

# Herefordshire Council Scrutiny Committees Annual Report 2004/2005

- ...**Putting** people first
- ...**Preserving** our heritage
- ...**Promoting** our county
- ...**Providing** for our communities
- ...**Protecting** our future

*Quality life in a quality county*

## FOREWORD

This is our second Annual Report and covers the period 1 May 2004 to 30 April 2005.

We and the Members of the Scrutiny Committees as a whole recognise the importance of our work contributing to improvement. This report summarises the work undertaken by the Scrutiny Committees and highlights matters where the Scrutiny function has had a particular impact on the work of the Council, its partners and the Community. A separate report from the Health Scrutiny Committee is attached.

The report provides evidence of the continuing development of the scrutiny role. We are well aware, however, of the potential for further improvement. In particular we look forward to strengthening the way in which we engage the public and reflect their concerns for the benefit of Herefordshire.

**Councillor TM James**  
**Chairman of the Strategic Monitoring Committee**

**Councillor Mrs MD Lloyd-Hayes**  
**Chairman of the Social Care And Housing Scrutiny Committee**

**Councillor BF Ashton**  
**Chairman of the Education Scrutiny Committee**

**Councillor ACR Chappell**  
**Chairman of the Social and Economic Development Scrutiny Committee**

**Councillor JHR Goodwin**  
**Chairman of the Environment Scrutiny Committee**

*(Note: The Council reviewed the organisation of its Scrutiny Committees in May 2005 and in addition to the Strategic Monitoring Committee now has the following Scrutiny Committees: Adult Social Care and Strategic Housing, Children's Services, Community Services, Environment and Health. These replace the former Scrutiny Committees.)*

## **SUMMARY OF SCRUTINY ACTIVITY**

- We have reviewed the Council's Community and Voluntary Sector which plays a vital role in delivering services in Herefordshire and contributes to building strong and active communities. We made recommendations to improve the effectiveness of the Council's support.
- We have reviewed the regulation of the use of Polytunnels for agricultural purposes recognising the need to strike a balance between sustaining the agricultural industry, a significant part of the Herefordshire economy, whilst protecting the landscape of Herefordshire, which brings the economic benefits of tourism supporting a number of local businesses, and the interests of the wider public.
- We have reviewed the Council's Parking Strategy, seeking to contribute to the development of a robust policy which can command community understanding and support.
- We have interviewed representatives of the Highways Agency about their plans for the Trunk roads in Herefordshire, which they manage. The Trunk roads represent only 3% of the total highway network in the County but approximately 23% of all personal injury accidents occur on them. The accident rate on several sections of the A49 is above the national average for the class of road. It is hoped that the exchange of views will lead to swifter resolution of accident problems.
- We have reviewed how to improve home care services to support the increasing numbers of older people who will need services in the future.
- We have examined the provision of supported housing for people with mental health problems, emphasising the extreme shortages of appropriate affordable accommodation for this user group and the importance of inter-agency co-ordination and co-operation.
- We have looked at the Council's funding contribution to the Courtyard Centre for the Arts considering how best to strike a balance between sustaining a key arts facility and the benefits to the wider community.
- We have reviewed the management of the outbreak of Legionnaires Disease in Hereford recognising that there was a responsibility to do so on behalf of the Community. It was pleasing to have been able to provide reassurance that the consensus was that the outbreak had essentially been well handled.
- We questioned the Director of Public Health on his Annual Report and sought and received assurances from him.
- We have questioned the Chief Executive of the Primary Care Trust on the Local Development Plan and noted the implications for future working.
- We have also monitored performance across the Council and have asked Cabinet Members to account for their performance and explain their future plans.

# HEREFORDSHIRE COUNCIL SCRUTINY COMMITTEES ANNUAL REPORT 2004/2005

## Introduction

In 2004/2005 the Council appointed Scrutiny Committees for Education, Environment, Health, Social Care and Housing and Social and Economic Development. It also appointed a Strategic Monitoring Committee which scrutinises corporate matters and co-ordinates the work of these Committees.

The purpose of the Scrutiny Committees is to ensure the accountability and transparency of the Council's decision making process.

The principal roles of Scrutiny Committees are to:

- Help in developing Council policy.
- Probe, investigate, test the options and ask the difficult questions before and after decisions are taken.
- Look in more detail at areas of concern which may have been raised by the Cabinet itself, by other Councillors or by members of the public.
- "call-in" decisions - this is a statutory power which gives Scrutiny Committees the right to place a decision on hold pending further scrutiny.
- Review performance of the Council.
- Conduct Best Value reviews.
- Undertake external scrutiny work engaging partners and the public

Throughout the year the items considered by the Scrutiny Committees have again been analysed as far as is practicable under five roles for Overview and Scrutiny identified in the report on "The Development of Overview and Scrutiny in Local Government" published by the Office of the Deputy Prime Minister (ODPM) in September 2002.

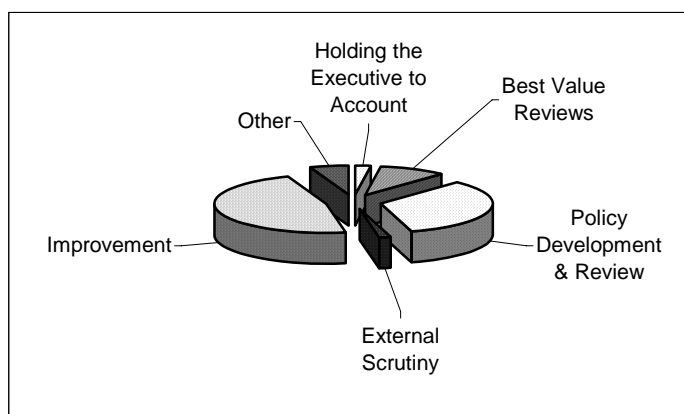
The five roles are:

- **holding the executive to account** (scrutinising decisions before they are implemented, and scrutinising decisions after they are made).
- **policy development and review** (As part of developing/enhancing key policies for the Council, reviewing existing policy, how well it is implemented and its impact, conducting wide ranging and cross cutting reviews on priority issues; policy development: as an integral part of policy review, creating opportunities for non-executive Members to play a substantive role in policy development).
- **external scrutiny** (examination and investigation of the work of outside bodies and the impact on the community, an opportunity to enhance the community leadership role of local government and promote the statutory power of well-being).
- **improvement** (performance management and review) – (monitoring service delivery in order to enhance performance, anticipating and addressing poor performance, playing a role in driving continuous improvement).
- **best value reviews** (carrying out the Council's best value review programme and recommending options for consideration by the executive).

The analysis provides a broad indication of the focus of the Scrutiny function.

<b>Theme</b>	<b>No. Of Items 2004/2005</b> (figures for 2003/2004)	<b>Percentage</b> (figures for 2003/2004)
Holding the Executive to Account	<b>4</b> (3)	<b>2%</b> (1.25)
Best Value Reviews	<b>17</b> (21)	<b>10%</b> (9)
Policy Development & Review	<b>59</b> (54)	<b>34%</b> (23)
External Scrutiny	<b>3</b> (4)	<b>2%</b> (1.75)
Improvement	<b>83</b> (127)	<b>46%</b> (54)
Other	<b>10</b> (25)	<b>6%</b> (6.25)

A comparison of activity between 2003/04 and 2004/2005, based on the number of reports considered by the Scrutiny Committees, is shown in the adjoining table and chart. This shows that although performance management and review items continue to form the bulk of the reports considered at formal meetings of the Committees there has been an increase in the focus on policy development and review work. A number of policy reviews were undertaken involving informal meetings and events and the time spent on this work is not adequately reflected in the statistical analysis. Although Cabinet Members regularly attend meetings and answer questions and in some cases have presented reports on performance to date and future plans the activity of Committees in holding the executive to account remains low.



The work of the four programme area Scrutiny Committees and the Strategic Monitoring Committee during the year is discussed below. As mentioned in the foreword a separate report from the Health Scrutiny Committee is attached.

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## **STRATEGIC MONITORING COMMITTEE**

### **What the Committee does**

The Committee exercises the statutory scrutiny function in relation to the corporate strategy and finance; audit and performance management and corporate support services programme areas; and, in summary, co-ordinates and oversees the work of the other scrutiny committees.

### **Meetings**

The Committee met formally 9 times during the reporting period. In addition Committee Members have engaged in informal Review Group meetings.

## Activity Summary

The Committee's activity has included:

- Regular performance management and review reports on the capital and revenue budgets, the Local Public Service Agreement (LPSA), receipt of the Annual Efficiency Statement, Herefordshire Plan and Partnership progress report, the race equality scheme annual report, audit services assurance report, corporate health performance monitoring including a review of performance against national and local Best Value Performance Indicators for 2003-2004 and the results of the Best Value Performance Indicators Satisfaction Survey for 2003/2004, complaints and compliments monitoring and complaints to the local government ombudsman and complaints panel, Community Safety and Drugs Partnership Progress report, and the human resources strategy.
- Consideration of policy development in contributing to the Council's review of the constitution, the development of the Corporate Plan and the Annual Operating Plan, completion of the property management review and a review of the support to the voluntary sector in Herefordshire, and monitoring progress in developing the Children's agenda in Herefordshire in response to the Children Act 2004.
- Co-ordinating the work of the other scrutiny committees, receiving reports on their work programmes and on activity being undertaken.
- Monitoring progress in relation to the cross-cutting Best Value Review of Transport and approving the Best Value Reviews of Special Educational Needs and Support Services and Services for People with a Physical Disability.

## Commentary

The Committee's work continues to involve shadowing the work of the Cabinet, in particular in relation to monitoring the budget, performance, the Local Public Service Agreement(s) and the development of the Corporate Plan.

The Committee would like to highlight in particular the matters set out below.

### Property Management Review

The review was selected by Members on the basis that it would provide an opportunity to undertake a review of an area which was cross-cutting, an important area of the Council's activity and one of the few areas which had not been subject to review since the Council's formation.

The Council's property holding is substantial, including property which supports service provision such as libraries, highways, depots, older people's accommodation, and administrative property (broadly speaking office accommodation) and non-operational property (e.g. industrial estates, smallholdings, markets, etc).



The desired outcomes of the review included a strategy for the optimum use of the Council's property in pursuit of its objectives; clear criteria against which opportunities for property disposal or acquisition may be assessed; options for the future delivery of property management which provide clear accountability compared to the existing arrangements; and identification of potential savings in costs.

The Review collected a large body of evidence and sought the views of key stakeholders including Cabinet Members.

Whilst the Strategic Monitoring Committee accepted the Review report which contained some 27 recommendations, they also recognised that the nature and scope of the review meant that there were a number of areas where further work would be required. Some of that additional work, however, depended on the acceptance of key policy issues by the Executive.

The Review was submitted to Cabinet who were advised that the Review had made a constructive start on identifying the issues but in very few areas had it been able to gather the evidence to enable it to make final recommendations.

### **Outcomes**

Cabinet responded to the Review by establishing three Working Groups to drive forward the wider review of policies and strategies and management arrangements and to examine targets for performance and finance.

The Review was broad, complex and complicated further by the gradual recognition of the extent to which some work depended on the acceptance of key policy issues by the Executive. This highlighted the need to pay particular attention to the selection and scoping of future reviews.

### **Review of the Council's contribution to the Voluntary Sector**

The Committee also received the report on the review of the Council's support to the Community and Voluntary Sector.

When the Council was established in 1998 the Voluntary Sector grant arrangements of the outgoing authorities were brought together and some work was undertaken to try to achieve consistency in application and approach. In broad terms there is direct support in excess of £500,000 made available to the Voluntary Sector through a combination of "one off" grants and service level agreements. The Community and Voluntary Sector plays a vital role in Herefordshire making an important contribution to building strong and active communities in the County.

The purpose of the review was to:

- Review the services provided by the main infrastructure organisations including bodies such as Community First, Herefordshire Voluntary Action, and not for profit organisations with whom the Council has Service Level Agreements (SLAs).
- Contrast the differences between services provided both from direct grant awards and through SLAs to help form a view on value for money from these different arrangements and establish guidelines when it would be appropriate to use either funding mechanism.
- Examine the current management arrangements for the operation of the Voluntary Sector Grants scheme;
- Compare the extent of Voluntary Sector Grant support and the way it operates in Herefordshire against the Council's Benchmarking Authorities.
- Recommend options for Voluntary Sector Grant support in the future.

## **Outcomes**

Cabinet has agreed to progress the Review's recommendations for future support which will result in a new policy for funding the Voluntary Sector.

In terms of learning from the review it became clear as soon as detailed review work commenced that the Terms of Reference were too broad and needed to be tightened. It also soon became apparent that the original staffing resources identified to support the review were insufficient.

It was also quickly realised that the five month timescale set for the review was unrealistic and it was agreed to extend the timescale by a further four months.

A number of challenges were faced by the Review Team. In terms of data collection, it took twice as long as originally envisaged to obtain the base data and to reach agreement with Stakeholders on the cost and output comparisons. Benchmarking was also difficult, with only half of the New Unitary Authorities Benchmarking Group returning completed questionnaires.

The experience from this review provided further evidence that large and complex reviews, need to be properly resourced and given realistic timescales. In addition, it demonstrated the importance of focusing on the Terms of Reference from the outset to avoid duplication of effort and to provide clarity of purpose.

## **EDUCATION SCRUTINY COMMITTEE**

### **What the Committee does**

The Committee discharges the statutory scrutiny function in relation to the education programme area.

### **Meetings**

The Committee met formally 4 times during the reporting period. In addition Committee Members have engaged in some informal review work.

### **Activity Summary**

A great deal of the Education Directorate's work is prescribed by Central Government and the Committee's role has reflected the framework.

The Committee's activity has included:

- Regular performance management and review reports including school results, outcomes of individual Ofsted inspections; Capital and Revenue Budget monitoring and review of Compliments, Complaints and Appeals, performance indicators, and sickness absence and progress towards achieving educational targets in the Council's Local Public Service Agreement.
- Consideration of a range of policy development issues: Completion of a Review of Discretionary Areas Of Policy In Home To School Transport, Policy on 14-19 education,

the proposal in relation to the standard school year, health and safety of pupils during educational visits, education of excluded pupils, outcome of parental applications for year 6 into High Schools for September 2004 including details of appeals, progress in implementing the National School Workforce Remodelling Programme, an update on school travel initiatives to encourage the use of more sustainable forms of transport for journeys to school, review of pupil numbers in a few small schools, review of the School Organisation Plan, policy and procedures of the Education Welfare Service in monitoring and promoting good attendance by pupils in schools, support offered to schools with pupils whose first language is not English in order to promote their full participation in the curriculum and integration in all aspects of school life, security in schools, primary school provision in Hereford City, extension of banded SEN funding from primary schools into secondary schools, support provided for gifted and talented pupils, and drug education in schools.

- Completion of the Best Value Review of the Special Educational Needs and Support Services.

### **Commentary**

The Committee would like to highlight in particular the matters set out below.

#### **Review of Discretionary Areas of Policy in Home to School Transport**

The Council's cross-cutting Best Value Review of Transport highlighted that there were a number of discretionary policies relating to the provision of school transport where provision could be reviewed and economies made. Expenditure on school transport in 2004/05 was £4.9 million with expenditure on discretionary policies in 2004/05 amounting to about £900,000.

The Committee undertook a review, concluding that of the nine areas of discretionary policy there should be modest changes in only two areas. The Cabinet Member (Education) accepted these two changes. Cabinet did, however, give further detailed consideration to the discretionary policy relating to the provision of free home to school transport for those who have been admitted to a school on denominational grounds, which had an annual cost to the Council of £465,000 in 2004/05. Cabinet agreed with the conclusion reached by the Committee that there should be no change to the current policy, pending in particular the outcome of a government transport review. However, in the light of further developments Cabinet commissioned a review involving consultation with the whole school community to determine a new transport policy.

#### **Best Value Review of Special Educational Needs Provision and Support Services.**

The Committee conducted the Best Value Review of Special Educational Needs Provision and Support Services. The Services aim to provide good quality education and accessible curriculum for children with particular learning, emotional, behavioural, physical and sensory needs. The Review's conclusion was that the Services performed well overall but there were some key areas of weakness which needed to be addressed. The Committee has commented on the Improvement Plan to address these weaknesses.

#### **Teachers Workload Agreement**

The Committee has commented on a number of policy initiatives as reflected in the summary of activity above. One item to which it has paid particular attention is progress in implementing the National School Workforce Remodelling Programme: a National Agreement designed to start the process of reducing excessive workloads for teachers and enabling them to focus on their professional responsibilities. The Agreement is a high

priority for the Government. The three-year programme moves into its final phase in September 2005. It is expected that the reduction in teacher workload and the ensuing improvement in work-life balance will contribute significantly to improving pupil achievement across all Key Stages.

The Committee has received a series of reports on this matter monitoring the Authority's progress in implementing the Agreement and drawing a number of concerns to the attention of the Cabinet Member and officers.

## **ENVIRONMENT SCRUTINY COMMITTEE**

### **What the Committee does**

The Committee discharges the statutory scrutiny function in relation to the Environment and Highways and Transportation Programme Areas. This includes amongst other things environmental promotion and protection issues and waste management as well as highways and transportation issues.

### **Meetings**

The Committee met formally 7 times during the reporting period. In addition Committee Members have engaged in a number of informal Review Group meetings.

### **Activity Summary**

The Committee's remit affords it an opportunity to address a range of issues of direct interest to the Council's partners and the public.

The Committee's activity has included:

- Regular performance management and review reports on the capital and revenue budgets and human resources and performance indicators, including progress in relation to Good Environmental Management (GEM) performance measures, and Herefordshire Plan Ambitions
- Consideration of a range of policy development and review issues: including the Second Local Transport Plan, policy for allocating bus service subsidies and the level of passenger use, and in-depth reviews of the Council's parking strategy and policy on polytunnels.
- Regular reports on progress in implementing the Improvement Plans of Best Value Reviews, which have been undertaken.
- Scrutiny of the Highways Agency's management of Trunk Roads in Herefordshire.

### **Commentary**

The Committee would like to highlight in particular the matters set out below.

## Review of Code of Practice for Use of Polytunnels

It immediately became apparent that the review of the use of Polytunnels for agricultural purposes would be high profile, generating considerable public interest and engaging the attention of both local and national media. The use of Polytunnels has featured as a storyline on the BBC Radio 4 programme: The Archers and even led to the production of a play: Strawberry Fields. The BBC Money Programme also had a special programme on strawberry production: The Secret Life of the Strawberry



The increasing use of polytunnels in Herefordshire involves a range of issues including striking a balance between sustaining the agricultural industry, a significant part of the Herefordshire economy, whilst protecting the landscape of Herefordshire, which brings the economic benefits of tourism supporting a number of local businesses, and the interests of the wider public.

Cabinet had agreed in February 2003 to adopt a voluntary code of practice to control the use of polytunnels in Herefordshire. The agreed policy provided for the operation of the voluntary code to be reviewed after 12 months. It was agreed that the review should be conducted by the Environment Scrutiny Committee, which appointed a Review Group to carry out the Review.

A good response to requests for evidence was received. Two public meetings of the Review Group were held generating public attendance of 30 and 65 respectively and a significant quantity of written submissions were received from both objectors to and supporters of the Code. This provided the Review Group with a clear indication of the level of public interest involved, the strength of feeling on both sides and a considerable amount of evidence to inform the review.

Some of the key issues raised in the Review included economic and tourism issues, the economic benefit to growers, visual effects, including the effect in particular on the Wye Valley Area of Outstanding Natural Beauty, the effect of polytunnels on the environment, the distance polytunnels were sited from neighbouring properties, the use of landscaping and the potential for using less intrusive plastics.

### Outcome

The Review concluded that having considered the body of evidence presented to it a revised Voluntary Code of Practice for the Use of Polytunnels in Herefordshire should operate.

The Cabinet Member thanked the Working Group and the Committee for undertaking the Review and commented that it had been an excellent example of the benefits which could be delivered by the scrutiny review process.

Cabinet subsequently accepted the findings and recommendations of the review and adopted the revised Code of Practice with minor amendments and agreed that the Code of Practice should be reviewed every two years or earlier if the legal position dictated, with an annual update to Cabinet and the Scrutiny Committee.

statement; the importance of project planning and setting a realistic timetable. It reinforced the need for adequate, meaningful background information to be available at the start of the review, the importance of keeping the public informed and where appropriate involved; and the importance of an effective media strategy. It also demonstrated the importance of good

chairing skills to encourage those participating in the review to contribute, to ensure that all the options were fully explored, and to drive the review forward.

## **Parking Strategy**

In October 2003 the Committee called-in the decision of the Cabinet Member (Highways and Transportation) on new car parking charges halting its implementation. The Committee questioned the Cabinet Member closely on his decision and referred his decision back to Cabinet recommending in addition that the parking strategy should be reviewed. The Cabinet confirmed the original decision of the Cabinet Member on charges but agreed that there should be a review of the car parking strategy.



The Cabinet Member invited the Committee to conduct the review and report back to him. The Committee accepted this invitation.

The Parking Review aimed to examine the effect of the current policy and consider whether there was a need to revise the policy in the light of views expressed by stakeholders, current Government policy and the implications of operational matters. The key aim was to enable the development of a robust parking strategy for inclusion in the second Local Transport Plan that had wide understanding and general support from Members and local stakeholders.

The Review Group considered a wide range of information relating to the operation of the parking service and consulted stakeholders. This enabled Members to gain a closer understanding of the current policy and the opportunities for improvement.

The Cabinet Member (Highways and Transportation) thanked the Committee for undertaking the review.

### **Outcome**

The final report of the review recommended a number of suggestions for improving the current parking strategy.

These recommendations were taken into account in developing the LTP strategy and a revised Parking Strategy is to be included in the Local Transport Plan.

The review generated considerable public interest and was front page news in the Hereford Times. However, the newspaper focused on the suggestion in the review report that the Cabinet Member consider the withdrawal of the parking concession for pensioners. The review had found that Herefordshire was the only Authority in the Midlands Area offering this type of concession and that the scheme cost the Council an estimated £100,000 per year in lost car parking revenue.

This generated interest in the role of Scrutiny Committees, with a report the following week explaining the role and powers of Scrutiny Committees and the fact that the Committee was making recommendations not decisions. This experience again highlighted the benefits of an effective media Strategy for Scrutiny.

## Scrutiny of the Highways Agency

Trunk roads in Herefordshire, which are managed by the Highways Agency, represent only 3% of the total highway network but approximately 23% of all personal injury accidents occur on them. The accident rate on several sections of the A49 is above the national average for the class of road. Accidents in the Ashton and Wellington areas in particular had generated considerable public concern, reinforced by Local Members.



In view of the local concern and impact on the local communities the Highways Agency was requested to appear before the Committee to answer questions.

A special meeting of the Committee was held at which representatives of the Agency explained the Agency's role and responsibilities; what the Route Management Strategy for the A49 sought to achieve; the recent improvement schemes which had been implemented and the schemes still under development.

Members questioned the Agency on strategic matters concerning the A49, M50, A40 and A465, and localised issues, principally at Ashton and Wellington, raising a number of concerns. Amongst these were the apparent mismatch in the availability and use of statistics, particularly to meet government targets. It was suggested that this issue should be highlighted to the Government in the Council's revised Local Transport Plan. The Agency indicated that it would be happy to discuss issues during the drafting of the Plan.

Prior to the meeting a petition was presented by Ashton residents to the Highways Agency concerning road safety at Ashton. This reflected the public concern about this issue to which the Committee had responded.

This is considered a good example of how the actions of an external agency with a significant impact on the County can be scrutinised and improvement sought.

### Outcome

The Committee has noted that arising out of the exchange of views with the Highways Agency the regular planned meetings between officers and the Agency will now take on a broader remit taking account of the public concerns the Committee highlighted to the Agency. It is hoped that this will lead to swifter resolution of accident problems on the trunk roads of Herefordshire.

The Committee plans to keep the matter under review.

## SOCIAL CARE AND HOUSING SCRUTINY COMMITTEE

### What the Committee does

The Committee discharges the statutory scrutiny function in relation to the Social Care and Strategic Housing Programme areas including scrutiny of related joint working arrangements, having regard also to links with the Herefordshire Partnership, the Health and Care Partnership and the Health Scrutiny Committee.

## **Meetings**

The Committee met formally 4 times during the reporting period. In addition Committee Members have engaged in a number of informal Review Group meetings.

## **Activity Summary**

The Committee's activity has included:

- Consideration of the policy relating to respite services for people with learning difficulties, a policy on relationships for young people in the Council's care, and work on Home Care and Supported Housing for people with mental health problems.
- Reviews of Home Support Services for Older People, and of Accommodation Housing and Housing-Related Support needs of People Experiencing Severe and Enduring Mental Health Problems
- Regular performance monitoring and review reports, with particular attention being paid to the action being taken to reduce the overspend on the revenue budget, consideration of national inspection arrangements and performance locally in relation to these inspection areas, the outcome of an inspection of the Council's fostering service and the design of adoption and fostering services in response to the inspection and a Best Value Review, consideration of the Supporting People programme and a report on the outcome of two serious case reviews commissioned by Herefordshire Area Child Protection Committee (ACPC) into the actions of Social Care and other agencies in respect of the care of two Children.
- Completion of the Best Value Review of Services for people with a Physical Disability.

## **Commentary**

### **Policy Reviews**

The Committee developed its approach to its work last year by establishing review groups, consisting of Members of the Committee, to look at the following key service areas: Older People, Children and Mental Health. Members met informally to receive presentations on each of these areas. They then identified Home Care and Supported Housing for people with Mental Health problems as subjects for in-depth review.

### **Review of Home Care**

The provision of Home Care is a key issue for Service Users, Members, the Council and the Government and provided an opportunity for the Committee to make a distinctive difference to service delivery.

The review examined the support provided to older and physically disabled people to live at home, with particular reference to the Home Care Service. The review's aim was to provide guidance on how home support could be improved in order to support the increasing numbers of older people who will need services in the future. A total of £24m per annum is

spent on the care of older people in the County. This is approximately 44% of the Social Care budget.

The Review gathered evidence on the importance of interlinking between the responsibilities of health and social care agencies and the need for services for older people to be well coordinated and planned. It also identified the importance of ensuring that there was an adequate staffing resource through joint working with partner organisations.

### **Outcome**

The review concluded that there was a need for an inter-agency, overarching strategy for well-being and better ageing in Herefordshire, the need to explore better ways of sharing resources for better outcomes for older people, and the need for a home care workforce strategy to be developed with independent sector involvement. The Cabinet Member accepted these recommendations which will support Service Development Plans.

A particular feature of the review involved Councillors work shadowing staff who provide home care services. Members serving on the Review Group found this particularly informative, enhancing their understanding of the complexity of the issues staff faced and the pressure placed upon them.

### **Supported Housing for People with Mental Health Problems**

The provision of supported housing for people with mental health problems has a high level of national priority and is of interest to the Council and the Community. The purpose of the review was to examine the accommodation, housing and housing-related support needs of people who experience severe and enduring mental health problems and to establish current provision for this group and any gaps or blockages that exist.



Evidence to inform the review was gathered through a series of themed events adopting a participative approach. Exploration of the Service User perspective in terms of housing and support for people with mental health problems formed an important element of the process and the Review Team found this to be a very positive and informative experience. The Review also received information directly from providers of services to support people with Mental Health problems.

The role of the Supporting People Programme in Herefordshire was also examined. The Programme was highlighted as promoting the independence and social inclusion of vulnerable and disabled people through the provision of housing-related support services that enabled people to maintain and sustain their tenure.

In Herefordshire, over 250 people with mental health problems currently receive support from Supporting People funded services and prior to the implementation of the programme nationally, supported housing had been delivered on an ad hoc basis with little or no reference to strategic relevance, quality checks or controls.

### **Outcomes**

The Review noted in particular the extreme shortages of appropriate affordable accommodation for this user group and the importance of inter-agency co-ordination and co-operation.

The Group's recommendations, which were accepted by the Cabinet Member, highlighted the completion of a Mental Health Housing Plan to be an essential

## **Supporting People Programme**

Following the outcome of an Inspection by the Audit Commission early in 2004 the Committee has continued to monitor and review progress on this Programme throughout the year.

This significant Programme provides a wide range of supported housing services to vulnerable/disabled people including people who experience mental health problems, people with a learning disability, women fleeing domestic violence and the homeless. In total there are 20 different client groups identified as eligible under national guidelines.

Grant in 2003/04 was £7.5 million. The Programme is administered by the Council through a working partnership between the Council's Social Care and Strategic Housing Directorate, the West Mercia Probation Service and Herefordshire Primary Care Trust.

The Committee has noted that one of the Cabinet Member's stated priorities for 2005/06 is to urgently address the Supporting People Programme given the prospect of a significant reduction in funding as a result of proposed changes to the grant distribution formula.

The Committee will keep the Executive's actions under scrutiny.

## **Best Value Review of Services For people with a Physical Disability Aged 18-64**

The Committee also conducted a Best Value Review of Services for people with a Physical Disability. Innovatively the review was co-chaired by an independent Chairman and a Service User. The Review Team emphasised the way in which service users had been involved in all aspects of the Review's activities.

### **Outcome**

The Review highlighted a wide range of issues where improvements could be made involving service redesign. A number of other more incremental improvements were also identified. These will need to be addressed by the Executive in preparing an Improvement Plan.

## **Presentation by Cabinet Member (Social Care and Strategic Housing.)**

The Committee invited the Cabinet Member to explain to the Committee what had been achieved since her previous report in September 2003 and her main priorities for 2005/06. The Cabinet Member commented in particular on the work which had been undertaken to manage the social care budget, the effect this had had on services and the need for additional investment in future years to meet the significant demand for services. The Committee's support in seeking to ensure effective service delivery was welcomed.

## **SOCIAL AND ECONOMIC DEVELOPMENT SCRUTINY COMMITTEE**

### **What the Committee does**

The Committee discharges the statutory scrutiny function in relation to the Social and Economic Development Programme Area.

### **Meetings**

The Committee met formally 5 times during the reporting period. In addition Committee Members have engaged in several informal Review Group meetings.

### **Activity Summary**

The Committee's activity has included:

- Holding the Executive to Account: Presentations by Cabinet Members for Community and Social Development, Rural Regeneration and Smallholdings, and Economic Development, Markets and Property.
- Regular performance monitoring and review reports on performance indicators, revenue budget, sickness absence, Herefordshire Plan Ambition Groups, Staffing Numbers, progress on Youth Service performance and the outcome of the reinspection by the Adult Learning Inspectorate of Adult and Community Learning provision.
- Progress on implementing the Best Value Review of Tourism Services Improvement Plan, Monitoring of Best Value Review Improvement Plans and progression of the review of Council support to the voluntary sector.
- Consideration of policy relating to the range of external funding programmes benefiting Herefordshire, ending of the Single Regeneration Budget Scheme for South Wye, the ending of Creative Industries and Tourism Enterprise Programmes, Parish Council liaison, the future use of libraries in Herefordshire, reviewing funding for festivals following up on the in-depth review undertaken in the previous year, further considering the economic position of Hereford City, reviewing funding for the Courtyard Centre for the Arts and following up on the Review and the possible pedestrianisation of Widemarsh Street, Hereford.

### **Commentary**

## Courtyard Review



The purpose of the Review was to examine Herefordshire Council's funding contribution to The Courtyard Centre for the Arts, owned by the independent Courtyard Trust, and to consider how best to strike a balance between sustaining a key arts facility and the benefits to the wider community.

The review's aim was to provide guidance to the Cabinet Member (Community & Social Development) on the Council's future involvement with The Courtyard.

The Courtyard is a multi-purpose arts centre, which provides a mixed and diverse arts programme on a year round basis. It offers a wide range of entertainment and activities catering for a cross section of the community.

The Centre plays a central role in the cultural provision for Herefordshire and is a catalyst for the arts generally within the County. It is widely considered as an essential part of the quality of life within the County by its users.

A wide range of education and outreach services are undertaken by The Courtyard working with schools, colleges and community groups throughout the County. This work is key to enabling and encouraging arts related educational activities and increasing accessibility to the arts within the community.



In common with other key arts facilities, The Courtyard makes a significant contribution to the local economy.

The review entailed a thorough review of The Courtyard's funding and financial performance, a review of the financial contributions Herefordshire Council makes to The Courtyard, an assessment of the range of work and benefits provided by the venue, and consultation with 39 key stakeholders, including Cabinet Members and user groups, making recommendations with regards to the Council's future involvement with The Courtyard and suggestions for improving the venue's financial performance,.

The total cost of the Council's support to the Courtyard in the 2004/2005 was £450,694, paid from the Council's Arts Service which has a total revenue budget of £522,116. This level of funding is based on the scale and scope of the services The Courtyard provides, and also its strategic significance and role within the County. The Herefordshire Council grant helps give confidence to other organisations such as the Arts Council to invest in the facility.

### Outcomes

The Committee made a number of recommendations relating in the Council's financial contribution and made suggestions for additional income generation measures. It proposed that The Courtyard should be offered an interim 1-year funding agreement from March 2005, while proposals for additional income generation and improved financial viability were progressed.

It also proposed that The Courtyard be invited to report back to the Social and Economic Development Scrutiny Committee in November 2005 to provide an update on the

The Committee held a follow-up meeting with representatives of The Courtyard Board to discuss the outcome of the review and the Review Group will be reconvened later in 2005 to make a further report to the Committee on the position.

One element thought to be lacking in the review was that, due to the time constraints set for the Review, it was not possible to undertake benchmarking of The Courtyard against other venues and analyse comparative data.

This was a high profile review which generated significant public and media interest. Media coverage was on the whole well managed and positive. This aspect was made more difficult however because of negative media coverage during the Review surrounding the Council's budget prioritisation exercise which also included The Courtyard.

In line with findings from other reviews the exercise suggested that guidance and procedures for managing media aspects of reviews could be prepared. Further work is required to ensure that the media understand the scrutiny process and role within the Council so that this is reflected in their reporting.

It was also suggested that the timing of reviews should be managed to try and avoid conflict with other key issues such as the budget prioritisation exercise. This would help manage media coverage and avoid public confusion on issues being considered.

### **Festivals Review**

The Council supports a number of Festivals throughout Herefordshire. The focus of the Festivals varies as does the level of direct support and in kind support the Council makes available. Following issues and concerns raised by festivals which took place in 2003, mainly around funding and investment, a review of Festivals was conducted.

The objective was to "give guidance to the Cabinet Member (Community and Social Development) to find common solutions to investment requirements of festivals taking place in Herefordshire."

The review recommended in outline that, subject to scaling down of the Ross-on-Wye International Festival, to ensure its long term viability, an appropriate amount of funding should be considered for its survival, noting that this could be combined with exploring alternative ways of managing the Festival; Town Council involvement and support for festivals, specifically in Ross-on-Wye should be encouraged; formal, regular meetings should be facilitated between the festivals to address options for sharing resources in areas

such as marketing, box office and administration, and to exchange ideas and share good practice; that common performance indicators and measures of success should be established with the festivals based on qualitative and quantitative data, and that local authority funding should be provided through three year service level agreements, as opposed to annual grants. It was also recommended that consideration be given to supporting the infrastructure on which festivals depend – e.g. a direct rail link from Birmingham Airport to Hereford, increased public transport schemes to support festivals.

The Cabinet Member agreed that all the recommendations in the report should be pursued.

In reviewing progress the Committee noted the view that the Review had resulted in greater co-operation between festivals in the County and in the exchange of ideas and good practice. It was therefore extremely disappointing to learn in September 2004 that, despite the Council's best efforts, the Ross-on-Wye International Festival had become insolvent.

### **Consideration of the Economic Position of Hereford**

A special meeting of the Committee was held in the City Centre in January 2004 to consider the economic position of Hereford City. This was prompted by the fact that 2003 had proved a difficult year for the local economy of the City with job losses at Bulmers following its takeover, reductions in the labour force of other well established businesses in the manufacturing sector; the impact of the outbreak of Legionnaires disease in November 2003 and a lack of success with a number of applications for external funding.

The meeting provided an opportunity for representatives of the business community in the City Centre to give evidence to the Council on the economic impacts of recent events and to make suggestions about initiatives that could be undertaken to improve the situation.

The issues raised at that time were considered further by the Committee at its meeting in February 2004. The view was that the meeting had generated a useful and constructive debate and had identified a number of key issues.

#### **Outcomes**

The key issues identified included the importance of local management in addressing recent crises such as Foot and Mouth and the Legionella outbreak and tackling them effectively; the need for the public, private and voluntary sectors in the City to work in a more co-ordinated fashion to promote the County and City as a shopping and visitor location; the need to provide additional capacity/resource to the Hereford City Partnership to enable it to properly fulfil such a co-ordination role in the City Centre; the need to review the range/impact of activity in and around High Town such as Street Trading, Farmers Markets and Fair rides and the importance of the success of the wider economy of the City in driving up income levels, which would support expenditure in the City Centre; and, in particular the essential requirement for a Rotherwas Access Road to ensure the competitiveness of the large number of businesses on Rotherwas Industrial Estate.

These findings were reported to Cabinet Members to assist them in formulating policy. Since then the relevant Cabinet Members have met on a monthly basis as the Economic Development Liaison Group to guide progress.

number of initiatives were underway.



### **Future use of Libraries**

The Committee took the opportunity to discuss the

future use of libraries in Herefordshire with Members of the Hereford Libraries user Group. The Group's membership represents a cross-section of the community who monitor, support and help their local libraries. The Committee intends to hold a further meeting with the Group to help contribute to the development of a new Strategy.

### **Pedestrianisation of Widemarsh Street (South)**

In response to a Cabinet proposal to pedestrianise part of Widemarsh Street Hereford, the Social and Economic Development Scrutiny Committee established a Review Group, to consult key stakeholders who would be affected by the Council's proposals.

The scheme was proposed following public comments on the perceived improvement of the City centre atmosphere when Widemarsh Street was closed to traffic (from Blueschool Street to High Street) during essential gas maintenance works by Transco during the summer of 2004. A wide ranging and thorough consultation was thought to be necessary before the implementation of any permanent scheme after the problems experienced in the aftermath of the previously unsuccessful traffic reversal scheme in the City.



The evening meeting was held in the Green Dragon Hotel, Hereford and was well attended. Approximately 40 members of the public were present and they were invited to comment and ask questions. Invited stakeholders included a representative from a group representing people with disabilities, local and national retailers, the Police and a taxi driver's representative.

The invited representatives and public provided the Review Group with a wide range of comments and suggestions, which were fed into the overall consultation within the Environment Directorate. The pedestrianisation scheme was approved by Cabinet and is currently being trialled until January 2006 when the scheme is to be reassessed by the Scrutiny Committee amongst others.

The meeting was well reported in the press, with the Hereford Times dedicating half a page to a report on the meeting, including quotes from Councillors, key officers and members of the public.

The Hereford Journal also carried an article that quoted a person describing the meeting as 'a sham', suggesting that the decision to trial the pedestrianisation scheme had already been taken prior to the conclusion of the public consultation. This again demonstrates, as identified elsewhere in this report, the importance of developing an effective communication strategy for Scrutiny work.

### **Presentations by Cabinet Members**

The Committee again invited Cabinet Members with responsibility for the areas covered by the Committee to account for activity in their Programme Areas. The Cabinet Members for Community and Social Development; Economic Development, Markets and Property, and Rural Regeneration and Smallholdings presented reports on progress during the previous year and challenges to be faced in the year ahead

This was informative providing a means of holding the executive to account and helping to strengthen links between the executive and the scrutiny function.

## **SCRUTINY DEVELOPMENT WORK**

The following development activities have taken place:

- a session on questioning skills
- a session on Chairing skills
- The Members Development Working Group held a workshop in response to a request from newer Councillors for more development work on scrutiny. The Group has identified the need to ensure greater emphasis on scrutiny development work as part of future induction programmes and on an ongoing basis.

There remains further scope to draw on best practice from a range of sources including both the West Midlands Region Overview and Scrutiny Network and the Centre for Public Scrutiny.

It was reported last year that a series of indicators had been put in place to try to measure the function's development. The mechanisms for collecting this information were not as robust as they could have been and measuring the function's development will require further work.

## **Further information**

If you require any further information about the Scrutiny Committees or any of the current reviews, please contact Members Services by e-mail, phone or post:

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# Herefordshire Council Health Scrutiny Committee Annual Report 2004/2005

- ...**Putting** people first
- ...**Preserving** our heritage
- ...**Promoting** our county
- ...**Providing** for our communities
- ...**Protecting** our future

*Quality life in a quality county*

## **FOREWORD**

In scrutinising the Herefordshire Primary Care Trust (PCT) the Committee is faced with a task of scrutinising an organisation of roughly the same size as the Council itself. When to this responsibility one adds the responsibility for scrutinising the Hospitals Trust and the Ambulance Trust, and forging links with the Patients Forums the scale of the task facing the Health Scrutiny Committee is thrown into relief.

The Committee has sought to discharge its responsibility professionally. It is conscious of the particular responsibilities placed upon it and mindful that it can seek to fulfil these effectively by developing and maintaining good working relationships with those whom it has to scrutinise. The Committee is grateful for the considerable assistance provided to it by Health partners in engaging with its challenging task.

**Councillor WJS Thomas**  
**Chairman of the Health Scrutiny Committee**

# HEALTH SCRUTINY ANNUAL REPORT 2004/2005

## What the Committee does

The Committee can review and scrutinise any matter relating to the planning, provision and operation of health services affecting the area and make reports and recommendations on these matters. Its role is to focus on health improvement bringing together the responsibility of the Council to promote social, environmental and economic well-being and the power to scrutinise local services provided and commissioned by the National Health Service.

## Meetings

The Committee has met formally 5 times during the reporting period. In addition Committee Members have engaged in a number of informal meetings.

## Background

The Health Scrutiny Committee's role is different in some respects from that of the other scrutiny committees, with additional statutory responsibilities being placed upon it. Importantly the responsibility for responding to proposed substantial variations in services by local health bodies rests on the Committee itself rather than the executive.

The Committee's role requires it to form good working relationships with health partners. The Committee has sought to maintain these during its work and to ensure that the aims and objectives of the Committee and the role it intends to perform are understood and accepted. Every effort has been made to demonstrate that the Committee wants its impact to be positive and focused on health improvement. At the same time it has made clear that in making its evidence based recommendations not all may be to the NHS Trusts' liking.

The Committee's activity has included:

- Receiving a presentation from the Chief Executive of the Primary Care Trust (PCT) on the executive summary of the PCT's Local Development Plan: "A Strategy for Success: a Statement of Intent."
- Considering the Director of Public Health's Annual Report and questioning him upon it.
- Receiving briefings from the Director of Development at the Primary Care Trust on the development of the Local Delivery Plan, provision of NHS Dental Services and Primary Care Led Commissioning.
- Completing a Review of the outbreak of Legionnaires disease in Hereford City.
- Receiving a Presentation by the Hereford Hospitals Trust on the national initiative aimed at reducing waiting times.
- Considering arrangements for scrutinising the provision of cancer services in conjunction with neighbouring authorities.
- Approving scoping statements for a review of the health service-wide communications strategy and procedures to assess their effectiveness and to comment on the contribution they make to good morale; and a review of Emergency Care Access.
- Working to develop a protocol to manage working arrangements between the Committee and the Patient and Public Involvement Forums and received a report on the work plan

of the Forum for the Primary Care Trust.

- Considering arrangements for responding to proposals for service development and variation by local NHS bodies.

### **Commentary**

The Committee would like to highlight in particular the matters set out below:

### **Review Of The Management Of The Legionnaires Disease Outbreak In Herefordshire**

An outbreak of legionnaires' disease was declared in the City of Hereford on 6th November 2003. It took almost a week of intensive case finding and environmental investigation before the likely source was identified and by the time the outbreak was declared over on Monday, 8th December 2003 there had been a total of 28 associated cases and 2 deaths. The outbreak attracted national media coverage.



The Committee considered that it had a responsibility on behalf of the Community to review the response to the outbreak. In doing so it acknowledged that this review would be complementary to and not a substitute for the more detailed review which was being undertaken by NHS bodies and others. It delayed undertaking the review until receipt of a report on lessons learned from the outbreak prepared by the Health Protection Agency (HPA), recognising that this would be a key piece of evidence for the Review. This meant that the Review was completed in July 2004.

The Committee focused on the following areas:

- The role of the Health Protection Agency and chronology of events from the diagnosis of the first case in Herefordshire through to the winding up of the special management arrangements put in place;
- The actions taken by the Primary Care Trust to manage the outbreak;
- The actions taken by the Council's Environmental Health service to identify the source of the outbreak;
- The arrangements put in place in order to communicate with the public via the media.

The Committee questioned representatives of the Health Protection Agency, Herefordshire Hospitals NHS Trust, the Council's Chief Executive and the Council's Environmental Health Service. The Committee had also received a letter from Mr Paul Bates, the Chief Executive of the Herefordshire Primary Care Trust (PCT), reflecting on his personal experience as a Chief Executive tackling his first major public health challenge. Evidence was also received from the Chairman of the Primary Care Trust's Professional Executive Committee and the Secretary to the Local Medical Committee.

### **Outcomes**

The Committee's report made a number of recommendations to the Council and to its partners, the Primary Care Trust and the Health Protection Agency both on the overall management arrangements for dealing with outbreaks of serious diseases such as legionnaires and the specific roles of the Primary Care Trust and the Council's

The Committee would particularly wish to emphasise its first finding. This was that first and foremost that the agencies agreed that the outbreak had essentially been well handled. The Committee welcomed this and congratulated those involved on their professionalism.

### **Review of Annual Report of the Director of Public Health**

The Director of Public Health for Herefordshire is required by statute to produce an independent Annual Report on Health in Herefordshire. This reports on health issues in the County and makes a series of recommendations. The Government's guidance suggests that this report is one of the sources which might be used by the Committee to inform the identification of local priorities to be scrutinised.

The 2003 annual report also contained a review of progress on previous year's recommendations affording the Committee the opportunity to look at the extent to which the recommendations had actually influenced the policy and decision making of public agencies within the County.

The Director of Public Health for Herefordshire presented the Annual Report to the Committee. The Committee questioned him at length and sought and received assurances from him on a number of matters.

The Committee was pleased to note that the external audit of the Annual Report had said that, in line with the assessment of previous years' reports, the report was a good one. It was noted that whilst the report was submitted to the Government the intention was that the messages contained within it would be read and acted upon by the public. The Committee has suggested that an executive summary would make the Report more accessible and help fulfil this intention.

The Committee found scrutiny of the annual report an informative and productive exercise and has made provision in its work programme to interview the Director of Public Health on next year's Annual Report.

### **Herefordshire Primary Care Trust – A Strategy for Success – A Statement of Intent**

The Committee received a presentation from the Chief Executive of the Primary Care Trust on the executive summary of the PCT's Local Development Plan: "A Strategy for Success: a Statement of Intent" which had recently been published.

The Strategy had been produced by the Chief Executive of the PCT in response to the number of national health initiatives currently underway. It sought to clarify the policy context within which the PCT was working, described the PCT's role and key functions, and commented on the current main NHS reforms and the main issues which needed to be addressed in the local health agenda.

The Committee had a detailed discussion on the many significant issues raised within the Strategy including:

- The requirement that the PCT must offer more choice to patients about the type of care they received and where they received it from, and support the development of a market place which included a greater range of high quality providers.
- The Government's intention that large volumes of services should be procured from the private sector, and the question of how such services were to be accessed in Herefordshire.
- The need to prepare for the implementation of the Payment by Results Scheme, under which national tariffs would be set for procedures and treatments and providers paid in accordance with the tariff for the number of patients treated.
- The implications of the introduction of Practice Led Commissioning, under which GP practices, from 1 April, 2005, had the right to have budgets and commission services for their patients, and the need for the PCT to have appropriate risk management arrangements in place.
- The further organisational changes associated with the Children Act and signalled in the Government's Green Paper: "Independence, Well-being and Choice: Our Vision for the Future of Social Care for Adults in England".
- The focus on Public Health and the Government White Paper: Choosing Health – Making Healthy Choices easier, and in particular improving the health of children and growing a healthy nation, and the need for the PCT and the Council to review resources committed to improving Public Health and how, through closer integration, they might achieve even more effective outcomes.
- The increased regulatory and inspection framework within which the PCT had to operate.
- The consideration being given to whether PCTs should themselves provide services noting that Herefordshire PCT was a major provider.
- The discussions at national level about NHS structures and the suggestion that PCTs should be co-terminous with local authority areas. In this regard whilst the PCT recognised the benefits of co-terminosity with Herefordshire Council it was noted that others might choose to focus on the fact that the Herefordshire PCT as a commissioning body only would be one of the smallest PCTs in the Country.

The Chief Executive of the PCT emphasised the importance of working closely with the Council to improve the health of people in Herefordshire.

#### **Outcome**

The presentation by the Chief Executive was particularly helpful and informative. The Committee recognised the scope for it to reinforce the PCT's message about the particular circumstances facing the delivery of health services in Herefordshire. It also sees that there is a role in supporting the PCT in seeking to have regard to the local context in responding to national initiatives so as to derive the maximum benefit for Herefordshire.

The Committee will monitor the progress of the PCT, the Council and other partners in responding to the various current health initiatives.

#### **Relationship With Patient And Public Involvement Forums**

In addition to creating powers for Health Scrutiny Committees the Government's arrangements for patient and public involvement in health provided for the establishment by each local NHS Trust of a Patient and Public Involvement Forum (PPIF).

Close working relationships need to be developed between the Committees and the Forums. The Forums can refer issues to Health Scrutiny Committees and Committees are required to take account of relevant information provided to them by a Forum. .

The Committee has met informally with representatives of the Hereford Hospitals Trust Patient and Public Involvement Forum, the Herefordshire Primary Care Trust Patient and Public Involvement Forum and the Hereford And Worcester Ambulance Trust Patient and Public Involvement Forum.

It has also been working with the Herefordshire PCT PPIF to develop a protocol for working together to foster effective health scrutiny and patient and public involvement in Herefordshire.

Uncertainty has been created by Government announcements of changes to the system for patient in public involvement in health.

The Committee will monitor the implications of these developments on its own role and responsibilities.

(\*photograph provided by kind permission of Hereford Hospitals NHS Trust)

## Further information

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