

Meeting of the Council – 14th April, 2014

Report of the Overview and Scrutiny Management Board

Annual Report of the Overview and Scrutiny Management Board 2013/14

Purpose of Report

1. To consider the annual report of the Overview and Scrutiny Management Board for 2013/14.

Background

2. The terms of reference of the Overview and Scrutiny Management Board, as set out in the Constitution, require an annual report to be submitted to the Council. It is a key function of the Board to make reports and recommendations to the Council and/or the Cabinet in connection with the discharge of overview and scrutiny functions.
3. On 26th November, 2013, the Overview and Scrutiny Management Board considered an interim report on the operation of the revised scrutiny arrangements since their start in June 2013. This report builds on the issues identified in the interim review and identifies further ongoing work to improve the arrangements based on comments and views expressed by Members of the Council.
4. The changes to the Council's scrutiny arrangements have been broadly welcomed. In particular, positive comments have been made on the directorate aligned Committee arrangements and the adoption of an Annual Scrutiny Programme to give a clear focus on specific topics for in-depth scrutiny by Members.
5. Scrutiny Committees retain the flexibility to scrutinise any additional topics that might arise during the year. In carrying out their individual work programmes, Scrutiny Chairs and Vice Chairs have the freedom to adapt their approaches to carry out the scrutiny reviews allocated to them. Examples have been informal meetings, visits, working groups and 'virtual' meetings.
6. The Council has recognised the importance of retaining an annual review process. This should ensure that the arrangements continue to align themselves to the needs of the Council and that the scrutiny arrangements remain adaptable and flexible to changes in circumstances.
7. As part of the annual review process, the views of all elected Members were invited and a summary of the comments received were reported at the Overview and Scrutiny Management Board meeting on 26th February, 2014.

Key Scrutiny Activities in 2013/14

8. This report gives a brief overview of the key areas of business considered by Scrutiny Committees during the 2013/14 municipal year. The Overview and Scrutiny Management Board received a more detailed interim report on the working arrangements at its meeting on 26th November, 2013. In addition, all Scrutiny Committees were involved in budget scrutiny during the November, 2013 cycle of meetings.
9. The minutes of all formal Scrutiny Committee meetings are reported to full Council in the 'White Book' submitted to each Council meeting. In addition, the minutes and reports of Scrutiny Committees can be accessed online via the [Committee Management Information System](#) on the Council's website. The main items of business considered by Scrutiny Committees in 2013/14 are as follows:

Urban Environment Scrutiny Committee

10. Chair – Councillor Tyler; Vice Chair – Councillor Hale; Lead Officer – Assistant Director of Adult, Community and Housing Services (Housing Strategy and Private Sector).
 - Parks, Nature Reserves and Open Spaces Strategy.
 - Support for Local Business.
 - Traffic Regulation Orders (TRO) Process.

Adult, Community and Housing Services Scrutiny Committee

11. Chair – Councillor Islam; Vice Chair – Councillor James; Lead Officer – Assistant Director Customer Services.
 - Impacts and Outcomes of the Making it Real Agenda – What Does Personalisation Mean for the People in Dudley?
 - Welfare Reforms and Housing – The Dudley Response
12. The Committee has considered specific items on discretionary housing payments; the local welfare assistance scheme; the impact of the benefit cap and removal of the spare room subsidy on income collection and an options paper on the remodelling and reclassification of Council housing stock. In March, 2014, the Committee considered an update on New Bradley Hall.

Children's Services Scrutiny Committee

13. Chair – Councillor Marrey; Vice Chair – Councillor Boleyn; Lead Officer – Assistant Director Housing Services.
 - Early Intervention Strategy for the Borough – Children's Centres
 - Safeguarding Standards within the Borough and Children's Services Contribution
 - Looked After Children – Provision and Outcomes

The annual report of Dudley Safeguarding Children Board has been received. The Committee has discussed child sexual exploitation issues and the involvement of members in scrutinising the work of the Dudley Safeguarding Children's Board.

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee

14. Chair – Councillor Blood; Vice Chair – Councillor A Ahmed; Lead Officer – Assistant Director, Policy and Improvement.
- Quarterly Performance Management Report (ongoing scrutiny item)
 - Local Council Tax Reduction Scheme (Year 2)
 - Apprenticeships and Work Experience
 - Corporate Complaints System

Health Scrutiny Committee

15. Chair – Councillor Ridney; Vice Chair – Councillor Kettle; Lead Officer – Assistant Director, Law and Governance.

In connection with its statutory role, the Committee has considered specific reports on the maternity update; Dudley Clinical Commissioning Group primary care development strategy; mortality rates; the urgent care public consultation; the Keogh review update; development of the vascular services hub; stroke transformation programme; the Dudley Health and Wellbeing Board progress report 2013/14; the 111 service; NHS quality accounts; NHS England primary care strategic framework; Patient Participation Groups in Dudley and the realignment of community physiotherapy clinics. At the time of writing, a special meeting of the Scrutiny Committee has been convened for 8th April, 2014 concerning the Urgent Care Centre Procurement and draft service specification.

The Committee also has the following items in the Annual Scrutiny Programme:

- Tobacco Control Strategy -Update/Development
- Elements of Patient Experience in Acute Care

Work of the Overview and Scrutiny Management Board

16. The Overview and Scrutiny Management Board met on 29th May, 2013 to approve the terms of reference and Annual Scrutiny Programme for 2013/14. A further meeting was held in July, 2013 to ensure that any outstanding issues from previous Scrutiny Committees were properly dealt with.
17. The Overview and Scrutiny Management Board has reviewed the scrutiny arrangements during the year. The following key issues have been identified:

Developing the Annual Scrutiny Programme

18. Early consideration is being given to potential topics for inclusion in the 2014/15 Annual Scrutiny Programme. This will contain topics for consideration by individual Scrutiny Committees and the Board itself. A further report will be submitted to the Board on 29th April, 2014. The Overview and Scrutiny Management Board will then meet early in the new municipal year to approve the Annual Scrutiny Programme.

19. It is important that Scrutiny Committees retain the freedom to influence the topics they wish to scrutinise in the Annual Scrutiny Programme and during the municipal year. Scrutiny Committees will retain some discretion over the number of topics they wish to scrutinise, however, the workloads of Committees need to remain manageable.
20. The development of the Annual Scrutiny Programme should continue as a Member-led process taking account of the views of Directorates, Scrutiny Chairs and other Members. Members are asked to reflect on the number of topics selected for the Annual Scrutiny Programme in the context of the Council's budgetary situation, corporate priorities and organisational capacity.

Scrutiny of Budget Proposals

21. Members have acknowledged the need to clarify and refine the budget scrutiny process for the future. Particular reference was made to the scrutiny of budget proposals by individual Scrutiny Committees and in particular, the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee.
22. For 2014/15, Scrutiny Committees will focus on the detailed scrutiny of individual Directorate budget proposals whilst retaining some flexibility for cross-cutting issues. Following the programmed cycle of Scrutiny Committees in November, the Overview and Scrutiny Management Board will then meet to scrutinise the overall budget proposals on a strategic basis.
23. In connection with the scrutiny of budget proposals and other financial issues, comments were made on the skills and knowledge required to undertake in-depth scrutiny. The Board supported further Member development and training in this complex area of work. This will complement Member development sessions on specific issues identified in the 2014/15 Annual Scrutiny Programme.
24. The involvement of a wider group of Members in scrutinising budget proposals is a positive development to assist Members in understanding the complexities involved with the Council's finances and budget process.

Programming of Scrutiny Committee Meetings

25. The calendar of meetings for 2014/15 will include programmed meetings of all Scrutiny Committees throughout the whole year in line with the established cycle of committees. This will give clear timelines for the production of reports and reduces the possibility of meetings clashing with other key meetings in the municipal calendar. Additional formal and/or informal meetings or working groups can be arranged as and when necessary. The programme of meetings will be formally approved at the Annual Meeting of the Council in June, 2014.

Scrutiny of Decisions Taken by External Bodies

26. Reference has been made to the lack of a facility under the Constitution for reporting back on decisions taken by external bodies on which the Leader represents the Council (eg: West Midlands Joint Committee and the Local Enterprise Partnership).

27. The Board supports the development of a more robust feedback mechanism either through the Cabinet or Scrutiny Committees. This will be considered as part of the ongoing review process and discussed further with the Leader of the Council.

Format of Scrutiny Committee Minutes

28. Scrutiny Committee minutes should be more extensive than certain other meetings and record additional detail. Whilst it is accepted that verbatim minutes are unnecessary and excessive, the consensus view is that Scrutiny Committee minutes should be sufficiently detailed to record the thread of the discussion and capture the essence of the debate. Officers have acknowledged these views and have obtained examples of 'best practice' from other local authorities.

Scrutiny Call-in

29. The Overview and Scrutiny Management Board has received the Forward Plan of Key Decisions for information at its programmed meetings during the year. It should be noted that, at the time of writing, there have been no formal scrutiny 'call-ins' referred to the Overview and Scrutiny Management Board during the 2013/14 municipal year.
30. At the meeting on 26th November, 2013, it was reported that the Leader of the Council had requested the Overview and Scrutiny Management Board to scrutinise the consultation on the future of Sure Start Children's Centres in Dudley. A special meeting of the Overview and Scrutiny Management Board took place on 20th January, 2014 with appropriate recommendations being submitted to the Cabinet and Council via the budget report.

Other Issues

31. Issues have been identified relating to the development of a more robust and consistent mechanism for Lead Officers briefing Chairs and Vice-Chairs on key issues being considered by Scrutiny Committees.
32. Concerns have been raised regarding the ability of Directorate officers to give full and meaningful responses at meetings, particularly arising from questions on the Quarterly Corporate Performance Management report. It has been suggested that a relevant senior officer from each Directorate should attend the Committee meeting. The arrangements for circulating papers make it impractical for Members to submit advance questions in all cases. This is linked to issues raised by Members about the formatting of the quarterly performance report and the timing of its distribution.
33. An issue raised during the consultation had been the possible opportunities for formalised joint scrutiny arrangements with other local authorities. Although some joint working has taken place, this had been problematic in the past.
34. Members have emphasised the need to maintain the quality standards of reports to scrutiny meetings. Reports should be circulated with sufficient notice; late reports should not be tabled at meetings and reports should be presented without 'small print', making them difficult to read.

35. It has been suggested that a review of the composition of the Children's Services Scrutiny Committee is necessary, in particular the appointment of co-opted members. There is a need to ensure that the composition of the Committee remains fit for purpose moving forward with a wider focus than just educational issues. A report will be considered at the next meeting of the Board on 29th April, 2014.
36. The Board has discussed the process and protocols for referring individual items to Scrutiny Committees outside the agreed Annual Scrutiny Programme. It is suggested that in future, requests for the referral of specific items for scrutiny should be channelled through the Overview and Scrutiny Management Board. The Board will then decide whether to undertake the scrutiny review itself or refer the matter to a specific Scrutiny Committee.
37. The Council will continue to draw and build upon learning points during the year as to how individual reviews are undertaken, particularly the use of different working methods such as informal working groups and 'virtual' scrutiny meetings. We are also considering good practice examples of work undertaken in other local authorities and advice offered by the Centre for Public Scrutiny.

Finance

38. The costs of operating the Council's scrutiny arrangements are being contained within existing budgetary allocations.
39. The ongoing budget reductions will undoubtedly have an impact on the levels of Directorate and Democratic Services support that is available for the scrutiny process. Moving forward into 2014/15, consideration has to be given to the availability of corporate and directorate resources to service and support working groups, meetings and various levels of scrutiny activity.

Law

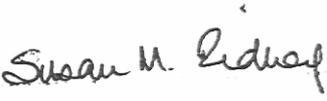
40. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.
41. Scrutiny powers relating to health are included in the Health and Social Care Acts 2001 and 2012, and associated Regulations and statutory guidance. The Police and Justice Act 2006 gives the Council powers to scrutinise the work of the Crime and Disorder Reduction Partnership, and the Local Government and Public Involvement in Health Act 2007 enables local authorities to scrutinise other partners. Much of this legislation has now been consolidated in the Localism Act 2011.
42. The Council's scrutiny arrangements are set out in Article 6 of the Constitution (Scrutiny Committees) and the associated Scrutiny Procedure Rules and Protocols.

Equality Impact

43. Provision exists within the scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendation

44. That the annual report of the Overview and Scrutiny Management Board for 2013/14 be received and noted.



A handwritten signature in black ink, reading "Susan M. Ridgway". The signature is written in a cursive style and is positioned above a dotted line.

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Chair of the Overview and Scrutiny Management Board