

Overview and Scrutiny Annual Report 2021/2022

April 2022



Contents

Foreword	4
1. Key information about Overview and Scrutiny	5
The operation of overview and scrutiny	5
Residents and stakeholders can get involved by	5
Scrutiny’s Role	5
Meetings	5
2. Snapshot of scrutiny development in 2021/2022	6
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
3. Overview and Scrutiny in Numbers 2021/2022	7
Key:.....	7
4. Snapshot of some of the Key Achievements 2021/2022	8
Torbay’s Housing Crisis	8
Supporting Children’s Services Improvement Journey	9
5. Scrutiny of Adult Social Care and Health	10
6. Topic List	12
Overview and Scrutiny Board	12
Children and Young People’s Overview and Scrutiny Board	13

Panels.....	13
7. Current and Future Work Programme.....	14
8. Call-in of decisions	Error! Bookmark not defined.
9. Community involvement	15
How to get involved in overview and scrutiny	15

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Foreword

This year has been a challenging year for Overview and Scrutiny, continuing to respond to the issues the Covid-19 pandemic has brought to Torbay as well as looking forward to new opportunities working with our communities and partners. Our first meeting of the Year was held remotely via hybrid arrangements before returning to meeting in person from 14 July 2021.

We continued to take a leading role in the Leader and Cabinet's Budget development for 2022/2023 and I am pleased that most of our recommendations informed the final budget proposals. In addition to the budget, the Board has investigated several 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 and Torbay's Housing Crisis.

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, the Cabinet and our key partners in Health, the voluntary sector and the Police 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 2021/2022 Municipal Year.

Councillor Maggi Douglas-Dunbar
Overview and Scrutiny Co-ordinator

1. Key information about Overview and Scrutiny

The operation of overview and scrutiny

Councillor Douglas-Dunbar has been the Overview and Scrutiny Co-ordinator since May 2021. She is supported by Scrutiny Lead Members:

- Councillor Bye – Children’s Services (and Vice-Chair of the Overview and Scrutiny Board);
- Councillor Mandy Darling – Health and Adult Services;
- Councillor Foster – Community and Corporate Services; and
- Councillor Kennedy – Place.

The Overview and Scrutiny Board meets monthly with task and finish Panels created to consider topics in greater detail. The Overview and Scrutiny Board comprised of Councillors Atiya-Alla, Barrand, Brown, Bye, Mandy Darling, Douglas-Dunbar, Foster, Kennedy and Loxton.

The Children and Young People’s Overview and Scrutiny Board (a Sub-Committee of the main Board) was established in January 2021 to provide greater focus on issues in relation to Children and Young People and normally meets bi-monthly. This Board was Chaired by Councillor Bye and comprised of Councillors Barnby, Mandy Darling, Douglas-Dunbar and Mills (Vice-Chairwoman).

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, Council or key partners 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 2021/2022

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 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 with the help of the Children and Young People's Overview and Scrutiny Board.

Equal importance placed on policy development

The Board provided feedback during the development of the Strategic Asset Management Plan, one of the Council's key Policy Framework Documents.

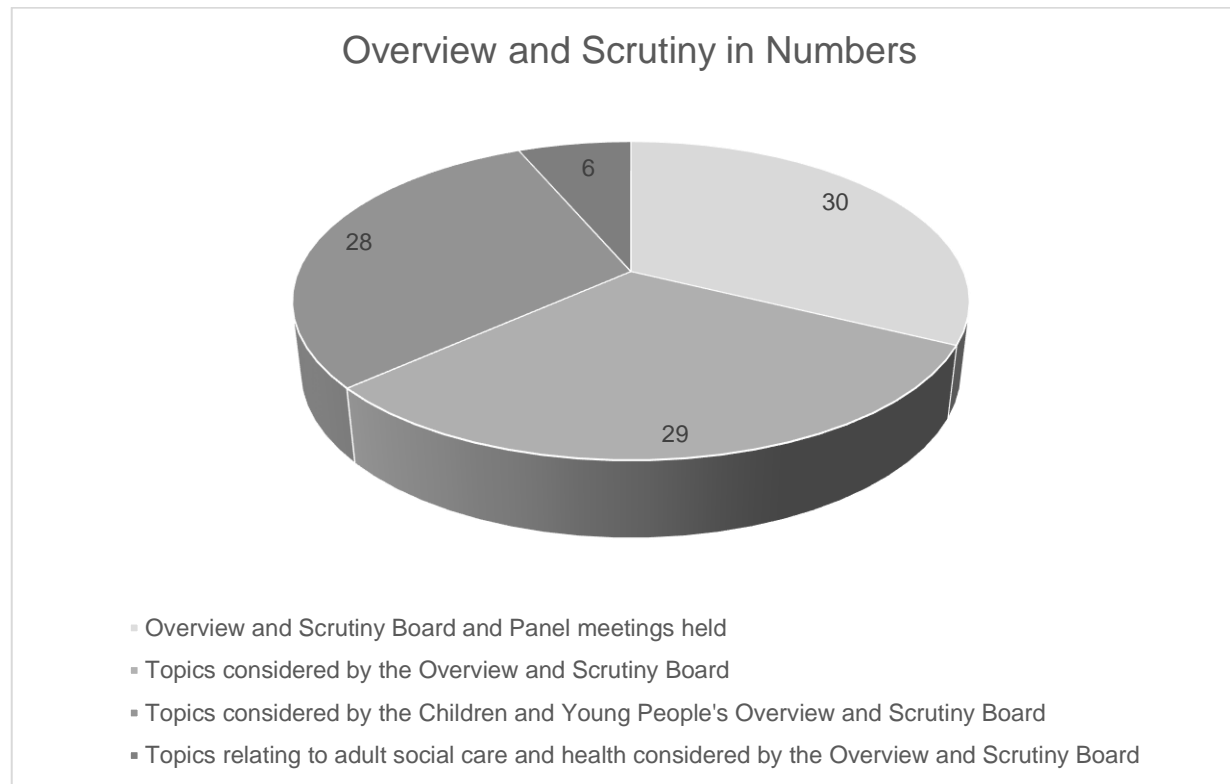
Complementing the work of the Cabinet

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 upcoming items to ensure relevant items are considered at the right time with key attendees invited to contribute towards discussions. The Forward Plan was also used as a tool to identify key issues for consideration by the Board.

3. Overview and Scrutiny in Numbers 2021/2022



Key:

- 30 Overview and Scrutiny Board and Panel meetings held
- 29 Topics considered by the Overview and Scrutiny Board
- 28 Topics considered by the Children and Young People's Overview and Scrutiny Board
- 6 Topics relating to adult social care and health considered by the Overview and Scrutiny Board

4. Snapshot of some of the Key Achievements 2021/2022

Torbay's Housing Crisis

Following a review of the Council's Prioritised Business Plan for 2021/2022 the Board agreed that a key priority area for overview and scrutiny was Torbay's Housing Crisis, to explore what action was being taken to address the following key areas:

1. shortage of temporary accommodation;
2. implications of short term leases;
3. social and affordable housing and the work of TorVista Homes;
4. empty properties;
5. general housing supply; and
6. the work of the Strategic Housing Board.

The Overview and Scrutiny Board established a Torbay's Housing Crisis Task and Finish Group in July 2021. The Panel worked with key officers from the Council's Senior Leadership Team and external advisors (the Independent Chairman of the Strategic Housing Board and representatives from Citizen's Advice and Shekinah) as well as receiving valued contributions from a member of the public.

The review has resulted in:

- officers working with the Valuation Office to see what can be done to increase the level of Local Housing Allowance available to people in Torbay;
- officers reviewing the support for care experienced young people to help them secure suitable accommodation when they leave care as well as working with Registered Housing Providers and TorVista Homes;
- progress of the Rightsizing Project working with Registered Housing Providers to help people move into suitable sized accommodation to free up larger properties for families;
- reviewing the support to increase in the number of care experienced young people remaining longer with their foster carers through the Staying Put Policy;
- a process and policy review for care experienced young people to access properties more quickly through the Devon Home Choice Scheme;
- new posts created as part of the budget process to help with enforcement on poor standards of accommodation and to help bring empty properties back into use;
- greater promotion on what the Council is doing to raise awareness of the Housing Crisis and options and support available to local residents;
- the Housing Delivery Group exploring option on how Planning Policy can be improved and developed to increase the number of properties available in Torbay;

The full report of the Torbay's Housing Crisis Review and the Cabinet response can be found at <https://www.torbay.gov.uk/DemocraticServices/ieListDocuments.aspx?CId=741&MId=18605&Ver=4>

Supporting Children's Services Improvement Journey

The Children and Young People's Overview and Scrutiny Board has had a busy year working with and holding to account the Chief Executive, Director of Children's Services and Cabinet Member for Children's Services across a wide range of topics. The Board is supported by the following key co-opted members:

- Tatiana Wilson, Church of England Diocesan;
- Laura Colman, Primary Parent Governor;
- Jo Morrell, Torbay Youth Trust;
- Mike Cook, Imagine This Partnership Board; and
- Edward Wright, Devon and Cornwall Police.

A care experienced young person also contributed towards the work of the Board and we are looking for a new person to represent the voice of cared for and care experienced young people.

The Board has regularly monitored the Children's Improvement Plan and challenged and sought assurance that appropriate and timely action was being taken to address areas of concern e.g. the implementation of Liquid Logic software and the impact on reporting of data.

The Board recognised the key role that all Members had as Corporate Parents and had regard to this when reviewing the refreshed interim Corporate Parenting Strategy which had an overall objective to ensure that all children, young people and care experienced young people and adults are safe, happy and healthy in order that they can fulfil their full potential. The Strategy also provided improved Governance and recognised the role of corporate parents across the whole of the Council and working with our partners. The Board recommended that in light of the high profile of this strategy the Council should include it in the key list of Policy Framework Documents as well as further engagement being carried

out with children and young people to inform an updated Corporate Parenting Strategy for presentation to full Council.

Exploitation and mental health were two key areas of concern that were considered and actions challenged by the Board to ensure a multi-agency approach to tackling these issues. The Board will continue to receive regular updates on these areas to ensure action is being taken in a timely manner.

The Board also sought to raise the profile of the excellent partnership work to support our children and young people such as the development of a Child Friendly Torbay Vision and the work being carried out through the Torbay Together who had set up the following groups:

- Priority 1 – Child Exploitation – Police lead;
- Priority 2 – Early Help – Children's Services lead;
- Priority 3 – Where I live – Imagine This lead;
- Priority 4 – Corporate Parenting – Children's Services lead; and
- Priority 5 – Ambassador programme – Torbay Together lead.

Members contributed towards the Torbay's Housing Crisis Review all of its recommendations to support children and young people were adopted by the Panel and taken forward to the Cabinet.

Members actively challenged responses to the following areas to ensure appropriate action was being taken to protect our children and young people:

- Youth Offending Team Inspection;
- Child Safeguarding Practice Review – Child C80;
- Care Quality Commission and Ofsted Joint Area Special Educational Needs and Disabilities Inspection; and
- A review of Leadership, Management and Governance.

5. Scrutiny of Adult Social Care and Health

Covid-19 has continued to impact on all our lives in 2021/2022 and the Overview and Scrutiny Board acknowledged their role in ensuring that the Council and key partners were still continuing to provide key services to our residents. Most notably the Board had regard to the impact on people's mental health and access to vital health and social care services.

9 June 2021 – The Board considered the draft Quality Account for 2020/2021 for Torbay and South Devon NHS Foundation Trust, whilst they acknowledged the commitment of staff and a number of improvements highlighted they also sought assurance that relevant action would be taken to:

- improve the performance of the stroke unit;
- provide greater assurance that appropriate support was being put in place to support ongoing staff welfare;
- ensure that the operational ratio of staff to patients is sufficient, in light of current working practices;
- ensure that staff receive relevant in person training, wherever possible, to enable them to be kept up to date with current working practices and processes;
- provide greater assurance as to how the Mental Capacity Act 2007 is being embedded into daily practices, including understanding and awareness of issues surrounding people with a learning disability;

- provide greater assurance that feedback from patients who have been discharged from hospital is being taken into account and that appropriate community support is being secured to support people leaving hospital to ensure that they are safe and cared for;
- address the number of medicine incidents and the number of bullying, harassment or abuse incidents towards staff;

- address the standards not being met for Standard 2 – emergency admission seen by a suitable consultant within 14 hours of admission;
- address the standard not being met for Standard 8 – high dependency patients seen twice daily and other patients once daily by a suitable consultant;
- reduce waiting times for referral to treatment; and
- increase feedback and engagement with inpatients.

15 September 2021 – The Board scrutinised the health and wellbeing support through GPs and recommended the Clinical Commissioning Group to continue to work closely with Healthwatch and other local partners to explore further:

- options to enable patients to access their GP in an accessible manner;
- what action has been taken to improve communication with patients to enable them to access the correct services at the appropriate time; and
- how learning is shared across practices.

13 October 2021 – The Board scrutinised the Adult Social Care Improvement Plan. This highlighted areas of concern in terms of staffing and suitable bed capacity across the whole of the adult social care sector and the need to act differently to improve outcomes for people requiring adult social care and mental health services.

The Board:

- encouraged the Council's Head of Adult Commissioning and the Torbay and South Devon NHS Foundation Trust's Associate Director of Operations for Torbay to continue to recognise our care workers, by raising their profile, exploring ways to enhance their career opportunities in care and investigate ways of providing sufficient additional key worker accommodation, to encourage more staff to come to work in Torbay and fill our vacancies in the care sector; and
- requested that the Devon Partnership NHS Trust and Torbay and South Devon NHS Foundation Trust be invited to a future meeting of the Overview and Scrutiny Board to outline the Community Mental Health Framework on how people are supported with severe mental health needs.

The Board also scrutinised mental health and wellbeing and the NHS Long Term Plan for Devon.

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. 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 an Integrated Care Organisation. There are also 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.

It is therefore proposed from May 2022 that a Sub-Committee of the Overview and Scrutiny Board, namely an Adult Social Care and Health Overview and Scrutiny Sub-Board be established to fulfil the function of these two key areas.

This would work in the same way as the Children and Young People's Overview and Scrutiny Board and would include key co-opted members from Healthwatch and the Chair of the Voluntary Sector Network to help provide professional advice to the Board and represent members of the community and voluntary sector.

6. Topic List

Overview and Scrutiny Board

- Update on local policing matters in Torbay including current crime statistics and how the Police Community Support Officers (PCSOs) were working with the Council and the Community.
- Update on the Anti-Poverty Task and Finish Group Review Action Plan.
- Torbay and South Devon NHS Foundation Trust Draft Quality Accounts for 2020/2021.
- Initial Work Programme for 2021/2022.
- Update on the Board's Feedback to the Torbay and South Devon NHS Foundation Trust Draft Quality Accounts for 2020/2021.
- Review of Prioritised Council Business Plan.
- Budget Monitoring Outturn 2020/2021.
- Review of the Children and Young People's Overview and Scrutiny Board.
- Update on Review of Climate Change Emergency Actions.
- Health and Wellbeing Support through GPs.
- Budget Monitoring Quarter 1.
- Adult Social Care Improvement Plan.
- Impact on the Council of the increase in the Higher Needs Block of the Dedicated Schools Grant.
- Update on Review of Planning Service Action Plan.
- Update on local Police matters including staffing levels.
- Local Environmental Quality – Outline Plan.
- Strategic Asset Management Plan.
- Budget Monitoring Quarter 2.
- Mental Health and Wellbeing.
- Torquay Town Deal and Paignton Future High Streets Update.
- Climate Change Emergency Update.
- Turning the Tide on Poverty Review Update on Action Plan.
- Revenue Budget 2022/2023 – sign off of the Report of the Priorities and Resources Review Panel.
- NHS Long Term Plan for Devon.
- Review of Torbay's Housing Crisis – sign off of the Report of the Torbay's Housing Crisis Review Panel.
- Budget Monitoring Quarter 3 2021/2022.
- Torbay's Economic Strategy Refresh.
- Review of Kickstart and Next Steps.
- Overview and Scrutiny Annual Report 2021/2022 and draft Work Programme for 2022/2023.

Children and Young People's Overview and Scrutiny Board

- Virtual School Annual Report 2019-2020.
- Workforce Development and Sufficiency of Placements and Commissioning.
- Arrangements for Fostering and Residential Care.
- Children's Improvement Plan Quarterly Update.
- Children and Young People's Overview and Scrutiny Board Action Tracker.
- Children's Improvement Plan Quarterly Update.
- Corporate Parenting Strategy.
- Update on the implementation of the Youth Offending Team Action Plans.
- Children and Young People's Overview and Scrutiny Board Action Tracker.
- Updated Corporate Parenting Strategy.
- Exploitation Update.
- Engagement and participation of children and young people and their families – including Torbay Pledge.
- Family Friendly Vision.
- Torbay Children's Services – A Review of Leadership, Management and Governance.
- Children and Young People's Overview and Scrutiny Board Action Tracker.
- Child Safeguarding Practice Review Child C80 and Action Plan.
- Housing for Care Experienced Young People.
- Childcare Sufficiency Report 2021.
- Children's Improvement Plan Quarterly Update.

- Children and Young People's Overview and Scrutiny Board Action Tracker.
- Torbay Virtual School Annual Report 2020/2021.
- Response to the Care Quality Commission and Joint Area Special Educational Needs and Disability Inspection in Torbay.
- Children's Improvement Plan Quarterly Update.
- Our Promise to You – The Torbay Pledge to cared for and care experienced children/young people 2021-2022 Update.
- Updated Response to the Care Quality Commission and Joint Area Special Educational Needs and Disability Inspection in Torbay.
- Review of Child Safeguarding Practice Review Child C80 Action Plan.
- Exploitation Update.
- Children and Young People's Overview and Scrutiny Board Action Tracker.

Panels

- Review of Enforcement Activity – this panel was suspended due to staff shortages and agreement that the focus on Torbay's Housing Crisis was a greater priority for scrutiny.
- Review of Council Redesign Programme and Accessibility.
- Review of Torbay's Housing Crisis.
- Priorities and Resources Review Panel.

7. Current and Future Work Programme

The Overview and Scrutiny work programme needs to be flexible in order to address any issues that arise throughout the Municipal Year. A number of new topics were added to the programme during the year and the timing of some of the items was varied to enable key items to be considered in a timely manner.

The future Work Programme will be agreed by the Overview and Scrutiny Board on 13 April 2022 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 increasing financial pressures on our residents and different ways of working that have now been established as a result of Covid-19.

. Call-in of decisions

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.

There were no call-ins during 2021/2022.

9. Community involvement

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 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
- **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.

