

## Overview and Scrutiny Performance Board

Thursday, 21 April 2016, County Hall, Worcester - 10.00 am

### Minutes

#### Present:

Mr R M Udall (Chairman), Mrs E A Eyre (Vice Chairman), Mr C J Bloore, Ms L R Duffy, Mr A C Roberts and Mr C B Taylor

#### Also attended:

Mr S E Geraghty, Leader and Cabinet Member with Responsibility for Finance  
Mr A N Blagg, Deputy Leader and Cabinet Member with Responsibility for Environment  
Mr P M McDonald

Clare Marchant (Chief Executive)  
Jodie Townsend (Democratic Governance and Scrutiny Manager) and  
Alyson Grice (Overview and Scrutiny Officer)

#### Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the meeting held on 17 March 2016 (previously circulated).

Copies of documents A and B will be attached to the signed Minutes.

#### **915 Apologies and Welcome**

Apologies were received from Paul Tuthill and Tom Wells.

The Chairman informed Members that Tom Wells had recently been involved in a serious accident at home and was currently recovering in hospital. On behalf of the Board, the Chairman expressed his best wishes to Councillor Wells for a speedy recovery.

#### **916 Declaration of Interest and of any Party Whip**

None.

#### **917 Public Participation**

None.

#### **918 Confirmation of the Minutes of**

The Minutes of the Meeting held on 17 March 2016 were agreed as a correct record and signed by the Chairman.

## the Previous Meeting

### 919 Discussion with New Leader

The Leader of the Council, the Deputy Leader and the Chief Executive had been invited to the meeting to discuss the Leader's focus since being appointed, the process for reviewing the current Corporate Plan and the challenges ahead for the County Council.

By way of introduction, the Leader of the Council made the following points:

- The Leader had taken up the role in January 2016 and, since then, the majority of his time had been taken up considering the impact of the 2016/17 budget settlement and finalising a balanced budget for the Council.
- In the last month he had had more time to reflect on how to move forward. He saw no reason to change the priorities identified in the current Corporate Plan and the budget as these had been democratically decided.
- However, the current Corporate Plan was due to run until 2017 and would be reviewed over the summer. It would be important to reconsider the Council's priorities in the light of today's context as things had moved on since the current Corporate Plan was agreed. The Council was now a commissioning organisation and was looking to move towards becoming a self-sufficient Council. To achieve this, the Council needed to look at how it could grow its income base and make better use of its assets.
- The new Corporate Plan would go to Council in either September or November following a process of engagement with members of the public, the business community and other stakeholders.
- The new Corporate Plan would drive the Council's vision for the next 5 years - to the end of the next Council.
- The budget would be reviewed alongside the Corporate Plan. It was already clear that the budget for 2017/18 would be a big challenge and the Corporate Plan needed to be developed alongside the financial context.

Members of the Board were given an opportunity to ask questions. The following main points were raised:

- The Leader of the Council confirmed that he did not feel that the Corporate Plan was failing but there was a need to refresh the Plan to ensure it related to today's context. The world and Government policy had moved on, although the themes of the current Plan were still very valid: protecting children and vulnerable adults, the economy and business, and the environment. His instinct was that the top level priorities did not need to change but he was open to views on this.
- The commissioning agenda had also moved on and the Council now needed to look at income generation, better use of Council assets - such as buildings and land - and community capacity.
- In response to a question about awareness of the Corporate Plan amongst the people of Worcestershire, the Leader acknowledged that there was always more to do in order to connect the work of the Council with the aims of the Corporate Plan. The review of the Plan would include public roadshows, engagement with the business community and the Council would be open to new ideas about how to shape Worcestershire's future, both in terms of Worcestershire the place and the services provided by the Council. The focus would be on outcomes for the people of Worcestershire.
- In response to a question about the criteria used to determine membership of Cabinet, the Leader told the Board that he had confidence in the current Cabinet and would like to see a period of stability. He felt that Councillor Pollock had brought a new skill set to the Cabinet and would wish to see any future change managed over a period of time.
- In relation to any under-performance by Cabinet Members, the Leader reminded the Board that Cabinet was a team which had to collectively work together. There was a need for conversation and dialogue, and for the team to be a balance of different styles and personalities. Ultimately, every Member of the Council would be held to account by the electorate.
- With reference to the current peer review, the Leader was asked whether the findings and recommendations would be tracked over time, as this had not happened with previous peer reviews. The peer review was a process to reflect on what was going well, what was not going so well and what the Council needed to do more of or move faster on. It was a learning opportunity and, in the

interests of openness and transparency, the review report would be published in due course. The Council would want to track any action resulting from the review and past peer reviews had helped to guide Council policy. For example, the commissioning agenda had moved on significantly since the last review and was now well embedded. The Leader confirmed that he was open to suggestions about how the ideas emerging from the peer review could be better tracked. The Chief Executive confirmed that, following the last peer review in 2012, the outcomes had been tracked but she did not want to make a 'machine' of the tracking process. She also wished to record her thanks to all staff who had been involved in the peer review.

- It was suggested that communications in Worcester were well covered by the Worcester News but this was not always the case elsewhere in the County. Perhaps more energy could be given to reaching the extremities of the County. In response, the Leader suggested that the 120+ parish councils were good at disseminating information across the County, as were district councils, social media and direct communication with residents via council tax bills. There was no silver bullet on this. Rather, the Council would need to use a whole range of mechanisms. He acknowledged that there was more to do and it was essential to cover the whole of the County. A Member of the Board suggested that Councillor Facebook pages would be a good way to communicate. The Leader suggested that this could be something for scrutiny to look at.
- A question was asked about how much time was taken to look at the broader view and ensuring that Worcestershire remained a special place to live. In response, the Leader agreed that there was a fine balance between developing infrastructure and, at the same time, ensuring that Worcestershire was not changed. It was one of the best places to live in the country – something that had been confirmed by national reports – and the Council needed to reflect on this. There was a need for more houses and infrastructure development but the Council also needed to protect the 'USP' of Worcestershire.
- The Deputy Leader reminded the Board that the environment was one of the Corporate Plan priorities and this related to both the urban and rural environment. The Council wanted people to

work in the County as well as live here. There was a need to think of the total ambiance of Worcestershire and make sure the priorities fitted together.

- The Deputy Leader was asked about his role and whether he was able to tell the Leader when he was wrong. In response he told the Board that the Leader and the Deputy Leader worked collegiately, spreading the same message. He also deputised for the Leader at events such as the recent County Council Network event in London. The Deputy Leader's major current role was to think outside the box and look for new and inventive ways of increasing the Council's income generation.
- The Deputy Leader confirmed that he and the Leader had different styles with the Leader being less forthright in his message. It was important that the message was out there and understood. The Leader of the Council confirmed that he had a quite reflective leadership style. The overall message was that the leadership team worked as a team.
- It was suggested that aiming for continuity was the correct approach to take. However, it would also be important to take into account changes in the social environment and people's concerns in relation to inward migration. The new Corporate Plan should aim to assess the significance of inward migration as it was something that the Council should plan to accommodate.
- The Leader confirmed that the Cabinet looked at trends, data and evidence to assess long term demographics. This had shown that Worcestershire had an ageing population, with the number of over-85 year olds set to rise significantly, leading to increased and more complex demands on social care.
- The Leader acknowledged that there was more work to do, as part of the Corporate Plan process, to look at inward migration and changes to the type of people who were coming to live in the County.
- The Chief Executive referred to concerns raised in 2013 when the previous Corporate Plan was drawn up, in relation to the outward migration of young people. This had led to a focus on apprenticeships, the University Technical College and other work with the University of Worcester and the Youth Council. The issue of retaining young talent in the County was likely to be raised

by the business community again.

- In relation to inward migration, although there were complexities and sensitivities, it was suggested that there was a need for a mature debate on what the real effects might be.
- In response to a question about whether the general public was able to see the benefits of the financial recovery, the Leader pointed to infrastructure improvements with, for example, improved road and rail links. Worcestershire had the 4<sup>th</sup> fastest growing local economy in the country and the 2<sup>nd</sup> highest growth in productivity. However, he suggested that it was still early days and it would take more time for people to see the full benefits of this work.
- It was suggested that the Overview and Scrutiny Panels should have an early input into the development of the new Corporate Plan. Also, there should be clear collaboration with the leaders of District Councils. The Leader of the Council agreed that these were 2 excellent suggestions. He aimed to have a first draft by the end of June. As Leader he was keen to get out and about in local communities, seeing projects on the ground to see what was really happening. He also planned to meet the leadership teams of each District Council over the next few months. He would meet them all individually, but also hold discussions at the Worcestershire Leaders' Board. Efficient 2 tier working would be important. Attempts to work in a joined up way were welcomed as it was suggested this had not always happened in the past. For example, the District Councils had done work on social isolation at the same time as bus services were being reduced. Also, the Council had a priority of being 'Open for Business' at the same time as congestion was killing business.
- A Member of the Board stated how refreshing it was for the Leader and Deputy Leader to attend OSPB and answer Members' questions. It was good to hear that the Leader reflected on issues before making a decision. He expressed concern that despite having been a Member of the Council for several years, he still did not know the names of some County Councillors and suggested that the Council was not utilising elected members as well as it could.
- In response to a question about the differences in style between the Leader of the Council and his predecessor, the Leader said he did not want to

focus on individual styles. He suggested that Councillor Hardman had brought a dynamism to the role and had moved the Council forward. The focus should now be on the future. He reminded the Board that in early December a Councillor working group had been set up. This group included a range of Members and a plethora of views. The group would work over the summer and report in the autumn.

- Concern was expressed about a Worcester News story regarding 15 minute social care visits and it was suggested that, as people needed more care, the County Council was moving in the opposite direction and reducing the amount of care provided. The Leader was asked whether the Council was moving towards only providing the statutory minimum. The Leader suggested that the story had been reported in a very particular way and did not recognise the much good work that was done in adult social care. Members were reminded that 60% of the Council's budget was spent on people who needed the Council's help and he did not see this changing in the future. The Chief Executive felt that this should be seen in the context of the Council's commissioning journey and reminded the Board that it was important to look at the needs of the individual over the course of the day, ensuring that the required outcomes were achieved rather than focusing on specifying the length of visits. The Deputy Leader suggested that the Worcester News article was misleading as it did not mention that personal care visits were always a minimum of 30 minutes and often longer. Visits for other reasons, such as to deliver a prescription, could be less.
- It was suggested again that, as money from central government was reduced, demographic changes meant that many vulnerable people needed more attention and more personal visits not less. It would be difficult to say that the level of care would be better in the future not worse. Concern was expressed that the Council's leadership was not being honest about the level of service it could now provide. Given that in the past much more money had been available from the Government, it was suggested that this money had not been used properly.
- In response to a question about how he would be voting in the forthcoming referendum on the UK's membership of the European Union, the Leader of

the Council said he would be letting people draw their own conclusions and he would not be making his view public. Instead he would be focusing on running the County Council and on the local elections and the elections for the Police and Crime Commissioner. He reminded Members that the County Council still spent £100s of millions per year and was a significant employer, having a major impact on the future of Worcestershire. The aim was to achieve the best outcomes for the people of Worcestershire within the available resource base. There will be a need for change and this was often unnerving for people, but there was a need to be open and honest. The Leader did not accept that there would be large swathes of services that would no longer be provided. A better income base would go some way to bridge the funding gap.

- In response to a further question about his position on the EU referendum, the Leader repeated that it was for the people of the UK to decide. He felt there would be an opportunity for a debate in the future but this was not the appropriate time. The Chairman of the Board informed Members that, in due course, he would be issuing a statement setting out his view that the country should remain in the EU.
- A question was asked about the tension between the development of the County's infrastructure and protection of the green belt. The Leader agreed that there was a tension between the two and there was a need to achieve a balance using the policy framework of the Local Plan. Key investment projects included the A38, the Carrington Bridge and the Southern Link Road. Economic growth was often linked to highways investment. However, the green belt was something that the public valued and this could be a constraining factor. The Leader informed the Board that he was pro-growth, but in a planned and sensible way. The Deputy Leader reminded Members that the Council had a strategic transport plan which looked 20 to 30 years ahead. It was important that this vision connected with the plans of the District Councils.
- The Leader of the Council was reminded that a consultation had recently been undertaken asking members of the public and other stakeholders to suggest scrutiny topics for the 2016/17 scrutiny work programme. Over 3,600 suggestions had been received which suggested that the public



valued scrutiny's contribution to the Council's work. In response to a question about whether, in the light of this response, the Leader would commit more resources to the scrutiny function, he replied that he was unable to do that as the Council's budget was set via an agreed democratic process. However, he recognised and valued the work done by scrutiny to scrutinise services and develop policy.

- A Member from outside the OSPB was given the opportunity to ask questions. He suggested that the 'challenges' referred to by the Leader were actually problems created by central Government. He disputed the Deputy Leader's explanation of the 15 minute home care visits and reminded Members that there were 348 service users currently receiving visits of 15 minutes or less. He expressed concern that the Leader and Deputy Leader has misled the OSPB and suggested that it was a disgrace that visits were below the recommended time.
- With reference to the issue of car parking at County Hall, it was suggested that, although the County Council could control the parking of its own employees, it would not be able to have the same influence over other organisations now based in County Hall. The Leader of the Council agreed that, with County Hall being more utilised than before, there was a need to continually re-evaluate whether there was enough parking. The Council may have to look at providing more parking spaces as the Leader would not want parking issues to affect the productivity of staff and the Council services they provide. Similarly the Council did not want to impact on the local community.
- The Leader reminded the Board that, although he was focused on outcomes, he was still interested in due process and was not driven by dogma or ideology, rather by what worked. The commissioning cycle looked at the best approach for each service whether that was commissioning to the private sector or keeping a service in-house. The financial challenge was still pretty significant and would be the same for whoever was running the Council.
- With reference to parking at County Hall, the Chief Executive informed Members that this was the biggest issue raised by staff on her online forum. A web based meeting had been held last week and several ideas from staff were being given

further consideration. She confirmed that parking restrictions were the same for Defra and HMRC staff based at County Hall as for those working for the County Council.

- The Vice Chairman suggested that historically both local and national government had been confused between wants and needs, but the Council was now back on track providing support for needs rather than wants. The Council was still a £1 million per day business, with £600k being spent on 5% of the population. A further £200k was spent on future proofing the organisation and the remaining £200k should be distributed equitably throughout the County.
- The Leader agreed that most of the Council's money was spent on the most vulnerable and those who were most in need, something that the Council should be proud of. He suggested that there was a need to be more innovative. Although the Council had reduced its levels of spend, at the same time, levels of satisfaction had risen. Less money did not necessarily mean a worse service.
- A Member of the Board refuted the suggestion that the Council had historically focussed on wants rather than needs and gave the example of the Supporting People project which was intended to meet residents' needs. The Council's own documentation had said that this project saved public money, as supporting vulnerable people meant that fewer would come into contact with health services, the Police and other public services. The Leader of the Council reminded the Board that the Council continued to invest in preventative work, targeting resources on work that would reduce expenditure in the future. For example, the Stronger Families pilot in Redditch had invested in staff in order to divert people from behaviours that would cost public services more in the future, such as drug and alcohol abuse. He confirmed that partners worked together and invested in preventative work, even if the resulting financial benefits might be seen by another part of the public sector. He reminded Members that, when money was tight, there was a need to be inventive in how the Council worked.

The Chairman informed the Board that he had also asked the general public for questions to raise with the Leader. In the ensuing discussion, the following main points were raised:

- In response to a question about whether moving to a Unitary Authority would achieve significant savings, the Leader replied that he felt there was an excellent 2 tier system in Worcestershire which worked well, although he recognised that things could always be improved. Relationships between Councils in Worcestershire were better and more integrated than in other 2 tier areas of the country and the system worked very efficiently. He did not believe that moving to a Unitary Authority would be in the best interests of the people the Council served. The Council would focus its efforts on ensuring the 2 tier system worked as efficiently as possible and was even better in the future. He had previously been Leader of Worcester City Council and could see the debate from both a district and county perspective. If Worcestershire moved to a Unitary Authority, some locally tailored services would be lost and some of the checks and balances in the system would be diminished. Although he could not say that it would never happen, the Council was not looking to change in the current circumstances. The Chairman of OSPB agreed that district councils enhanced local identity and pride.
- A question had been asked about whether there was a nuclear bunker at County Hall. The leader replied that he did not know and, as far as he was aware, the basement of County Hall was used for storage. The Chief Executive added that the emergency planning team were based in the basement and this became a county-wide hub during emergencies such as flooding in the County.
- In response to a question about how the Leader, Deputy Leader and Chief Executive relaxed in their spare time, the Leader replied that he liked to visit friends, travel and take time to not think about the Council. He felt it was important to maintain a work life balance. The Deputy Leader informed the Board that he enjoyed gardening, topiary and being in tune with nature. The Chief Executive informed Members that she enjoyed running and was shortly due to compete in a triathlon. She also enjoyed spending time with her family and friends.

The Chairman thanked the Leader, Deputy Leader and Chief Executive for attending. It was agreed that this meeting should be repeated on an annual basis.

**920 Overview & Scrutiny Work Programme 2016/17**

At 11.40am the Board agreed to take a 5 minute break.

The Chairman informed the Board that, although he had hoped to be able to bring a draft 2016/17 work programme to the meeting, 3600 responses to the public consultation had been received and it had proved impossible to collate these responses in time.

It was agreed that:

- The Chairman and Vice Chairman would complete a full analysis of all suggestions received;
- A paper would be sent to all OSPB Members next week containing the Chairman and Vice Chairman's analysis with recommendations, plus a copy of the full list of suggestions;
- OSPB Members would be given the opportunity to reply with comments, amendments and suggestions; and
- The Chairman and the Vice Chairman would be given delegated authority to agree a final priority list to be forwarded to the May meeting of Council.

Members were informed that some suggested topics were not within the remit of the County Council and these would be forwarded to District Councils or HM Government as appropriate.

**921 Member Update and Cabinet Forward Plan**

The Overview and Scrutiny Performance Board was asked to:

- (a) Receive an update on emerging issues and developments within the particular remit of each Member of the OSPB, including an update on each Overview and Scrutiny Panel and Scrutiny Task Group;
- (b) Consider the Council's latest Forward Plan in order to identify:
  - Any items it would wish to consider further at a future meeting; and
  - Any items it would wish to refer to the relevant Overview and Scrutiny Panel for further consideration;
- (c) Consider the update on the Integrated Health and Social Care Scrutiny Proposal;
- (d) Consider the update provided in relation to the Bus Transport Review.

### Children and Families Overview and Scrutiny Panel

The Panel had recently discussed the 0-19 Prevention Strategy ('Starting Well'). However, discussions had proved difficult as the details of the service design would not be clear until after the contract had been awarded, as it would depend on proposals by the successful bidder. The Panel had agreed to look at this again in July when the preferred bidder would be known.

Following discussions at the last meeting of OSPB, a letter had been sent to the Leader of the Council, asking him to reconsider Cabinet's decision that future decisions relating to the Starting Well Service could be taken under the Cabinet Member's delegated authority rather than at a meeting of Cabinet. A response was still awaited.

The Panel had also considered Educational Attainment in the County. Although 88% of children in the County were now educated in schools judged by Ofsted to be good or better and Key Stage 4 results were above the national average, there was still further work to do at Key Stage 2.

In relation to Education Otherwise, the Panel had concerns about the safeguarding of children who were home educated and were not in contact with the local authority, and also about the safeguarding procedures of alternative providers.

### Corporate and Communities Overview and Scrutiny Panel

The Commissioning: Staff Terms and Conditions Scrutiny Task Group had met to consider draft recommendations. The Group had felt that the recommendations were not quite there and had decided to ask a series of further questions of the Director of Commercial and Change, Legal Services, HR and Unison. The task group would then meet again to consider its next steps.

The Chairman of the Board asked about proposals to change the opening hours of libraries across the County. It was agreed that this should be discussed at the next meeting of the Corporate and Communities O&S Panel and, in the meantime, the Chairman of the Panel would discuss this with the Cabinet Member.

### Health Overview and Scrutiny Committee

The Chairman informed Members that the Committee's next meeting would be held next week. Concerns raised

about the future of the Orchard Project (palliative care for children) had been allayed following a meeting with the Director of Public Health.

The Chairman of the Board asked a question about a dental surgery in St John's, Worcester which, it had been reported, was due to close. This was a particular concern as it was the only NHS dentist west of the river in Worcester. The HOSC Chairman confirmed that he had been formally notified of this and a decision would be made about whether it constituted a substantial service change.

#### Drug and Alcohol Scrutiny Task Group

The Drug and Alcohol Scrutiny Task Group had now started its work. It was confirmed that the task group included a member of HOSC and the exercise would be fully scoped at a meeting next week.

#### Scrutiny and Quality Assurance

It was confirmed that the actions as agreed at the March meeting of OSPB had been circulated to the Cabinet Member but no response had yet been received. The Vice Chairman and the Democratic Governance and Scrutiny Manager would meet to discuss taking forward the agreed actions.

#### Increasing Physical Activity Scrutiny Task Group

The Scrutiny Task Group's final report would come to the next meeting of the OSPB before being considered by Cabinet in June.

#### Footways Scrutiny Task Group

The Democratic Governance and Scrutiny Manager would discuss next steps with the relevant Overview and Scrutiny Officer and relevant Members.

#### Integrated Health and Social Care

The Chairman of the Health Overview and Scrutiny Committee reminded Members that the Board had previously approved a scrutiny proposal which focused on the Integrated Recovery Programme. However, ongoing changes to the arrangements and standards of integration of health were such that a scrutiny exercise was not the best way to consider the issue at present.

It was agreed that the scrutiny exercise should be revised to allow a greater focus on emerging issues and, in particular:

- Any substantial changes proposed as a result of the review of integrated recovery beds being considered by the Health and Wellbeing Board, which emanated from the study of the Worcestershire Systems Resilience Group (2014) and must be considered under the HOSC remit.
- The relevant recommendations of Lord Carter's Report on hospital productivity should be taken into account.

Scrutiny – Bus Transport Review

The Chairman of the Board reported that there was no longer a need for urgency on this work and the scrutiny exercise may now take more time. Issues for future consideration included areas for future investment and the definition of a socially necessary service. A formal proposal would be brought to the next meeting and the task group would look at the detail of the topic over the summer.

The meeting ended at 12.00 pm

Chairman .....