

Scrutiny Board

Minutes - 30 May 2017

Attendance

Members of the Scrutiny Board

Cllr Stephen Simkins (Chair)
Cllr Ian Angus
Cllr Jasbir Jaspal
Cllr Louise Miles
Cllr Peter O'Neill
Cllr Arun Photay
Cllr Zee Russell
Cllr Linda Leach
Cllr Alan Bolshaw

In Attendance

Cllr Sandra Samuels

Employees

Mark Taylor	Director
Julia Cleary	Systems and Scrutiny Manager
Neil White	Scrutiny Officer
Brendan Clifford	Integrated Project Director
Tim Johnson	Strategic Director - Place
Greg Bickerdike	Graduate Management Trainee
Jaswinder Kaur	Democratic Services Manager

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies for absence were received from Councillors Paula Brookfield and Jacqueline Sweetman. Councillor Alan Bolshaw attended as a substitute for Councillor Rupinderjit Kaur.
- 2 **Declarations of interest**
There were no declarations of interest.
- 3 **Minutes of the previous meeting**
Resolved:
That the minutes of the meeting held on 25 April 2017 be approved as a correct record and signed by the Chair.

4 **Matters arising**

Councillor Jasbir Jaspal referred to Scrutiny Arrangements in relation to the West Midlands Combined Authority on page 5 from the minutes of the previous meeting and inquired as to who the chair of the West Midlands Combined Authority Scrutiny Committee would be.

The chair stated that to date a chair had not been appointed, however it was his understanding that the opposition party to that of the West Midlands Mayor would appoint a chair.

5 **Schedule of Petitions Annual Update 2016 to 2017**

The board received a report on the Schedule of Petitions, the report detailed actions taken in relation to petitions received in the last municipal year.

The board requested a status update on the petition regarding fly-tipping in Blakenhall. Julia Cleary clarified the petition required a response by 12 June 2017 and was currently pending, Environmental Health would respond by the deadline.

The board remarked that the Schedule of Petitions was helpful and that the practice be continued and increased in frequency to six-monthly updates. The board inquired as to whether ward members were automatically and routinely advised of petitions affecting them. Julia Cleary advised that ward members were informed when petitions were received, but would check with the relevant officer if ward Councillors were advised of the outcome of the petitions.

Resolved:

1. That the actions taken in relation to all petitions received by the council during the last municipal year be noted.
2. That it be agreed that the board receive a six monthly update report detailing actions taken in relation to all petitions received by the council.
3. That ward members be automatically notified of the outcome of petitions affecting them.

6 **People Directorate Commissioning Strategy**

Councillor Sandra Samuels and Brendan Clifford presented the draft People Directorate Commissioning Strategy for the board to comment on before final submission to Cabinet for approval.

Councillor Sandra Samuels highlighted that the strategy brings together a wide range of transformational activity, which would guide the People Directorate through a single narrative and model. An early draft of the strategy had been shared with Ofsted who reacted positively. The strategy addresses the needs of the community, assisted by the reorganisation of the commissioning unit. Councillor Sandra Samuels informed the board that she was happy to answer questions, assisted by Brendon Clifford.

The board was pleased with the overall approach however raised concern in relation to the risk of non-compliance and unsatisfactory standards of service. Councillor Sandra Samuels advised that there was a quality framework that providers would be assessed against with regular inspections. Brendon Clifford added that officers had regular contact with the care homes and shared soft intelligence with the Care

Quality Commission (CQC). The cabinet member was also kept apprised of the outcome of inspections and informed of any issues.

The board noted the predicted 44.7% increase in elderly people by 2037, emphasising the need to anticipate the increase in demand.

The board queried whether there were safeguards in place if external providers withdrew for commercial reasons. Councillor Sandra Samuels stated that a team had been established in response to previous occurrences of this situation and this team distributed the individuals that the home was responsible for between other homes across the city. Brendon Clifford added there was currently an oversupply of care home provision, so there was capacity to rehouse if required.

The board queried how much notice providers were required to give for terminating their contract, Brendon Clifford responded that it was at least a month and that their duty of care would mean this was likely to be longer.

The board queried who had the power during the commissioning process. Brendon Clifford advised that the council was independent but co-operative with its partners and that the law states that all parties involved had a responsibility to integrate and work together. To this end, the council has raised its financial contribution to the cost of care.

The board queried whether there was a case to build an in-house care provision service. Councillor Sandra Samuels said that 90% of adult social care (ASC) had been out sourced and the council's increased financial contribution of £14.12/hour was still cheaper than the cost for an in-house service to be provided.

The board requested that councillors be provided with training on commissioning processes, so that councillors were well informed when dealing with public scrutiny.

The board inquired as to what consultation had been undertaken in regards to commissioning and steps taken to ensure accountable care. Brendon Clifford responded that Linda Sanders (Strategic Director of People) attended the Executive Commissioning Group and that Paul Smith (Head of Commissioning) attended the Clinical Commissioning Group (CCG) committee to provide influence and raise issues on behalf of the Council. The strategy also ensures accountability by using the relevant sections of the NHS Five Year Forward View.

The board queried whether the Strategic Sustainability Plan had been considered and how it fitted into the integrated plan. Councillor Sandra Samuels advised that the Sustainable Transformation Plan had been considered, Brendon Clifford detailed the aims of the plan and that they were a fundamental part of the Sustainable Transformation Plan.

The board raised the potential issue of a local hospital closing and the members discussed the idea of a joint meeting of several scrutiny panels, (Confident, Capable, Council, Adults and Safer City and Health). The chair specified that each panel would look at their respective area to further analyse the strategy at the conclusion of the mental health strategy review.

Resolved:

1. That the draft People Directorate Commissioning Strategy 2017-21 *Shaping Futures, Changing Lives* be submitted to Cabinet for approval.
2. That an informative commissioning workshop be provided to all councillors.
3. That meetings of joint scrutiny panels (Confident, Capable, Council, Adults and Safer City and Health) be arranged to further analyse the strategy at the conclusion of the Adult Mental Care Commissioning review.

Brendon Clifford left the meeting at 18:47.

7

Forward Plan & Risk Register

The board considered the Forward Plan and Risk Register and was requested to identify any items for pre-decision Scrutiny.

The board sought clarification on the financial threshold for key decisions in the forward plan and suggested increasing the threshold. The chair stated that it was not the remit of scrutiny to determine the threshold.

The board requested that the forward plan be populated in advance to aid pre-decision scrutiny. Senior officers were requested to follow up on this action. Tim Johnson agreed, but advised the board that more flexibility would be required for distant items on the forward plan.

The board requested that Risk Reference 3 (Information Governance) be reassessed due to the significant financial penalties for data breaches. Julia Cleary advised that Anna Zollino-Biscotti had been contacted and Information Governance would form part of the work plan for the Scrutiny Board.

The board noted that there had been an increase in the number of respondents to the budget consultation this year. The board queried whether the consultation process should be reviewed to find out about the experience consultees received and whether their views were taken on board and whether any changes were made as a result.

The board suggested that officers attend scrutiny meetings to understand how scrutiny operates and build resilience.

The board went on to emphasise the importance of post-decision scrutiny.

Resolved:

1. That the Forward Plan and Risk Register be noted.
2. That Senior Officers cascade to officers the need to populate the forward plan in advance.

The chair thanked everyone for attending and closed the meeting.