the Secretary of State's Direction of 17 July 2003. Those authorities will need to meet the cost of such arrangements and will add to the problem of the health scrutiny arrangements being under-funded. The Regional Assembly is indirectly elected and does not have powers to undertake the health scrutiny function. In addition the elected members serving on the Regional Assembly are almost entirely drawn from the ranks of members of the Executives of the region's local authorities. Members of Executives cannot participate in the Overview & Scrutiny work of their respective authorities or joint committees established by them to discharge those functions over a wider area. The joint committee would wish to see the NHS support and fund the cost of any regional health overview & scrutiny arrangements, at least in the early years of the new arrangements.

## **9 Acknowledgements**

- 9.1 As can be seen from this Annual Report it has been a busy time for the Bedfordshire & Luton Joint Health Scrutiny Committee. I believe we have discharged our responsibilities with diligence and care, and with some good humour. The Committee seems like it will be just as busy in 2006/07 when we consider the unfolding health care agenda, the need to address the NHS' resource utilisation and the processes of absorbing and working with the impact of significant organisational and functional change in the NHS. The schedule of meetings of the Joint Committee for 2006/07 is set out in Appendix 1.
- 9.2 It is appropriate in a report such as this to record my gratitude to the members of the Committee for their support to me as Chairman. I would especially like to set on record my thanks to the Vice

Chairman, Councillor John Titmuss, who stood in for me to chair the meetings while I was out of the Country. I would also like to set on record my own and the committee's gratitude and thanks to the Chief Executives and Senior Managers of the local NHS Bodies who have willingly supported the work of the Joint Committee during a period of financial and organisational change in the NHS. We are very grateful to them and hope that we will develop equally good relationships with the senior staff in the new organisations at both local and regional levels. I would also like to thank the PPI Forum Support Officers, Philip Jerred and Iris Beazley especially, for their continued support to the Joint Committee and to those members of the PPI Forums who have joined the Committee at different meetings. I am sure that I speak for all of the Committee when I offer my thanks to the Committee's Advisor for guiding us through some complicated and controversial issues. I have announced that I shall not be seeking re-election to the Chair of the Committee for the coming Municipal Year. I wish my successor my very best wishes and pledge my continued support as a member of the Joint Committee.

**Alan Carter**  
**Chairman**  
**Bedfordshire & Luton Joint Health Scrutiny Committee**

# Appendix 1

## Bedfordshire & Luton Joint Health Scrutiny Committee

### Schedule of dates for the meetings of the Joint Committee in the Municipal Year 2006-07

1. The Joint Committee has agreed a schedule of dates for its meetings in 2006/07 which are set out below. The schedule provides for meetings in each month except for August 2006 and December 2006. The dates are:

26 May 2006

23 June 2006

21 July 2006

22 September 2006

20 October 2006

24 November 2006

26 January 2007

23 February 2007

23 March 2007

27 April 2007

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