

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW & SCRUTINY BOARD

1ST DECEMBER 2009

JOINT OVERVIEW & SCRUTINY BOARD
WORK PROGRAMME 2009-2010

Responsible Portfolio Holder	Cllr G. N. Denaro
Responsible Head of Service	Claire Felton – Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY

- 1.1 This report presents the new Joint Overview and Scrutiny Board (JOSB) Work Programme and outlines the process and rationale for the Overview and Scrutiny Work planning process for 2009-2010.
- 1.2 Overview and Scrutiny is a vehicle for non-executive elected Members of the Council to engage in the local decision making process. The objective of the work planning process is to identify key issues for consideration where Overview and Scrutiny can make a constructive impact upon the local democratic decision making process, to help the Council and its community partners achieve their vision and objectives and promote community well being.
- 1.3 The Overview and Scrutiny Work Planning Schedule is outlined at Appendix 1.

2. RECOMMENDATIONS

- 2.1 Members of the JOSB are requested to:
- a. Note the Overview and Scrutiny work planning process for 2009-2010;
 - b. agree the JOSB Work Programme for 2009-2010 (as set out in Appendix 3);
 - c. agree 2 further meetings of the JOSB on 10th February 2010 and on 9th March 2010;
 - d. identify evidence to be considered for each item on the agreed work programme.

3. BACKGROUND

- 3.1. On 29th April 2009 the Council agreed that, following the trial period the overview and scrutiny function continue to be performed by an Overview Board and a Scrutiny Board and a new Joint Overview and Scrutiny Board was also created to deal with specific functions.

- 3.2. Overview and Scrutiny can be undertaken by the Overview Board, the Scrutiny Board, the JOSB, scrutiny task groups, and jointly with scrutiny committees of other local authority councils. The Boards cannot make executive decisions but can make recommendations to the Cabinet and other local decision makers.
- 3.3. A meeting of the Council on Wednesday 29th April 2009 defined the role of the JOSB. The Council resolved:
“(a) that a Joint Overview and Scrutiny Board be created to enable the Council to discharge the following functions: Councillor Calls for Action, Crime and Disorder Calls for Action, Petitions, scrutiny of the budget; and that it be designated as the Crime and Disorder Committee in accordance with the Police and Justice Act 2006; (b) that the overview and scrutiny functions (other than those referred to above) continue to be performed separately by an Overview Board and the Scrutiny Board”.
- 3.4. In order to capture the key issues currently facing the Council and to make the process inclusive, there has been consultation and discussion on the possible topics for the work programme undertaken. The process followed for this is outlined below.
- 3.5. The Overview and Scrutiny Work Planning Workshop held on 6th October 2009 considered the key strategic issues identified for the Council and its community partners where Overview and Scrutiny can constructively add value to the decision making process.
- 3.6. The JOSB is asked to agree to schedule 2 further meetings of the JOSB on 10th February 2010 and on 9th March 2010. The Overview and Scrutiny Work Programme for the remainder of 2009/2010 has now been drawn up and scheduled around the meetings for this municipal year.
- 3.7. The Council Constitution requires that the JOSB agree its own work programme and the topics identified so far are now presented to the JOSB for ratification.

4.0 THE OVERVIEW AND SCRUTINY WORK PLANNING PROCESS

- 4.1. In order to identify possible topics for Members to consider for the Work Programme, a process was established to consult and identify key issues (Appendix 1). A list of possible items for Overview and Scrutiny was drawn up to include the suggestions for topics from various sources.
- 4.2. The work of Overview and Scrutiny may include topics which review existing policies and services and make recommendations for

improvement, or may consider policy development, for example in response to new Government legislation or guidance. Topics for Overview and Scrutiny should be strategic in scope and aimed at making recommendations to the Cabinet, Council or other local decision makers, or where overview for democratic probity is required.

- 4.3. In order to identify the key issues for Overview and Scrutiny and to make the process inclusive, possible items for future scrutiny work were identified in a variety of ways:
- ❖ On 17th September 2009 the Chairman of the JOSB wrote to all Councillors to ask for suggestions for possible topics, which yielded several topic proposals;
 - ❖ The Corporate Management Team (CMT) have been asked to identify key issues for Overview and Scrutiny;
 - ❖ The JOSB has considered its work programme and identified suggested topics;
 - ❖ The Council's Forward Plan and Supplementary List of Future Items have been taken into account.
- 4.4. Suggested topics have been put forward by elected Members and by CMT. No topics have been submitted recently by members of the public or by community partners, although it may be considered good practice in future to have wider engagement in identifying suggested topics. Members of the public and elected councillors may also submit proposals at any time during the year.
- 4.5. A work planning workshop was held on 6th October 2009 to consider and prioritise topics. The priority topics identified have now been scheduled and timetabled around the scheduled meetings for 2009/2010, according to available time and resources.

5. THE WORK PLANNING WORKSHOP 6TH OCTOBER 2009

- 5.1. On 6th October 2009 an Overview and Scrutiny Work Planning Workshop was organised. The purpose of the Work Planning Workshop was to enable Members of Overview and Scrutiny to consider the topics suggested for the 2009/2010 Overview and Scrutiny Work Programme and identify which topics are to be included and prioritised.
- 5.2. During the workshop, Overview and Scrutiny Members prioritised the issues that they wish to include on the scrutiny work programme.
- 5.3. The following queries were used as guidance criteria:
- ❖ Is it a priority issue for the Council or the Local Strategic Partnership?
 - ❖ Is it an important issue for local residents?

- ❖ Is it a topic where Overview and Scrutiny could feasibly and constructively make recommendations?
 - ❖ Is it a topic where external review would be helpful?
 - ❖ Is it a topic where a review could be made in time to make recommendations for the executive decision making process?
 - ❖ Is it a poorly performing service?
 - ❖ Is it a review that could render significant savings or value for money?
 - ❖ Is the topic strategic in scope?
- 5.4. Members were also asked to consider the objectives of the topic, ie what the Overview and Scrutiny investigation would be trying to achieve and if it would be achievable within the timescale available.
- 5.5. The following criteria were also used by members in identifying what issues are **not** suitable for Overview and Scrutiny:
- ❖ Issues which could be dealt with more effectively as a Member Enquiry,
 - ❖ Issues where it would be infeasible for Overview and Scrutiny to make realistic recommendations,
 - ❖ Issues which are for information only and may be better dealt with through a Member briefing or Member training,
 - ❖ Issues which are already being dealt with in a similar way elsewhere (duplication),
 - ❖ Issues where the matter is sub judice or prejudicial to the Council's interests,
 - ❖ Issues where the matter relates to a specific case within the complaints procedure,
 - ❖ The issue relates to an individual disciplinary matter or grievance.
- 5.6. The Overview and Scrutiny work programme should ideally include a balance of different types of topics, including short, medium and long term investigations. Some topics could be considered at one-off, 'select committee' style meetings; others may be more in-depth investigatory scrutiny exercises. There should ideally be a mix of topic themes across the Council and community partner services and reflecting the different Council and LSP priority areas. Bromsgrove District Council Vision, Values and Objectives are given for reference at Appendix 2.
- 5.7. Using the criteria above, Members were asked to prioritise the topics as:
- **“High”**,
 - **“Medium”** or
 - **“Low”**.
- 5.8. Members were asked to identify no more than 8-10 “High” priority topics. This was divided between the JOSB and the Scrutiny Board

(see Allocation of Topics below). These topics will be given greatest priority in the Work Programme.

- 5.9. The remaining topics will be scheduled in order of priority. As it will not be possible to consider all topics during the year, the prioritised topics will tend to be scheduled first and lower priority topics will be held in reserve. Topics not considered in 2009-2010 may be scheduled for 2010-2011 or reconsidered in the work planning process.

6. Allocation of Topics

- 6.1. Topics have been allocated to the Overview Board, the Scrutiny Board or the JOSB, according to the topic and the respective terms of reference of the Boards. More in-depth Overview and Scrutiny investigations may be carried out through Task Groups, which meet outside of the formal committee process to investigate particular issues and report back to one of the main Overview and Scrutiny Boards with a report and recommendations.
- 6.2. Topics vary in size and scope, but it is advised that generally no more than 2 substantive items be allocated to each Board meeting, as well as Task Groups, commissioned by each Board, carrying out work outside of the formal committee process and reporting back. Members will need to take a realistic view as to how many Task Groups it is possible to operate at any one time given the level of resources needed both in terms of Member time and officer support. It is suggested that any issues relating to the number of Task Groups be addressed by consultation between the Chairmen of the Boards and the Head of Legal Equalities and Democratic Services.
- 6.3. The allocation of topics should allow room for additional items to be added during the municipal year, although it is advised that this be avoided as far as possible and key issues identified in advance. Additional items may arise from a Call In of a Cabinet Decision, a Councillor Call for Action, a topic proposal submission, referral from The Council or Leader and Cabinet, petitions or a Joint Overview and Scrutiny Committee proposal from another local authority's scrutiny committee.
- 6.4. The proposed Work Programme for the JOSB is attached at Appendix 3. Dates of consideration are to be confirmed. When agreed, this programme will inform the work of the Overview and Scrutiny Boards for the remainder of the municipal year.

7. JOSB Task Groups

- 7.1. Task Groups enable Members to go outside the formal committee setting and consider issues in-depth. They also enable other non-

executive Members, who are not currently members of the Overview and Scrutiny Boards, to become involved in the scrutiny process.

- 7.2. There are no topics identified as Task Group investigations for the JOSB at this stage, although it is possible that Task Group investigations may be commissioned by the JOSB in the future on topics within its terms of reference. Task Group investigations are topics that may benefit from in-depth consideration and may involve Member led research.

8. Scoping and Planning Topics

- 8.1. The issues identified for consideration need to be defined to give a precise definition of the area for review and to avoid confusion of issues.
- 8.2. Initially, Members were asked to consider the *title* and *description* of the topics and these have now been identified.
- 8.3. Members are now asked to start to consider and identify the precise aims and objectives for review, as well as possible outcomes, evidence to be considered and other details for each topic.
- 8.4. This is an opportunity for Members to identify what evidence they wish to consider for each chosen topic. Evidence may include:
- ❖ Witnesses – people who can talk to the committee about the chosen topic. These may be service users, interest groups, voluntary groups, other service providers, partner agencies, experts in the field or officers of the council.
 - ❖ Documentary evidence – this may include background papers, written testimonials, academic research, government guidance, officer reports etc.
 - ❖ Site visits – places where Members should visit as part of their investigation, eg looking at service delivery on the ground, visiting other service providers, looking at physical environments and places etc.
- 8.5. In planning their work Members should also consider and identify:
- **Key stakeholders**
 - Decision makers
 - Partner Agencies.
 - Lead Officers and Department
 - Service user representatives
 - Voluntary groups
 - Minority groups

- **Council / LSP Targets** – Any strategic targets that the issues relate to inc CAA targets and LAA targets and any other corporate or community targets which may be relevant.
- **Key Background Papers** – Strategic plans, Government legislation or guidance, Council policies etc that are relevant to the policy and services concerned.

9. FINANCIAL IMPLICATIONS

- 9.1. There are no direct budgetary implications arising from the recommendations in this report.

10. LEGAL IMPLICATIONS

- 10.1. The Local Government Act 2000 requires Councils operating Executive Arrangements to include one or more Overview and Scrutiny Committees within their Constitution, which may be composed of any councillors who are not on the Executive Committee of the Council.
- 10.2. Executive arrangements by a local authority must ensure that their overview and scrutiny committee has power (or their overview and scrutiny committees have power between them) to:
- a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
 - b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,
 - c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,
 - d) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive,
 - e) to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area.

11. COUNCIL OBJECTIVES

- 11.1. Overview and Scrutiny links to Council Objective Two: Improvement and Council Objective Three: Sense of Community and Wellbeing.

12. RISK MANAGEMENT

There are no direct risks associated with this report. Any risks associated with topics selected by the JOSB will be addressed as part of the scrutiny exercise.

13. CUSTOMER IMPLICATIONS

13.1 Overview and Scrutiny will contribute to improvement of service provision and community well being through the review of local council and community services. It will also aid accountability of local services to service users, council tax payers and other local residents through elected Members as Overview and Scrutiny is led by elected councillors.

14. EQUALITIES AND DIVERSITY IMPLICATIONS

14.1 Overview and Scrutiny will consider the equality and diversity implications of topics chosen for the Overview and Scrutiny Work Programme.

15. VALUE FOR MONEY IMPLICATIONS

15.1 Value for money will be considered and encouraged through the Overview and Scrutiny process in the scrutiny review of local services.

16. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management Effective governance process	
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

17. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No

Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

18. WARDS AFFECTED

All Wards

19. APPENDICES

Appendix 1 - Overview and Scrutiny Work Programming Schedule
Appendix 2 – Bromsgrove District Council Vision, Values and Objectives
Appendix 3 – The JOSB Work Programme

20. BACKGROUND PAPERS

Assessing Bromsgroves Performance – Results of the Place Survey 2008/09 for Bromsgrove District Council and Partners.
The Bromsgrove Sustainable Community Strategy 2007 – 2010
The Council's Forward Plan and Supplementary List of Future Items
The Worcestershire Local Area Agreement 2006-2009

CONTACT OFFICER

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Appendix 1 - Overview and Scrutiny Work Programming Schedule

CMT **Tu 18th Aug 09 – invitation to suggest themes for O&S**

Collate and revise suggested themes from CMT and Members

Agree work programming process and schedule with OB & SB Chairs

JOSB **Tu 1st Sept 09 – consideration of the OB Work Programme**

Send invitation to all Members of O&S Work Shop *by 25th September*

Scrutiny Board **Tu 29th Sept – consideration of the SB Work Programme**

Ask CMT officers for any further suggestions *by Fri 2nd Oct 09*

Prepare draft List of Topics for O&S

Prepare framework for topic selection for O&S Work Shop

O&S Work Shop **Tu 6th Oct 09 – Discussion and election of topics**

Discuss and agree outcomes with OB & SB Chairs

Revise List of Topics and O&S WPs – *by Th 8th Oct 09*

CMT **13th Oct 09 – Final List of Topics and O&S WPs**

Feedback to CMT

Overview Board **Tu 3rd Nov 09 – Ratification of OB WP**

Scrutiny Board **Tu 24th Nov 09 – Ratification of SB WP**

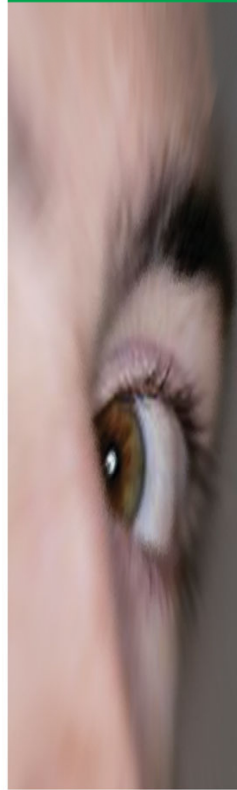
JOSB Tu 1st Dec 09 - Ratification of JOSB WP

Bromsgrove District Council

our Vision our Values and Objectives

Vision
Working together to build a district where people are proud to live and work, through community leadership and excellent services

Values
Leadership
Partnerships,
Customer First and
Equality



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graph LR; CO1[Council Objective One  
Regeneration] --> CO2[Council Objective Two  
Improvement]; CO2 --> CO3[Council Objective Three  
Sense of Community & Well being]; CO3 --> CO4[Council Objective Four  
Environment]; CO1 --> C01[C01 Priorities  
Town Centre Housing]; CO3 --> C03[C03 Priorities  
Sense of Community]; CO4 --> C04[C04 Priorities  
Clean Streets and Climate Change];
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Council Objective One
Regeneration

Council Objective Two
Improvement


Council Objective Three
Sense of Community & Well being

Council Objective Four
Environment


C01 Priorities
Town Centre
Housing

C03 Priorities
Sense of Community

C04 Priorities
Clean Streets and
Climate Change



Bromsgrove
District Council
www.bromsgrove.gov.uk



Joint Overview & Scrutiny Board

WORK PROGRAMME

1st December 2009

This Work Programme consists of three sections: Items for future meetings (including updates); current Task Groups; and Task Group Reviews.

RECOMMENDATION: To consider and agree the work programme.

ITEMS FOR FUTURE MEETINGS (INCLUDING UPDATES)

Subject	Date of Consideration	Other Information
Recommendation Tracker - <i>Permanent Item</i> -	Quarterly	A quarterly report monitoring the implementation of JOSB recommendations.
<i>JOSB Work Programme 2009-2010</i>	1 st December 2009	<i>To agree the JOSB Work Programme 2009-2010.</i>

<p><i>The Draft Budget Proposals</i> <i>Presentation on the Budget Process, recommended Capital Programme and Draft Base Budget for 2010 - 2011</i></p>	<p>1st December 2009 5th January 2010</p>	
<p><i>The Treasury Strategy</i> <i>To consider the investment portfolio of the Council.</i></p>	<p>1st December 2009</p>	
<p><i>Scrutiny of Crime and Disorder</i> To consider the statutory provisions for the scrutiny of crime and disorder.</p>	<p>1st December 2009 10th February 2010 9th March 2010</p>	
<p><i>Councillor Calls for Action</i> To consider the statutory provisions for the Councillor Calls for Actions and the process for this at Bromsgrove District Council.</p>	<p>10th February 2010</p>	

JOINT OVERVIEW & SCRUTINY MEETING SCHEDULE AND WORK PROGRAMME 2009/10

The role of the Joint Overview & Scrutiny Board (JOSB) is to discharge the following functions:

- ~ Councillor Calls for Action,
- ~ Crime and Disorder (it is The designated as the Crime and Disorder Committee in accordance with the Police and Justice Act 2006),
- ~ To receive Petitions,
- ~ Scrutiny of the Council Budget.

1. ITEMS FOR FUTURE MEETINGS (INCLUDING UPDATES)

1.1 Schedule of meetings and agenda items

See Appendix 1 - Schedule of meetings and agenda items.

1.2 Standing Items

The following items will be considered at regular intervals, as indicated.

Consideration of Crime and Disorder Reduction Partnership (CDRP) Issues - Standing item on each agenda
Consideration of Petitions
Consideration of Councilor Call for Action items

Appendix 1 - Schedule of meetings and agenda items

Date of Meeting	Subject & Description	Documentary Evidence	Witnesses Department and Leader Officers Community Partners etc	Decision Maker(s) / Decision Date	Possible Outcomes
	<p>JOSB Work Programme To agree the JOSB Work Programme 2009-2010.</p>	<p><i>A report of the Head of Legal, Equalities and Democratic Services to agree the Work Programme for the JOSB</i></p>	<p><i>Chairman of the JOSB – Cllr S. Colella</i></p> <p><i>Claire Felton – Head of Legal, Equalities and Democratic Services</i></p> <p><i>Sarah Sellers – Senior Soliciter</i></p> <p><i>Michael Carr – Scrutiny Officer</i></p>	<p>JOSB 1st December 2009</p>	<p>Agreement of the JOSB Work Programme.</p>
<p>Tuesday 1st Dec 2009 6.00 p.m.</p>	<p>The Draft Budget Proposals <i>Presentation on the Budget Process, recommended Capital Programme and Draft Base Budget for 2010 -</i></p>	<p><i>Presentations to Scrutiny Steering Board on the budget process, draft Capital Programme and base revenue budget.</i></p>	<p>Cllr G Denaro – Cabinet Member</p> <p><i>Executive Director Services Tony Beirne</i></p>	<p>Full Council 24th February 2010.</p>	<p>Recommendations on amendments to the Capital Programme and Draft Base Budget 2010-2011.</p>

	2011		<i>Head of Financial Services Jayne Pickering</i>		
	<i>The Treasury Strategy</i> <i>To consider the investment portfolio of the Council.</i>		<i>Cllr G Denaro – Cabinet Member</i> <i>Head of Financial Services Jayne Pickering</i>	Cllr G Denaro – Cabinet Member Cabinet March 2010	
	<i>Scrutiny of Crime and Disorder</i> To consider the statutory provisions for the scrutiny of crime and disorder.	A report of the Head of Legal, Equalities and Democratic Services to consider the statutory provisions for the scrutiny of crime and disorder.	<i>Angela Heighway – Joint Head of Service Redditch & Bromsgrove</i> <i>Bev Houghton – Community Safety Manager (Redditch & Bromsgrove)</i> <i>Claire Felton – Head of Legal, Equalities and Democratic Services</i> <i>Sarah Sellers –</i>		Agreement on the process for drawing up the draft procedures for the scrutiny of crime and disorder partnerships.

			<p><i>Senior Solicitor</i></p> <p><i>Michael Carr – Scrutiny Officer</i></p>		
<p>Tuesday 5th Jan 2010 6.00 p.m.</p>	<p><i>The Draft Budget Proposals</i> <i>Consideration by Scrutiny Steering Board of detailed budget for each area and proposed growth and budget reductions (if required).</i></p>	<p>A report of the Head of Financial Services</p>	<p><i>Cllr G Denaro – Cabinet Member</i></p> <p><i>Executive Director Services Tony Beirne</i></p> <p><i>Head of Financial Services Jayne Pickering</i></p>	<p>Full Council 24th February 2010.</p> <p>6th Jan. 2010 - Consideration by Cabinet of Revenue budget.</p>	
<p>Wednesday 10th February 2010 6.00pm</p>	<p><i>Scrutiny of Crime and Disorder</i></p>	<p>A report of the Head of Legal, Equalities and Democratic Services to consider and agree the draft process for the scrutiny of crime and disorder partnerships.</p>	<p><i>Cllr M. J. A. Webb – Cabinet Member for Community and Customer Engagement and Community Safety.</i></p> <p><i>John Godwin CDRP Chairman and Dept. Head of Service, Street</i></p>	<p>The Joint Overview and Scrutiny Board</p> <p>The Bromsgrove Community Safety Partnership</p>	

			<p><i>Scene & Community, BDC</i></p> <p><i>Angela Heighway – Head of Strategy and Partnerships Redditch Borough Council (TBC)</i></p> <p><i>Beverly Houghton - Community Safety Manager (Redditch & Bromsgrove) TBC</i></p>		
	<i>Councillor Calls for Action</i>	A report of the Head of Legal, Equalities and Democratic Services to consider the statutory provisions for the Councillor Calls for Actions and the process for this at Bromsgrove District Council.		The Joint Overview and Scrutiny Board	
Tuesday 9 th March 2010 6.00pm	<i>Scrutiny of Crime and Disorder</i>	<i>A report of the Head of Strategy and Partnerships to consider the key issues for crime and disorder scrutiny in Bromsgrove, the key targets and performance</i>	<i>Cllr M. J. A. Webb – Cabinet Member for Community and Customer Engagement and Community</i>		

		<p><i>indicators for the Bromsgrove Community Safety Partnership.</i></p>	<p><i>Safety.</i></p> <p><i>John Godwin CDRP Chairman and Dept. Head of Service, Street Scene & Community, BDC</i></p> <p><i>Cllr Sheila Blagg - West Mercia Police Authority TBC</i></p> <p><i>Angela Heighway – Head of Strategy and Partnerships Redditch Borough Council (TBC)</i></p> <p><i>Beverly Houghton - Community Safety Manager (Redditch & Bromsgrove) TBC</i></p> <p><i>Chris Santoriello- Smith - Senior Neighbourhood Warden, BDC TBC</i></p> <p><i>Emily Humphreys - Bromsgrove Community</i></p>		
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			<i>Safety Partnership TBC</i> <i>Insp Dave Shaw- West Mercia Police TBC</i>		
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Appendix 2a - Current JOSB Task Groups

Current Task Groups	Date Report Due	Other Information
NONE		

Appendix 2b - JOSB Task Group Reviews

Task Group	Date of Review (when Task Group is due to reconvene)
NONE	

