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KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 18th September 2017

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Gulfam Asif
Councillor Cahal Burke
Councillor Elizabeth Smaje
Councillor Rob Walker

In attendance: Tom Ghee, Group Engineer - Flood Management and PROW

10 Membership of Committee

All members of the committee attended the meeting.

11 Minutes of Previous Meeting

The minutes of the Meeting held on 3 July 2017 were agreed as a correct record.

12 Interests

There were no interests declared.

13 Admission of the Public

It was agreed that all agenda items would be considered in the public session.

14 Approval of Scrutiny Panel Work Programmes

The Management Committee considered a report which set out its role in coordinating the work programmes of the four standing Scrutiny Panels and monitoring progress against delivering the work programmes throughout the municipal year. The Committee considered the draft work programmes for the following panels;

- Health and Adult Social Care Scrutiny Panel
- Children's Scrutiny Panel
- Corporate Scrutiny Panel

In respect of the Economy and Neighbourhoods Scrutiny Panel, Councillor Rob Walker, Lead member of the Panel advised the Committee that the initial meeting of the panel had been rearranged. In the interim he had met with the portfolio holders and Strategic Director and identified potential issues which would be subject to further discussions with Panel members before a final programme could be provided to the Management Committee.

In respect of the Health and Adult Social Care Scrutiny Panel, Councillor Liz Smaje, Panel Lead member, advised the Committee that the Panel would be looking at preparation for winter, proposals for podiatry services and suicide prevention at its October meeting. It was noted that the suicide prevention issue had been a referral

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from the House of Commons Health Select Committee to seek reassurance that a Suicide Prevention Strategy was in place and being delivered within Local Authorities.

In commenting on the work programme, Councillor Stewart Turner identified the potential size of some of the items on the work programme. Councillor Smaje indicated that issues such as the financial position of the two Clinical Commissioning Groups would be considered together. The Panel would look at both strategy and finance as one item in January 2018. Councillor Stewart Turner welcomed that the Panel was monitoring Care Quality Commission reports and made particular reference to the issues that had been identified concerning midwifery. Councillor Smaje informed the Committee that an action plan was in place and the Panel would be maintaining an overview of the findings of CQC reports and the response to recommendations. It was also noted that Attention Deficit Hyperactivity Disorder (ADHD) within adults would also be revisited in April 2017. Councillor Stewart Turner welcomed the progress that had been made in this area following an in-depth Scrutiny report in 2005, at which time there were no services for adults across the district.

The Committee continued to look at the proposed work programme for the Children's Scrutiny Panel. It was noted that the implementation of the Improvement Plan and the recommendations of the Ad-Hoc Scrutiny Panel would be a significant area of focus. An initial update on the progress against the improvement plan had been requested for the meeting on 9 Oct 17. The panel would also be looking at aspects of performance management to identify specific areas of focus. A further area of scrutiny for the panel would be Corporate Parenting and supporting children and care leavers. The panel wanted to be sure that the Council was meeting its responsibilities and that the voice of the child was clearly heard as part of work in this area. The panel had identified elective home. As another area where the Council needed to ensure it had robust processes for children who were not engaged in traditional education delivery. As part of this work there would be a discussion about the introduction of a pathway to prosecution.

Councillor Cahal Burke continued to explain that special educational needs was a further area of focus. With an Ofsted inspection due in the future, the Panel wanted to ensure that the Council had prepared effectively and could demonstrate effective working in this area.

Councillor Smaje asked how the Panel would be looking at the improvement plan and whether it would seek to involve groups outside of the Council or just internal officers. Councillor Burke indicated that the Panel had not formally agreed how it would be carrying out the work and needed to consider an initial overview before agreeing a way forward.

Councillor Stewart Turner noted that the Scrutiny Panel was intending to continue to receive the minutes of the CSE and Safeguarding Member Panel on a quarterly basis. It was suggested that the work being undertaken by the CSE Member Panel may at some point come into Scrutiny's remit. Councillor Cahal Burke said initially his intention was to ensure that the same work was not being duplicated in different panel arenas.

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Management Committee moved on to consider the proposed work programme for the Corporate Scrutiny Panel which was introduced by Councillor Gulfam Asif. The Committee noted that the Scrutiny Panel would be monitoring the on-going financial position of the Council with particular reference to how the identified budget savings were being achieved. The Panel would also be considering the Democracy Commission work streams, focusing initially on those that could be progressed without further political discussion.

The Corporate Scrutiny Panel had a number of broad issues on its work programme and Councillor Asif confirmed that the Panel had tried to identify specific areas of focus. The IT work stream would focus on looking at the operation of the Citizen's Account as well as understanding the support offered for the less IT literate members of the public, to ensure they were not disenfranchised by an increasing move towards IT solutions. The Corporate Scrutiny Panel would also consider the move to the local authority becoming a commissioning authority and how Scrutiny might be able to assist in this area. In respect of procurement, the Panel was going to understand the current process requirement and influence a review that was being undertaken. The Panel would also scrutinise the Deloitte Project and consider how the competing priorities highlighted as part of the Policy Committee's social value work might be considered as part of the Deloitte project work. There was a further work stream on assets, with the Panel gaining an understanding of the legal and policy requirements and looking at the current priorities for the Council.

The Corporate Panel had also considered the possibility of a Scrutiny Charter to explain the purpose of Scrutiny and approach being taken in Kirklees. The Scrutiny Committee felt that such a proposal required further consideration.

Councillor Asif also highlighted that the Bereavement Services charging policy report was due to go to Cabinet on Tuesday 19 September 2017. Councillor Asif acknowledged that it was too late for Scrutiny to have a meaningful input into the proposals however he would be raising his concerns.

In respect of the Deloitte's work stream, Councillor Rob Walker highlighted the work on social value undertaken by the Policy Committee in respect of procurement within the authority. He suggested that the Scrutiny Panel might wish to meet with the Asset Transfer Network, which is made up of groups who had been involved with asset transfers, as they had relevant views to the Kirklees approach. Councillor Burke suggested that the Panel might explore the other options that are considered by the Council where groups were not able to take on a full asset transfer.

There followed a discussion on the need for Scrutiny work to be outcome focused. Panels need to be sure of the outcomes they are intending in looking at a particular issue. Also to explore with services the outcomes they were looking for in taking a particular approach and how those outcomes would be measured.

The Committee welcomed that the Democracy Commission work streams formed part of the Corporate Scrutiny Panel work programme. It was considered important that the excellent work of the Democracy Commission was followed up and agreed recommendations taken forward.

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Councillor Rob Walker outlined potential work programme issues for the Economy and Neighbourhoods Scrutiny Panel. It was noted that the Panel was due to meet on 4 October 2017 in order to discuss and agree the Work Programme. The proposed issues included an update on the new Skills Strategy for Kirklees, a look at housing issues including the Age Designation Policy and approach to extra care homes. The Waste Management Strategy was also identified including the approach to recycling and new expectations and targets from Government. The Panel would look at town centres, focusing particularly on Dewsbury and Huddersfield but would also look at the theme of Thriving Towns and Villages. A final proposed item focused on communities and neighbourhoods, looking at the work of Comoodle in supporting communities and the sustainability of the Comoodle project once initial funding had run out. Councillor Stewart-Turner also asked that the wider approach to helping communities to do more for themselves and Councils framework for support could possibly be included as part of the scope of this item. In considering Councillor Rob Walkers update, Councillor Burke suggested as part of the housing item aspects of sheltered housing could be included. Councillor Smaje acknowledged that there was a crossover between the work of the Health and Adult Social Care Scrutiny Panel and the Economy and Neighbourhoods Scrutiny Panel regarding extra care homes. It was an important there was no duplication between Panels and that they were clear regarding areas of focus.

Councillor Smaje also suggested that accessibility to waste management facilities was an issue and explained that one site located in North Kirklees was not fully accessible to people with disabilities. Councillor Rob Walker undertook to include accessibility as part of considerations.

Councillor Stewart-Turner thanked the Lead Members for the work they had done in developing work programmes. It was agreed that lead members would report back on the progress of Panel work to each of the Overview and Scrutiny Management Committee Meetings.

RESOLVED –

That the proposed Work programmes for the Children's, Health and Adult Social Care and Corporate Scrutiny Panels be noted and approved.

1. That the provisional items for the Economy and Neighbourhoods Work programme be noted, subject to further discussion at the Scrutiny Panel meeting on 4 October 2017.
2. That the lead members report back on the work of Scrutiny Panels at each meeting of the Overview and Management Committee.

15 Statutory Item - Update on preparation for winter flooding

As part of Scrutiny's statutory responsibilities the Management Committee considered the work being undertaken in preparation for winter flooding within the Kirklees district. Cabinet member, Councillor Peter McBride and Tom Ghee, Group engineer, Floor Management, attended for this item.

The Management Committee noted an update on the recommendations made on the Local Flood Risk Management Strategy in January 2017 including issues raised around community engagement, the Calderdale Volunteer Project and member

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engagement work. The plan has escalated a number of actions that the Council take in response to the forecast of flooding, with actions being triggered by joint decision between the Emergency Planning and Flood Management teams.

The Committee also welcomed that the Council had changed its approach to highway gully emptying to a demand management led process. Routes have been altered to prioritise those gullies on winter gritting routes to be emptied twice yearly and to be able to respond reactively to reports of blocked gullies on all other roads. The programme of assessments and upgrades to trash grilles which protect highway culverts was continuing.

The report also indicated a 6 year programme, funded by a £1.1 million grant from the Environment Agency, had begun to repair and maintain the original capacity of old culverts.

The Management Committee noted the update on working with partners in the local community to deliver areas within the Flood Risk Management Strategy. It was noted that it was difficult to mobilise at risk communities in Kirklees when they had yet to experience flooding. The service continued to take an opportunistic approach and engage with existing community groups wherever possible.

At the previous meeting of the Management Committee where Flood Risk Management had been considered, the Management Committee had felt that local ward members should be better informed about the main drainage and flood risk issues within their ward.

The report continued to set out the proposal to produce an A3 leaflet which would contain local flood information. It was proposed that 2 pilot wards were chosen, Home Valley South and Newsome, to attract consultation feedback from areas that had different characteristics with regard to flood risk.

The Management Committee welcomed the update report and clarified details regarding how gullies that were not on gritting routes were identified. Mr Ghee explained that previous records were used but also a sophisticated Geographical Information System which enabled officers to see the cluster of gully's within the network that were effected at particular locations. The Committee was advised that many of the gully pots were put in place in the 1920's and needed updating to improve their capacity and grille size.

The problem of debris from building sites leading to silted up drains was highlighted. Mr Ghee indicated that this should be picked up as part of planning enforcement.

The Management Committee continued to discuss the challenges facing local people when Yorkshire Water identified a particular issue as requiring council involvement whilst at the same time the council suggest it was a Yorkshire Water responsibility. It was suggested that residents needed guidance to understand the responsibilities of different agencies.

The Committee considered how ward members were involved in the development of the ward based summary. Mr Ghee explained the work that was going on in Newsome and Holme Valley South which would produce a template that could be

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refined for each ward. Officers were listening to ward councillors to understand what was required and would be most useful.

Management Committee was concerned that the early involvement work with communities had not progressed as hoped. Mr Ghee explained the work that had been undertaken within the Cleckheaton area, but communities were very passive were they had not been directly affected by flooding.

Councillor Asif suggested social media campaigns might be appropriate to help to make it clear to communities and put across key messages. It was also suggested that the Kirklees representative on the Yorkshire Water Board be made aware of the challenges facing local communities when contacting Yorkshire Water.

RESOLVED –

1. Councillor Peter McBride, Cabinet Portfolio holder and Tom Ghee, Group Engineer, Flood Management, be thanked for attending the Committee and outlining work being undertaken in preparation for winter flooding within the Kirklees District.
2. That officers raise with a Kirklees representative on Yorkshire Water, Management Committee's concerns about public information.

16 Lead Members Update Report

The Chair of Scrutiny and the Scrutiny Panel Lead Members provided an update on work they had undertaken since the previous meeting of the Committee. The Committee also discussed the format for future lead member reports.

Councillor Stewart Turner shared information on briefings she had undertaken regarding Performance Management, the Enforcement Partnership and policy development work. It was also noted that the Scrutiny investigation into the bus gates decision making process had been completed and would be reporting back to Council. The work of the Joint Health Scrutiny Committee looking at the Calderdale and Huddersfield reconfiguration proposals had been approached in a professional way and a decision to refer concerns to the Secretary of State had been agreed at the meeting on 21 July 2017. Councillor Stewart-Turner had met with the Chief Executive to discuss a range of issues including the Ombudsman annual review letter and options to pursue joint briefings with Lead Members and portfolio holders where appropriate.

Councillor Asif updated on his lead member briefing with the Chief Executive where consideration had been given to potential areas for the Panel Work Programme. An initial meeting of the Scrutiny Panel had been held and there had been an effort to provide areas of focus for the broad programme issues that had been identified at the briefings stage.

Councillor Burke, Lead member for Children's Scrutiny Panel updated on the meeting he had held with Directors and officers within Children Services. The relationship with Cabinet members was working well. Councillor Burke raised initial concerns about being able to get all the information necessary for the Panel to look at the issue identified within the work programme. Issues included the social work model used within Kirklees, including looking at the Leeds approach. The Panel

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would also be looking at elective home education and special educational needs support in preparation for an Ofsted inspection.

Councillor Smaje provided an update on the work programme and meetings of the Health and Adult Social Care Scrutiny Panel. The Panel would be looking at the new Wellness Model at its meeting in September 2017. The Mental Health Scrutiny report had been to Council and stimulated a good debate on the issues raised by the Scrutiny investigation. Councillor Smaje also indicated that the West Yorkshire Scrutiny Committee would be meeting in October and the Mid Yorkshire Joint Health Scrutiny Committee would also be meeting in due course to oversee the implementation of the Mid Yorkshire Hospitals Trust service reconfiguration.

Councillor Rob Walker, Lead member for the Economy and Neighbourhoods Scrutiny Panel advised that due to unforeseen circumstances the Panel had to delay its work programming meeting. However he had met with cabinet members and Directors to start to identify potential issues for the work programme. A draft of those issues have been circulated to Panel members to enable a meaningful discussion at the meeting to be held on 04 October 2017.

RESOLVED –

1. That the update reports by members of the Management Committee on scrutiny activities since the last meeting, be received and noted.
2. That the proposed Lead Member template, to capture the outcomes of scrutiny work, be noted and Lead Members forward any comments to the Governance and Democratic Engagement Manager.
3. That Lead Members provide an update on panel work to every meeting of the OSMC.

17 Forward Plan of Key Decisions/Private Decisions

The Management Committee received for information the most recent version of the Forward Plan of Key Decisions and private items. The Committee noted the items on the current plan which were broken down into panel areas. Councillor Stewart-Turner highlighted the need for Scrutiny work programmes to be aligned where possible to the timetable for priority decisions within the forward plan to ensure that pre-decision scrutiny was timetabled

Councillor Stewart-Turner also circulated a list of Council priorities within Strategic Director portfolios. The list identified those key areas of work that would be the focus in the next 12-18 months.

Councillor Stewart-Turner asked that the Council priorities be broken down into panel area with each item, having a broad timescale attached to enable effective forward work programming.

RESOLVED -

That the forward plan key decision and private decision be noted.

That timescales for the Council Priorities Schedule be included within future versions of the schedule.

18 Schedule of Meetings 2017/18 / OSMC Work Programme

Management Committee considered proposed dates for the remainder of the municipal year as follows;

27 November 2017
15 January 2018
12 March 2018

It was also noted that outcome based accountability training would take place on Monday 30 October.

The Management Committee also considered the OSMC Work Programme and noted that an update on the Equality and Diversity Strategy would be presented in March 2018. An overview of the Democracy Commission would be included in the January meeting and an update on the Council's corporate approach to performance management would also be scheduled.

RESOLVED –

1. That meetings of the Management Committee be held on 27 November 2017, 15 January 2018 and 12 March 2018.
2. That training on outcome based accountability be held for members of the Management Committee on Monday 30 October 2017 from 10am.