



Overview and Scrutiny Annual Report 2016/17

1. Scrutiny in Hertfordshire

Welcome to the Annual Report of the Overview and Scrutiny Committees of Hertfordshire County Council. The report provides details of the scrutinies undertaken from April 2016 through to March 2017. Key members of the scrutiny process include:

Terry Hone Chairman Overview & Scrutiny

Seamus Quilty Chairman Health Scrutiny

Malcolm Cowan Vice Chairman Overview & Scrutiny

Anne Joynes Vice Chairman Overview & Scrutiny

Chris White Vice Chairman Health Scrutiny

Sherma Batson Labour Spokesperson Health Scrutiny. Sadly, Sherma died in office during January 2017 and for the remainder of the Council the role was covered by **Dreda Gordon** Labour Spokesperson Health Scrutiny

1.1 What is Scrutiny?

Local government scrutiny is about reviewing decisions made by the **Executive (Cabinet)** and acting in the capacity of a critical friend. In other words, scrutiny holds the authority to account. To achieve this **elected members** conduct investigations, take evidence and talk to witnesses before making recommendations.

Hertfordshire has two scrutiny Committees, **Overview & Scrutiny Committee (OSC)** and **Health Scrutiny Committee (HSC)**. Both set annual work programmes for the areas members wish to scrutinise, whilst retaining

flexibility to deal with emerging issues quickly. The majority of scrutinies run for one day. Occasionally, it may be necessary to hold a two day session for a more complex scrutiny.

The overlap between health and social care means that some scrutinies involve joint Committee membership and work. The scrutinies that fall into this category are still identified in the report. They are listed under the Committee that took the lead on that scrutiny.

Scrutinies are focussed with a clear objective; the questions to be addressed; desired outcomes; and identified constraints i.e. areas that are not being covered. A timetable is produced with a member briefing in advance of the formal meeting. A '**Topic Group**' is then set up to look at the subject in depth and to produce a report with recommendations.

When the report is published the relevant **Executive Member/Trust Chief Executive** has two months in which to respond to the recommendations and the report. They can decline to accept or to implement a recommendation.

In 2016/17 across HSC and OSC, over 90% of recommendations were implemented by Trust Boards or the County Council Executive, and only one rejected.

2. Health Scrutiny Committee (HSC)

The Health and Social Care Act (2001) requires one of the County Council's scrutiny Committees to have the power to scrutinise publically funded health services. In doing so, it can establish joint arrangements with and/or delegate some responsibility to the county's district and borough councils.

A Health Scrutiny Committee considers strategic countywide health issues. It consists of ten county councillors and a representative from each of the county's ten district and borough councils.

2.1 – Topic Groups are listed in alphabetical order

Monitoring of the implementation of the Care Quality Commission (CQC) findings by West Herts Health Trust (WHHT) – 15 Dec 2015, 15 Feb 2016 & 27 May 2016

The topic group met bi-monthly to examine how effective WHHT had been in implementing the changes required by the CQC. This followed the Trust being placed in special measures. Over the three meetings the topic group members considered the action plan and what was being done to make the organisation a safe place for patients and staff. At the final meeting members explored how the trust had pursued changes to the culture of the organisation as it had been identified as a long standing issue. A report was produced after the final meeting which evidenced how WHHT had made progress with the action plan to the satisfaction of the topic group.

2.2 Committee meetings

West Hertfordshire Hospitals Trust: One year on from the CQC inspection – 19 May 2016

A report was presented to the Committee outlining the work that has been undertaken by the Trust in the last year since the CQC inspection. The trust created an action plan after the inspection and provided the Committee with details of milestones that had been met. The Trust identified where problems had been encountered relating to financial support and the plans to deal with that. The Committee agreed to send a report to the minister for health supporting the Trusts application for funding.

Your Care, Your Future Update – 12 July 2016

A report was presented to the Committee that provided Members with an update on the Your Care, Your Future programme led by Herts Valleys

Clinical Commissioning Group. The report included information on the following areas:

- The journey so far
- Improving services today
- What is being done in 2016
- The next 5 years
- Involving local people

Members concluded that Herts Valleys CCG should return to the Committee in the autumn to brief the Committee on the final analysis of all the options that were considered for an improved Health service in West Hertfordshire.

CQC Monitoring Report of West Hertfordshire Hospitals Trust (WHHT) Scrutiny Topic Group Final Report – 12 July 2016

A report was submitted to the Committee resulting from the HSC Topic Group appointed to investigate WHHT and the organisational response to the CQC report. The report demonstrated what work the organisation had completed. Members of the Topic Group confirmed that they were satisfied that WHHT had made great improvements since the report but there was still further work to undertake. The Committee decided that they should hear again from WHHT after the release of the next report from the CQC inspection taking place 6 – 9 September 2016.

Meeting Cancelled – 29 September 2016

Your Care, Your Future Update – 8 November 2016

A summary was provided of the planned changes for health services across West Hertfordshire. The report shared possible methods of reconfiguration that were investigated and the outcomes of that analysis,

panel discussions and a financial analysis, which showed the high capital costs that would be involved for all options.

East and North Hertfordshire Trust (ENHT) Care Quality Commission Response – 8 November 2016

ENHT presented its response to the report and summary of findings from the Care Quality Commission investigation. The Committee heard of the rating awarded and the action plans of the Trust for the forthcoming year.

Hertfordshire Annual Scrutiny of Quality, Patient Experience and Finances 2017: Proposals – 8 November 2016

Members were provided with the format for the Committee's forthcoming scrutiny of the Annual Scrutiny of Quality, Patient Experience and Finances 2017 and future years and the Committee approved the approach that was put forward.

Princess Alexandra Hospital Trust (PAH) Care Quality Commission Update – 8 November 2016

The Committee was provided a summary of the findings, including the rating of 'special measures' that resulted from an inspection carried out by the Care Quality Commission. It was agreed that members of the Committee would attend a meeting held at Essex County Council to scrutinise the next steps to be taken by PAH to move beyond 'special measures'.

Healthwatch Hertfordshire Report on Complaints Handling in Acute Services – 15 December 2016

Healthwatch Hertfordshire reported on the results of its investigation into how health organisations handle and deal with complaints. Members heard how the most challenging demographic for organisations to engage with was young people. The result of this investigation produced a number

of recommendations of next steps that were shared with providers and commissioners. The Committee supported this work.

Sustainability Transformation Plan (STP) for Health and Care Services in Hertfordshire and West Essex – 15 December 2016

The Committee heard from the Sustainability Transformation Plan (STP) representatives for Hertfordshire and West Essex. The Hertfordshire and West Essex STP was submitted as a draft to NHS England on 21 October 2016 and it was published on 12 December 2016. The Committee heard an overview of the 5 year STP for health and care services in Hertfordshire and West Essex. The Committee agreed that the STP should remain on future agendas as a standing item.

Questions for NHS Providers to be responded to in advance of the Health Scrutiny Committee Annual Scrutiny looking at Finances, Quality of Care and Patient Experience – 15 December 2016

The Committee were presented with a list of questions that will be asked of providers in advance of the annual scrutiny of NHS providers' finances quality of care and patient experience being held on 16 and 30 March 2017. Members agreed the questions.

Withdrawal of Adult Social Care funding by Herts Valleys Clinical Commissioning Group (HVCCG) from 2017/18 budget – 19 January 2017

Herts Valleys Clinical Commissioning Group (HVCCG) was identified by NHS Improvement to be in 'financial turnaround' due to non-delivery of its financial savings targets, higher than predicted acute hospital activity and an overspend against Continuing Healthcare budgets. To balance its budget in 2017/18, HVCCG indicated its intent to cease providing £8.5m of funding to Hertfordshire County Council to protect adult social care at current levels, with effect from 1 April 2017. The Committee were informed of the rationale behind the decision and the Council's stance on this. The Committee questioned the

process and rationale for that decision and unanimously agreed that further action should be taken in the form of a special scrutiny where the CCG would be questioned and providers would also be asked to contribute to the impact HVCCG decisions are having on them.

Healthwatch Hertfordshire Report on Access to Dental Services – 19 January 2017

Healthwatch undertook an investigation as a result of receiving significant public contact relating to difficulties in accessing dental services, specifically out of hours. Healthwatch shared the areas of concern, particularly relating to engagement, signposting and sufficiently available services with Members. The resulting recommendations from the report were commended by the Committee. Members recommended that the Healthwatch dental access report recommendations be sent to NHS England for a response and requesting that they action them where possible. NHS England responded that they would be incorporating these recommendations into their future plans.

Sustainability Transformation Plan (STP) for Health and Social Care Services in Hertfordshire and West Essex – 19 January 2017

The Hertfordshire and West Essex Sustainability Transformation Plan (STP) was approved and published on 12 December 2016. The report was presented to Health Scrutiny Committee on 15 December 2016 and Members agreed that the Committee should have a standing item on the STP going forward. Members were provided with an oral update on the next steps of the STP and advised that the STP has the aims of:

- Working with local communities to give people the choices to live healthier lives;
- Enabling people to stay as independent as possible when they have long-term conditions, and to receive care and treatment close to home

by enhancing integrated primary care and community health, social and mental health services;

- When people attend or are admitted to hospital it is because they need the level of care and specialist treatment that can only be given in hospital, and once they no longer need that level of care and treatment, they can return to the community.
- Agreed that consideration should be given to this by the HSC in the new council year on what action the Committee should take.

Scrutiny of the Withdrawal of Adult Social Care Funding by Herts Valleys Clinical Commissioning Group (HVCCG) 2017/18 – 8 February 2017

The Committee held a special scrutiny. Questions were asked of HVCCG at this meeting to the reason why it was withdrawing £8.5m of funding from HCC in 2017/18. Members observed that no consultation had been held with the Committee and that the Concordat had not been upheld by the CCG. At the Committee's conclusion a motion was passed to request full Council make a referral to the Secretary of State on the grounds:

- (a) that the Council was not satisfied that there was any consultation in relation to the decision;
- (b) that the Council considers that the decision would not be in the interests of the health service in Hertfordshire;

Full Council then received a letter advising that the decision to withdraw funding was being overturned and would be made at the next board meeting and so referred the decision back to the Health Scrutiny Committee

Scrutiny of Herts Valleys Clinical Commissioning Group's (HVCCG) Decision on the Continued Funding of Care Services for the Financial Year 2017/18 – 9 March 2017

The Committee met on 9 March 2017 and addressed the following questions:

1. Why did HVCCG rescind its decision of the 1 December 2016?
2. What additional evidence will HVCCG consider when reaching its 9 March 2017 Decision?

As a result of its considerations, the Committee unanimously agreed that it:

- (i) welcomed the decision of HVCCG to rescind its decision of the 1 December 2016;
- (ii) is concerned that the report to the HVCCG board is limited and does not include a detailed analysis of impacts;
- (iii) requires the Accountable Officer of HVCCG to attend the next meeting of the Committee to confirm the HVCCG Board's decision;
- (iv) following the meeting on 16 March 2017, make recommendations to Council on whether it should report to the Secretary of State.

Herts Valleys Clinical Commissioning Group's (HVCCG) Decision on the continued funding of care services for the financial year 2017/18 – 9 March 2017

Herts Valleys Clinical Commissioning Group (HVCCG) Board met in the afternoon on the 9th March 2017 to make a decision on the future for £8.5m of funding to the County Council for the provision of care. The Board agreed to provide £4.5m of the original figure of £8.5m to HCC and the Chief Executive Officer of HVCCG confirmed this to the Committee. The Committee was pleased that HCC and the CCG had come to an agreement but shared concern about what this means for 2018/19 as funding was not due to continue past a year.

Annual Scrutiny of Health Organisations 2017/18 (Incorporating the Quality Accounts) – 16 & 30 March 2017

The scrutiny was conducted over a two day period. It commenced on Thursday, 16 March 2017. The Committee then adjourned to gather its evidence in member groups. Members heard from the five local trusts and Herts Urgent Care. The health organisations were questioned individually at a morning or afternoon session. Each group was joined by a member of Hertfordshire Healthwatch and an officer from the Public Health team to assist members with the evidence gathering, with particular regard to the preventive work that the health organisation is undertaking. The organisations present were:

- West Herts Hospital Trust (WHHT)
- East & North Herts Hospital Trust (ENHT)
- Herts Partnership Foundation Trust (HPFT)
- Herts Community NHS Trust (HCT)
- East of England Ambulance Trust (EEAST)
- Herts Urgent Care (HUC)

The Committee reconvened on Thursday, 30 March 2017. Members considered the findings and agreed the recommendations to be sent to all health organisations in Hertfordshire, including NHS England and the Health & Wellbeing Board.

3. Overview and Scrutiny Committee (OSC)

The Overview and Scrutiny Committee is responsible for scrutinising services provided or commissioned by the County Council. It holds the authority's Executive to account by scrutinising:

- Decisions made by, or on behalf of, the Council or Cabinet
- Any operational or policy aspect of the Council's business
- Any issue that affects the area or its inhabitants

OSC membership consists of ten county councillors, four parent governors and two church representatives. The latter two groups can only take part in education related scrutinies and vote on education related issues

3.1 –Topic Groups are listed in alphabetical order:

Children Looked After (CLA) – 17 January 2017

The Group investigated placement stability of CLA in Hertfordshire. A meeting was held between Members and children in care to understand the pressures they face and what changes to CLA would benefit them. The evidence presented by officers and heard from young people identified a lack of effective structured training and support for foster carers. Members also believed that the young person' voice needed to be taken into account when developing profiles of young people and carers.

Crime & Disorder: Scamming Annual Scrutiny - 5 & 13 December 2016

The Group examined how effectively Hertfordshire County Council and its partners prevented and detected scamming and what support was available to victims. Evidence highlighted a lack of awareness among the general public with regard to the extent and impact of scamming. A Scamming Strategy would help address this and will facilitate better co-ordination of activity and data between partners. Developing a single point of access for would make reporting of scamming more straightforward.

Disability support for bus users – 17 March 2017

The scrutiny considered the support available to people with disabilities using buses run by commercial operators in Hertfordshire. Witnesses provided examples of real life experiences that members would like to see informing service development. Officers from the Authority recognised that greater consideration of the needs of disabled users is needed. Members were pleased to hear that officers welcomed future opportunities to take forward the discussion commenced at the scrutiny.

Flooding Risk Management – 27 October 2016

Members scrutinised the effectiveness of Hertfordshire flood risk management, while establishing the powers the authority holds in relation to flooding. The scrutiny considered what areas of flood risk management could be improved to provide greater quality projections based on improved data as well as increased levels of campaigning for residents to be aware of roles and responsibilities of organisations in flooding situations.

Hertfordshire Care Quality Standard – 25 April 2016

The Herts Care Quality Standard (HCQS) was created to measure the quality of care provision in Hertfordshire. The scrutiny considered how effective it has been and was able to highlight examples where it had had an impact on improving the quality of care and outcomes for Hertfordshire residents.

Hertfordshire Safeguarding Adults Board (HSAB) – 13 June 2016

This is an annual scrutiny that enables Members to monitor the progress and performance of HSAB. It focussed on:

- Legal responsibility of adult safeguarding from April 2015 resulting from The Care Act 2014
- The strategic plan 2014 – 2017
- Geographic areas covered by HSAB and work with border SABs
- Newly developed dashboard for serious case reviews to identify trends
- Planned pilot schemes including return home interviews.

Hertfordshire Safeguarding Children’s Board (HSCB) – 10 Oct 2016

This is an annual scrutiny that enables Members to monitor the progress and performance of HSCB. This year it focussed on neglect. This can have long term impacts and is often difficult to identify. A Neglect Strategy has been developed and the Group heard that partners are integrating identification of neglect into training for staff. No issues of concern were identified for 2017 scrutiny.

Hertfordshire Waste Management – 4 & 9 November 2016

The current service delivery model for waste management in Hertfordshire was analysed in the context of current and future challenges. This included an examination of current statutory functions and how these are divided across both tiers of local government; current performance levels against existing national targets as well as possible future ones and identified current pressures.

Integrated Plan (Budget Scrutiny) - 20 December 2016, 26 January & 2 February 2017

The annual budget scrutiny covers three days. At the first day members were advised of emerging issues arising from the budget settlement, on the second day small groups of members gathered evidence (this involved the majority of Members of the County Council both Executive and Non-Executive, all Chief Officers and a further 20 senior County Council officers), the third day was a debate by the Committee on the outcomes of the evidence gathering. Suggestions to Cabinet were made for consideration by the Executive and full Council in reaching decisions on the County Council's Integrated Plan for 201/19– 2019/20.

Libraries Services Review – March 2017

Members met to examine changes to library services a year after implementation of the library services strategy. Members heard that the strategy was progressing but resourcing pressures had meant that savings targets would not be achieved by the anticipated date and rolling-out of the plan for refurbishment, development and transferring to greater volunteer input would be a year longer than projected. Members encouraged the rolling-out of pilot schemes and an increase to the level of support for staff at tier 1 and 2 libraries to develop their outreach programmes.

Monitoring of Recommendations Standing Topic Group – 21 April 2016, 25 November 2016, 28 February 2016

This Topic Group receives updates on the implementation of topic group recommendations six months after a report has been published. Members are

informed of progress on the implementation of recommendations. The Topic Group has responsibility for signing off recommendations or asking for further reports at a future date. It has been agreed in the new council that the group will become the Impact of Scrutiny Sub-Committee.

Public Health Budget – 28 November 2016

This group looked at how Public Health continues to be effective in light of cuts to the department's budget 2015 -2017. It considered the impact to date and how Public Health will ensure that population outcomes are maintained. Members looked for evidence that the prioritisation framework provides sufficient strong data to inform budget and planning decisions and that the continuing role of partners in delivering preventive goals has been clarified.

3.2 - Written updates

For a variety of reasons it may not always be appropriate to scrutinise a topic on which Members have expressed an interest. In these instances all Members are provided with a short written update on the particular topic. This method has been used to provide updates on:

- Benchmarking
- Fire & Rescue Service budget
- Gully Cleaning
- Rural Estates

3.3 - Lunchtime seminars

Scrutiny organises two-hour long seminars, with a speaker on topics of general interest to members and officers. Recent examples have included:

Better Care Fund - 15 July 2015

The Better Care Fund (BCF) is designed to provide financial support for councils and NHS organisations to jointly plan and deliver local services. The Seminar will explore this in a Hertfordshire context.

19 attended

Shared Anti-Fraud Services (SAFs) - 10 May 2016

The seminar covered:

1. Key fraud issues facing Hertfordshire
2. Key issues facing SAFs
3. How well the partnership is working
4. What is the potential for future development of SAFs?

25 attended

4 - Having your say on the issues being scrutinised

Members of the public are able to attend any scrutiny and/or topic group. Although the public have no right to speak at the meeting, they may be invited to do so by the Chairman. Members of the public can also make their views known to their local County Councillor or any Member of a scrutiny Committee

5 - Suggest items for future scrutiny work programmes

Members of the public may write to the Head of Scrutiny, Natalie Rotherham to request that a relevant subject or issue be investigated.

Natalie can be contacted at: natalie.rotherham@hertfordshire.gov.uk

or at

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Pegs Lane

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All suggestions will be considered by the chair and vice chairs of the appropriate Committees at the next agenda setting meeting. The member of the public will then be informed by the Head of Scrutiny of the outcome.

Glossary of terms

Cabinet – A group of elected councillors who each look after a particular portfolio

Call in - the right to delay the implementation of a decision which has been made (but has not yet been implemented) by allowing a Committee to consider the decision.

CCG – Clinical Commissioning Group, responsible for commissioning, or purchasing, most health services for a particular area.

CQC – Care Quality Commission, a statutory body responsible for analysing the quality and performance of health trusts.

Elected member – Locally elected, sometimes known as councillor

ENHCCG – East & North Herts Clinical Commissioning Group

The Executive – in Hertfordshire County Council this is a Cabinet model with a leader and cabinet members who are responsible for policies, plans and strategies

Executive member – An elected member who holds responsibility for a particular portfolio

Francis Report – A report written in response to the Mid-Staffordshire NHS review, creating a series of recommended changes for the NHS across the country

Full Council – Meets throughout the year it is a meeting of all elected members, to debate and agree suggested policies and strategies of the council.

HCC - Hertfordshire County Council

HCT - Herts Community Trust

HSAB - Hertfordshire Safeguarding Adult Board

HSC - Health Scrutiny Committee

HSCB - Hertfordshire Safeguarding Children's Board

HVCCG – Herts Valleys Clinical Commissioning Group

OSC - Overview and Scrutiny Committee

PCC - Police and Crime Commissioner – An elected individual who offers direction for the police service.

Senior Management Board – These are the chief officers of the Authority led by the Chief Executive.

Trust Chief Executive – The senior official in charge of a health trust