

Scrutiny - Making a Difference

Scrutiny Annual Report 2008/09



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Foreword

from Councillor Robert Iredale, Chair of Scrutiny



The Management Committee and the Scrutiny Panels have had a very productive and rewarding year. Our Annual Report shows the broad range of issues we have tackled and the successes we have achieved.

This would not be possible without the hard work and dedication of all our panel members together with support from Cabinet Members, our partner organisations, and Council officers.

Scrutiny has faced a challenging year, with changes to the Chair of Scrutiny and several of our Lead Members in January. I would like to particularly thank my predecessor, Cllr Molly Walton, for her enthusiasm and commitment as Chair of Scrutiny until January.

As we move forward into the new year, we can be proud of what we have achieved in the last twelve months. The Kirklees Scrutiny process continues to be held in high regard at a national level and we are regularly contacted by other authorities for advice and guidance.

I look forward to continuing this success in 2009/10.

R. C Iredale

Challenges for 2009 / 2010...

2009/10 will be another busy year for Scrutiny, with Panels already beginning to plan and develop their work programmes, and look forward to adding value where possible to the Council's decision-making process.

The Management Committee has identified a number of key priorities for 2009/10:

- **Holding the Executive to Account**
Providing a challenge and acting as a critical friend to the Executive
- **Performance Management**
Developing an understanding of performance management and interpretation of data
- **Implementing Legislation**
Establishing arrangements and ensuring compliance
- **Working in Partnership**
Ensuring effective scrutiny of Kirklees Partnership
- **Comprehensive Area Assessment**
Developing Scrutiny's role in respect of the CAA

To complement this, the Committee has set out a new approach to developing work programmes and each of the six Scrutiny Panels has been asked to develop their programme on the following themes:

- **Scrutiny of Cabinet Priorities**
Holding the Executive to account against their stated priorities
- **Scrutiny of Performance**
Monitoring and challenging progress against key performance indicators
- **Overview Items**
Maintaining an overview of important issues e.g. development and implementation of key strategies, legislative requirements at a local level, and previous Panel recommendations
- **Lead Member Briefing Items**
Watching brief on key issues through regular meetings with Cabinet Members, Directors and Heads of Service

Councillor Call for Action

A tool used by ward councillors to help them tackle neighbourhood problems that have been unresolved through the normal channels for a long period of time.

In Kirklees we have been developing an approach to Councillor Call for Action (CCfA) since January 2007, well in advance of the national implementation in April 2009.

We are therefore considered nationally as one of the leading authorities on CCfA and our pilot and mechanism have been included in best practice guidance created by the Centre for Public Scrutiny and the Improvement and Development Agency.

Completion of the first CCfA Review Panel

One of the issues raised during the pilot period related to crime and anti-social behaviour and intimidating behaviour towards families who were witnesses and victims of anti-social behaviour.

A CCfA review panel was established to carry out an investigation. The panel made a number of recommendations resulting in a number of positive outcomes including:

- the appointment of a Kirklees Neighbourhood Housing Victim & Witness Support Officer to liaise and build relationships and share information with partners and police;
- a review of current processes and procedures to support victims and witnesses of neighbourhood crime and anti-social behaviour across Kirklees.

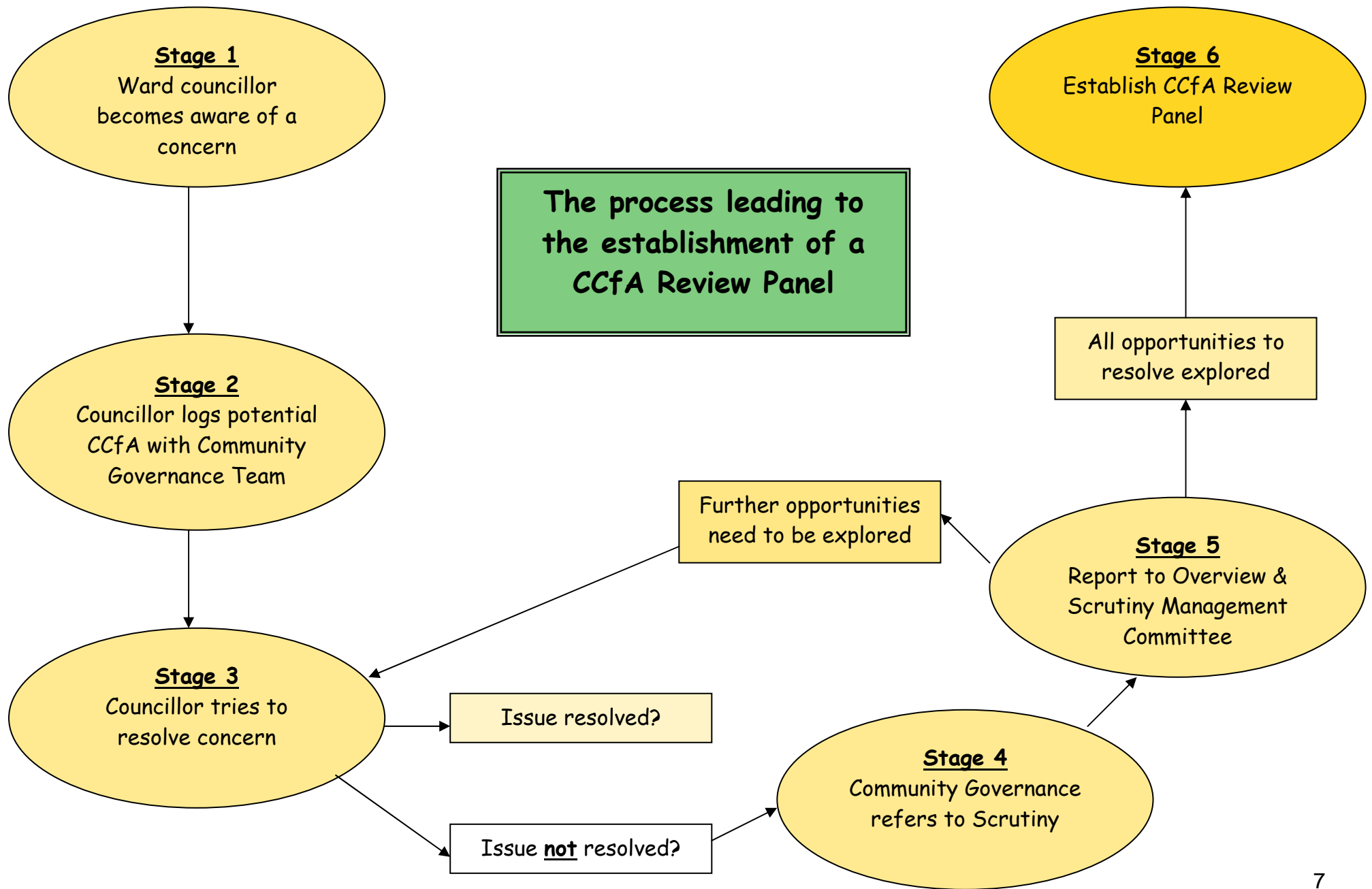
Review of arrangements

This year has seen a review of the CCfA process and the arrangements in place to support this.

The guidance provided to Councillors and officers has been reviewed and streamlined, and a diagrammatic summary has been developed to explain the process (see opposite page).

Officer support arrangements have also changed and Community Governance Officers will now be working closely with Councillors to help identify those issues that are suitable for CCfA. They will also be logging and following the progress made by Councillors in trying to resolve the concerns and will refer the issue to Scrutiny when the Ward Councillor determines that no further action can be taken.





Early Influence

Scrutiny provides an opportunity for councillors to actively influence key proposals at the development stage.

Dewsbury & North Kirklees Regeneration

The Regeneration Panel determined to further explore regeneration proposals and opportunities for development in North Kirklees, following a briefing on the Local Development Framework and the North Kirklees Strategic Development Framework. The Panel chose to focus in more detail on Dewsbury.

A number of meetings were held with officers from across the Regeneration Directorate, Highways and Transportation and representatives from Metro, the West Yorkshire Passenger Transport Authority. The Panel also undertook a site visit covering a number of areas in North Kirklees which enabled Members to witness first hand the geographical layout and gain an understanding of some of the underlying issues.

The findings were shared, at a specially convened meeting, with the Cabinet Member for Regeneration in North Kirklees, members of the Dewsbury Area Committee and the Director for Regeneration. Discussion took place on the issues raised and agreement was sought on an appropriate way forward.

Following the Scrutiny focus on Dewsbury, the Cabinet has restated its priorities to include a commitment to the town's regeneration. In addition, it has been agreed that the members of the Dewsbury Area Committee will form a steering group that will aim to put forward suggestions and ideas on how to improve and promote Dewsbury.

The Regeneration Panel are committed to continuing to review and monitor the progress of the regeneration of Dewsbury.



Notice of Concern

The Regeneration Panel has taken advantage of the Notice of Concern process to ensure that they had the opportunity to actively influence a decision due to be taken by Cabinet on the sale of land at St Andrew's Road car park.

The procedure allows Scrutiny to express concerns about a decision before it is taken, thereby reducing the likelihood of decisions being 'called in' and helping to ensure that the right decision is taken first time.

The grounds for issuing the Notice centred on the lack of consultation with ward councillors on the proposals, who were not given the opportunity to have their views included in the report to Cabinet.

Scrutiny requested that Cabinet defer making a decision to enable consultation with ward councillors; this duly happened and the Lead Member of the Panel attended a meeting with ward councillors and officers to discuss the proposals.

The intervention by Scrutiny enabled ward councillors to play an active role in influencing key proposals.



Overview & Scrutiny Management Committee

The Committee continues to maintain an active role in contributing to developments resulting from legislative requirements. Examples this year have included the requirements resulting from the Local Government & Public Involvement in Health Act 2007 - 'duty to involve, engagement and empowerment; and 'leadership and electoral arrangements'.

Scrutiny Members' involvement at an early stage enables them to influence key proposals and ensure their views are heard.

Shaping Policy and Strategy

Scrutiny provides an opportunity for councillors to actively influence key proposals at the development stage.

Age Designation Criteria

Having been presented with information about the introduction of an age designation criteria on bungalows and flats, the Safer Stronger Communities Panel expressed a number of concerns about the introduction of this policy.

The Panel was of the view that the policy, which allocates specific types of property by age, could potentially lead to the creation of silos and segregation in some communities.

The Panel was also concerned that in some areas properties for the over 60s were not being applied for.

The Panel has recommended that this policy be revisited and Scrutiny intend to be involved in generating different options ready for presentation to Cabinet for a definitive decision.



Childcare Sufficiency

Section 11 of the Childcare Act 2006 requires all local authorities to annually assess its childcare market and produce a report every three years. This assessment was first undertaken in Kirklees in 2007.

The Children & Young People Panel actively contributed to the consultation process by discussing the basis of the survey. They also challenged elements of the framework used to collate the information needed to assess the demand for childcare against the supply of childcare places. The Panel contributed a range of comments and the feedback was designed to help strengthen the processes that were followed and influence the methods used in future assessments.

The Panel's report was formally published in Summer 2008 and Cabinet acknowledged Scrutiny's contribution.



NHS Constitution

In October 2008, the NHS consulted on their proposed Constitution incorporating a set of principles and values guiding everything that the NHS does. This included a commitment to providing a comprehensive service, available to all without discrimination, and based on clinical need - not ability to pay.

Scrutiny was asked to coordinate a response on behalf of the Council, and facilitated a meeting between the Chair of Scrutiny, Scrutiny Lead Members for Adults & Healthier Communities and Health Inequalities, and the Cabinet Member with responsibility for Health.

Councillors met with representatives from NHS Kirklees and went through each question in the Consultation documents. A comprehensive response was formulated and despatched.

This is an excellent example of Scrutiny taking the lead on behalf of the Council in responding to national consultation and helping to shape policy and strategy.

Engagement with Stakeholders

Scrutiny involves a diverse range of people including experts, young people and the public to use their viewpoints and experiences to inform scrutiny work and outcomes.

Fluoridation

Scrutiny in Kirklees aims to be transparent and actively encourages members of the public and stakeholders from a wide range of organisations to get involved.

This was particularly evident in November 2008 when an Ad Hoc Scrutiny Panel was set up to look into the issue of fluoridation of the water supply. The Panel recognised that the issue of fluoridation was a complex and emotive subject and wanted to ensure that members of the public had an opportunity to express their views.

A press release was issued and members of the public were invited to submit comment through the Kirklees website, in writing or by telephone.



Housing Computer System

The Overview & Scrutiny Management Committee established an Ad Hoc Review Panel in 2008 following a request to review the procurement and implementation of a new housing computer system.

The request was forwarded by the Cabinet Member for Finance and Governance and was based on concern that the implementation of a new system could have a negative impact on important housing measures and service delivery.

The Panel was clear that an important part of the review would be to hear the views of stakeholders as well as taking evidence from those individuals who were responsible for introducing the new computer system.

Meetings were set up over a six month period that allowed the Panel to hear from a wide range of witnesses that included many of the individuals working on the front line who were able to accurately reflect the impact on the service delivery and ultimately the effect on housing residents.

The Panel was able to establish that the initial concerns around service delivery were, in fact, unfounded and the panel were satisfied that the Council and Kirklees Neighbourhood Housing were not at risk of being unable to maintain their high standards of delivery.

Pain Management

In July 2008, the Director of Public Health presented the findings of the Joint Strategic Needs Assessment (JSNA) report to the Health Inequalities Panel. This report highlighted that pain affects 1 in 3 people; it is perceived to be the worst aspect on health; and has the worst impact of health for any of the conditions assessed.

In determining an issue to focus on during 2008/09, the Panel chose pain management as pain affects large numbers of the population and has the biggest impact on a person's everyday functioning. However, it is also something that can be reduced by localised action.

The Panel was keen to hear from a wide range of stakeholders including: patients, health professionals, and those responsible for redesigning and creating pain pathways and strategies.

A range of research methods were utilised by the Panel, including interviewing witnesses between July 2008 and February 2009. A focus group was held and people across Kirklees were invited to speak to the Panel about their experiences and concerns.

Voluntary Co-optee John Hebblethwaite attended a self management pain clinic at Kirkburton Health Centre, where he was able to see first hand what happens when patients meet with the specialist pain GPs, Health Trainers and Physiotherapists. In November, Cllr Raistrick and Cllr Patel attended the Three Valleys Consortia to speak to GPs about their views on the management of pain and the current procedures and pathways for patients presenting to them with pain.

In order to capture a greater response from the GPs, the Panel created a questionnaire in conjunction with the Director of Public Health and the Clinical Lead for Pain. This was sent to 72 practices and asked about pathways of care, assessment and treatment of pain and their confidence in managing pain.

Challenging Decision-Makers

Scrutiny has worked constructively with Cabinet Members to contribute to the good governance of Kirklees, and maintained the role of a 'critical friend'

Call-In - Building Schools for the Future

In March 2009, a notice of Call-In was received challenging a decision made by the Cabinet on 'Building Schools for the Future - Secondary Schools in North Kirklees - Revised Proposals'. The notice focused specifically on the decision to move to statutory notice of closure for Castle Hall School and transfer pupils to an enlarged Mirfield Free Grammar School.

The issue had been generating considerable local interest and provision had to be made to accommodate large numbers of the public who it was anticipated would attend the meeting. In advance of the meeting, the Panel received the background papers that had been considered by Cabinet when making their decision and scrutinised these. Members of the Panel faced a challenge in considering large volumes of paperwork in the short timeframe before the meeting, and in ensuring that they were in possession of all relevant facts.

The appropriate Cabinet Members and supporting senior officers were asked to attend the Call-In meeting and the Panel challenged the grounds for their decision, taking into account at all times the reasons set out in the Call-In notice. The Panel also allowed members of the public to speak at the meeting, and many took this opportunity.

Following a nine hour meeting, the Panel decided to refer the decision back to Cabinet with a recommendation to suspend the decision to move to statutory notice of closure for Castle Hall School until full consideration had been given to the outcomes of the consultation period. The Panel also included a number of additional comments which they asked Cabinet to consider.

At a specially convened meeting a few days after the Panel met, Cabinet considered the recommendation and agreed to suspend the publication of the statutory proposals and notices for the School until after 5 June, when the consultation for North Kirklees closed.

The feedback following the Call-In has been utilised by Scrutiny to strengthen elements of the process and helped to reinforce the role that scrutiny plays in offering an effective and constructive challenge to the Council's decision-makers.



Service Information Sessions

The Corporate Affairs Panel held a number of Service Information Sessions during the course of the year. This enabled Panel Members to meet with Heads of Service (within their Panel portfolio) and find out about what the services were responsible for and their performance and priorities for the current municipal year.

After each session, the Panel identified whether there were further pieces of overview work to be followed up on.

Panel Members have found it helpful to gain an insight into the remit of each service, challenging performance and priorities, and intend to continue with the Service Information Sessions during 2009/10.

Critical Friend

Scrutiny has continued to build on its role as critical friend, and developed its use of Lead Member/Cabinet Member briefings. Scrutiny Lead Members set the agenda and the Cabinet Member is asked to provide updates on progress against key issues. Lead Members also take the opportunity to discuss the findings of their work. Changes to Lead Members and Cabinet Members during the course of the year have necessitated the building of new working relationships. Scrutiny has been pro-active in setting up joint meetings and challenging new priorities.

The role of critical friend will be further developed during the forthcoming year, as one of Scrutiny's headline priorities.



Following Up On Previous Recommendations

Scrutiny recognises the importance of following up on recommendations to ensure that agreed outcomes are achieved.

Mental Health Strategy

The primary focus of the Adults & Healthier Communities Panel for 2008/09 has been following up on recommendations previously made by the Panel.

They had previously recommended that an alternative place of safety other than police cells should be provided for people detained under s136 of the Mental Health Act.

The Panel received an update this year that two s136 suites have now been opened in Wakefield and Calderdale, which are suitable for males and females aged 18 years and over.

Tackling Obesity in Kirklees

The Adults & Healthier Communities Panel had previously recommended that local authorities, primary care trusts (PCTs) or local health boards and local strategic partnerships should ensure that preventing and managing obesity is a priority for action - at both strategic and delivery levels - through community interventions, policies and objectives.

The Panel received an update this year from officers in the Council and from NHS Kirklees who presented information on the partnership approach to tackling obesity in Kirklees. Significant progress had been made.

Sexual Health

Over the last 12 months, the Health Inequalities Panel have been keeping a watching brief on a number of sexual health related issues including: screening targets, availability of data, initiatives for younger people, sexual health training analysis, and participation of GP practices and post-16 colleges in the sexual health strategy.

In February 2009, the Health Inequalities Panel received an update and found that progress had been made in all of the above areas. However it has determined to continue to monitor progress with the sexual health training analysis until it is completed.

Dental Health

In August 2008, the Health Inequalities Panel investigated whether recommendations made by them in their review of NHS Dentistry, dental health and related issues had been implemented.

Prior to this, the Panel had provided ongoing challenge to progress in order to ensure that the issues identified remained on the agenda and that agreed work was carried out.

The Panel forged good working relationships with the PCT professionals and considered the Oral Health Strategy before it went to wider consultation. The Panel also highlighted the positive role of community based initiatives and the importance of early hygiene in easily accessible environments such as children's centres.

The overview by the Panel has focused attention and provided a greater understanding of the multiple issues that contribute to dental health.

Maternal Health

Following the Health Inequalities Panel's inquiry into maternal health, a number of recommendations were made in respect of the need for accurate data recording and analysis systems. It was also recommended that the booking-in process for expectant mothers be reviewed. The Panel further recommended that consideration be given to Satellite Children's Centres / one stop shops, to broaden access in areas where centres were not located.

The Panel has maintained a watching brief on all these areas and will continue to do so in 2009/10 to ensure that their recommendations are acted upon and progressed.



Scrutiny Out and About

Scrutiny Panels have undertaken a wide range of site visits during 2008/09 to complement the work they have been carrying out.



Co-optees: Welcome and Goodbye

Cllr Robert Iredale, on behalf of everyone involved in Scrutiny, would like to acknowledge the contribution and commitment of the Voluntary Co-optees to our work

The contribution that the voluntary co-optees make to the work of scrutiny continues to be invaluable. Not only do the co-optees come from all walks of life bringing a wealth of knowledge, and experience; they also add a community perspective to the issues being looked at by Scrutiny. This year, a number of the co-optees will have served the maximum four year tenure and will therefore be stepping down from the standing panels.

Scrutiny would like to say thank you and goodbye to:

Joe Calder - Adults & Healthier Communities
Ray Crorcken - Corporate Affairs
Chris Hawkshaw - Regeneration
John Hebblethwaite - Health Inequalities
Robert Scaife - Adults & Healthier Communities
Geoff Sykes - Safer Stronger Communities
Hilary Wainwright - Ad Hoc Universal Housing

A number of vacancies have arisen for both voluntary and statutory co-optees across all six standing panels, and Scrutiny has made efforts to fill these. We are therefore pleased to welcome the new voluntary and statutory co-optees and hope they enjoy their time in Scrutiny.

Scrutiny would like to say thank you and welcome to:

Ashraf Ali - Health Inequalities
Richard Berg - Children & Young People
Peter Mackle - Regeneration and Adults & Healthier Communities

Scrutiny Team Update

Welcome to Laura Ellis, our new Senior Scrutiny Officer who took up post in September 2008.

Frequently Asked Questions

Here are some brief answers to the most frequently asked questions about Scrutiny.

More detailed information is available from www.kirklees.gov.uk/scrutiny.

What is Scrutiny?

Scrutiny acts as a check and balance on the Council's decision-maker (the Cabinet) by holding it to account for its decisions. Scrutiny aims to:

- Improve services for local people and their communities;
- Ensure that Cabinet is accountable to the public;
- Improve the performance of the Council's services;
- Improve the performance of other public service for which the Council has responsibility or is a stakeholder in;
- Actively engage local people in the scrutiny process and to promote issues which are of importance and of relevance to

Who is involved?

All Councillors who do not hold a Cabinet post, and voluntary co-optees, supported by a dedicated Scrutiny Team, form a structure of: A Management Committee who lead and manage the overall process; six permanent thematic Panels linked to Council structures; and as and when short term 'ad hoc' panels to carry out more in-depth investigations.

Is scrutiny a political activity?

Scrutiny is a key part of the political process; however it is not party political. The Scrutiny Committee and Panel structures are made up of Councillors from across all the political groups. Councillors leave their party politics at the door and look objectively at issues.

How do you choose what to scrutinise?

The councillors and voluntary co-optees involved in Scrutiny decide which issues they want to prioritise for Scrutiny to look at. Carrying out effective Scrutiny takes a lot of time, commitment and effort so it is simply not possible to look at every issue.

When choosing issues, Scrutiny will consider whether it can make a real difference (for example, whether recommendations could result in improved services).

What can't Scrutiny look at and why?

Scrutiny is not appropriate for considering individual complaints. The panels also cannot investigate regulatory or 'quasi-judicial' decisions, such as planning or licensing decisions.

How can members of the public be involved?

- You can attend public meetings of the Management Committee or Scrutiny Panels;
- You can suggest a topic for a scrutiny review;
- Give evidence to a panel or send us your views about any of the reviews being undertaken;
- Keep updated about what is happening in Scrutiny by looking at www.kirklees.gov.uk/scrutiny
- Join a pool of people interested in being co-opted onto the panels when vacancies are advertised.

Panel Work at a Glance

PANEL	PANEL MEMBERSHIP	WORK PROGRAMME
ADULTS & HEALTHIER COMMUNITIES		
	Cllr Julie Stewart Turner (Lead Member) Cllr Roger Battye Cllr Cath Harris Cllr Christine Iredale Cllr Vivien Lees Cllr Cathy Scott Voluntary Co-optees: Joe Calder; Robert Scaife; Nancy Tuke	Local Public Service Board Mental Health Tackling Obesity in Kirklees Adult Education Safeguarding Vulnerable Adults Homelessness Older Peoples Policy Commissioning Affordable Warmth
CHILDREN & YOUNG PEOPLE		
	Cllr Beryl Smith (Lead Member) Cllr Margaret Fearnley Cllr Eric Firth Cllr Barbara Jones Cllr Rochelle Parchment Cllr Elaine Ward Statutory Co-optees: Geoff Hughes; Helen Singleton Voluntary Co-optees: Kate Cross; Barry McErlain	Local Public Service Board Kirklees Schools for the Future 14 -19 Education Reforms Youth Provision Leadership Academy for Teachers Exclusions in Schools Looked After Children Educational Standards and Attainment Children's Homes and Inspection Visits
CORPORATE AFFAIRS		
	Cllr David Hall (Lead Member) Cllr Mahmood Akhtar Cllr John Cook Cllr Mary Harkin Cllr David Ridgway Voluntary Co-optees: David Pinder; Ray Crocken; Peter Walker	Council Payment of External Suppliers Attendance Management Policy Service Information Sessions Strategic Office Accommodation Review Treasury Management Strategic Finance - Response to Recession Revenues & Benefits - Recession Impact

PANEL	PANEL MEMBERSHIP	WORK PROGRAMME
HEALTH INEQUALITIES		
	Cllr Elizabeth Smaje (Lead Member) Cllr Salim Patel Cllr Ann Raistrick Cllr Mohan Sokhal Cllr Kath Taylor Voluntary Co-optees: Liz Goldthorpe; John Hebblethwaite; Diane Lockwood	Maternal Health Management of Musculo-skeletal Pain Sexual Health Strategy Health in Schools and PSCHE Curriculum NHS Dentistry Health Inequalities Agenda
REGENERATION		
	Cllr Khizar Iqbal (Lead Member) Cllr Robert Iredale Cllr Peter McBride Cllr Andrew Pinnock Cllr Mohammed Sarwar Cllr Ken Sims Voluntary Co-optees: Chris Hawkshaw; Robin Schofield; Ian Steele	Local Public Service Board Local Development Framework North Kirklees Strategic Development Framework Regeneration of North Kirklees and Dewsbury Housing Regeneration Strategic Regeneration Impact of Economic Downturn on Regeneration Plan for Kirklees Section 106 and Community Infrastructure Levy
SAFER STRONGER COMMUNITIES		
	Cllr Graham Simpson (Lead Member) Cllr Masood Ahmed Cllr Jean Calvert Cllr Donald Firth Cllr Royston Rogers Cllr David Woodhead Voluntary Co-optees: Colin Gower; Keith Lorriman; Geoff Sykes	Local Public Service Board Domestic Violence Anti Social Behaviour Excellent Homes for Life PFI Council Age Designation for Allocation of Flats and Bungalows Provision of Advice Services Green Network Policing Green Paper Domestic / Commercial Waste

PANEL	PANEL MEMBERSHIP	WORK PROGRAMME
AD HOC REVIEW PANELS		
FLUORIDATION	Cllr Molly Walton (Chair) Cllr Tony Brice Cllr Rochelle Parchment Voluntary Co-optees: Ashraf Ali and Mohammed Munir Daji	Following a meeting between Mike Potts, Chief Executive of NHS Kirklees, and Cllr Molly Walton, then Chair of Scrutiny, it was agreed that it would be helpful for the PCT to have a view not only from Scrutiny but also an updated position from Kirklees Council on the issue of fluoridation of the water supply.
UNIVERSAL HOUSING COMPUTER SYSTEM	Cllr Julie Stewart Turner (Chair) Cllr Jean Calvert Cllr Christine Stanfield Cllr Derrick Yates Voluntary Co-optees: Peter Mackle and Hilary Wainwright	A request was received for scrutiny to look at the introduction of a new housing computer system by Kirklees Neighbourhood Housing. The request was submitted by Cllr Andrew Palfreeman, then Cabinet Member for Finance and Governance, following information received at a performance management meeting where a number of concerns were raised.
KIRKLEES MUSIC SCHOOL	Cllr Molly Walton (Chair) Cllr Christine Stanfield Cllr Julie Stewart Turner Cllr Derrick Yates	A request was received from Cllr Barbara Jones to look at the relationship between the Council and Kirklees Music School. The Panel assessed the effectiveness of the arrangements in place to manage this relationship and identified learning points to inform future direction.

Contacts

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