

AGENDA ITEM

**REPORT TO EXECUTIVE
SCRUTINY COMMITTEE**

30 MAY 2007

**REPORT OF DIRECTOR OF
LAW AND DEMOCRACY**

SCRUTINY UPDATE AND IMPROVEMENT PLAN AND WORK PROGRAMME 2007/08

SUMMARY

To present a draft improvement plan following the review of the Council's new scrutiny co-ordination arrangements and confirm the scrutiny work programme for 2007/08.

RECOMMENDATIONS

To note the terms of reference of the Executive Scrutiny Committee attached at **Appendix 1**.

To approve the Improvement Plan attached at **Appendix 2** following the review of the scrutiny co-ordination arrangements.

To confirm the first reviews for scoping by Select Committees and consider future review topics.

(I) SCRUTINY ARRANGEMENTS AND ROLE OF EXECUTIVE SCRUTINY COMMITTEE

1. Overview and Scrutiny has the following broad functions:

- Policy review and development
- Holding the Cabinet to account
- Investigating issues of local concern
- External Scrutiny

2. Structurally, scrutiny at Stockton takes the following form:

Scrutiny Liaison Forum – a meeting of Cabinet Members, Select Committee/Executive Scrutiny Committee Chairs and Corporate Directors to identify possible area for scrutiny reviews

Executive Scrutiny Committee – Acts as an overall co-ordinating body for scrutiny within the Council and is responsible for managing the scrutiny work programme. The Committee is also responsible for dealing with “call in” of Cabinet decisions. The terms of reference of the Executive Scrutiny Committee are attached at **Appendix 1**.

Seven themed *Select Committees* undertaking policy review and development work.

(II) REVIEW OF SCRUTINY ARRANGEMENTS AND IMPROVEMENT PLAN

3. Following an all Member Seminar and consideration by the Members' Advisory Panel, Cabinet, on 3 November 2005, made the following recommendations for new scrutiny co-ordination arrangements. The overall aim of the new arrangements was to establish a more inclusive approach to policy development, developing links between the work of scrutiny and select committees and the Cabinet decision making role and stronger coordination of scrutiny work. The recommendations were approved by Council on 14 December 2005 and are set out below:

- a. The development and implementation of stronger coordination arrangements for scrutiny work be approved by:
 - Extending the remit of the Executive Scrutiny Committee to include coordination of an overall scrutiny work programme, with all Scrutiny Chairs becoming members of this new overview committee.
 - A scrutiny liaison forum of Scrutiny Chairs, Cabinet Members and Corporate Directors
- b. The reorganisation of thematic select committees to focus on time-limited policy review and development work be adopted, with
 - Six such select committees with the headline remits set out in Appendix 1 of the report
 - A separate Audit Committee be formed which sits outside of the select committee structure (in line with recommended good practice).
- c. The appointment of an additional scrutiny officer on the basis specified within the report, be approved.
- d. Further work and consultation be undertaken to develop the detail and constitutional changes needed for the new arrangements.
- e. Arrangements be then reviewed by the Members' Advisory Panel after six months of operation, with an interim progress check at the three month point.

4. The interim progress check reported on the setting of the scrutiny work programme in conjunction with the Scrutiny Liaison Forum, the operation of the Executive Scrutiny Committee, Appointment of the Scrutiny Team Leader and publication of the draft Scrutiny Toolkit. Members' Advisory Panel were satisfied with the interim progress check.

Six Month Review - Methodology

5. A review of the operation of the new arrangements took place during November/December 2006. The review methodology was approved by Executive Scrutiny Committee and Members' Advisory Panel. Views on the implementation of the new arrangements were sought from Members and Officers utilising the Centre for Public Scrutiny's self evaluation framework. The framework was based on the principles set out in the "Good Scrutiny Guide". The following approach was adopted:

- A survey sent to all Members and added Members (30 questionnaires were returned)
- Discussion Groups were held for:
 - CMT
 - Executive Scrutiny Committee (including all Chairs and Vice Chairs)
 - Cabinet Members
 - Link Officers and Scrutiny Officers
- Views were also sought from the Council's Standards Committee

6. In addition, in view of the low attendance levels at some Select Committee meetings, the opportunity was taken to include a section to seek views from Members on the problems associated with attending Meetings and what would help to improve attendance.

Does Scrutiny Provide Critical Friend Challenge?

7. Overall the response to the questionnaire was positive with more than 50% of Members indicating agreement with the statements. However, only 40% of Members felt that scrutiny routinely challenged the Authority's Corporate Strategy and budget.

What we are doing well

- Improved communications
- Improved dialogue throughout review process between Scrutiny/Cabinet/Officers
- Developing good relationships with external partners

Areas for Development

- Need to ensure greater independent challenge (e.g. greater co-option of expert witnesses)
- Need to build confidence in the process

Does Scrutiny Reflect the Voice and Concerns of the Public?

8. Approximately half of the Members responding felt that scrutiny made itself accessible to the public and that the work of scrutiny was informed by the public. However, less than 40% of Members felt that scrutiny communicated effectively with the public.

What we are doing well

- Use Viewpoint well
- Examples of innovative approaches to engaging community during the review process

Areas for Development

- Need greater promotion/ raise profile of scrutiny (e.g. through Stockton News)
- Clarify publicity protocols (this issue was identified by the recent Ethical Governance Health Check)
- Need to actively seek suggestions from the public and partner agencies for work programme
- Use MORI information to select topics
- Consider developing area based scrutiny

Does Scrutiny Take the Lead and Own the Scrutiny Process?

9. Overall responses were positive with over 75% of Members responding that scrutiny had a constructive working partnership with officers including support arrangements for scrutiny and more than 50% of Members felt that scrutiny was a worthwhile and fulfilling role and had ownership of its work programme.

What we are doing well

- Thorough planning and scoping of reviews
- Dedicated officer support

Areas for Development

- Need to engage all Scrutiny Members (not just Chairs/Vice Chairs)
- Need commitment from all scrutiny Members (and officers) to invest time in the process
- Consider giving Members different

- roles/tasks to recognise different skills
- Promote use of task and finish groups
- Consider the best way to involve all Members in agreeing questioning plans prior to attendance of witnesses (this will also provide clearer brief for witnesses)
- Smarter work programmes (mustn't duplicate other work/ has to add value/stronger business case justifications)
- Dedicated scrutiny budget

Does Scrutiny Make an Impact on Service Delivery?

10. Responses to this section were the most positive with more than 60% of Members responding being in agreement with the statements. 80% of Members felt that arrangements were made to ensure that Members received accurate, timely and appropriate information.

What We Are Doing Well

- Topics in line with Corporate Priorities
- Monitoring Procedures have been introduced
- Links with upcoming inspections

Areas for Development

- Robust monitoring
- Need to consider how best to use the Forward Plan
- Embed implementation of scrutiny recommendations into service planning

Attendance at Meetings

11. Owing to concerns about poor attendance levels at some Select Committee meetings, the opportunity was taken to include a section to seek views from Members on the problems associated with attending Meetings and what would help to improve attendance.

12. The responses revealed that there was no consensus about the best time of day for meetings. In terms of the location, the town centre seemed to be preferred and the comment was made that the locations should be accessible for users of public transport.

13. The main reason for non-attendance was clashes with other meetings and lack of notice. Suggestions to improve attendance highlighted the need to consult Members regarding dates and times and ensuring that Select Committee Members had an interest in the subject matter and were making a difference.

Improvement Plan

14. An Improvement Plan has been developed based on feedback from the review and this is presented for approval by Executive Scrutiny Committee.

15. Further development of the Council's scrutiny process is likely over the next 12 months in the light of emerging scrutiny legislation and national developments and further reports will be submitted to Executive Scrutiny Committee following the publication of government guidance.

(III) SCRUTINY WORK PROGRAMME 2007/08

16. The Scrutiny Liaison Forum on 12 January 2007 and subsequently, the Executive Scrutiny Committee, approved a draft Scrutiny Work Programme 2007/08. However, the increase in the number of Select Committees and slightly amended remits agreed at the annual meeting will require a re-alignment of topics against the new structure.

17. In addition, review of the “long list” of potential scrutiny topics considered by the Scrutiny Liaison Forum has resulted in a suggestion for the Regeneration and Transport Select Committee to undertake a review of Worklessness.

18. An opportunity has also arisen to undertake a piece of joint scrutiny work with Darlington Borough Council on the Stockton/ Darlington Partnership. It is proposed that this would be undertaken by a small Task and Finish Group of the Corporate Policy and Social Inclusion Select Committee in parallel with the first review topic. Officer discussions are taking place on the scope and objectives of this review.

19. The amended scrutiny work programme is set out below prioritised in each Committee. Supporting information in relation to each of the topics is attached at **Appendix 3** and cross referenced below. This information will be expanded in greater during the scoping of the reviews.

Arts, Leisure and Culture

- River Based Leisure Facilities (first review) **(1)**

Corporate Policy and Social Inclusion

- Stockton Voluntary and Community Sector (first review) **(2)**

(Stockton/Darlington Partnership – Joint Scrutiny with Darlington Borough Council by Sub Group) (in tandem with first review)

- Theatre Subsidy **(3)**

Children and Young People

- Corporate Parenting (first review) **(4)**
- School Organisation Plan **(5)**

Environment

- Cemeteries and Memorials Phase 2 – The Management of Memorials (first review) **(6)**
- Waste Collection Service – Comprehensive Review of Recycling **(7)**

(Vermin Control – by Task and Finish Group) **(8)**

Regeneration and Transport

Worklessness (first review) **(9)**

Adults and Health

- Alcoholism (first review) **(10)**
- Hearing Aids Waiting Lists/ Delays in Referrals to Audiology **(11)**
- Services for Young People in between Childhood and Adulthood **(12)**

Housing and Community Safety

- Neighbourhood Enforcement Service (first review) **(13)**
- Homelessness for Young People (incorporating accommodation for care leavers) **(14)**

FINANCIAL AND LEGAL IMPLICATIONS

20. There are no direct financial or legal implications identified at this stage. However, consideration needs to be given to the staffing implications required to facilitate the increase in committees. In addition, the future scrutiny developments proposed by the White Paper “Strong and Prosperous Communities” and the Local Government and Public Involvement in Health Bill may have further resource implications.

RISK ASSESSMENT

21. The review is intended to assess the effectiveness of the new scrutiny co-ordination arrangements in Stockton and make appropriate recommendations for improvement.

COMMUNITY STRATEGY IMPLICATIONS

22. Service Delivery (Enhance Local Democracy).

CONSULTATION

23. The Improvement Plan will be subject to approval by Members’ Advisory Panel and the Standards Committee.

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<u>Background Papers:</u>	Questionnaire and Focus Group Responses from Members and Officers Breakdown of Member Attendances at Select Committee meetings
<u>Ward(s) and Ward Councillors:</u>	Not Ward Specific
<u>Property Implications:</u>	None

TERMS OF REFERENCE – EXECUTIVE SCRUTINY COMMITTEE

1. To keep under review the overall effectiveness of the scrutiny process and the select committee structure; to consider how the process and structure can be improved and developed further and to make appropriate recommendations for change to Cabinet and the Council.
2. To receive and consider input from all non-cabinet members, cabinet members and employees on suggested areas for scrutiny work, including views from the Scrutiny Liaison Forum on emerging policy development review topics and from the thematic select committees, quasi judicial committees/appeals panels on their priority areas for review.
3. Taking this into account, to consider, prioritise, develop and co-ordinate the scrutiny work programme, ensuring that there is efficient use of the Select Committees' time, that the potential for duplication of effort is minimised and managing any changes in year (ie between annual meetings).
4. To undertake appropriate liaison with the Scrutiny Liaison Forum on policy development issues and future review topics.
5. To receive and respond to requests from Cabinet and/or the full Council for policy development advice and new priority review areas, allocating them if appropriate to one or more of the relevant thematic Select Committees.
6. Within this context, to be responsible for the prioritisation, co-ordination and monitoring of scrutiny work programmes and activities, advising on timescales, liaising as appropriate with each thematic Select Committee and determining how scrutiny reviews will be resourced.
7. Where matters fall within the remit of more than one Select Committee, to determine which of them will assume responsibility for any particular issue, or whether there is a need for joint working, and to resolve any issues of dispute between Select Committees.
8. To maintain an overview of, and to monitor performance information to inform the scrutiny work programme.
9. To “call-in”, scrutinise and comment on the Cabinet’s executive decisions; the key decisions of the Council’s Officers and executive joint arrangements key decisions.
10. To identify the need for and to support and co-ordinate the delivery of overview and scrutiny training for members and co-opted members.

APPENDIX 2

	Improvement Area	Key Actions	Responsibility	By When
S1	Strengthen Links with External Bodies	<ul style="list-style-type: none"> Establish points of contact with key external bodies and agree roles and working practices 	HODS Scrutiny Team Leader	September 2007
		<ul style="list-style-type: none"> Develop mechanisms to involve partners in setting the scrutiny work programme/ engagement with reviews 	HODS Scrutiny Team Leader	January 2008
		<ul style="list-style-type: none"> Include links to external bodies on Scrutiny Web Site 	Scrutiny Team	June 2007
S2	Engage Wider Select Committee Membership	<ul style="list-style-type: none"> Promote use of task and finish groups 	Select Committee	Ongoing
		<ul style="list-style-type: none"> Allocate roles to individual Members recognising different skills/ interests 	Select Committee	Ongoing
		<ul style="list-style-type: none"> Experiment with ways of involving all Members in agreeing questioning plans prior to attendance by witnesses 	Select Committee	Ongoing
S3	Raise Profile of Scrutiny	<ul style="list-style-type: none"> Include regular article in Stockton News and KYIT on current reviews 	Scrutiny Team	Ongoing
		<ul style="list-style-type: none"> Further develop Scrutiny Website (e.g. FAQs, tracking of scrutiny recommendations and facility to suggest a scrutiny topic) 	Scrutiny Team	June - October 2007
		<ul style="list-style-type: none"> Develop easy to understand paper based publicity information (e.g. posters/postcards/leaflets to be placed in libraries, community centres etc) 	Scrutiny Team	June 2007

		<ul style="list-style-type: none"> • Produce quarterly scrutiny newsletter • Review publicity protocols and process for issue of scrutiny press releases and develop positive links with the local media • Publication of an Annual Scrutiny Report highlighting key scrutiny achievements 	<p>Scrutiny Team Select Cttee Chairs MAP/ESC</p> <p>HODS/Scrutiny Team Leader</p> <p>Scrutiny Team ESC</p>	<p>June 2007</p> <p>July 2007</p> <p>Annually</p>
S4	Develop Links with Community	<ul style="list-style-type: none"> • Hold awareness raising event (for partners, public, community/voluntary sector) • Review approach to consultation and promote effective community engagement 	<p>HODS/ Scrutiny Team</p> <p>HODS/ Scrutiny Team Leader</p>	<p>Dec 07</p> <p>Jan 2008</p>
S5	Making an Impact on Service Delivery	<ul style="list-style-type: none"> • Promote greater independent challenge through co-option of expert witnesses • Consider need for dedicated scrutiny budget and submit bid as necessary and review support for scrutiny generally in line with new legislative requirements • Establish database to monitor implementation of outstanding scrutiny recommendations • Review approach to selection of scrutiny topics strengthening business case testing to ensure value added • Consider how best to use the statutory Forward Plan to inform 	<p>Select Committee</p> <p>HODS</p> <p>Scrutiny Team</p> <p>Scrutiny Team/ ESC</p> <p>HODS Scrutiny Team</p>	<p>Ongoing</p> <p>Sept 2007</p> <p>June 2007</p> <p>January 2008</p> <p>June 2007</p>

		Select Committee work	Leader	
S6	Continuous Improvement of Scrutiny Co-ordination Arrangements	<ul style="list-style-type: none"> • Assessment against relevant CPA KLOE • Peer Review of Scrutiny • Adopt performance indicators for scrutiny for benchmarking purposes 	HODS/ Scrutiny Team Scrutiny Team Scrutiny Team	June/ Aug 2007 During 2009 April 2008