

## **SCRUTINY COMMISSION – 23<sup>RD</sup> JUNE 2004**

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

#### **Introduction**

1. 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.
2. The last report outlined the work undertaken by the Scrutiny Commission and its Committees and referred to the proposed Audit Inspection of the operation of the Scrutiny function in Leicestershire. This Annual Report focuses primarily on the findings of external assessments of the scrutiny process in Leicestershire and in particular the findings of the Audit Inspection (Appendix 1) and the actions being taken in response thereto (Appendix 2). The issues considered by the Scrutiny Commission and the Scrutiny Committees between June 2003 and April 2004 are set out in Appendix 3 to this report.

#### **External Assessments of the Scrutiny Function**

3. During 2002/03 there were two external evaluations of the Council's performance that included reference to the effectiveness of scrutiny. These were the Comprehensive Performance Assessment (CPA), conducted during July 2002, and the Ofsted Inspection of the Leicestershire LEA, conducted during January 2003.
4. The following are two extracts from the CPA report:

'Agendas presented to member meetings (Executive and Scrutiny) in the main demonstrate a focus on the important issues facing the council. The commitment to resolve a number of outstanding issues is reflected in the items for discussion and decision. Reports presented for consideration by officers and members generally aid focus on the stated priorities of the council and, since the development of the medium term corporate strategy, show an improved focus on the high level objectives of the council. Again, the lack of a vision and explicit priorities means that focus on outcomes for local people is under-developed in some forums.'

'Within the council there has been continued development of the scrutiny function. The council has learned from its initial experience of scrutiny and has developed arrangements that are seen as more effective and focussed. These improvements were recently introduced and as yet it is too early to assess the effectiveness of these arrangements.'

5. The following is an extract from the Ofsted report on its inspection of the Leicestershire LEA:

'The Education Scrutiny Committee is having an increasing influence after a slow start and is fulfilling its role effectively. The Committee receive regular reports on the performance of schools and progress on the implementation of the Education Development Plan and has effectively scrutinised decisions made by the Executive.'

### **Audit Inspection of the Scrutiny Process**

6. As part of its annual programme of performance audit work at the Council, the Audit Commission conducted a study of Leicestershire's Scrutiny arrangements. The study involved a review of relevant documents, observation of Scrutiny Commission and Committee meetings and interviews with elected members and officers. The study sought to address a number of key questions including:
- is the role of overview and scrutiny clearly defined and in accordance with government guidance?
  - do current arrangements enable the overview and scrutiny function to focus on review of outcomes and on performance towards strategic objectives?
  - does the structure adopted help to maximise effectiveness?
  - does the way that meetings are run ensure that the intended purpose is fulfilled?

### **Findings of the Study**

7. The findings of the study, a copy of which is attached as Appendix 1, painted a generally positive picture of scrutiny in Leicestershire recognising that appropriate procedures were in place and commended the guidance notes issued to members. 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.
8. The work of the five member panels was particularly commended. In the period covered by this report the findings of two panels were reported to the Cabinet – the report of the Panel looking at School Attendance and the report on Waste Management. Currently there are three Panels which are considering:-
- Arrangements for managing and improving behaviour in schools;
  - Assessing the effectiveness of a variety of road safety and speed reduction measures;

- Improving co-operation between the County Council and town and parish councils.
9. The Commission noted the report and requested the Scrutiny Reference Group to consider and develop an Action Plan in response to the findings. The Commission also asked the Reference Group to involve the Leader of the Council, at an appropriate stage, in the preparation of the Action Plan.

### **Draft Action Plan**

10. The Scrutiny Reference Group on behalf of the Scrutiny Commission met to consider and prepare an Action Plan. A copy of the draft Action Plan is attached as Appendix 2 to this report. The Leader of the Council attended one meeting to discuss the draft Action Plan and in particular to consider how the Executive might assist in addressing the issues raised in the Audit report.
11. The District Audit Report on the operation of the Overview and Scrutiny function in Leicestershire made a total of 15 recommendations. For the benefit of members the recommendations have been grouped into key themes and the responses made or proposed are set out in the table below:-

<b>RECOMMENDATIONS</b>	<b>RESPONSE</b>
<p>Overview and Scrutiny Committees need to set their work programmes in such a way as to enable members to take a more proactive role.</p>	<p>The agreed job description for Chairmen and Spokesmen emphasises the need for a more proactive approach to the management of scrutiny. This will require Chairmen and Spokesmen to meet regularly with Chief Officers and Lead Members to keep abreast of issues affecting their service area.</p> <p>All Scrutiny Committees now have regular meetings involving the Chairman and Spokesmen and the relevant Chief Officer to discuss the work programme (linked to the Forward Plan timetable). Scrutiny Committee Chairmen and Spokesmen have begun the process of developing an annual work programme and schedule of meetings.</p> <p>Greater use will be made of performance data, outcomes of external examinations and best practice elsewhere to judge the effectiveness of service provision and identify areas of concern which may warrant further scrutiny.</p> <p>More consideration will be given to views expressed by service users, providers and others as well as any recurring issues raised with members in their representational role to identify areas of concern which may warrant further scrutiny.</p>

<p>Engage members in a discussion about the nature and level of support needed to carry out work programmes</p>	<p>Discussions at Scrutiny Reference Group and Commission have identified support for the present approach of integrated rather than discrete support for scrutiny. The issue of officer support will have to be reviewed further in the light of changes to scrutiny practice and the development of the Health Scrutiny function.</p>
<p>Consider the potential to reduce the emphasis on overview and scrutiny being requested to comment on plans and strategies</p>	<p>The Job Description emphasises the need for Chairmen and Spokesmen to adopt a selective approach – this will be pursued through the regular meetings to consider the work programme as a means of identifying the key plans for each scrutiny committee.</p> <p>The ODPM review of the Plan Framework and in particular the proposal to move to a Single Education Plan (SEP) by 2005 will help to address this issue.</p>
<p>Five member panels need to ensure that they use appropriate approaches to scrutiny work, using the approach set out in the constitution and guidance notes.</p>	<p>Officers supporting the work of five member panels have been reminded of the process outlined in the guidance notes for the conduct of reviews.</p> <p>The members of the Panel have also been asked to have regard to the guidance notes.</p> <p>The guidance notes for establishing and undertaking reviews will be reviewed at the end of the calendar year 2004 to ensure lessons learnt are incorporated – this will include amending the guidance note to ensure that the monitoring of recommendations/outcomes is strengthened. The aim is to have revised guidance notes available for the new Council in May 2005.</p>
<p>Need to develop the role of scrutiny in relation to external bodies</p>	<p>Scrutiny Committees will be provided with an analysis of the information gathered from the current mapping exercise of partnership bodies. This will assist the Committees to identify those external bodies they wish to scrutinise.</p> <p>Recognising the need to handle scrutiny of external bodies sensitively to ensure that the bodies concerned will remain willing to submit themselves to future scrutiny, the Scrutiny Reference Group will consider the lessons learnt from the first tranche of scrutiny of external bodies. (The examination by the Commission of the role and responsibilities of two sub-regional economic partnerships covering Leicestershire, the Leicester Shire Economic Partnership and the Welland Partnership, which is nearing completion).</p>

<p>Involving external stakeholders and experts in scrutiny activity</p>	<p>When undertaking reviews scrutiny panels will be encouraged to involve external stakeholders and should be proactive in identifying external experts.</p> <p>The creation of a standing list of experts is recognised as being more difficult because of the wide variety of issues which may be considered and the likelihood of different expert opinions. The voluntary sector has been contacted with a view to identifying appropriate bodies who might assist scrutiny bodies – this may be particularly relevant in relation to health scrutiny.</p> <p>Chairmen and Spokesmen will be asked to identify during the agenda planning process subjects/issues on which the views of an external expert may be appropriate/helpful.</p> <p>This area needs to be developed further.</p>
<p>Need to consider the audience for health scrutiny reports, arrangements for involving the public and progress checking as part of work planning.</p>	<p>The County Council has agreed the proposed structure for health scrutiny.</p> <p>The proposed arrangements make provision for</p> <ul style="list-style-type: none"> <li>• involving/seeking the views of interested parties including amongst others the patients' forum and district based health forums;</li> <li>• reporting as appropriate to health bodies, local authorities, and the Secretary of State.</li> </ul> <p>The arrangements will be kept under review and amended as appropriate in the light of experience.</p> <p>Progress has been made at officer level to engage colleagues in health bodies in the process of planning for health scrutiny.</p>

## **Conclusions**

12. The findings of the Audit Commission review indicates that the operation of scrutiny in Leicestershire stands comparison with best practice elsewhere in the country. That said there is still scope for improvement and the actions proposed in response to the Audit report will be significant for achieving improvement. Equally, and if not more so, will be the commitment of scrutiny members to undertake the work needed to make scrutiny more effective.

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