

COUNCIL

17 JUNE 2010

REPORT ON OVERVIEW AND SCRUTINY ACTIVITY

Report from: Neil Davies, Chief Executive

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Summary

This report provides a summary of the work of the Council's Overview and Scrutiny Committees since the last report to Council on 15 April 2010.

1. Policy and Budget Framework

1.1 The Council's constitution allows for reports on overview and scrutiny (O&S) activity to be reported to Council meetings.

2. Business Support Overview and Scrutiny Committee

2.1 25 May 2010

2.1.1. Work Programme

The Committee noted the work undertaken by all overview and scrutiny committees in the last cycle and to be considered at the next cycle of meetings and that the referral report in relation to the petition received by Full Council asking that the scheme manager at Longford Court, Rainham, is not replaced would be considered at the Committee's meeting on 8 July 2010.

2.1.2. New petitions procedure, including e-petitions

The Committee were informed that every Local Authority was now required to establish a petitions scheme by 15 June 2010 and inform local people about what action was going to be taken to address their concerns. Medway already had a petitions scheme but was required to adopt a new scheme to meet the new minimum requirements. There was also a requirement to introduce a facility for e-petitioning and officers expected this to be in use by the 15 December 2010 deadline.

The Head of Democratic Services informed the Committee on suggested thresholds in terms of numbers of signatures required to trigger a debate at Full Council or for an officer to be held to account. It was also clarified that any request for a review of the way the Council had handled a petition must be referred to an Overview and Scrutiny Committee. There was no scope for an automatic referral of a review request to full Council. Members raised concern that the suggested thresholds were too low and that there was a need to ensure that there was a focus on substantial issues rather than minor or possibly frivolous issues. It was therefore suggested that the thresholds be increased from 1% (2,535 signatures) to 2% (5,070 signatures) of the population for triggering a debate at Full Council and 0.5% (1,267) to 1% (2,535) for an officer being held to account.

Members expressed concern that the introduction of e-petitions could significantly increase the number of petitions received and that residents could use multiple email addresses to register their name more than once for a petition. However it was noted that the proposed scheme required e-petitioners to give their name, address and a valid email address, which should assist in dealing with any abuse of the system.

The Committee recommended the petitions scheme to Cabinet for onward referral to full Council for adoption and inclusion in the Council's constitution (as Appendix A to the Council rules in Chapter 4) subject to the following amendments:

- that the threshold should be 2% of the population as the number of signatures required to trigger a debate at full Council.
- that the threshold should be 1% of the population as the number of signatures required to trigger an officer being held to account at an overview and scrutiny committee.

The Committee also recommended that the Monitoring Officer be given delegated authority to determine when it would not be appropriate for a petition to be handled under the petitions scheme because it is deemed to be vexatious, abusive, otherwise inappropriate or excluded from the scheme, taking into account relevant law and statutory guidance.

2.1.3. End of year performance report 2009/10

The Committee considered the Council's performance for the year 2009/10 against the measures of success and actions agreed in the Council Plan 2009-12.

Members noted that the Medway Park refurbishment had been completed on time and within budget and asked that the same profile was given for all projects in the future. Members then identified a range of issues where they considered that more in depth investigation was needed within areas beyond the Business Support Overview and Scrutiny remit and referred the issues to the relevant Overview and Scrutiny Committees asking them to consider the referral and report back to this committee. It was asked that the reports to other committees covered the causes of the underperformance, the success of

current responses and an understanding of what it would take to improve performance. The following issues were referred to other committees as follows: -

- Children and Adults Overview and Scrutiny Committee:
The cluster of indicators on the theme of the support the Council gives to vulnerable children, including the attainment of looked after children and children with special educational needs.
- Health and Adult Social Care Overview and Scrutiny Committee
Concern about the effectiveness of Kent and Medway NHS and Social Care Partnership Trust (KMPT) as an active partner with the council and with other parties where collaboration is needed.
- Regeneration, Community and Culture Overview and Scrutiny Committee
Activity on domestic abuse beyond NI32 (work to prevent abuse in highest risk cases). Members questioned what the council's role could be in relation to domestic abuse and in particular Members wanted to understand how domestic abuse was associated with other issues relating to temporary accommodation and ultimately looked after children attainment.

In relation to its own remit Members asked for an in-depth report on the cluster of issues on NI 156 (Number of households living in temporary accommodation), H5 (Average time for non-urgent repairs) and H8 (Average time taken to re-let council dwellings).

2.1.4. Review of support for people in temporary accommodation – update on assessment centre

The Committee received an update on the work being carried out for the feasibility study of an assessment centre for temporary accommodation, following on from the work of a recent task group. A consultant had been commissioned to complete a feasibility study into the potential for developing an assessment centre for people requiring temporary accommodation in Medway, in conjunction with partners in the voluntary sector. An update on Stage One (Benchmarking) of this process would be brought to the Committee on 8 July 2010.

Officers confirmed that they would be considering what contributions all partners could make in respect of the process.

3. Children and Adults Overview and Scrutiny Committee

3.1. 27 May 2010

3.1.1. Work programme

The Committee agreed: -

- to hold a work programme meeting with the Chairman, Vice-Chairman and Opposition Spokespersons to identify items for the work programme and in-depth review topics for 2010-11;
- to note that elections for two new parent governor representatives will take place over the summer;
- to note that the Health and Wellbeing Strategy would be considered at a joint meeting of this Committee and the Health and Adult Social Care Overview and Scrutiny Committee on 23 August 2010;
- that the School Organisation Plan 2011-16 would be removed from the work programme at this stage;
- that the Youth Justice Plan would be considered at the next meeting of the Committee.

3.1.2. Common Assessment Framework

The Common Assessment Framework (CAF) Co-ordinator gave a presentation to the Committee on the use of CAF and its progress to date. The aim of CAF is to help identify, at the earliest opportunity, children's additional needs that are not being met by the universal services they are receiving and to provide timely and co-ordinated support to meet those needs.

Members then asked officers a number of questions, which included:

- How participation from various agencies is encouraged;
- How CAF is communicated to members of the community from black or ethnic minority groups;
- Concern that schools were having difficulty managing resources due to the time taken in completing a CAF;
- Who has responsibility for providing challenge to agencies who do not address problems recognised within their remit;
- What barriers there were to completing CAFs and why Medway had not had as many as some other authorities;
- How the success of CAFs was measured.

Officers explained that spoken versions of the CAF leaflets were being developed in the top ten used languages in Medway. In relation to resource concerns the committee was informed that resources were balanced holistically and realistically across agencies and services and additional resourcing was being considered to help provide further support to schools, as well as to the CAF Co-ordinator, in order to try and alleviate some of the pressure on schools in completing CAFs.

The Committee recommended that the possibility of creating easy read leaflets be explored and that the Children's Trust do more to champion the use of CAF with agencies. It also requested a briefing note detailing examples of good practice.

3.1.3. Tell Us Survey 2009

The committee was informed that this was an online survey conducted in schools with Year 6, 8 and 10 pupils that asked them their views on issues covering the whole of the Every Child Matters agenda. Members considered the survey and asked officers a number of questions and made comments, which included: -

- What the Council does to advertise youth facilities;
- Concern that the public transport service in Medway was inadequate and was a barrier for many young people in attending facilities;
- Concern of a lack of awareness regarding Sure Start provisions;
- There were insufficient places for young people to 'hang out';
- Concern that emotional health difficulties among young people could be difficult to identify as young people often become very withdrawn.

In response, Officers undertook to explore new avenues to communicate with children and their families and to work with the Communications department about the possibility of putting a list of facilities within Medway Matters. Officers also undertook to work with NHS Medway to ensure Health Visitors and GPs do more in promoting Sure Start and welcomed the opportunity to work with the Youth Parliament to discuss ways to provide information about support for emotional health issues to young people.

3.1.4. End of year performance report 2009/10

The Director of Children and Adults introduced the report and explained that the Business Support Overview and Scrutiny Committee had referred some areas to this Committee for further investigation that included the cluster of indicators around vulnerable children and the attainment of looked after children and the Committee would need to consider how they wished to look at these issues when considering its work programme.

It was suggested that a lot of the indicators that required improvement were closely linked and could possibly together, relate to a small but very important group of children and young people in Medway. It was therefore felt there was a need to move away from looking at indicators individually but perhaps scrutinise them with a more holistic approach, with partners, in order to have a positive impact. The Director offered to help Members with this approach by clustering some of the indicators together at the work programme meeting.

4. Health and Adult Social Care Overview and Scrutiny Committee

4.1. 3 June 2010

4.1.1. Work programme

The Committee agreed

- That the themed meeting on 19 August 2010 would examine safeguarding vulnerable adults (with the scoping of this being undertaken at a meeting to be held in June of Chairman, Vice-Chairman and spokespersons when they look at the forward work programme). Subsequent themes would be the transition from children to adult services for children with a disability (physical or learning) and mental health
- To recommend Council to co-opt a non-voting representative from Medway Pensioners Forum to the Committee
- To give delegated authority to the Assistant Director (Customer First, Leisure, Democracy and Governance) as the Council's designated scrutiny officer, in consultation with the Chairman, Vice-Chairman and spokespersons to comment, if appropriate, on quality accounts submitted by provider trusts in future years
- To hold a joint meeting of the Committee with Children and Adults Overview and Scrutiny Committee on 23 August 2010 to discuss "Live it well" Kent and Medway Mental Health Strategy, the Health and Well being Strategy and the Annual Public Health Report

4.1.2. Care Quality Commission – Conditions

The Chief Executive of Medway NHS Foundation Trust introduced the Trust's action plan produced in response to the conditions imposed by the Care Quality Commission as part of the recent registration process. Members requested that once the Care Quality Commission lifts the conditions this information is shared with them.

4.1.3. Petition – Hydrotherapy Pool

Christine Baker, lead petitioner from Medway Pensioners Forum, spoke in support of her petition relating to the decommissioned hydrotherapy pool at Medway Maritime Hospital. Both she and Members of the Committee expressed their disappointment at the length of time it had taken for this issue to be resolved. The Director of Commissioning and Performance, NHS Medway undertook to process the issue speedily and keep Members and the lead petitioner informed.

4.1.4. End of Year Performance Report 2009/2010

The Assistant Director, Adult Social Care and the Adults Performance Manager introduced the end of year performance report and responded to Members' questions. Members congratulated the social care staff for

their commitment, professionalism and innovation during the heavy snowfall in January 2010, which enabled services to continue.

Members agreed to report back to Business Support Overview and Scrutiny Committee on its referral to this committee advising that the Council would pursue the improvements in gathering performance data with Kent and Medway NHS and Social Care Partnership Trust and report back to both Committees on the outcomes.

4.1.5. NHS Medway Estates Strategy

The Assistant Director (Property) NHS Medway presented the Trust's Estates Strategy for Medway and responded to Members' questions.

As part of the discussion on the Estates Strategy she invited Members' views on the planning of estates around Medway (shown in the appendices to the Strategy accessed through the following web link: <http://www.medwaypct.nhs.uk/estatesstrategyconsultation>) on the basis that the distances measured in the Strategy which relate in particular to Tier 1 services (GP practices, community pharmacy and dental practices etc) suggesting that the public would be able to access them within 10 minutes walk. Specific software had been used to calculate the distances and did not take account of crossing busy roads etc. Any intelligence/information from Members about their locality would be welcomed.

5. Regeneration, Community and Culture Overview and Scrutiny Committee

5.1. 1 June 2010

5.1.1 Petition referral

The petition referred for consideration requested a bespoke bus service for children travelling between St Mary's Island and secondary schools in Chatham and Rochester. The lead petitioner advised that there were 58 children who could make use of a direct bus service, as it would reduce the current three hour round trip and also the number of parents driving their children to and from the schools. There were also further developments being built on the island, so the demand for a direct bus service would increase.

The committee was reminded that there had been an under-spend on the budget for half price travel subsidy for young people last year and the rest of the budget had been spent on subsidising other bus routes to ensure people were able to get to work. However, this was a route specifically being asked for children to use, which was what the budget was meant to be spent on.

Officers advised that the route requested in the petition had been added to the list of tenders for bus routes from September 2010 but, to date, no provider had expressed an interest in this service.

The Committee asked the Cabinet to note its strong support for the petitioners request to establish a bespoke bus service for children travelling between St Mary's Island and secondary schools in Chatham and Rochester. Members also requested that Cabinet considers subsidising this route (even by way of the yellow bus scheme) if no bus company had shown an interest in providing the service, together with a request for officers to report back on the outcome of the tender process to the next meeting of the committee on 6 July 2010.

5.1.2 Scrutiny of the Community Safety Partnership

The Deputy Area Commander gave a presentation on behalf of the Chairman of the Community Safety Partnership and showed a film about the successful 'Safe Exit' campaign aimed to help women away from prostitution with extensive support to change their behaviour and lives.

The committee asked various questions including the stability of the housing provision used in the Safe Exit campaign, street drinking and underage drinking, licensees providing alcohol to underage drinkers and action against drug dealers, together with feedback on points raised at a previous meeting in February.

5.1.3 Local Air Quality Management

The committee was advised that as the findings from the latest detailed air quality assessment showed further exceedence of the pollutant, nitrogen dioxide, affecting residential property (identified as arising from vehicle exhausts) it was proposed to revoke the current six Air Quality Management Areas (AQMA) and declare three new areas including a large central AQMA.

Members asked about areas of Medway not included in the AQMAs and asked that other locations highlighted by Members were looked into over the next 12 months. The committee also asked that if officers looked into re-designing traffic management schemes to improve the flow of traffic, to consider knock-on effects elsewhere in respect to traffic flow and air quality.

The committee agreed to recommend the three new AQMAs (including a large central AQMA) as set out in the report to Cabinet for agreement.

5.1.4 End of year performance 2009/2010

The key areas of success from quarter 4 (January to March 2010) were highlighted to Members. Members discussed various performance indicators including: recycling and waste collection, future funding for regeneration projects, rents and length of leases for business units,

journey times around Chatham, the number of people killed or seriously injured on the roads and noted the performance for 2009/2010.

5.1.5 Work programme

Members considered the report and a referral from Business Support Overview and Scrutiny Committee on performance of National Indicators (NI) 32 (repeat incidences of domestic violence in cases reviewed at a Multi-Agency Risk Assessment Conference) and NI 152 (working age people on out of work benefit).

The committee agreed to:

- note the deferral of some reports until the following meeting
- note that future consideration of NI 32 would take place through the Council Plan Monitoring reports and on-going discussion with the Community Safety Partnership
- request that in-depth information is to be submitted to the committee via the Council Plan Monitoring report on the progress made in the action plan for NI 152 in early 2011
- ask the Director of Regeneration, Community and Culture to arrange an evening site visit inviting all Members of the Council to monitor the new road and building works in Chatham town centre including the development of the new bus facility.

Background papers

None

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