

OVERVIEW  
— & —  
SCRUTINY

# Overview and Scrutiny Annual Report 2020/2021

April 2021



# Contents

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<b>Foreword</b> .....	<b>4</b>
<b>1. Key information about Overview and Scrutiny</b> .....	<b>5</b>
The operation of overview and scrutiny .....	5
Residents and stakeholders can get involved by: .....	5
Scrutiny’s Role .....	5
<b>2. Snapshot of scrutiny development in 2020/2021</b> .....	<b>6</b>
Focusing on the issues which matter .....	6
Equal importance placed on policy development.....	6
Complementing the work of the Cabinet.....	6
Pre-Briefings and Work Planning.....	6
<b>3. Overview and Scrutiny in Numbers 2020/2021</b> .....	<b>7</b>
<b>4. Snapshot of some of the Key Achievements 2020/2021</b> .....	<b>8</b>
Climate Change Emergency .....	8
Update on County Lines and Child Exploitation in Torbay .....	9
<b>5. Responding to the Covid-19 Emergency</b> .....	<b>10</b>
<b>6. Topic List</b> .....	<b>12</b>
Overview and Scrutiny Board .....	12
Children and Young People’s Overview and Scrutiny Board .....	12
Panels.....	12
<b>7. Current and Future Work Programme</b> .....	<b>13</b>

<b>8. Call-in of decisions .....</b>	<b>13</b>
<b>9. Community involvement .....</b>	<b>14</b>
How to get involved in overview and scrutiny .....	14

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# Foreword

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This year has been a challenging year for Overview and Scrutiny, having to respond to the issues the Covid-19 pandemic has brought to Torbay. We took a brief pause in proceedings in order for the Council to establish secure and effective remote meeting processes, before continuing 'business as normal' in a world of remote meetings.

We continued to take a leading role in the Leader and Cabinet's Budget development for 2021/2022 and I am pleased that most of our recommendations informed the final budget proposals. In addition to the budget, the Board has investigated a number of issues and I believe has made a notable difference in some of the key decisions made by the Cabinet, especially those around children and young people, tackling poverty in Torbay and the climate emergency.

I would like to take this opportunity to thank everyone who has played a part in contributing towards the work of the Council's Overview and Scrutiny Boards and Panels. Overview and Scrutiny and the Cabinet have continued to work together to try to make a positive difference for the people of Torbay.

This report gives details of the work which has been undertaken by Overview and Scrutiny over the course of the 2020/2021 Municipal Year.

Councillor Lee Howgate  
Overview and Scrutiny Co-ordinator

# 1. Key information about Overview and Scrutiny

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## The operation of overview and scrutiny

Councillor Howgate has been the Overview and Scrutiny Co-ordinator since May 2019. He is supported by Scrutiny Lead Members:

- Councillor Bye – Children’s Services;
- Councillor Mandy Darling – Health and Adult Services;
- Councillor Foster – Community and Corporate Services; and
- Councillor Doggett – Place (who sadly passed away in November 2020 and had been a valued member of the Board for a number of years with a passion for transport and the environment) with Councillor Kennedy taking over as Scrutiny Lead for Place from 3 December 2020.

The Overview and Scrutiny Board meets monthly with task and finish Panels created to consider topics in greater detail. The Board comprised Councillors Barrand, Brown, Bye, Mandy Darling, Doggett, Foster, Howgate, Kennedy, Loxton and Councillor Atiya-Alla (who took over from Councillor Doggett).

## Residents and stakeholders can get involved by:

- Attending public meetings;
- Giving evidence to one of the Panels or Boards; and
- Sending in comments about a review.

## Scrutiny’s Role

To make recommendations to the Cabinet or Council in accordance with following principles:

- Focusing on the issues which matter.
- Policy Development is of equal importance to “holding to account”.
- The Forward Plan is the key tool for managing the decision making process.
- The relationship between overview and scrutiny and the Cabinet should seek to complement one another.
- All Councillors should have the opportunity to help shape policy decisions at an early stage.

## Meetings:

- Are open to the public to attend.
- Typically last 2-3 hours.
- Meet regularly (during the daytime and evenings).
- Have a formal structure, but are run in an accessible way.
- Papers are published on the Council’s website at [Committee structure \(torbay.gov.uk\)](https://www.torbay.gov.uk/committees).

## 2. Snapshot of scrutiny development in 2020/2021

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### **Focusing on the issues which matter**

The Overview and Scrutiny Board continued to undertake its health scrutiny duty providing oversight of health services in Torbay and clinical services across the peninsula by taking part in meetings of Devon County Council's Health and Adult Care Scrutiny Committee and holding Torbay and South Devon NHS Foundation Trust to account on their handling of Covid-19 and their Care Quality Commission inspection through its own Board meetings.

The Board continued to receive regular reports on the Council's revenue and capital budgets. It has closely monitored the performance of Children's Services both in terms of outcomes for children and the costs of the service.

In order to provide greater focus and dedicated time to issues impacting children, the Board created a sub-committee – the Children and Young People's Overview and Scrutiny Board in January 2021, which meets bi-monthly.

### **Equal importance placed on policy development**

The Board provided feedback during the development of a number of policies over the course of the year, including the draft Heritage Strategy, Strategic Agreement between Torbay Council, Devon Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust, draft Resource and Waste Management Strategy and draft Community Engagement and Empowerment Strategy.

### **Complementing the work of the Cabinet**

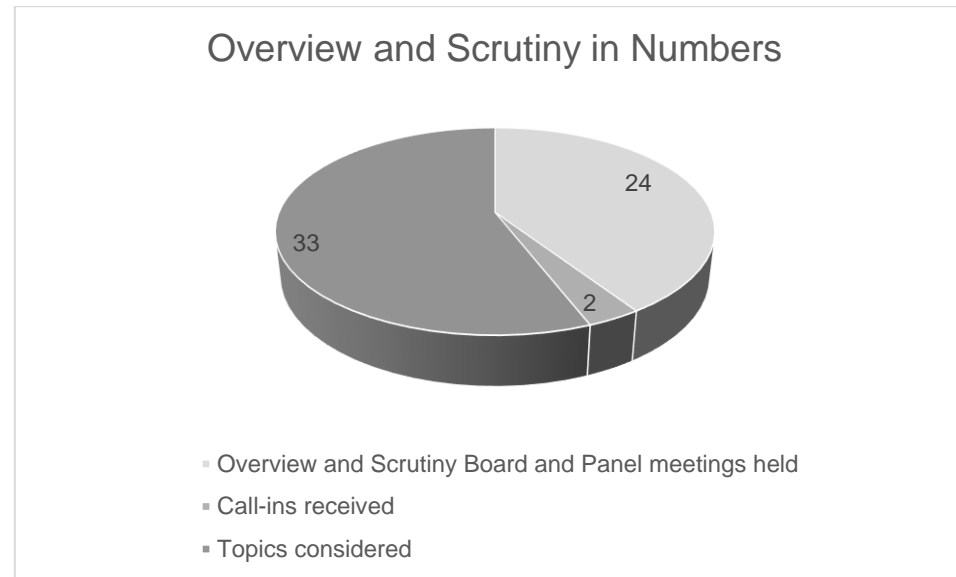
The Overview and Scrutiny Board continue to seek to complement the work of the Cabinet, with regular strategic meetings held between the Overview and Scrutiny Co-ordinator, Overview and Scrutiny Board Vice-Chairman and the Leader of the Council.

### **Pre-Briefings and Work Planning**

Monthly briefings have enabled better member engagement and more focussed debate at Board meetings, developing key lines of questioning and exploring on a rolling basis upcoming items to ensure relevant items are considered at the right time.

### 3. Overview and Scrutiny in Numbers 2020/2021

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**Key:**

- 24 Overview and Scrutiny Board and Panel meetings held
- 2 Call-ins received
- 33 Topics considered

## 4. Snapshot of some of the Key Achievements 2020/2021

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### Climate Change Emergency

Torbay Council declared a 'Climate Emergency' on 24 June 2019 and is a partner to the work of the Devon Wide Climate Emergency Response Group (DCERG), which aimed to provide a collaborative Devon-wide response to the climate emergency to help us get to a net zero carbon emissions as soon as possible and also prepare us for the necessary adaptation to infrastructure and services required to respond to climate change.

In response to this the Overview and Scrutiny Board established a Climate Change Emergency Task and Finish Group in July 2019. The Panel engaged with the community throughout the process, by use of social media calling for evidence and attendance and contribution at Panel meetings. They also linked in with the work of the DCERG and provided feedback on the draft Devon Carbon Plan ensuring a suitable approach for Torbay.

Climate change was also raised by the Overview and Scrutiny Board through the budget process which resulted in additional funding being identified to cover aspects such as tree planting and helping residents to make energy efficient changes to their homes.

The review has resulted in:

- proposed changes to Council reports to include enhanced information on how the decision will impact on climate change;
- the development of guidance to highlight the expectations of the Planning Authority regarding compliance with policies in the Local Plan that relate to climate change;

- the Cabinet reviewing the portfolio for the Climate Change Emergency in light of good practice;
- reprioritisation of key actions to ensure those with the biggest impact are at the top of the list;
- the development of a comprehensive communications plan to raise awareness of the schemes available to help with energy efficiency; and
- the development of a model to take forward the Climate Change Emergency which will ensure full community participation and supports those people who are already experiencing high levels of deprivation.



## Update on County Lines and Child Exploitation in Torbay

This spotlight review brought together representatives from Devon and Cornwall Police, Children's Services, Adult Safeguarding, Torbay and South Devon NHS Foundation Trust and Safer Communities Torbay to provide a multi-agency response on how partners were managing issues in connection with county lines and child and vulnerable person's exploitation.

This review highlighted:

- importance of the role of Police Community Support Officers (PCSOs) and Police Cadets as eyes and ears on the ground;
- role and profile of Councillor Advocates;
- the need to improve information and intelligence sharing and gathering;
- the importance of listening and engaging with communities to give them the confidence to pick up the signs of exploitation and know where and how to get support;
- the risks around vulnerable children and young people moving into Torbay and moving out of Torbay and ensuring that intelligence was shared with the appropriate partners to enable continued support for them and their families;
- how online exploitation was being managed and the importance of families discussing online activity with their children to develop an open understanding of their use and contacts;
- the role of schools and work being undertaken with partners;

- the impact on missing children and excluded children and the support in place;
- lessons learned from Torbay serious case reviews and from other authorities and how this was used to improve services to protect vulnerable people;
- issues in connection with housing; and
- the impact of Covid-19.

This resulted in greater awareness raising of this issue, which was shared with all Councillors and a commitment for greater sharing of information and intelligence across all agencies which would lead to improved partnership response to address exploitation and support our vulnerable people.

## 5. Responding to the Covid-19 Emergency

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Covid-19 has impacted on all our lives in 2020/2021 and the Overview and Scrutiny Board acknowledged their role in ensuring that the Council and key partners were responding appropriately and this was a key area of focus over the past year.

22 July 2020 – Health and Social Care – The Board met to reflect on the health and social care sector's response to Covid-19 and were briefed on the continuing efforts around Covid-19 within the sector. They also considered the findings from the Care Quality Commission's Inspection of Torbay and South Devon NHS Foundation Trust.

- COVID-19 had highlighted the benefits of the Integrated Care Organisation (ICO) model and the strength of working in partnership for example Torbay Council, the voluntary sector, the business and community working together on providing the Shielding Hub.
- Teams and services across the ICO had shown remarkable levels of compassion, collaboration and agility.
- The professionalism and integrity of all staff had been inspiring and humbling.
- New ways of working using technology had been successful (e.g. video conferencing, e-consultations and telephone consultations). It was intended they would be continued without losing the ability for face to face interactions with patients when appropriate to ensure that they receive the care and services they need.
- There had been a high level of engagement and collaboration between services and the voluntary and community sector.

- The organisations had developed their ability to work together and broken down barriers and feel in a good position to react to future challenges together.

26 August 2020 – Economic Recovery Plan – The Board received an update on the implementation of the Economic Recovery Plan in response to Covid-19.

- The support provided by the Council and Torbay Economic Development Company Limited (trading as TDA) to help businesses during these difficult times and the anticipated further impact, especially on our tourism sector in the autumn once the summer season had finished and the Furlough scheme ends in October. Locally and regionally the Council, TDA and key partners were working together to lobby central Government to see what further help can be provided for our local businesses and the tourism sector.
- The three chambers of commerce for Torquay, Paignton and Brixham were coming together more and also collaborating with the Torbay Business Forum with each of them taking up a seat on the Business Forum Board. The Future High Streets and Town Deal bids had been submitted for Torquay and Paignton and the high tech sector was performing well and creating more jobs.
- Issues were raised in connection with language schools and the reduction in the number of students and the knock on impact that had on some of the most vulnerable households in Torbay, who relied on additional income during the summer hosting the language students and the support available to them.

16 September 2020 – Domestic Violence and Sexual Abuse – The Board reviewed how Covid-19 had impacted on levels of domestic

violence and sexual abuse in Torbay and were briefed on how the Crime and Disorder Partnership (Safer Communities Torbay) were and continues to respond. The key issues discussed were:

- expectations and evidence base which led to belief that there would be a rise in domestic abuse and sexual violence cases as a result of Covid-19 and lockdown;
- impact on children now they are back to school; and
- the nature of sexual violence tending to be historical as opposed to domestic abuse which was usually in the current or near recent times.

14 October 2020 – Children and Young People and the Impact of Covid-19 – The Board met to establish what impact Covid-19 had and whether progress was being made to improve performance in Children’s Services. They also considered how successful the September return to school had been.

This resulted in:

- the Chief Executive Officers and Heads of Maintained Schools being requested to ensure that priority support is given to children and young people from disadvantaged backgrounds to enable them to catch up and flourish in their education and achieve the best results possible;
- the Chief Executive Officers and Heads of Maintained Schools continuing to explore all options available to enable children and young people to have access to the internet and appropriate devices to ensure that they are able to fully access online education resources;
- the Cabinet Member for Children’s Services be requested to lobby the Government to ensure that reasonable funding in respect of the additional costs incurred by the Primary,

Secondary, Further Education and Early Years Sectors are covered to ensure that their overall budgets are not adversely impacted as a result of Covid-19; and

- the Council and TDA collectively identifying with local businesses opportunities to emphasise the importance of utilising apprenticeships in the workplace and encouraging take up of apprentices though the recovery phase of Covid-19 and to assist in our economic recovery and help secure jobs for the young people in Torbay, who are at risk of being adversely impacted by Covid-19 and may have reduced employment opportunities due to the number of experienced adults seeking jobs.

9 December 2020 – Impact of Covid-19 on Torbay Hospital – The Board considered how Covid-19 had impacted on Torbay Hospital and also received an update on the Torbay Hospital Community Services Infrastructure project funded through the national Health Infrastructure Programme. The Board challenged:

- the use of community hospitals and their capacity;
- the use of staff for the Nightingale Hospital and impact on Torbay Hospital of backfilling the staff;
- the 116 bed capacity of the Nightingale Hospital and impact if referrals were made outside of Devon;
- the readiness and preparations for third wave after Christmas and what action was being taken to encourage people to social distance and stay safe over the Christmas period; and
- the use of private hospitals such as Mount Stuart and how this was funded.

The Board was reassured that appropriate measures were in place to manage Covid-19 for the people of Torbay.

## 6. Topic List

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### **Overview and Scrutiny Board**

- Health and Social Care response to Covid-19.
- Care Quality Commission Inspection of Torbay and South Devon NHS Foundation Trust (Torbay Hospital).
- Turning the Tide on Poverty – Review of Action Plan.
- Economic Recovery Plan (Covid-19).
- Review of the Draft Heritage Strategy.
- Quarterly Budget monitoring.
- Climate Change.
- Domestic Violence and Sexual Abuse.
- Strategic Agreement between Torbay Council, Devon Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust.
- Children and Young People and the Impact of Covid-19.
- Priorities and Resources 2021/2022.
- Draft Resource and Waste Management Strategy.
- Children's Improvement Plan Quarterly Update.
- Update on Torbay Hospital and Community Services Infrastructure project funded through the national Health Infrastructure Programme.
- Update on the impact of Covid-19 on Torbay Hospital.
- Draft Community Engagement and Empowerment Strategy.
- Peer Review of Torbay Council's Control and Influence over the Torbay Economic Development Company Limited (trading as TDA).
- Update on county lines and child exploitation in Torbay.

- Establishment of Children and Young People's Overview and Scrutiny Board (Sub-Committee of Overview and Scrutiny Board).
- Climate Change Emergency Response.
- 5G.
- Review of Planning Action Plan.
- Memorandum of Understanding – Torbay and South Devon NHS Foundation Trust.
- Update on Torquay Town Deal.
- Update on Future High Streets Fund.

### **Children and Young People's Overview and Scrutiny Board**

- Ofsted Annual Conversation Letter and Work Programme.
- Adoption.
- Review of Youth Offending Team.
- Children in Care Council and Pledge.
- Ensuring Children receive the right support at the right time.

### **Panels**

- Review Climate Change Emergency.
- Review of Enforcement Activity.
- Review of Council Redesign Programme and Accessibility.

## 7. Current and Future Work Programme

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The Overview and Scrutiny work programme needs to be flexible in order to address any issues that arise throughout the Municipal Year. The Covid-19 pandemic has seen the Board's focus significantly change during 2020/2021 and any many of the meetings focussed around action being taken as a result of Covid-19 and contribution towards the recovery phase, particularly around health, education and the economy, which have the biggest impact on our residents. A number of task and finish groups were suspended in early 2020 due to key officers leading the Council's response to the initial outbreak and the subsequent recovery phase. The Board has reprioritised its work programme to enable it to focus of the areas of most importance such as the Climate Change Emergency and Covid-19.

The future Work Programme will be agreed by the Overview and Scrutiny Board early in the new Municipal Year although it will continue to have the flexibility to react to issues as they arise, recognising that the current pressures placed upon the Council's staff as a result of Covid-19 and different ways of working may continue for some time.

## 8. Call-in of decisions

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The call-in process is one of the mechanisms which can be used to hold the Cabinet to account.

The purpose of call-in is to examine the decisions reached by the Cabinet (or other decision makers) and the reasoning behind those decisions. The process enables further public debate to be held on the subject. The Overview and Scrutiny Board can then consider whether the decision was appropriate and make recommendations accordingly.

Over the course of the year, the Overview and Scrutiny Board have considered two call-ins.

- Co-operative Councils Innovation Network; and
- Economic Growth Fund investment.

## 9. Community involvement

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The Overview and Scrutiny Boards and Panels engage with a wide selection of groups, organisations and individuals. We welcome the opportunity to hear from members of the public at our meetings and your input is important in understanding the concerns and needs from our communities. To support this approach and in addition to the statutory education co-opted members the Children and Young People's Overview and Scrutiny Board has appointed a number of non-voting co-opted members to provide expert advice, representing the following:

- Devon and Cornwall Police;
- Torbay Youth Trust;
- Care experienced young person; and
- Imagine This Partnership Board.

### Contact Us

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### How to get involved in overview and scrutiny

- **Attend meetings** – our scrutiny meetings are open to the public and you are welcome to come along and listen to the debate and discussion. *Please note that reports may be considered in private if they contain confidential information.*
- **Ask a question or make a point** – if you would like make a representation at a meeting, please email [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk) at least two days before the meeting so that we can let the Chairman know in advance. It is helpful to know what you would like to raise in order for it to be considered at the appropriate time during the discussions.
- **Request a review** – if there is something you think scrutiny could look at, then let us know via [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)
- **Consultation and participation** – you could be asked for your views on an issue or be invited to provide specialist knowledge you might have by being a witness in a scrutiny review.

