

**Meeting:** Overview and Scrutiny Board **Date:** 13 April 2022

**Wards affected:** All Wards

**Report Title: Overview and Scrutiny Board Annual Report 2021/2022, Initial Work Programme 2022/2023 and Establishment of Adult Social Care and Health Overview and Scrutiny Sub-Board**

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## 1. Purpose of Report

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- 1.1 This report presents the Overview and Scrutiny Board Annual Report for 2021/2022 (see Appendix 1) which provides an overview of the work carried out by Overview and Scrutiny over the past twelve months. During this time the Council has seen the effective operation of a new Children and Young People's Overview and Scrutiny Board which has enabled greater time and oversight of the delivery of Children's Services, to ensure that we are collectively doing all that we can to ensure the provision of good services for the children of Torbay.
- 1.2 Currently the main Overview and Scrutiny Board is responsible for all areas other than Children and Young People, including Health and Adult Social Care. In previous years the Council had a separate Health Scrutiny Board. The Director for Adults and Community Services has been reviewing the governance arrangements in respect of Adult Social Care working with the Head of Governance Support and Democratic Services Team Leader and is proposing the establishment of a further Sub-Committee of the Overview and Scrutiny Board, namely an Adult Social Care and Health Overview and Scrutiny Sub-Board, chaired by the Scrutiny Lead for Health and Adult Services with Terms of Reference and Membership as set out at Appendix 2 to this report. This will ensure a dedicated and focussed political oversight and challenge in respect of all issues relating to adult social care and health to help improve the delivery of these key services. This will enable the Overview and Scrutiny Board more capacity to focus on other areas within its work programme and approve and monitor the work of its review panels.
- 1.3 Mirroring the approach with Children's Services, to ensure that there is a good link between overview and scrutiny and the delivery of the Adult Social Care and Health it is proposed that the Scrutiny Lead for Health and Adult Services will also become a member of the Adult Social Care Improvement Board.

- 1.4 The report also presents the Initial Overview and Scrutiny Board Work Programme for 2022/2023 (see Appendix 3) and proposes that it is kept under regular review by the Overview and Scrutiny Co-ordinator and Democratic Services Team Leader.
- 1.5 In light of the changes to the governance of the Overview and Scrutiny the Board it is proposed that the Board considers making a recommendation to Council to make minor changes to the Terms of Reference of the main Overview and Scrutiny Board.

## 2. Reason for Proposal and its benefits

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- 2.1 The proposals in this report help us to deliver the ambition of our residents thriving by improving the governance and political challenge in respect of services for our people in receipt of adult social care and health to ensure the best outcomes.
- 2.2 The reasons for the decision are to improve the governance and accountability for the delivery of overview and scrutiny of services and support for adult social care and health. Also to enable dedicated focus on these key services provided by the Council and our partners.

## 3. Recommendation(s) / Proposed Decision

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1. that the Overview and Scrutiny Annual Report for 2021/2022, set out at Appendix 1 to the submitted report, be approved and submitted to the Council meeting on 17 May 2022;
2. that an Adults Social Care and Health Overview and Scrutiny Sub-Board be established, as a Sub-Committee of the Overview and Scrutiny Board, to be chaired by the Scrutiny Lead for Health and Adult Services, with Terms of Reference and membership as set out in Appendix 2 to the submitted report; with the Adult Social Care and Health Overview and Scrutiny Sub-Board to consider appointing additional non-voting co-opted members who will help provide expert advice and support to the Board;
3. that the Overview and Scrutiny Board reviews the effectiveness of the Adult Social Care and Health Overview and Scrutiny Sub-Board in six months time;
4. that the Children and Young People's Overview and Scrutiny Board be renamed as the Children and Young People's Overview and Scrutiny Sub-Board to reflect that it is a Sub-Committee of the main Overview and Scrutiny Board;
5. that the Initial Overview and Scrutiny Work Programme for 2022/2023 as set out in Appendix 3 to the submitted report be approved and kept under regular review by the Overview and Scrutiny Co-ordinator and Democratic Services Team Leader; and
6. that the Council be recommended to amend the terms of reference for the Overview and Scrutiny Board as follows:

remove '8. To consider all matters and issues arising from the Council's power of scrutinising local health services in accordance with the Health and Social Care Act 2001, the National Health Service Act 2006 and Health and Social Care Act 2012.' as this will now fall under the Terms of Reference of the new Adult Social Care and Health Overview and Scrutiny Sub-Board.

## **Appendices**

Appendix 1: Overview and Scrutiny Board Annual Report 2021/2022

Appendix 2: Terms of Reference and Membership for the Adult Social Care and Health Overview and Scrutiny Sub-Board

Appendix 3: Initial Overview and Scrutiny Board Work Programme for 2022/2023

## **Background Documents**

None

### 1. Introduction

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- 1.1 The main Overview and Scrutiny Board currently carries out all of the overview and scrutiny functions of the Council save Children and Young People which is carried out by the Children and Young People's Overview and Scrutiny Board (a Sub-Committee of the main Board), including health scrutiny and adult social care services. The Board meets monthly and also sets up task and finish groups to undertake deep dives into certain areas and report back to the Board with their final recommendations, which are in turn then presented to the relevant decision maker e.g. Cabinet or Council. This approach has led to some very large agendas, covering a multiplicity of issues, with meetings often lasting up to three hours.
- 1.2 A new inspection regime is being introduced for Adult Social Care and there are changes to the way the Health Services operate by way of the Integrated Care System. Whilst over the last year the Overview and Scrutiny Board has effectively challenged issues such as Mental Health and access to GPs, this has often been part of a larger agenda, which has limited the amount of time and focus available to the Board. There are a lot of changes to our local and regional health service arising from the Devon NHS Long Term Plan and scrutiny has a critical role in ensuring additional and enduring challenge to these projects to ensure our residents receive the services they need.
- 1.3 It is therefore proposed to establish an Adult Social Care and Health Overview and Scrutiny Sub-Board as a Sub-Committee of the Overview and Scrutiny Board to discharge all functions in respect of adult social care and health. This Board would be chaired by the Scrutiny Lead for Health and Adult Services, who would also have a place on the Adults Improvement Board to ensure a joined up approach to improving outcomes for people receiving adult social care services. In light of the changes to the governance of Overview and Scrutiny the Board it is proposed that the Board considers recommending that the Council to make some minor consequential changes to the Terms of Reference of the main Overview and Scrutiny Board.
- 1.4 It is proposed that the membership of the Overview and Scrutiny Adult Social Care and Health Sub-Board will include a representative from Healthwatch and the Chair of the Voluntary Sector Network as non-voting co-opted members who will help provide additional expertise and support to the Board. Meetings of the Board will be scheduled monthly to allow flexibility to deal with emerging health issues but may be cancelled by the Head of Governance Support in consultation with the Chairwoman of the Board where there is no business to be transacted.

- 1.5 The Overview and Scrutiny Board Annual Report gets presented each year to the main Board for approval and is then submitted to the Council to promote the work of Overview and Scrutiny.
- 1.6 The Overview and Scrutiny Board sets its initial Work Programme each year, which is then kept under regular review to enable pertinent items to be considered in a timely manner and to change the timing of items where appropriate to achieve a balanced agenda.

## 2. Options under consideration

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- 2.1 To do nothing, this option was rejected as there would be limited capacity to make improvements under the current arrangements.

## 3. Financial Opportunities and Implications

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- 3.1 There are no financial implications as the new Adult Social Care and Health Overview and Scrutiny Sub-Board would be supported within existing resources from within the Governance Support Team and Adult Social Care and Health Services staff would be required to attend this meeting instead of the main Overview and Scrutiny Board.

## 4. Legal Implications

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- 4.1 There are no legal implications. It has been identified as good practice by other local authorities to have a separate committee for overview and scrutiny of adult social care and health.

## 5. Engagement and Consultation

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- 5.1 The Group Leaders, Overview and Scrutiny Co-ordinator, Scrutiny Lead for Health and Adult Services and Director of Adults and Community Services have been consulted on the proposals.

## 6. Purchasing or Hiring of Goods and/or Services

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- 6.1 Not applicable.

## 7. Tackling Climate Change

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- 7.1 Agendas and documents for meetings will be made available electronically to reduce the need for printing and postage. Documents will still be available in an accessible format for those who require this.

## 8. Associated Risks

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- 8.1 There is a risk that due to the number of evening meetings being held there will be limited availability to schedule these meetings in the Governance diary and therefore meetings may need to take place during the day. This will impact on which members who will be able to sit on the Adult Social Care and Health Overview and Scrutiny Sub-Board due to work and other commitments. This will be reviewed together with the overall work programme for the Overview and Scrutiny Board.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

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	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The proposals will ensure greater focus is placed on overview and scrutiny of adult social care and health services to improve outcomes for adults.		
People with caring Responsibilities	The work of the new Board will look at ways to improve outcomes for people receiving adult social care and health services.		
People with a disability	The work of the new Board will also look at ways to improve outcomes for adults with a disability.		
Women or men			There is no differential impact.

People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			There is no differential impact.
Religion or belief (including lack of belief)			There is no differential impact.
People who are lesbian, gay or bisexual			There is no differential impact.
People who are transgendered			There is no differential impact.
People who are in a marriage or civil partnership			There is no differential impact.
Women who are pregnant / on maternity leave			There is no differential impact.
Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact.
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	The work of the new Board will support public health outcomes for adults.		

## 10. Cumulative Council Impact

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- 10.1 The work of the new Board will have a positive impact across all services, as well as those with our partners as there is a multi-agency approach to supporting adults.

## 11. Cumulative Community Impacts

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- 11.1 None