

## **SCRUTINY COMMISSION**

### **ANNUAL REPORT ON BEHALF OF OVERVIEW AND SCRUTINY BODIES**

#### **Purpose of the report**

1. The purpose of this report is to summarise the main activities of the Scrutiny Commission and its Committees since the last annual report was submitted in June 2004. Subject to any comments the Commission may have, this report will be submitted to the County Council

#### **Background**

2. The Constitution requires that Overview and Scrutiny Committees should submit an Annual Report to the Council (or the Scrutiny Commission in a single report on their behalf) on their workings. The report may make recommendations about future work programmes and changes in working methods. This report is presented earlier than usual because it seems more appropriate to report on the work conducted by scrutiny under the current Council now than to report on it later in the year after a new County Council has been elected in May.
3. The previous Annual Report focused primarily on the findings of external assessments of the scrutiny process in Leicestershire, particularly the findings of the Audit Commission, and how the Council would respond to issues identified for attention. This Annual Report:
  - outlines the progress made on the work identified in the Post Audit Commission Inspection Action Plan;
  - describes the work of a number of five-member scrutiny review panels that have been operating during the period covered by the report;
  - describes the arrangements put in place to monitor performance
  - lists the issues considered by the Scrutiny Commission and the Scrutiny Committees between April 2004 and February 2005 (please see Appendix 2)
  - refers to comments on the effectiveness of Scrutiny from the Comprehensive Performance Assessment (CPA) conducted during October 2004;

- does **not** cover issues relating to overview and scrutiny of health; this is not within the terms of reference of the Scrutiny Commission. Arrangements for making an annual report on health scrutiny to the Council should be considered as the operation of health scrutiny in the authority is further developed.

### **Progress on work identified in the Post-Audit Commission Inspection Action Plan**

4. The findings of the Audit Commission Inspection painted a generally positive picture of scrutiny in Leicestershire, recognising that appropriate procedures were in place and commending the guidance notes issued to members. However, the report identified a number of areas for improvement in practice, principally in relation to:
  - (a) members taking a more proactive role in setting work programmes;
  - (b) placing greater emphasis on the scrutiny of external bodies;
  - (c) involving external stakeholders and experts in scrutiny activity.

Progress made on these issues is summarised in paragraphs 5 to 10.

### **Proactive role in setting work programmes**

5. The Scrutiny Reference Group met with Chairmen and Spokesmen of all the scrutiny committees to discuss:
  - the need for scrutiny committees to set their work programmes in such a way as to enable members to take a more proactive role;
  - the need for scrutiny committees to consider whether less time and effort could be spent on scrutinising plans and strategies and to adopt a more selective approach to this task;
  - what steps committees were taking to engage members and to develop a more proactive role for members in the process;
  - arrangements for developing work programmes, identification by members of issues which they wished to examine in more detail and the scope for setting up five member scrutiny review panels.

From this meeting a number of action points were agreed for each of the scrutiny committees. These are summarised in Appendix 1. All Scrutiny Committee Chairmen and Spokesmen now have regular meetings with the relevant Chief Officer to plan and manage their work programmes.

6. To assist members of scrutiny committees to consider and/or challenge the contents of reports all scrutiny committee agendas now include a checklist of questions.

## **Scrutiny of External Bodies**

7. Following an investigation into the activities of the Early Years Development and Child Care Partnership, the Scrutiny Commission has promoted a number of key developments relating to partnership with external agencies. This work was led by officers of the County Council working closely with the Leicestershire Together Board which had been charged by the Government to consider possible rationalisation of partnership bodies. The Commission and Reference Group undertook a watching brief and received regular reports on:
  - issues relating to risk management, including specifically legal and financial risks and the development of an advice check list;
  - the Partnership Mapping exercise;
  - whether partnerships provide added value to the County Council; a further report on this will be received when the Partnership Mapping exercise is completed.
  
8. In April 2004 the Scrutiny Commission decided to scrutinise the activities of the two economic sub-regional partnerships operating within Leicestershire. The Chief Executives of the Leicester Shire Economic Partnership and The Welland Partnership were invited to make presentations to it on the role of their organisations, the progress they had made and their achievements to date. The information obtained from these presentations, together with additional information sought from both organisations, was put together by the Scrutiny Reference Group into a report to the Commission in September 2004. The report raised a number of issues, including the need for The Welland Partnership, the need for a rural economic strategy to be developed and the need for Sub Strategic Partnerships to have greater autonomy to make decisions to address particular areas of local concern. The report was referred to the Cabinet and submitted to the County Council on 22<sup>nd</sup> September 2004. The County Council resolved to refer the conclusions in the Commission's report to GOEM, EMRA and EMDA to have regard to in any future review of Sub-Regional Partnerships in Leicestershire and/or the East Midlands.

## **Involving External Stakeholders**

9. In the past it has proved somewhat more problematic to identify appropriate people to advise meetings of Scrutiny Committees. The Council's new Consultation Standards should in part address the issue of ensuring that stakeholders' views are brought to the attention of Scrutiny Committees.
  
10. The involvement of stakeholders has been more successful in relation to five member scrutiny review panels. Details of the panels are listed later in the report. Examples of stakeholder involvement in five member panels include:

Representatives of Leicestershire Constabulary, the Safety Camera Scheme and a Consultant previously engaged by the County Council to carry out the PSA Review	Road Safety Panel
Headteachers	Behaviour in Schools Panel
30 people with a range of disabilities and the Mosaic Support Agency	Direct Payments Panel
Parish Clerks, Chairmen and Association of Parish Councils	Town and Parish Councils Panel

### **Five Member Scrutiny Review Panels**

11. The following table gives information on the activities of five member scrutiny review panels that have undertaken, or are undertaking, reviews during the period covered by this report:

Review Panel	Period of Review	Action
Road Safety	18 March to 3 November 2004	Final Report submitted to Highways, Transportation and Waste Management Scrutiny Committee on 11 November 2004. The report and recommendations were approved. At its meeting on 14 December 2004 the Cabinet accepted the recommendations of the Panel and the HTWM Scrutiny Committee.
Behaviour in Schools	23 February 2004 to 11 January 2005	Final Report submitted to the Education Scrutiny Committee on 26 January 2005. The report and recommendations were approved. The Cabinet on 14 February 2005 accepted the recommendations of the Education Scrutiny Committee.

Direct Payments	27 October 2004 to 15 February 2005	The Review Panel's report was approved by the Social Care Scrutiny Committee on 28 <sup>th</sup> February. At its meeting on 5 <sup>th</sup> April the Cabinet approved the report and recommendations of the Review Panel
Working with Town and Parish Councils	First meeting was on 16 November 2004 and the Panel concluded its review in March 2005.	The final report will be considered by the Scrutiny Commission on 20 <sup>th</sup> April 2005.

12. The five member panel process has worked well. Members of these panels have commented that they found the process particularly rewarding as it enabled them to delve in detail into the subject as well as providing an opportunity to directly engage with stakeholders and users. The work of the panels has also merited mention in local newspapers and the findings and conclusions of those panels that have reported have been endorsed by the Cabinet.

### **Monitoring Performance**

13. Since the introduction of the Best Value Performance Plan, each scrutiny committee has received six monthly progress reports against targets and commitments therein. In the current year the performance management framework has changed so that quarterly reports are circulated to all members. The six monthly monitoring reports are broken down in respect of each scrutiny committee's area of responsibility and circulated to the relevant Chairmen and Spokesmen who are requested to consider the explanations provided for any significant variations in performance and satisfy themselves that appropriate measures are in place, or planned, to address under-performance. The Chairmen and Spokesmen have also been encouraged to refer any issues of concern to the Committee and Scrutiny Reference Group. Additionally, scrutiny committees have been encouraged to consider other sources of performance monitoring data in order to identify potential areas of activity that might merit detailed scrutiny.

### **Comments on the effectiveness of Scrutiny from the CPA conducted during October 2004**

14. The previous Annual Report contained comments about the performance of Scrutiny in Leicestershire arising from the CPA conducted during July 2002. A further CPA of the County Council was conducted during October 2004 and its judgements were published in

December 2004, the Council being categorised as 'Excellent'. The following are extracts from the most recent CPA report:

*'The role of scrutiny has been developed and the structure is fairly clear. It is scrutinising performance and issues important to the Council and the process allows expert witnesses and visits outside the authority. Issues that have been subject to scrutiny and led to change include the joint waste management strategy.'*

*'Overall, strengths in capacity continue to outweigh weaknesses. It has retained capable staff, management and senior members and responsibilities are clear. Good progress has been made in developing partnerships. However, the ability of all councillors to scrutinise some decisions effectively is unproven....'*

*'The scrutiny function is established although mixed messages arose over the ability of all members to effectively scrutinise some decisions and grasp the complexities in new areas such as the NHS where the scrutiny process has been relatively slow in getting going. It is acknowledged by the Council that scrutiny and councillor capability to scrutinise needs to develop.'*

*'There are good quality reports to councillors providing high-level financial performance data with sufficient detail of reasons for variances and actions taken. There is good use of simple indicators to identify successes and failures in performance monitoring of the medium term corporate strategy with detailed explanation provided for outcomes and progress, or lack of it, where appropriate. There is a clear use of PIs to drive improvement. All officers and councillors are very aware of performance.'*

*'The Council provides good individualised learning. There is member development although, as yet, training for councillors or chairs of scrutiny committees has been limited. Many councillors receive training, or personal development, at district council level, and an accreditation system avoids duplication. A good manager development programme is in place.'*

## **Conclusion**

15. Good progress has been made in addressing most of the issues raised by the Audit Commission's inspection of the scrutiny function in Leicestershire and this is largely confirmed by the most recent CPA inspection. The issue of training of councillors will need to be a priority for the new Council.

**Mr N. J. Brown CC**  
**Chairman of the Scrutiny Commission**

**ACTION POINTS AGREED WITH THE SCRUTINY  
COMMITTEECHAIRMEN AND SPOKESMEN ON 26<sup>TH</sup> APRIL  
2004**

**COMMUNITY SERVICES SCRUTINY COMMITTEE**

ACTIONS:

- (i) Whilst recognising that as the newest Committee it had to have time to come to terms with its wide remit the Group felt that the time had come for the Committee to develop a greater sense of purpose and formulate a work programme for the coming municipal year. In developing its work programme the Committee was urged to have regard to the Departmental Service Plan for 2004/05.
- (ii) Having regard to the broad remit of the Committee consideration be given to a range of topics which may warrant examination by a five member panel.
- (iii) The Committee was advised to consider including in its work programme:
  - a review of the Administration's current policy on the future role of libraries and the shape of the network.
  - the implementation and impact of the Cultural Strategy agreed by the Council.
  - the Council's policy in response to the proposed closure of Post Offices in Leicestershire.
- (iv) The scope for involving/engaging with external stakeholders.

**EDUCATION SCRUTINY COMMITTEE**

ACTIONS:

- (i) Whilst recognising the amount of effective work undertaken by the Committee, the Group questioned whether a more rigorous and selective approach to the business brought to the Committee should be adopted.
- (ii) To produce an annual work and meetings programme.

## **HIGHWAYS, TRANSPORTATION AND WASTE MANAGEMENT SCRUTINY COMMITTEE**

### **ACTIONS:**

- (i) Whilst the current five-member review is welcomed, the Committee should ensure that the Panel focuses on the strategic issues that the Council has to address in relation to existing policies on Road Safety rather than the local impact of individual schemes.
- (ii) Develop an annual work and meetings programme.

## **RESOURCES SCRUTINY COMMITTEE**

### **ACTIONS:**

- (i) The Committee should identify, and draw to the attention of service committees, any issues that emerge from the regular budget monitoring process.
- (ii) Whilst recognising that the Committee does consider the Corporate Asset Management Plan, it should examine the need for an in depth review of property management issues.

## **SOCIAL CARE SCRUTINY COMMITTEE**

### **ACTIONS:**

- (i) To produce an annual work and meetings programme.
- (ii) Continue to explore mechanisms for obtaining views of service users and carers and, in particular, to look into concerns expressed.
- (iii) Identify a small number of discrete areas of activity that would merit detailed scrutiny.



**ISSUES CONSIDERED BY THE SCRUTINY COMMISSION AND  
SCRUTINY COMMITTEES BETWEEN JUNE 2004 AND  
FEBRUARY 2005.**

**SCRUTINY COMMISSION**

Plans and Strategies

- Leicestershire Rural Partnership – Rural Strategy 2004/09
- Equality Standard of Local Government
- Best Value Performance Plan 2004/05
- Leicestershire Rural Partnership – Rural Strategy Action Plans for 2004/05 and 2005/08
- Integrated Regional Strategy Framework – Consultation Draft
- Adoption of the Leicestershire, Leicester and Rutland Structure Plan
- Corporate Equality Plan

Performance Monitoring/Review/Budget

- Annual Report on behalf of Overview and Scrutiny Bodies
- Progress on Implementing Leicestershire's Local Public Service Agreement (LPSA)
- Budget 2004/05 – Efficiency Savings
- Revenue Budget 2005/06 and Capital Programme 2005/06 to 2007/08

Partnership Working

- Working with Town and Parish Councils
- Scrutiny of the Welland and Leicester Shire Economic Partnerships
- Partnership Mapping
- Youth Crime Prevention

Other Matters

- Integrated Tourism, Promotion and Inward Investment Services
- Draft Consultation Standards
- Section 106 Agreements with Developers

## **COMMUNITY SERVICES SCRUTINY COMMITTEE**

### Policies and Plans, including implementation

- Library Position Statement 2004
- Libraries Future Framework
- Snibston Business Plan
- Environment Strategy for Leicestershire County Council
- Enforcement of the Children and Young Persons (Protection from Tobacco) Act 1991 – Programme 2005/06

### Updates and Position Statements

- Progress reports on the Implementation of the Operational and Marketing Review – Snibston Discovery Park
- The Marketing Function (in the Community Services Department)
- Museums Funding
- Community Strategy Action Plan
- Re-organisation of Community Services Department
- Enforcement of Planning Control
- Record Office and Future Storage
- Museums/Arts/Archives/Sports Regional and County Position
- Regeneration Activities
- Libraries – Public Library Standards
- Libraries – New Structure and Progress in Management of Stock
- Aggregates Levy

### Monitoring of Performance/Budget

- Community Services Capital Programme
- Revenue Budget 2005/06 and Capital Programme 2005/06 to 2007/08

### Petitions

- Response to Petition for New Motorcycle Speedway Circuit

### Scrutiny-Generated Items

- Site visit to Shepshed Library – Member Feedback
- Grounds Maintenance – Snibston Discovery Park

### Other Matters

- Consumer Direct
- Meetings and Work Programme 2004
- Dates for Site Visits
- Redevelopment Proposals for Harborough Museum

## **EDUCATION SCRUTINY COMMITTEE**

### **Performance Monitoring/Review**

- Key Stage 4 Improvement Strategy
- The Outcome of the Adult Learning Inspection and the Consultant's Report on the Management Structure for Adult and Community Learning
- Monitoring of Ofsted Action Plan
- Adult Learning Inspection – Action Plan
- Evaluation of the Education Development Plan 2002/07
- Special Education Needs Monitoring
- Analysis of data relating to the effectiveness of schools in Leicestershire

### **Budget/Financial Matters**

- Leicestershire Fair Funding Scheme – Consultation Outcomes
- Quality Enhancement Budget
- The use of double deck buses in the County and the cost implications of phased withdrawal from home to school transport contracts
- Revenue Budget 2005/06 and Capital Programme 2005/06 to 2007/08

### **Plans and Policies**

- Consultation on the Education-Related Provisions of the Antisocial Behaviour Act 2003 and Managed Moves Protocol
- Co-ordinated Primary Admissions Scheme
- Common Admission Policy – Second Consultation Responses
- Children's Fund Plan 2005/08

### **Scrutiny-Generated Items**

- Section 106 Agreements with Developers
- Aberglaslyn Hall Residential Centre
- The Future of Secondary Education Provision in Leicestershire
- New Opportunities Fund – PE and Sports Projects
- Building Schools for the Future (BSF)
- Appointment of Scrutiny Representative on Pupil Referral Unit Management Committee
- Report of Scrutiny Review Panel on Behaviour in Schools
- Community Plus

### Questions from Members

- Dr M O'Callaghan CC – School budgets, staffing and pupil numbers
- Mr P C Osborne CC – Pupil Referral Units (Management Arrangements, Monitoring, Inspection and Member Involvement)

### Petitions

- School Transport from Leicester Forest East to South Charnwood High School

### Other Matters

- Education of Looked After Children

## **HIGHWAYS, TRANSPORTATION AND WASTE MANAGEMENT SCRUTINY COMMITTEE**

### Performance Monitoring/Review/Budget

- Implementation of Waste Management Strategy
- Marketing of Compost
- Review of 'Highway Requirements for Development'
- Leicestershire Local Transport Plan; Fourth Annual Progress Report
- Public Transport Progress Report
- Revenue Budget 2005/06 and Capital Programme 2005/06 to 2007/08

### Plans and Policies

- School Travel Plans
- Arrangements for the Second Local Transport Plans
- Proposed Criteria for the use of 'Vehicle Activated Signs'
- Consultation for the Second Leicestershire Local Transport Plan
- Decriminalised Parking Enforcement

### Petitions

- Request for Traffic Calming – Bardon Road, Coalville
- Request for a Controlled Road Crossing on the A50 at Field Head
- Request for Speed Reduction Measures and a Controlled Pedestrian Crossing at the Leicester Road/Wash Lane (A447) Crossroads, Ravenstone
- Request for a Controlled Pedestrian Crossing at the London Road/Broom Leys/Forest Road Crossroads, Coalville
- Location of Bus Stop and Waiting Arrangements – Leicester Road, Narborough
- Request for Traffic Calming – Southway, Blaby
- Request for Traffic Calming – Church Street, Donisthorpe
- Traffic Issues in the Thorpe Road/Beechwood Avenue Area of Melton Mowbray
- Speed of Traffic, Northfield Road, Hinckley
- Request for Pedestrian Crossing on Groby Road, Ratby
- Removal of Speed Humps, Countesthorpe
- Traffic and Local Parking, Trinity Lane and Druid Street Area, Hinckley
- Request for Traffic Calming Measures at the Craftsman's Way Junction, East Goscote
- Concern over the safety of parents and children travelling to and from Blackfordby St Mary's Church of England Primary School
- Request for a Residents' Parking Scheme – Garden Street and adjoining roads, South Wigston
- Request for a Residents' Parking Scheme – Herrick Road, Loughborough
- Request to alleviate continuing problems caused by HGVs using Barwell Roads
- Concern over the increase in traffic, particularly HGVs using Wanlip Road, Syston

### Scrutiny-Generated Items

- Leicestershire Highways Operations Outturn for 2003/04 and Forecast for 2004/05
- Report of the Scrutiny Review Panel on Road Safety
- Waste Minimisation Programme
- Highway Maintenance Backlog and Road Condition

### Questions from Members

- Mr G H Perkins CC – Changes to the No 4 Bus Service from Shepshed to Loughborough
- Mr E Palmer CC – Lack of mention of the National Forest Railway Line in the proposed LTP 2006 - 2011

## **RESOURCES SCRUTINY COMMITTEE**

### **Budget Matters**

- Treasury Management Performance 2003/04
- Provisional Revenue Outturn 2003/04
- Capital Payments and Receipts 2003/04
- Revenue Budget 2004/05 – Monitoring Report
- Capital Programme 2004/05 – Monitoring Report
- Revenue Budget 2005/06 and Capital Programme 2005/06 to 2007/08 (Chief Executive's and Resources Departments)

### **Policy Matters**

- The Financial Planning Process 2005/06 to 2007/08
- Assessment of Procurement Activity

### **Scrutiny-Generated Items**

Better Access to Better Services Programme

## **SOCIAL CARE SCRUTINY COMMITTEE**

### **Plans, Policies and Strategies**

- Services to Carers
- Social Services Department Service Plan
- Workforce Issues in Social Services
- Leicestershire Supporting People Five Year Strategy

### **Policy Initiatives Implementation**

- Pilot Community-Based Refuge for Young People
- Delayed Discharges
- Development of Accommodation and Day Services for People with Learning Disabilities in the Charnwood Area
- Training Organisation for Personal Social Services (TOPSS) – Work in Leicestershire
- Direct Payments
- Electronic Social Care Record (ESCR) Project
- Commissioning Community Care Services for Older People
- Valuing People

### **Performance Monitoring/Audit**

- Corporate Parenting
- Older and Disabled Peoples' Services – Overview of Performance
- Children, Young People and Families Service – Overview of Performance
- Annual Review of Social Services Authority Performance 2003/04

### **Budget**

- Revenue Budget 2005/06 and Capital Programme 2005/06 to 2007/08

### **Scrutiny-Generated Items**

Five Member Panel on Direct Payments – Proposed Terms of Reference