

# Scrutiny Annual Report 2016/2017



## Scrutiny - making a difference





## FORWARD

**Cllr. Meryl Dolling**



**Chair of Luton Council's  
Overview and Scrutiny Board**

As Chair of the Overview and Scrutiny Board (OSB) I welcome your interest in this Annual Report for 2016-2017. It outlines the work of the OSB and its three standalone Review Groups – Finance, Health & Social Care, and Children's Services. These were set up to facilitate detailed discussion and scrutiny of these specific topics and to allow more time for the OSB Board to consider a wider range of issues. In this period the OSB also set up two Task and Finish Groups – one on Youth Anti-social Behaviour in Luton and one on the Recruitment and Retention of Social Workers.

Overview and Scrutiny is a vital part of Luton Borough Council's responsibility to its residents.

All non-executive councillors are eligible to participate in the work of scrutiny in order to hold the Council's Executive to account and help inform its decisions by reviewing and making recommendations to improve Council services. I would like to thank all the Members who have participated in Scrutiny meetings and made a very positive contribution to the working of the council.

All scrutiny meetings are open to the public. If you would like to attend a meeting the Democracy Team will be pleased to provide you with more information (Telephone 01582 547149). Indeed, I would like to take this opportunity to thank all the Officers of the Council for their diligence in preparing reports and assisting with the Scrutiny process.

**Councillor Meryl Dolling**

A handwritten signature in black ink that reads "C. Meryl Dolling". The signature is written in a cursive, flowing style.

**CHAIR**

## INTRODUCTION

**Cllr. Meryl Dolling**



**Chair of Luton Council's  
Overview and Scrutiny Board**

**Cllr. Amy O'Callaghan**



**Vice Chair  
Overview and Scrutiny Board**

**Cllr. John Baker**



**Vice Chair  
Overview and Scrutiny Board**

The last year has seen a continuation of challenges for local government with the further reduction of funding from Government. In these circumstances the role of scrutiny is particularly important and there is a clear responsibility to scrutinise the implementation of new approaches and the issues that affect our local community. This report highlights

some of the significant activities that have taken place over the last year.

The Chair of the Board in 2016-17 was Councillor Meryl Dolling (Liberal Democrat) and the Vice Chairs were Councillors John Baker (Conservative) and Councillor Amy O'Callaghan (Labour).

## KEY SCRUTINY WORK IN 2016-2017

### **Local Democracy Week – OSB Day Event & Public Engagement - 19th October 2016**

This was a one day event in the Mall held on 19<sup>th</sup> October 2016 from 9.00am until 17.00pm to mark Local Democracy Week 2016. The stall was staffed by Council Officers and Overview and Scrutiny Board Members. During the event, local people were consulted about potential future topics for scrutiny to review. Council officers and elected Members of the Council participated fully to ensure the event was a success by tweeting about the event throughout the day. A report was produced by

the Council's Consultation Team which pulled together the comments received from the public. The analysis showed that local residents would like to see improvements in housing, adult and elderly care, and general improvement of the town. Having reviewed the evidence it was decided that the issues of concern raised would be monitored by the relevant scrutiny committees especially the environmental issues that affect the town.

### **Crime and Disorder Committee (CDC) – 27<sup>th</sup> February 2017**

Previously the Overview and Scrutiny Board received a series of themed reports from the Community Safety Partnership relating to all crime related matters. This work included:

- Community Safety Partnership Plan
- Serious Youth Violence
- Fear of crime
- Anti-social behaviour
- On street sex trade

Towards the end of 2016, a new model to report crime related matters to the Board from the Community Safety Partnership was adopted to comply with the legislative requirements. The new arrangements and model enabled Scrutiny to receive the Annual Community Safety Partnership Plan outlining the priorities for the coming year with OSB meeting at the end of the year as a dedicated Crime and Disorder Committee, to receive progress reports and performance of the Partnership against all priority areas.

The Council's Overview and Scrutiny Board met as the Crime and Disorder Committee on 27<sup>th</sup> February 2017 to hold to account the

Community Safety Partnership (CSP). A press release was issued to encourage participation from the public. The Chair of the Community Safety Partnership, Trevor Holden, and other CSP partners attended the meeting and presentations were made of several key areas of activity.

The meetings provided an opportunity for local residents to ask questions of the Police, Officers and Elected Members. Whilst some responses were given on the night, more detailed written responses were also provided by the Police and Elected Members after the meeting.

Councillor M. Dolling Chair of the Crime and Disorder Committee said "*The Crime and Disorder Meeting held on 27<sup>th</sup> February 2017 was very successful with good outcomes and provided a platform for transparency and engagement with partners and local people.*"

The new approach was welcomed by the Board and officers commented on the improvements made on the new meeting format.

### **Corporate Performance Quarterly Report (Achievements)**

The Overview and Scrutiny Board receives the Corporate Performance report on a quarterly basis. This gives an outline of the Council's current performance against the Council's key priorities which are measured against a selection of indicators and targets.

This year contributions and recommendations led to a review of topics and targets in different service areas of the Council. It is worth noting that, there were considerable challenges around retrieving data and information from

some departments. This was highlighted as an area for improvement by the Council.

Below are some of the areas where the Board made comments and recommendations for improvements to the Executive.

- Town Centre Footfall; Clarity in reporting PI,s
- Timeliness of Benefits/New claims and changes
- Council Voids and Empty Properties
- Town Centre Vibrancy

### **Timeliness of Scrutiny Involvement in the Decision Making Process**

In order for Scrutiny to be involved in the early stages of the council's decision making process and to be able to capture matters as they develop, the internal administrative process was changed. The need to plan for report submission to scrutiny has been emphasised to report authors and a section for scrutiny included on the forward plan request form, which identifies items to be included on the Executive forward plan.

The inclusion of the scrutiny section is intended to raise awareness and encourage senior and reporting officers to consider scrutiny as an essential part of the decision making process, prior to submission to the Executive, so that scrutiny forms an effective part of policy development.

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### **Parking on Verges and Pavements - Council Motion on 19/07/2016**

The Corporate Director Place and Infrastructure attended the Overview and Scrutiny Board meeting on 16th November 2016 to brief Members of the Board about the proposals for a pilot scheme for parking on

verges and pavements, following a Notice of Motion considered by Full Council at its meeting held on 19th July 2016. This is now being monitored on the Board's work programme.

### **OSB Call-Ins**

#### ***Household Waste Recycling – Reduction in Hours***

During 2016/17 only one executive decision was called in. This was the reduction in Hours of council Household Waste Recycling Centres (HWRC).

The Call In considered whether a decision to reduce the opening hours of the Council's Recycling Centres would be detrimental to the

council's aim to increase the amount of recycling around the Town. The Overview and Scrutiny Board met on 12th September 2016 to consider the matter and requested the Executive to reconsider its decision after a six month trial period if there was any evidence of an increase in fly tipping.

## TASK AND FINISH GROUPS



Scrutiny Task and Finish Groups are time limited panels set up by the OSB to look in more detail at area(s) of concern.

Membership of task and finish groups is drawn from non-executive members on an 'expressions of interest' basis.

The Groups can include statutory and non-statutory co-optees who bring expertise on the relevant subject area under review.

The Overview and Scrutiny Board set up two task and finish groups during 2016-17 to conduct in-depth reviews of two topics:

- (a) Youth and Anti-Social Behaviour Chaired by Councillor Sheila Roden and
- (b) Recruitment and Retention of Social Workers Chaired by Councillor Fiona Green:

## Youth Anti-Social Behaviour

**Cllr. Sheila Roden**



**Chair of the Task & Finish Group**

Following the Youth Justice Plan Annual Report 2015-16 which highlighted the financial challenges faced, the Executive requested that OSB set up a task and finish group to look at

how the council and its partners address youth anti-social behaviour in the town.

The aim of the review was to look at the impact of budget costs across local agencies, in particular those relating to the youth service and youth offending service; and the impact of the reduction of policing on the streets of Luton which potentially could lead to an increase in crime and anti-social behaviour.

The Task and Finish Group was chaired by Councillor Sheila Roden and the final report with conclusions and 3 recommendations was submitted to the Executive on 24<sup>th</sup> April 2017. All 3 recommendations were approved by the Executive.

### **Recommendations**

- 1) To look into a local designed structured method for data collection linked to individuals. As there appears that agencies are already doing some of this however; having a co-ordinated approach will lead to more success in gathering individual data on ASB specifically related to young people and would require some terms of reference to be set out to ensure consistency in the gathering of information.
- 2) That the Youth Intervention Group (YIG) be re-established which was a multi-agency, professionals group that operated successfully for a long period and a good example of partnership working? There is also scope in forging more effective links to work more collaboratively with the third sector which should be explored and progressed.
- 3) That the anti-social behaviour housing officers be co-location at Luton Police Station with the ASB soLUTioNs Team to ensure consistency across

enforcement/preventative action in order to reduce duplication of ASB work. The late launch of the neighbourhood enforcement team has meant this service was unable to be fully reviewed by the Task and Finish Group in terms of its impact and effectiveness on reducing levels of ASB across the town. It is therefore suggested that monitoring reports are made to the Overview and Scrutiny Board which would give public reassurance the council and its partners are committed to tackling and reducing anti-social behaviour.

The monitoring of the recommendations will be made to the Children's Services Review Group as the topic specifically relates to children and young people.

The Full report can be accessed on the Council's website:

[Executive 24th April 2017 - Youth Anti-Social Behaviour Task & Finish Group](#)



## Recruitment and Retention of Social Workers

Cllr. Fiona Green



Chair of the Task & Finish Group

The Recruitment and Retention of Social Workers Task and Finish Group was set up in

### **Recommendations**

In order to support the Council to achieve these targets, the group had made a number of recommendations which it believed will support this, the recommendations made by the Task and Finish Group included the development of a Social Care Recruitment Strategy; a review of the benefits package available to social care staff and how this is marketed; a review of the provision of parking and office arrangements for social care staff; increased engagement with staff to understand their Training and Development needs; increased use of Exit Surveys to understand why staff choose to leave; and maximising the potential of the statutory IR35 changes which provide the opportunity to convert agency staff into permanent employees.

It was the view of the Task and Finish Group that the key measures of performance (staff turnover, vacancy rate and agency rate) should form a part of the Council's quarterly performance monitoring report, which was

January 2016 and got underway on 15<sup>th</sup> August 2016 following the snap Parliamentary General election.

The aim of the review was to investigate the difficulties in the recruitment and retention of social workers for adults and children and make recommendations.

The Task and Finish Group was chaired by Councillor Fiona Green and the final report included thirteen recommendations which were all approved by the Executive on 24<sup>th</sup> April 2017.

submitted to the Overview and Scrutiny Board and the Council's Executive.

Due to the nature of the review and it spanning two scrutiny areas - children and adult social care the monitoring of the recommendations will be made to the Overview and Scrutiny Board.

A yearly report which shows performance against national and comparable Local Authorities will be reported by the People Directorate to the OSB.

Additional Performance Indicators (PI's) have been included in the Corporate Performance Report. The PI's included; Turnover Rate; Vacancy Rate and Agency Rate relating to Recommendations 1, 3 and 4 of the Final Report.

The Full report can be accessed on the Council's website:

[Executive 24th April 2017 - Recruitment & Retention of Social Workers Task & Finish Group](#)

## SCRUTINY REVIEW GROUPS



There are three stand-alone review groups responsible for Children's Services, Finance and Health and Social Care.

They were set up to facilitate detailed discussion and scrutiny of these specific topics

and to allow more time for the Overview and Scrutiny Board to consider a wider range of issues.

## CHILDREN'S SERVICES REVIEW GROUP (CSRG)

**Cllr. Meryl Dolling**



**Chair of the Review Group**

Councillor Meryl Dolling remains the Chair of this review group. This is the first full year since the Children's Services Review Group was set up in 2015, following a decision to have a separate body to scrutinise these matters, given that the volume and complexity of the issues and the impact of their consideration on the workload of the OSB.

The committee's main areas of scrutiny include:

### **Work Programme 2016-17**

During the year the committee monitored, reviewed and commented on the following educational and child social care topics:

- Educational Attainment of children and young people, including early years
  - Special Educational Needs
  - School exclusions, attendance and use of enforcement powers
  - Role of the Virtual School for Children in Care
  - Child Protection
  - Child Sexual Exploitation
  - Missing Children
  - Independent Reviewing Service
  - Early Intervention and Prevention
  - Family Support Service
  - Children in Care
  - Children and Young People leaving care and subject of the 'Stay Put' Policy
  - Children with Disabilities
  - Young People's Sexual Health, including Teenage Pregnancy
  - Youth Offending, Crime and Anti-Social Behaviour (ASB)
  - Domestic violence impacting on children
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- Social Workers Accreditation Process
  - Children's Complaints
  - Safeguarding of unregistered schools
  - Youth Justice Plan 2016-17
  - Update on School Academy Trusts and Schools
  - Educational Outcomes 2015-16
  - End of Year Performance Report – Children Services
  - Stronger Families Programme
  - Independent Schools in Luton
  - Unregistered Schools

## Highlights of the year:

### ***Ofsted Inspection for children in need of help and protection, looked after children and care leavers and review of the effectiveness of the local Safeguarding Children Board***

The inspection took place between 11th January 2016 and 4th February 2016. The overall assessment of Luton's children's services was categorised as 'Requires Improvement'. The final inspection report was published on the Council website and on the Ofsted websites in March 2016.

The People's Directorate have developed an action plan which addresses the twelve areas where improvement is needed and monitoring reports are reviewed.

### ***Term Time Penalty Notices***

The High Court ruling on the case of the Isle of Wight Council v Jon Platt (which was later overturned in support of Isle of Wight Council) led to the CSRG scrutinising the procedures and practices in place in Luton for term time penalty notices.

Term time penalty notices are fines of around £60/£120 issued to parents who take their children out of school during term time without the permission of the Head Teacher. Since the introduction there has been a downward trend of parents taking their children out of school.

### ***Independent and Unregistered Schools***

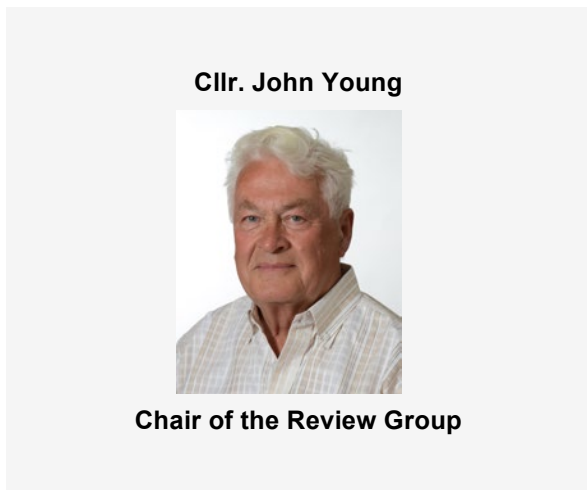
The independent and unregistered schools in Luton were an area of concern during the Ofsted inspection. Particular interest was focused on safeguarding and curriculum delivery issues which meant that four out of eight independent schools had been graded inadequate by Ofsted.

down if and when required. Schools were inspected every three years and complaints received about schools resulted in a further inspection.

The Director of People invited Stephen Bishop from the Department of Education responsible for monitoring independent schools to the March meeting. He advised that the legislation had been designed to ensure improvement rather than be used as a tool to close them down. Provision was in place to close schools

There are numerous criteria which independent schools have to meet which Ofsted look at during an inspection. At the conclusion of an inspection the Department for Education decide what actions to impose. These could include a Statutory Warning Notice being issued that required the school to submit an action plan which would be monitored.

## FINANCE REVIEW GROUP (FRG)



The Finance Review Group (FRG) continued to sit as Luton Council's arrangement to

oversee and scrutinise the Council's use of public finances.

Its responsibilities include:

- Organisational transformation
- Identification and delivery of corporate priorities
- Medium term financial planning
- Service efficiency, effectiveness and value for money
- Capital programme – expenditure and income
- Public involvement on spending priorities
- Budget priorities

### Work Programme 2016-17

Throughout 2016 to 2017, FRG continued to scrutinise, monitor and review a number of key areas commenting and making recommendations on a range of financial themes.

These include:

- Council reserves – Luton Borough Council has less than the average reserves of its statistical neighbours (with a reserve currently forecasted at £47,3m (£54,.9m)).
- Brexit – at its meeting on 5<sup>th</sup> September 2016 the Service Director, Finance and Audit reported on the likely impact of the EU exit on Local Authorities following the election on 23<sup>rd</sup> June 2016, particularly the economy and legislation as it may affect Luton Borough Council. The FRG made a reference to Council which was subsequently amended and agreed that the Council:

*“Recognising the potential effects on the finances of the Council, and on the job prospects of Luton residents, Finance Review Group recommends that Council asks the Executive to monitor the impact of Brexit and act appropriately.”*

- The establishment of a Wholly Owned Housing Company (Foxhall Homes) – The Service Director, Housing continued to submit progress reports to meetings of the FRG.
- The cost of interpreting and Translation to the Council – Members having heard the implications of service provisions in relation to interpreting and translation, including the costs to Luton Council, recommended that Corporate Procurement write to the Police and Courts Services to explore the possibility of sharing the next interpreting and translation service contract and the costs.
- Traded Activity – Each area of the Council now has income targets, and an

overall trade plan for the entire council is being developed which would look at areas that could create additional income.

- Continuous scrutiny of the Revenue & Capital Programme
- The Council's Property Investment Performance – Regular reports were

submitted detailing the Council's current portfolio and its performance.

- The Civica Contract Extended
- There was continuous scrutiny of the Transformation Programme and regular updates are made to FRG

## HEALTH AND SOCIAL CARE REVIEW GROUP (HSCRG)

**Cllr. David Agbley**



**Chair of the Review Group**

The Health and Social Care Review Group's (HSCRG) main responsibilities include: Reviewing and scrutinising any matter relating to the planning, provision and operation of health and social care services in Luton;

Holding to account all commissioners and providers of publicly funded healthcare and social care services, requiring them to listen and respond; Undertaking health and social care related topical reviews;

Dealing with consultation relating to proposals for substantial service variation or development by NHS organisations, ensuring they are in the interests of local health services.

HSCRG has continued to maintain constructive working relationships with partners in the Health & Social Care System, including the Health and Well-Being Board (HWBB). Apart from sharing work programmes, the HSCRG Chair also sits on the HWBB as an observer.

In the last year, HSCRG continued to monitor and review, commenting and making recommendations on a range of health and social care topics including the following;

A number of Luton Clinical Commissioning Group (CCG) items, including:

- Mental Health and Community Health Services re-procurement
- Update on the changes to the Repeat Medicines Management Systems
- Integrated commissioning
- Luton CCG Commissioning Intentions 2016-17
- Primary Care Access
- Local System Resilience
- Non-Emergency Patients Transportation
- Adult Social Care:
- Luton Better Together/ Better Care Fund programme
- Luton Homelessness Prevention Strategy 2016 – 2021
- Changes to Day Services for older people and adults with physical disabilities

A number of adult social care items, including:

- Home Care and Support Services
- The Learning Disabilities Joint Commissioning Strategy 2013-2017
- Luton Men's Health Self-Assessment and Response
- Safeguarding Adults and Deprivation of Liberty



## **CHALLENGES AND WORK PROGRAMME FOR 2017/18**

The Overview and Scrutiny Board will continue to focus on the big issues affecting the town and to raise the profile and awareness of the Scrutiny process with our partners and Council

Officers, to encourage participation and involvement. Scrutiny work programmes are developing well for 2017/18 and key issues have already been identified including:

## **GLOSSARY OF TERMS**

### **EXECUTIVE**

The Executive is responsible for the day-to-day running of the Council and the development of policy. Executive Members have specific areas of responsibility e.g. Housing, Environment, and Adult Social Care.

### **CALL-IN**

The process by which the Overview and Scrutiny Board considers whether a decision has been properly taken or is the right decision.

### **TASK AND FINISH GROUPS**

Time limited groups set up by the OSB to focus on a particular issue, either Council responsibility or other partner agencies and to make recommendations to Executive. Whilst the Executive is not obliged to support the recommendations, it has been shown that effective consultation has been proven to lead to consensus and to Executive support for reviews undertaken.