

BROMSGROVE DISTRICT COUNCIL

SCRUTINY BOARD

13th July 2010

SCRUTINY BOARD WORK PROGRAMME 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

- 1.1 This report presents the new Scrutiny Board Work Programme arising from the Joint Overview and Scrutiny Board Work Planning on 15th June 2010 and outlines the process and rationale for the Overview and Scrutiny Work planning process 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 Scrutiny Board are requested to:
- note the Overview and Scrutiny work planning process for 2010-2011;
 - agree the Scrutiny Board Work Programme for 2010-2011 (as set out in Appendix 1);
 - identify evidence to be considered for each item on the agreed work programme.

3. BACKGROUND

- 3.1. The role of the Scrutiny Board is to review Council and community services, to hold the Executive to account and to make recommendations for improvement. 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.
- 3.2. The Council Constitution requires that the Scrutiny Board agree its own work programme and the topics prioritised by Members at the Joint

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Overview and Scrutiny Board 15th June 2010 are now presented to the Overview Board for ratification.

- 3.3. The Overview and Scrutiny Work Programme for the remainder of 2010/2011 has now been drawn up and scheduled around the remaining meetings for this municipal year.
- 3.4. 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:
- ❖ Members of the Board have been asked to submit proposals for Overview and Scrutiny
 - ❖ 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.
- 3.5. Suggested topics have been put forward by elected members, by CMT and by the Bromsgrove Partnership. No topics have been submitted recently by members of the public. Members of the public and elected Councillors may also submit proposals at any time during the year.
- 3.6. The Joint Overview and Scrutiny Board on 15th June 2010 were 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

- 3.7. It is important for Overview and Scrutiny Members to carefully prioritise the issues that they wish to include on the scrutiny work programme. The Joint Overview and Scrutiny Board 15th June 2010 discussed the suggestions and prioritised them according to the guidance criteria.
- 3.8. 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?

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- ❖ 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?
- 3.9. Selected topics do not need to answer “yes” to all of these criteria, but they should be used as a way of determining priorities.
- 3.10. 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.
- 3.11. 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.
- 3.12. Using the criteria above, Members were asked to prioritise the topics as:
- ❖ “**High**”,
 - ❖ “**Medium**” or
 - ❖ “**Low**”.
- 3.13. Members were asked to identify no more than **8 “High”** priority topics. These were divided between the Overview Board, the Scrutiny Board and the Joint Overview and Scrutiny Board (see Allocation of Topics below). These topics will be given greatest priority and will definitely be scheduled.
- 3.14. 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

- 3.15. 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

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process to investigate particular issues and report back to one of the main Overview and Scrutiny Boards with a report and recommendations.

- 3.16. 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 in depth investigations 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.
- 3.17. 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.
- 3.18. 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.

Scoping and Planning Topics

- 3.19. 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.
- 3.20. Initially, Members are asked to consider the *title* and *description* of the topics.
- 3.21. 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.
- 3.22. 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,

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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.

3.23. 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
- **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.

3.24. 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

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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,
 - 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

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

7. COUNCIL OBJECTIVES

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

8. 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.

9. CUSTOMER IMPLICATIONS

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9.1 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.

10. EQUALITIES AND DIVERSITY IMPLICATIONS

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

11. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

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

12. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

12.1 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.

13. HUMAN RESOURCES IMPLICATIONS

13.1 There are no HR implications arising from this report.

14. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

14.1 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.

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

15.1 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.

16. HEALTH INEQUALITIES IMPLICATIONS

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

17. LESSONS LEARNT

17.1 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.

18. COMMUNITY AND STAKEHOLDER ENGAGEMENT

18.1 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.

19. 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	YES
Head of Resources	NO
Head of Legal, Equalities & Democratic Services	YES
Corporate Procurement Team	NO

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20. WARDS AFFECTED

All Wards

21. APPENDICES

Appendix One Scrutiny Board Work Programme

22. BACKGROUND PAPERS

None

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