

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW & SCRUTINY BOARD 15th June 2010

OVERVIEW AND SCRUTINY WORK PLANNING 2010-2011

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 OF PROPOSALS

- 1.1 This report outlines the process and rationale for the Overview and Scrutiny Work Planning for 2010-2011.
- 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.

2. RECOMMENDATIONS

- 2.1 Members of the Joint Overview and Scrutiny Board (JOSB) are requested to:
- a. consider and identify the priority issues for Overview and Scrutiny for 2010-2011,
 - b. identify the terms of reference for each priority topic, and
 - c. ask the Scrutiny Officer, in consultation with the chairmen of the 2 Boards, to schedule the topics identified around the remaining meetings of the Overview and Scrutiny Boards for 2010-2011.

3. BACKGROUND

- 3.1. There are 3 Overview and Scrutiny Boards in Bromsgrove; the Overview Board, the Scrutiny Board and the Joint Overview and Scrutiny Board.
- 3.2. The role of the Overview Board is to take an overview of council and community services and make recommendations for improvement. The Overview Board is forward looking and contributes to policy and service development. The board is made up of 7 elected councillors, which currently includes one vacancy.
- 3.3. The role of the Scrutiny Board is to review council and community services, to hold the executive to account and to make recommendations for

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improvement. It also reviews executive decisions referred through the Call In process. It takes a post-decision role and concentrates on service review and decisions already taken by the Cabinet, to help the council and community partners achieve their objectives and to provide greater democratic probity. The board is made up of 7 elected councillors, which currently includes one vacancy.

- 3.4. The Joint Overview and Scrutiny Board (JOSB) joins up the work of the Overview Board and the Scrutiny Board and undertakes responsibility for receiving Councillor Calls for Action, scrutiny of the Council budget, receiving petitions and the scrutiny of crime and disorder. The JOSB and is currently made up of 12 elected councillors with two vacancies. The membership is usually the combined membership of the Overview Board and Scrutiny Board.
- 3.5. 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 scrutiny boards cannot make executive decisions but can make recommendations to the Cabinet and other local decision makers.
- 3.6. The Overview and Scrutiny Work Programme for 2010/2011 is now being drawn up and scheduled around the remaining meetings for this municipal year. During this process, it is hoped to identify some key strategic issues for the Council and its community partners where Overview and Scrutiny can constructively add value to the decision making process.

The Purpose of Work Planning

- 3.7. The purpose of the Work Planning Workshop is to allow Members of Overview and Scrutiny to consider the topics suggested for the 2010/2011 Overview and Scrutiny Work Programme and identify which topics are to be included and prioritised. It also provides Members with the opportunity to begin planning the scope and approach of the scrutiny investigations and the evidence they wish to consider for each topic.

Identifying Topics

- 3.8. A list of possible items for Overview and Scrutiny has been drawn up to include the suggestions for topics from various sources. The Suggested Topics for Overview and Scrutiny is at Appendix One of this report.
- 3.9. The work of Overview and Scrutiny may include topics which review existing policies and services and make recommendations for improvement, or may

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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 democratic probity is required.

3.10. In order to identify the key issues for Overview and Scrutiny and to make the process inclusive, possible items for future scrutiny work have been identified in a variety of ways:

- ❖ The Corporate Management Team (CMT) have been asked to identify key issues for Overview and Scrutiny,
- ❖ The LSP have been asked to identify key issues for Overview and Scrutiny,
- ❖ The Overview Board and the Scrutiny Board have considered their work programmes and identified topics
- ❖ The Council's Forward Plan and has been taken into account.

3.12. 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.

3.13. The Joint Overview and Scrutiny Board on 15th June 2010 are asked to consider the suggested topics and to prioritise them. The priority topics identified will be scheduled and timetabled around the scheduled meetings for 2010/2011, according to available time and resources.

Prioritising topics

3.14. It is important for Overview and Scrutiny Members to carefully prioritise the issues that they wish to include on the scrutiny work programme. The workshop will discuss the suggestions and should prioritise them according to the guidance criteria.

3.15. The following queries are 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?

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- ❖ 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?

3.16. Selected topics do not need to answer “yes” to all of these criteria, but they should be used as a way of determining priorities.

3.17. Members are also asked to consider the objectives of the topic, i.e. what the Overview and Scrutiny investigation is trying to achieve and is it achievable within the timescale available.

3.18. The following criteria may also be helpful to 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 not be feasible for Overview and Scrutiny to make realistic recommendations,
- ❖ Issues which are for information only,
- ❖ 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.

3.19. The Overview and Scrutiny Work Programme should 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.

3.20. Bromsgrove District Council Vision, Values and Objectives are given for reference at Appendix Two.

3.21. Using the criteria above, Members are asked to prioritise the topics as:

- ❖ “High”,
- ❖ “Medium” or

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❖ “Low”.

- 3.22. Members are asked to identify no more than **8 “High”** priority topics. This should be divided between the Overview Board and the Scrutiny Board (see Allocation of Topics below). These topics will be given greatest priority and will definitely be scheduled.
- 3.23. 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 2010-2011 may be scheduled for 2011-2012 or reconsidered in the work planning process.

Allocation of Topics

- 3.24. Topics are allocated to the Overview Board, the Scrutiny Board or the JOSB. Overview and Scrutiny investigations may be carried out through Task Group working groups, which meet outside of the formal committee process to investigate particular issues and report back to one of the main Overview and Scrutiny committees with a report and recommendations.
- 3.25. Topics vary in size and scope, but it is advised that generally no more than 1 in depth investigation be allocated to each Board. Members will need to take a realistic view as to how many Task Groups it is possible to operate at 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 topics be addressed by consultation between the Chairmen of the Boards and the Head of Legal Equalities and Democratic Services.
- 3.26. 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.
- 3.27. The existing work programmes for the respective Overview and Scrutiny Boards will be updated at the end of the work planning process, agreed by the respective Overview and Scrutiny Boards and inform the work of the scrutiny boards for the remainder of the municipal year. The Overview and Scrutiny Boards will ratify their work programmes at the Scrutiny Board 13th July 2010, the Overview Board 29th June 2010 and the Joint Overview and Scrutiny Board in July 2010.

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Scoping and Planning Topics

- 3.28. The issues identified for consideration should also be defined to give a precise definition of the area for review. Suggested topics may be rationalised where there are similar themes in two or several suggestions or where a suggested topic may contain more than one issue for consideration.
- 3.29. Initially, Members are asked to consider the *title* and *description* of the topics.
- 3.30. Secondly, Members are asked 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.
- 3.31. 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, e.g. looking at service delivery on the ground, visiting other service providers, looking at physical environments and places etc.
- 3.32. In planning their Work Programme Members should also consider and identify:
- **Key stakeholders**
 - Decision makers (e.g. the Cabinet)
 - Partner Agencies
 - Lead Officers and Department
 - Service user representatives
 - Voluntary groups
 - Minority groups

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- **Council / LSP Targets** – Any strategic targets that the issues relate to including 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.

3.33. Priority topics will be scheduled with the meetings for the 2010/2011 municipal year and in line with resources. It is suggested that topics be planned over 2-3 Board meetings to allow for a structured “beginning”, “middle” and “end” for each topic.

4. FINANCIAL IMPLICATIONS

4.1 There are no budgetary implications arising from the recommendations in this report.

5. LEGAL IMPLICATIONS

5.1. 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.

5.2. 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,

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- 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.

6. POLICY IMPLICATIONS

- 7.1 This process concurs with existing council policy for the overview and scrutiny work planning process as outlined in Part 4 of the Council Constitution.

8. COUNCIL OBJECTIVES

- 8.1 Overview and Scrutiny links to Council Objective Two: Improvement and Council Objective Three: One Community.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

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

10. CUSTOMER IMPLICATIONS

- 10.1 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.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

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

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

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

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13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 There are no direct climate change, carbon implication and biodiversity issues arising from this report, although these issues may be considered in relation to overview and scrutiny investigations undertaken.

14. HUMAN RESOURCES IMPLICATIONS

14.1 There are no HR implications arising from this report.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 The identification of worthwhile topics for consideration through the overview and scrutiny process in line with council and LSP objectives will help to improve the governance of the council and help to focus on performance improvement.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 Overview and scrutiny committees now have the power and responsibility of scrutinising the Crime and Disorder Reduction Partnership. This function is undertaken by the Joint Overview and Scrutiny Board (JOSB). Suggestions for key crime and disorder issues will be useful in informing the work of the JOSB.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 There are no health inequalities implications arising from this report.

18. LESSONS LEARNT

18.1 Evidence suggests that overview and scrutiny committees that are more focused on corporate and community objectives with worthwhile topics are able to make more of an impact and play a useful role in policy development and review.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Overview and scrutiny investigations can play a useful role of involving and consulting the public and community stakeholders in the development and review of council and community services.

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20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	NO
Chief Executive	NO
Executive Director (S151 Officer)	NO
Executive Director – Leisure, Cultural, Environmental and Community Services	NO
Executive Director – Planning & Regeneration, Regulatory and Housing Services	NO
Director of Policy, Performance and Partnerships	NO
Head of Service	NO
Head of Resources	NO
Head of Legal, Equalities & Democratic Services	NO
Corporate Procurement Team	NO

21. WARDS AFFECTED

All Wards

22. APPENDICES

Appendix One Suggested Topics for Overview and Scrutiny

Appendix Two Bromsgrove District Council Vision, Values and Objectives

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23. BACKGROUND PAPERS

None

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Appendix One - Suggested Topics for Overview and Scrutiny

No/Board	Topic & Description	Proposed by / when	Notes
1	Climate Change Strategy	Bromsgrove Partnership Board 20th May 2010	Potentially suitable for joint scrutiny with RBC (second half of the year).
2	Community Engagement Strategy and Community Forums	CMT 20th April 2010	Potentially suitable for joint scrutiny with RBC (March 2011).
3	County Play Strategy	CMT 20th April 2010	Each district to pre-scrutinise the district version of the play strategy once the County version has been finalised (date not specified).
4	Customer Access Strategy	CMT 20th April 2010	Potentially suitable for joint scrutiny with RBC (Some time between January - April 2011).
5	Every Child Matters Strategy, 5 key themes (to include Engaging With Young People in Bromsgrove - engage with young people and improve local amenities for them.)	CMT 20th April 2010 (Original proposal from Cllr C. B. Taylor)	(date not specified).
6	The Place Survey – Committee level assessments	CMT 20th April 2010	late 2010
7	Shared Services	CMT 20th April 2010	This may be a suitable area for joint scrutiny with RBC. (Date not specified but this is likely to require ongoing monitoring arrangements).
8	WETT Service Level Agreements	CMT 20th April 2010	Possible Joint Scrutiny with other local authorities in Worcestershire (date not specified but likely to require ongoing monitoring arrangements).
9	Bromsgrove Planning Policy To consider the Council's planning policy framework the planning process and opportunities for local democratic influence over the development of local planning policies and strategies.	Chair OB	

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10	Economic Regeneration Policy Do we have one and does it reflect local employment needs, match current skills sets, fit with current character and culture of district. What is the policy for town centre regeneration i.e. types of business, balance and mix of business.	(Original proposal from Cllr S. R. Colella)	
11	Anti-Social Drinking The impact of alcohol on health issues and anti-social behaviour. Concerns about social drinking within town centre.	(Original proposal from Cllr Mrs R Dent)	
12	Alcohol Admissions to Hospitals Examining the problems associated with alcohol on public health.	Hugh Bennett – 14 th September 2009	
13	The Worcestershire Older Peoples' Strategy To consider the Worcestershire Older Peoples' Strategy levels 3, 4 and 5.	CMT 18 th Aug 2009 – Hugh Bennett	
14	The New Council House Accommodation To consider the options and proposals for the new council house accommodation	OB 1 st Sept 2009	
15	The Corporate Safeguarding Policy (Children and Vulnerable Adults) <i>To consider the provisions in place for the Corporate Safeguarding Policy</i>		
16	Street Trading Consent Policy <i>Identified as a future item to be included in Work Programme at meeting held on 24th November 2009 and to be reviewed following initial implementation period of 6 months.</i>		
17	The Annual Bonfire Event	(Original proposal from Cllr J. Duddy) Identified as a future item to be included in Work Programme at meeting held on 24th November 2009. Suggested to be reviewed after 2010 event.	

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Appendix Two – Bromsgrove District Council Vision, Values and Objectives

