



SCRUTINY COMMISSION

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To: Councillors Bailey, Baines, Bolton, Draycott (Vice-Chair), Hadji-Nikolaou, Parsons and Rattray (Chair) (For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Scrutiny Commission to be held in Committee Room 2 - Council Offices on Monday, 11th November 2019 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

1st November 2019

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING

To approve the minutes of the meeting of the Commission held on 14th October 2019.

3. DECLARATIONS OF PECUNIARY AND PERSONAL INTERESTS

4. DECLARATIONS OF THE PARTY WHIP
5. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES
11.16
- No questions were submitted.
6. STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY IN LOCAL AND COMBINED AUTHORITIES 5 - 52
- A report of the Head of Strategic Support to provide information regarding guidance from the Ministry of Housing, Communities and Local Government, clarifying the role and benefits of scrutiny to local authorities and to consider the existing Scrutiny Protocol setting out the Council's approach to scrutiny and good practice guidance.
7. PRE-DECISION SCRUTINY OF ANY SPECIFIC FINANCIAL MATTERS TO BE CONSIDERED BY CABINET
- On this occasion there is one item of this nature on the Cabinet agenda for the Commission to consider (item 8b on the agenda).
8. CABINET ITEMS FOR PRE-DECISION SCRUTINY
- The following items have been identified for pre-decision scrutiny from the Cabinet agenda for 14th November 2019:
- (a) Tenancy Support Policy 2019-2024 53 - 73
A report of the Head of Landlord Services to seek approval of the Tenancy Support Policy 2019-2024 will be considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet.
- (b) Virement - Planning and Regeneration Service 74 - 76
A report of the Head of Planning and Regeneration to seek approval for the virement of budget in cost centres in the Planning and Regeneration Service in order to meet forecast expenditure on agency workers this financial year will be considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet.
9. SCRUTINY COMMISSION PRE-DECISION SCRUTINY - CABINET RESPONSE 77 - 78
- A report of the Cabinet setting out its responses to recommendations of the Committee on pre-decision scrutiny items.
10. PROGRESS WITH PANEL WORK 79 - 87
- A report of the Head of Strategic Support to review progress with Scrutiny Panels.
11. SCRUTINY WORK PROGRAMME 88 - 98

A report of the Head of Strategic Support enabling the Commission to review the Scrutiny Work Programmes for all three directorate based committees.

12. SCRUTINY COMMISSION WORK PROGRAMME 99 - 114

A report of the Head of Strategic Support setting out the list of forthcoming Executive Key Decisions and the Commission's Work Programme for consideration, in order to identify items for future scrutiny.

13. EXEMPT INFORMATION

It is recommended that members of the public be excluded from the meeting during the consideration of this item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and the public interest in maintaining the exemption outweighs the public interest of disclosing the information. The information in the report refers to commercially sensitive information in respect of a significant land disposal.

14. DISPOSAL OF LAND HOLDING KNOWN AS PLOT 5 WELDON ROAD, LOUGHBOROUGH

An exempt report of the Strategic Director of Corporate Services seeking approval for the disposal of the landholding known as Plot 5, Weldon Road, Loughborough will be considered for pre-decision scrutiny in order to make recommendations as appropriate to the Cabinet.

For information, further meetings of the Commission are scheduled as follows:

9th December 2019
13th January 2020
10th February 2020

SCRUTINY QUESTIONS

What topics to choose?

- What difference will scrutiny make?
- Is this an area of concern – public/performance/risk register?
- Is this a corporate priority?
- Could scrutiny lead to improvements?
- What are the alternatives to pre-decision scrutiny?

Pre-decision scrutiny

- What is Cabinet being asked to agree?
- Why?
- How does this relate to the overall objective? Which is ...?
- What risks have been identified and how are they being addressed?
- What are the financial implications?

- What other options have been considered?
- Who has been consulted and what were the results?
- Will the decision Cabinet is being asked to take affect other policies, practices etc.?

Basic Questions

- Why are you/we doing this?
- Why are you/we doing it in this way?
- How do you/we know you are making a difference?
- How are priorities and targets set?
- How do you/we compare?
- What examples of good practice exist elsewhere?

SCRUTINY COMMISSION – 11th NOVEMBER 2019

Report of the Head of Strategic Support

Part A

ITEM 6 STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY IN LOCAL AND COMBINED AUTHORITIES

Purpose of Report

To provide the Commission with information regarding guidance from the Ministry of Housing, Communities and Local Government, clarifying the role and benefits of scrutiny to local authorities.

To consider the existing Scrutiny Protocol setting out the Council's approach to scrutiny and good practice guidance.

Background

The statutory guidance on overview and scrutiny in local government has been published by the Ministry of Housing, Communities and Local Government (MHCLG).

The guidance has been produced following a commitment that Government made in early 2018, following on from the Communities and Local Government Select Committee's inquiry into Overview and Scrutiny and it aims to provide local authorities and combined authorities in England help for them carry out their overview and scrutiny functions effectively. In particular, it provides advice for senior leaders, members of overview and scrutiny committees, and support officers

It is also timely that the Commission review the existing Scrutiny protocol setting out some of the Council's approaches to scrutiny and some principles which underpin effective scrutiny. The Scrutiny protocol was approved by the former Scrutiny Management Board in January 2014 (Minute 41 2013/14 refers).

Actions Requested

1. To consider the Statutory Guidance published by the Ministry of Housing, Communities and Local Government (MHCLG) and its impact on existing overview and scrutiny arrangements.
2. To consider whether to amend the existing Scrutiny Protocol appended to this report and, if so, how to promote it.

Reasons

1 & 2 To ensure the scrutiny function operates effectively.

Report Implications

Risk Management

There are no risks associated with this report as any issues that need to be taken forward will be the subject of a further report.

Equality and Diversity

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups

Financial

There are financial and resource implications in respect of officer and member time in dealing with these matters. These are currently being contained within existing resources.

Background Papers: The Good Scrutiny Guide – Centre for Public Scrutiny (CfPS) <https://www.cfps.org.uk/the-good-scrutiny-guide/>

Officer to contact: Karen Widdowson
Democratic Services Manager
(01509) 634785
Karen.widdowson@charnwood.gov.uk

Part B

Background

The Ministry of Housing, Communities and Local Government has recently published new statutory guidance on Overview and Scrutiny, which is attached as Appendix A.

The guidance states that effective overview and scrutiny should:

- Provide constructive “critical friend” challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services.

The guidance is comprehensive and includes chapters on the following:

- Culture;
- Resourcing;
- Selecting Committee Members;
- Power to Access Information
- Planning Work; and
- Evidence Sessions

The new Statutory Guidance

In May 2019, the Ministry of Housing, Communities and Local Government published new Statutory Guidance on Overview and Scrutiny and extended this to include the new combined authorities now in existence. The Guidance was prepared with the assistance of the CPfS and the Association of Democratic Services Officers (ADSO) who also co-ordinated input with local councils.

The Statutory Guidance is attached in Appendix A for all Members to fully consider. In the Guidance, the Government stresses the strong organisational culture that should underpin overview and scrutiny, the role it can play in holding an authority’s decision-makers to account, ensuring the efficient delivery of public services and driving improvements within a council and beyond. Fundamentally, the Government also recognises that councils have their own democratic mandates and are ultimately accountable to their electorate, and that councils themselves are best-placed to decide their arrangements based on local circumstances. However, the Government does ask that all councils cast a critical eye over their existing arrangements to ensure a culture that allows overview and scrutiny to flourish. The Statutory Guidance is based around key sections of:

- Culture – how a strong organisational culture can support scrutiny’s work to add value and the relationship with the executive;
- Resourcing – best using organisational resources to sustain an effective scrutiny function;
- Members - selecting committee members, chairmen, training and coopted members;
- Information - power to access council information and information and attendance from external partners and contractors;

- Planning – co-ordinating work programmes, witnesses, information sources, shortlisting topics to review etc...and;
- Evidence – planning for witness sessions, developing recommendations.

The Statutory Guidance also includes hypothetical illustrative scenarios on creating an executive-scrutiny protocol setting out their relationship, along with guidance on how committees can secure independent advice for their reviews and approaches to external organisation to appear before a committee.

As Statutory Guidance, by law Councils must have regard to it when exercising their functions. The phrase ‘must have regard’, when used in this context, does not mean that the sections of Statutory Guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to do so in a particular case. In addition, the Guidance advises that councils may have regard to other material they might choose to consider, including that issued by the CfPS, when exercising their overview and scrutiny functions.

In light of this, therefore Members should note that the Centre for Public Scrutiny (CfPS) and the Association of Democratic Services Officers (ADSO) have been engaged in updating the Good Scrutiny Guide which was published in June 2019. It is a background paper to this report should Members wish to read it further.

It is advised that the new Statutory Scrutiny Guidance does not require the Council to make any changes to its current overview and scrutiny arrangements. Furthermore, overview and scrutiny legislation is flexible in that it recognises that councils are democratically elected and best placed to determine their own arrangements.

It is considered that many aspects of the Guidance are best practice in nature are best taken forward by individual Chairmen, Committee Members and Democratic Services Officers, having due regard to it mapping out work programmes and setting up Panels.

Scrutiny Protocol

Charnwood Council has in place a scrutiny protocol which sets out some of the Council's approaches to scrutiny and some principles which underpin effective scrutiny. The Scrutiny protocol was approved by the former Scrutiny Management Board in January 2014 (Minute 41 2013/14 refers). It is therefore timely to review the content of this document in light of the new statutory guidance.

The protocol includes the principles of effective scrutiny promoted by the CfPS, some of the approaches to effective scrutiny advanced by the Council, the Council's arrangements to managing the interaction between the scrutiny function and the Cabinet and a description of the way in which officer involvement in scrutiny is managed.

The protocol is attached at appendix B. The bold and underlined text indicates changes to reflect the Councils new scrutiny structure from May 2019. Section 3 of the protocol sets out the relationship between Cabinet and Scrutiny. In light of the new statutory guidance and the CfPS's Good Scrutiny Guide, the Commission are particularly asked to consider the content of this section in terms of how overview and

scrutiny build an effective relationship with the executive that it is scrutinising and recommending changes to. Annex 1 of the Guidance document is particularly relevant when reviewing this section of the existing protocol.

Appendices

Appendix A - Statutory Guidance published by the Ministry of Housing, Communities and Local Government on Overview

Appendix B - Scrutiny Protocol



Ministry of Housing,
Communities &
Local Government

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities



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Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF
Telephone: 030 3444 0000

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Ministerial Foreword

The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Conversely, poor scrutiny can be indicative of wider governance, leadership and service failure.

It is vital that councils and combined authorities know the purpose of scrutiny, what effective scrutiny looks like, how to conduct it and the benefits it can bring. This guidance aims to increase understanding in all four areas.

In writing this guidance, my department has taken close note of the House of Commons Select Committee report of December 2017, as well as the written and oral evidence supplied to that Committee. We have also consulted individuals and organisations with practical involvement in conducting, researching and supporting scrutiny.

It is clear from speaking to these practitioners that local and combined authorities with effective overview and scrutiny arrangements in place share certain key traits, the most important being a strong organisational culture. Authorities who welcome challenge and recognise the value scrutiny can bring reap the benefits. But this depends on strong commitment from the top - from senior members as well as senior officials.

Crucially, this guidance recognises that authorities have democratic mandates and are ultimately accountable to their electorates, and that authorities themselves are best-placed to know which scrutiny arrangements are most appropriate for their own individual circumstances.

I would, however, strongly urge all councils to cast a critical eye over their existing arrangements and, above all, ensure they embed a culture that allows overview and scrutiny to flourish.



A handwritten signature in blue ink, appearing to read 'Rishi Sunak'.

Rishi Sunak MP
Minister for Local Government

About this Guidance

Who the guidance is for

This document is aimed at local authorities and combined authorities in England to help them carry out their overview and scrutiny functions effectively. In particular, it provides advice for senior leaders, members of overview and scrutiny committees, and support officers.

Aim of the guidance

This guidance seeks to ensure local authorities and combined authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

As such, it includes a number of policies and practices authorities should adopt or should consider adopting when deciding how to carry out their overview and scrutiny functions.

The guidance recognises that authorities approach scrutiny in different ways and have different processes and procedures in place, and that what might work well for one authority might not work well in another.

The hypothetical scenarios contained in the annexes to this guidance have been included for illustrative purposes, and are intended to provoke thought and discussion rather than serve as a 'best' way to approach the relevant issues.

While the guidance sets out some of the key legal requirements, it does not seek to replicate legislation.

Status of the guidance

This is statutory guidance from the Ministry of Housing, Communities and Local Government. Local authorities and combined authorities must have regard to it when exercising their functions. The phrase 'must have regard', when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

Not every authority is required to appoint a scrutiny committee. This guidance applies to those authorities who have such a committee in place, whether they are required to or not.

This guidance has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009, which requires authorities to have regard to this guidance. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

Terminology

Unless 'overview' is specifically mentioned, the term 'scrutiny' refers to both overview and scrutiny.¹

Where the term 'authority' is used, it refers to both local authorities and combined authorities.

Where the term 'scrutiny committee' is used, it refers to an overview and scrutiny committee and any of its sub-committees. As the legislation refers throughout to powers conferred on scrutiny committees, that is the wording used in this guidance. However, the guidance should be seen as applying equally to work undertaken in informal task and finish groups, commissioned by formal committees.

Where the term 'executive' is used, it refers to executive members.

For combined authorities, references to the 'executive' or 'cabinet' should be interpreted as relating to the mayor (where applicable) and all the authority members.

For authorities operating committee rather than executive arrangements, references to the executive or Cabinet should be interpreted as relating to councillors in leadership positions.

Expiry or review date

This guidance will be kept under review and updated as necessary.

¹ A distinction is often drawn between 'overview' which focuses on the development of policy, and 'scrutiny' which looks at decisions that have been made or are about to be made to ensure they are fit for purpose.

1. Introduction and Context

1. Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.
2. Overview and scrutiny committees have statutory powers² to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and scrutiny committees can also play a valuable role in developing policy.

Effective overview and scrutiny should:

- Provide constructive 'critical friend' challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services.

3. The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011.
4. The Localism Act 2011 amended the Local Government Act 2000 to allow councils to revert to a non-executive form of governance - the 'committee system'. Councils who adopt the committee system are not required to have overview and scrutiny but may do so if they wish. The legislation has been strengthened and updated since 2000, most recently to reflect new governance arrangements with combined authorities. Requirements for combined authorities are set out in Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.
5. Current overview and scrutiny legislation recognises that authorities are democratically-elected bodies who are best-placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives them a great degree of flexibility to decide which arrangements to adopt.
6. In producing this guidance, the Government fully recognises both authorities' democratic mandate and that the nature of local government has changed in recent years, with, for example, the creation of combined authorities, and councils increasingly delivering key services in partnership with other organisations or outsourcing them entirely.

² Section 9F of the Local Government Act 2000; paragraph 1 of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

2. Culture

7. The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.
8. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.
9. Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.
10. Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often considered by external bodies such as regulators and inspectors, and highlighted in public reports, including best value inspection reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.

How to establish a strong organisational culture

11. Authorities can establish a strong organisational culture by:

- a) **Recognising scrutiny's legal and democratic legitimacy** – all members and officers should recognise and appreciate the importance and legitimacy the scrutiny function is afforded by the law. It was created to act as a check and balance on the executive and is a statutory requirement for all authorities operating executive arrangements and for combined authorities.

Councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.

- b) **Identifying a clear role and focus** – authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority (see chapter 6).

Authorities should ensure a clear division of responsibilities between the scrutiny function and the audit function. While it is appropriate for scrutiny to pay due regard to the authority's financial position, this will need to happen in the context of the formal audit role. The authority's section 151 officer should advise scrutiny on how to manage this dynamic.

While scrutiny has no role in the investigation or oversight of the authority's whistleblowing arrangements, the findings of independent whistleblowing investigations might be of interest to scrutiny committees as they consider their wider implications. Members should always follow the authority's constitution and associated Monitoring Officer directions on the matter. Further guidance on whistleblowing can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf.

- c) **Ensuring early and regular engagement between the executive and scrutiny** – authorities should ensure early and regular discussion takes place between scrutiny and the executive, especially regarding the latter's future work programme. Authorities should, though, be mindful of their distinct roles:

In particular:

- The executive should not try to exercise control over the work of the scrutiny committee. This could be direct, e.g. by purporting to 'order' scrutiny to look at, or not look at, certain issues, or indirect, e.g. through the use of the whip or as a tool of political patronage, and the committee itself should remember its statutory purpose when carrying out its work. All members and officers should consider the role the scrutiny committee plays to be that of a 'critical friend' not a de facto 'opposition'. Scrutiny chairs have a particular role to play in establishing the profile and nature of their committee (see chapter 4); and
- The chair of the scrutiny committee should determine the nature and extent of an executive member's participation in a scrutiny committee meeting, and in any informal scrutiny task group meeting.

- d) **Managing disagreement** – effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee.

It is the job of both the executive and scrutiny to work together to reduce the risk of this happening, and authorities should take steps to predict, identify and act on disagreement.

One way in which this can be done is via an 'executive-scrutiny protocol' (see annex 1) which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful and unproductive ways. The benefit of this approach is that it provides a framework for disagreement and debate, and a way to manage it when it happens. Often,

the value of such a protocol lies in the dialogue that underpins its preparation. It is important that these protocols are reviewed on a regular basis.

Scrutiny committees do have the power to 'call in' decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.

- e) **Providing the necessary support** – while the level of resource allocated to scrutiny is for each authority to decide for itself, when determining resources an authority should consider the purpose of scrutiny as set out in legislation and the specific role and remit of the authority's own scrutiny committee(s), and the scrutiny function as a whole.

Support should also be given by members and senior officers to scrutiny committees and their support staff to access information held by the authority and facilitate discussions with representatives of external bodies (see chapter 5).

- f) **Ensuring impartial advice from officers** – authorities, particularly senior officers, should ensure all officers are free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by 'statutory officers' – the monitoring officer, the section 151 officer and the head of paid service, and where relevant the statutory scrutiny officer. These individuals have a particular role in ensuring that timely, relevant and high-quality advice is provided to scrutiny.
- g) **Communicating scrutiny's role and purpose to the wider authority** – the scrutiny function can often lack support and recognition within an authority because there is a lack of awareness among both members and officers about the specific role it plays, which individuals are involved and its relevance to the authority's wider work. Authorities should, therefore, take steps to ensure all members and officers are made aware of the role the scrutiny committee plays in the organisation, its value and the outcomes it can deliver, the powers it has, its membership and, if appropriate, the identity of those providing officer support.
- h) **Maintaining the interest of full Council in the work of the scrutiny committee** – part of communicating scrutiny's role and purpose to the wider authority should happen through the formal, public role of full Council – particularly given that scrutiny will undertake valuable work to highlight challenging issues that an authority will be facing and subjects that will be a focus of full Council's work. Authorities should therefore take steps to ensure full Council is informed of the work the scrutiny committee is doing.

One way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council's capacity to consider and respond in a timely manner. Such

reports would supplement the annual report to full Council on scrutiny's activities and raise awareness of ongoing work.

In order to maintain awareness of scrutiny at the Combined Authority and provoke dialogue and discussion of its impact, the business of scrutiny should be reported to the Combined Authority board or to the chairs of the relevant scrutiny committees of constituent and non-constituent authorities, or both. At those chairs' discretion, particular Combined Authority scrutiny outcomes, and what they might mean for each individual area, could be either discussed by scrutiny in committee or referred to full Council of the constituent authorities.

- i) **Communicating scrutiny's role to the public** – authorities should ensure scrutiny has a profile in the wider community. Consideration should be given to how and when to engage the authority's communications officers, and any other relevant channels, to understand how to get that message across. This will usually require engagement early on in the work programming process (see chapter 6).
- j) **Ensuring scrutiny members are supported in having an independent mindset** – formal committee meetings provide a vital opportunity for scrutiny members to question the executive and officers.

Inevitably, some committee members will come from the same political party as a member they are scrutinising and might well have a long-standing personal, or familial, relationship with them (see paragraph 25).

Scrutiny members should bear in mind, however, that adopting an independent mind-set is fundamental to carrying out their work effectively. In practice, this is likely to require scrutiny chairs working proactively to identify any potentially contentious issues and plan how to manage them.

Directly-elected mayoral systems

12. A strong organisational culture that supports scrutiny work is particularly important in authorities with a directly-elected mayor to ensure there are the checks and balances to maintain a robust democratic system. Mayoral systems offer the opportunity for greater public accountability and stronger governance, but there have also been incidents that highlight the importance of creating and maintaining a culture that puts scrutiny at the heart of its operations.
13. Authorities with a directly-elected mayor should ensure that scrutiny committees are well-resourced, are able to recruit high-calibre members and that their scrutiny functions pay particular attention to issues surrounding:
 - rights of access to documents by the press, public and councillors;
 - transparent and fully recorded decision-making processes, especially avoiding decisions by 'unofficial' committees or working groups;
 - delegated decisions by the Mayor;
 - whistleblowing protections for both staff and councillors; and
 - powers of Full Council, where applicable, to question and review.

14. Authorities with a directly-elected mayor should note that mayors are required by law to attend overview and scrutiny committee sessions when asked to do so (see paragraph 44).

3. Resourcing

15. The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority.
16. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it.
17. Authorities should also recognise that support for scrutiny committees, task groups and other activities is not solely about budgets and provision of officer time, although these are clearly extremely important elements. Effective support is also about the ways in which the wider authority engages with those who carry out the scrutiny function (both members and officers).

When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:

- Scrutiny's legal powers and responsibilities;
- The particular role and remit scrutiny will play in the authority;
- The training requirements of scrutiny members and support officers, particularly the support needed to ask effective questions of the executive and other key partners, and make effective recommendations;
- The need for ad hoc external support where expertise does not exist in the council;
- Effectively-resourced scrutiny has been shown to add value to the work of authorities, improving their ability to meet the needs of local people; and
- Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions.

Statutory scrutiny officers

18. Combined authorities, upper and single tier authorities are required to designate a statutory scrutiny officer,³ someone whose role is to:
 - promote the role of the authority's scrutiny committee;
 - provide support to the scrutiny committee and its members; and
 - provide support and guidance to members and officers relating to the functions of the scrutiny committee.

³ Section 9FB of the Local Government Act 2000; article 9 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017

19. Authorities not required by law to appoint such an officer should consider whether doing so would be appropriate for their specific local needs.

Officer resource models

20. Authorities are free to decide for themselves which wider officer support model best suits their individual circumstances, though generally they adopt one or a mix of the following:

- Committee – officers are drawn from specific policy or service areas;
- Integrated – officers are drawn from the corporate centre and also service the executive; and
- Specialist – officers are dedicated to scrutiny.

21. Each model has its merits – the committee model provides service-specific expertise; the integrated model facilitates closer and earlier scrutiny involvement in policy formation and alignment of corporate work programmes; and the specialist model is structurally independent from those areas it scrutinises.

22. Authorities should ensure that, whatever model they employ, officers tasked with providing scrutiny support are able to provide impartial advice. This might require consideration of the need to build safeguards into the way that support is provided. The nature of these safeguards will differ according to the specific role scrutiny plays in the organisation.

4. Selecting Committee Members

23. Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority.
24. While there are proportionality requirements that must be met,⁴ the selection of the chair and other committee members is for each authority to decide for itself. Guidance for combined authorities on this issue has been produced by the Centre for Public Scrutiny⁵.

Members invariably have different skill-sets. What an authority must consider when forming a committee is that, as a group, it possesses the requisite expertise, commitment and ability to act impartially to fulfil its functions.

25. Authorities are reminded that members of the executive cannot be members of a scrutiny committee.⁶ Authorities should take care to ensure that, as a minimum, members holding less formal executive positions, e.g. as Cabinet assistants, do not sit on scrutinising committees looking at portfolios to which those roles relate. Authorities should articulate in their constitutions how conflicts of interest, including familial links (see also paragraph 31), between executive and scrutiny responsibilities should be managed, including where members stand down from the executive and move to a scrutiny role, and vice-versa.
26. Members or substitute members of a combined authority must not be members of its overview and scrutiny committee.⁷ This includes the Mayor in Mayoral Combined Authorities. It is advised that Deputy Mayors for Policing and Crime are also not members of the combined authority's overview and scrutiny committee.

Selecting individual committee members

27. When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve.

⁴ See, for example, regulation 11 of the Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020) and article 4 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

⁵ See pages 15-18 of 'Overview and scrutiny in combined authorities: a plain English guide': <https://www.cfps.org.uk/wp-content/uploads/Overview-and-scrutiny-in-combined-authorities-a-plain-english-guide.pdf>

⁶ Section 9FA(3) of the Local Government Act 2000.

⁷ 2(3) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009

28. Authorities should not take into account a member's perceived level of support for or opposition to a particular political party (notwithstanding the wider legal requirement for proportionality referred to in paragraph 24).

Selecting a chair

29. The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working.

30. The attributes authorities should and should not take into account when selecting individual committee members (see paragraphs 27 and 28) also apply to the selection of the Chair, but the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.

Chairs should pay special attention to the need to guard the committee's independence. Importantly, however, they should take care to avoid the committee being, and being viewed as, a de facto opposition to the executive.

31. Given their pre-eminent role on the scrutiny committee, it is strongly recommended that the Chair not preside over scrutiny of their relatives⁸. Combined authorities should note the legal requirements that apply to them where the Chair is an independent person⁹.

32. The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. Combined Authorities should be aware of the legal requirements regarding the party affiliation of their scrutiny committee Chair¹⁰.

Training for committee members

33. Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively. Authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.

34. When deciding on training requirements for committee members, authorities should consider taking advantage of opportunities offered by external providers in the sector.

Co-option and technical advice

35. While members and their support officers will often have significant local insight and an understanding of local people and their needs, the provision of outside expertise can be invaluable.

⁸ A definition of 'relative' can be found at section 28(10) of the Localism Act 2011.

⁹ See article 5(2) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

¹⁰ Article 5(6) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

36. There are two principal ways to procure this:

- Co-option – formal co-option is provided for in legislation¹¹. Authorities must establish a co-option scheme to determine how individuals will be co-opted onto committees; and
- Technical advisers – depending on the subject matter, independent local experts might exist who can provide advice and assistance in evaluating evidence (see annex 2).

¹¹ Section 9FA(4) Local Government Act 2000

5. Power to Access Information

37. A scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively.
38. This need is recognised in law, with members of scrutiny committees enjoying powers to access information¹². In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for councillors to have access to information to perform their duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
39. When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny's role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.
40. Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk. Where this information exists, and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.
41. Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.

While each request for information should be judged on its individual merits, authorities should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.

42. The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision¹³. However, members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they provide, for reasons of party political or reputational expediency.

¹² Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

¹³ Regulation 17(4) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(4) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

Before an authority takes a decision not to share information it holds, it should give serious consideration to whether that information could be shared in closed session.

43. Regulations already stipulate a timeframe for executives to comply with requests from a scrutiny member¹⁴. When agreeing to such requests, authorities should:

- consider whether seeking clarification from the information requester could help better target the request; and
- Ensure the information is supplied in a format appropriate to the recipient's needs.

44. Committees should be aware of their legal power to require members of the executive and officers to attend before them to answer questions¹⁵. It is the duty of members and officers to comply with such requests.¹⁶

Seeking information from external organisations

45. Scrutiny members should also consider the need to supplement any authority-held information they receive with information and intelligence that might be available from other sources, and should note in particular their statutory powers to access information from certain external organisations.

46. When asking an external organisation to provide documentation or appear before it, and where that organisation is not legally obliged to do either (see annex 3), scrutiny committees should consider the following:

- a) **The need to explain the purpose of scrutiny** – the organisation being approached might have little or no awareness of the committee's work, or of an authority's scrutiny function more generally, and so might be reluctant to comply with any request;
- b) **The benefits of an informal approach** – individuals from external organisations can have fixed perceptions of what an evidence session entails and may be unwilling to subject themselves to detailed public scrutiny if they believe it could reflect badly on them or their employer. Making an informal approach can help reassure an organisation of the aims of the committee, the type of information being sought and the manner in which the evidence session would be conducted;

¹⁴ Regulation 17(2) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(2) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

¹⁵ Section 9FA(8) of the Local Government Act 2000; paragraph 2(6) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

¹⁶ Section 9FA(9) of the Local Government Act 2000; paragraph 2(7) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

- c) **How to encourage compliance with the request** – scrutiny committees will want to frame their approach on a case by case basis. For contentious issues, committees might want to emphasise the opportunity their request gives the organisation to ‘set the record straight’ in a public setting; and
- d) **Who to approach** – a committee might instinctively want to ask the Chief Executive or Managing Director of an organisation to appear at an evidence session, however it could be more beneficial to engage front-line staff when seeking operational-level detail rather than senior executives who might only be able to talk in more general terms. When making a request to a specific individual, the committee should consider the type of information it is seeking, the nature of the organisation in question and the authority’s pre-existing relationship with it.

Following ‘the Council Pound’

Scrutiny committees will often have a keen interest in ‘following the council pound’, i.e. scrutinising organisations that receive public funding to deliver goods and services.

Authorities should recognise the legitimacy of this interest and, where relevant, consider the need to provide assistance to scrutiny members and their support staff to obtain information from organisations the council has contracted to deliver services. In particular, when agreeing contracts with these bodies, authorities should consider whether it would be appropriate to include a *requirement* for them to supply information to or appear before scrutiny committees.

6. Planning Work

47. Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.
48. Authorities with multiple scrutiny committees sometimes have a separate work programme for each committee. Where this happens, consideration should be given to how to co-ordinate the various committees' work to make best use of the total resources available.

Being clear about scrutiny's role

49. Scrutiny works best when it has a clear role and function. This provides focus and direction. While scrutiny has the power to look at anything which affects 'the area, or the area's inhabitants', authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary, which means that there might be things that, despite being important, scrutiny will not be able to look at.
50. Different overall roles could include having a focus on risk, the authority's finances, or on the way the authority works with its partners.
51. Applying this focus does not mean that certain subjects are 'off limits'. It is more about looking at topics and deciding whether their relative importance justifies the positive impact scrutiny's further involvement could bring.
52. When thinking about scrutiny's focus, members should be supported by key senior officers. The statutory scrutiny officer, if an authority has one, will need to take a leading role in supporting members to clarify the role and function of scrutiny, and championing that role once agreed.

Who to speak to

53. Evidence will need to be gathered to inform the work programming process. This will ensure that it looks at the right topics, in the right way and at the right time. Gathering evidence requires conversations with:
 - *The public* – it is likely that formal 'consultation' with the public on the scrutiny work programme will be ineffective. Asking individual scrutiny members to have conversations with individuals and groups in their own local areas can work better. Insights gained from the public through individual pieces of scrutiny work can be fed back into the work programming process. Listening to and participating in conversations in places where local people come together, including in online forums, can help authorities engage people on their own terms and yield more positive results.

Authorities should consider how their communications officers can help scrutiny engage with the public, and how wider internal expertise and local knowledge from both members and officers might make a contribution.

- *The authority's partners* – relationships with other partners should not be limited to evidence-gathering to support individual reviews or agenda items. A range of partners are likely to have insights that will prove useful:
 - Public sector partners (like the NHS and community safety partners, over which scrutiny has specific legal powers);
 - Voluntary sector partners;
 - Contractors and commissioning partners (including partners in joint ventures and authority-owned companies);
 - In parished areas, town, community and parish councils;
 - Neighbouring principal councils (both in two-tier and unitary areas);
 - Cross-authority bodies and organisations, such as Local Enterprise Partnerships¹⁷; and
 - Others with a stake and interest in the local area – large local employers, for example.

- *The executive* – a principal partner in discussions on the work programme should be the executive (and senior officers). The executive should not direct scrutiny's work (see chapter 2), but conversations will help scrutiny members better understand how their work can be designed to align with the best opportunities to influence the authority's wider work.

Information sources

54. Scrutiny will need access to relevant information to inform its work programme. The type of information will depend on the specific role and function scrutiny plays within the authority, but might include:

- Performance information from across the authority and its partners;
- Finance and risk information from across the authority and its partners;
- Corporate complaints information, and aggregated information from political groups about the subject matter of members' surgeries;
- Business cases and options appraisals (and other planning information) for forthcoming major decisions. This information will be of particular use for pre-decision scrutiny; and
- Reports and recommendations issued by relevant ombudsmen, especially the Local Government and Social Care Ombudsman.

¹⁷ Authorities should ensure they have appropriate arrangements in place to ensure the effective democratic scrutiny of Local Enterprise Partnerships' investment decisions.

As committees can meet in closed session, commercial confidentiality should not preclude the sharing of information. Authorities should note, however, that the default for meetings should be that they are held in public (see 2014 guidance on '*Open and accountable local government*':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf).

55. Scrutiny members should consider keeping this information under regular review. It is likely to be easier to do this outside committee, rather than bringing such information to committee 'to note', or to provide an update, as a matter of course.

Shortlisting topics

Approaches to shortlisting topics should reflect scrutiny's overall role in the authority. This will require the development of bespoke, local solutions, however when considering whether an item should be included in the work programme, the kind of questions a scrutiny committee should consider might include:

- Do we understand the benefits scrutiny would bring to this issue?
- How could we best carry out work on this subject?
- What would be the best outcome of this work?
- How would this work engage with the activity of the executive and other decision-makers, including partners?

56. Some authorities use scoring systems to evaluate and rank work programme proposals. If these are used to provoke discussion and debate, based on evidence, about what priorities should be, they can be a useful tool. Others take a looser approach. Whichever method is adopted, a committee should be able to justify how and why a decision has been taken to include certain issues and not others.

57. Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that, if work programming is robust and effective, there might well be issues that they want to look at that nonetheless are not selected.

Carrying out work

58. Selected topics can be scrutinised in several ways, including:

- a) **As a single item on a committee agenda** – this often presents a limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue;
- b) **At a single meeting** – which could be a committee meeting or something less formal. This can provide an opportunity to have a single public meeting about a

given subject, or to have a meeting at which evidence is taken from a number of witnesses;

- c) **At a task and finish review of two or three meetings** – short, sharp scrutiny reviews are likely to be most effective even for complex topics. Properly focused, they ensure members can swiftly reach conclusions and make recommendations, perhaps over the course of a couple of months or less;
- d) **Via a longer-term task and finish review** – the ‘traditional’ task and finish model – with perhaps six or seven meetings spread over a number of months – is still appropriate when scrutiny needs to dig into a complex topic in significant detail. However, the resource implications of such work, and its length, can make it unattractive for all but the most complex matters; and
- e) **By establishing a ‘standing panel’** – this falls short of establishing a whole new committee but may reflect a necessity to keep a watching brief over a critical local issue, especially where members feel they need to convene regularly to carry out that oversight. Again, the resource implications of this approach means that it will be rarely used.

7. Evidence Sessions

59. Evidence sessions are a key way in which scrutiny committees inform their work. They might happen at formal committee, in less formal ‘task and finish’ groups or at standalone sessions.

Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.

How to plan

60. Effective planning does not necessarily involve a large number of pre-meetings, the development of complex scopes or the drafting of questioning plans. It is more often about setting overall objectives and then considering what type of questions (and the way in which they are asked) can best elicit the information the committee is seeking. This applies as much to individual agenda items as it does for longer evidence sessions – there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session.

Chairs play a vital role in leading discussions on objective-setting and ensuring all members are aware of the specific role each will play during the evidence session.

61. As far as possible there should be consensus among scrutiny members about the objective of an evidence session before it starts. It is important to recognise that members have different perspectives on certain issues, and so might not share the objectives for a session that are ultimately adopted. Where this happens, the Chair will need to be aware of this divergence of views and bear it in mind when planning the evidence session.
62. Effective planning should mean that at the end of a session it is relatively straightforward for the chair to draw together themes and highlight the key findings. It is unlikely that the committee will be able to develop and agree recommendations immediately, but, unless the session is part of a wider inquiry, enough evidence should have been gathered to allow the chair to set a clear direction.
63. After an evidence session, the committee might wish to hold a short ‘wash-up’ meeting to review whether their objectives were met and lessons could be learned for future sessions.

Developing recommendations

64. The development and agreement of recommendations is often an iterative process. It will usually be appropriate for this to be done only by members, assisted by co-optees where relevant. When deciding on recommendations, however, members should have due regard to advice received from officers, particularly the Monitoring Officer.

65. The drafting of reports is usually, but not always, carried out by officers, directed by members.

66. Authorities draft reports and recommendations in a number of ways, but there are normally three stages:

- i. the development of a 'heads of report' – a document setting out general findings that members can then discuss as they consider the overall structure and focus of the report and its recommendations;
- ii. the development of those findings, which will set out some areas on which recommendations might be made; and
- iii. the drafting of the full report.

67. Recommendations should be evidence-based and SMART, i.e. specific, measurable, achievable, relevant and timed. Where appropriate, committees may wish to consider sharing them in draft with interested parties.

68. Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.

Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense-check.

Annex 1: Illustrative Scenario – Creating an Executive-Scrutiny Protocol

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Cabinet can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

Annex 2: Illustrative Scenario – Engaging Independent Technical Advisers

This example demonstrates how one Council's executive and scrutiny committee worked together to scope a role and then appoint an independent adviser on transforming social care commissioning. Their considerations and process may be helpful and applicable in other similar scenarios.

Major care contracts were coming to an end and the Council took the opportunity to review whether to continue with its existing strategic commissioning framework, or take a different approach – potentially insourcing certain elements.

The relevant Director was concerned about the Council's reliance on a very small number of large providers. The Director therefore approached the Scrutiny and Governance Manager to talk through the potential role scrutiny could play as the Council considered these changes.

The Scrutiny Chair wanted to look at this issue in some depth, but recognised its complexity could make it difficult for her committee to engage – she was concerned it would not be able to do the issue justice. The Director offered support from his own officer team, but the Chair considered this approach to be beset by risks around the independence of the process.

She talked to the Director about securing independent advice. He was worried that an independent adviser could come with preconceived ideas and would not understand the Council's context and objectives. The Scrutiny Chair was concerned that independent advice could end up leading to scrutiny members being passive, relying on an adviser to do their thinking for them. They agreed that some form of independent assistance would be valuable, but that how it was provided and managed should be carefully thought out.

With the assistance of the Governance and Scrutiny Manager, the Scrutiny Chair approached local universities and Further Education institutions to identify an appropriate individual. The approach was clear – it set out the precise role expected of the adviser, and explained the scrutiny process itself. Because members wanted to focus on the risks of market failure, and felt more confident on substantive social care matters, the approach was directed at those with a specialism in economics and business administration. The Council's search was proactive – the assistance of the service department was drawn on to make direct approaches to particular individuals who could carry out this role.

It was agreed to make a small budget available to act as a 'per diem' to support an adviser; academics were approached in the first instance as the Council felt able to make a case that an educational institution would provide this support for free as part of its commitment to Corporate Social Responsibility.

Three individuals were identified from the Council's proactive search. The Chair and Vice-Chair of the committee had an informal discussion with each – not so much to establish their skills and expertise (which had already been assessed) but to give a sense about

their 'fit' with scrutiny's objectives and their political nous in understanding the environment in which they would operate, and to satisfy themselves that they will apply themselves even-handedly to the task. The Director sat in on this process but played no part in who was ultimately selected.

The independent advice provided by the selected individual gave the Scrutiny Committee a more comprehensive understanding of the issue and meant it was able to offer informed advice on the merits of putting in place a new strategic commissioning framework.

Annex 3: Illustrative Scenario – Approaching an External Organisation to Appear before a Committee

This example shows how one council ensured a productive scrutiny meeting, involving a private company and the public. Lessons may be drawn and apply to other similar scenarios.

Concerns had been expressed by user groups, and the public at large, about the reliability of the local bus service. The Scrutiny Chair wanted to question the bus company in a public evidence session but knew that she had no power to compel it to attend. Previous attempts to engage it had been unsuccessful; the company was not hostile, but said it had its own ways of engaging the public.

The Monitoring Officer approached the company's regional PR manager, but he expressed concern that the session would end in a 'bunfight'. He also explained the company had put their improvement plan in the public domain, and felt a big council meeting would exacerbate tensions.

Other councillors had strong views about the company – one thought the committee should tell the company it would be empty-chaired if it refused to attend. The Scrutiny Chair was sympathetic to this, but thought such an approach would not lead to any improvements.

The Scrutiny Chair was keen to make progress, but it was difficult to find the right person to speak to at the company, so she asked council officers and local transport advocacy groups for advice. Speaking to those people also gave her a better sense of what scrutiny's role might be.

When she finally spoke to the company's network manager, she explained the situation and suggested they work together to consider how the meeting could be productive for the Council, the company and local people. In particular, this provided her with an opportunity to explain scrutiny and its role. The network manager remained sceptical but was reassured that they could work together to ensure that the meeting would not be an 'ambush'. He agreed in principle to attend and also provide information to support the Committee's work beforehand.

Discussions continued in the four weeks leading up to the Committee meeting. The Scrutiny Chair was conscious that while she had to work with the company to ensure that the meeting was constructive – and secure their attendance – it could not be a whitewash, and other members and the public would demand a hard edge to the discussions.

The scrutiny committee agreed that the meeting would provide a space for the company to provide context to the problems local people are experiencing, but that this would be preceded by a space on the agenda for the Chair, Vice-chair, and representatives from two local transport advocacy groups to set out their concerns. The company were sent in

advance a summary of the general areas on which members were likely to ask questions, to ensure that those questions could be addressed at the meeting.

Finally, provision was made for public questions and debate. Those attending the meeting were invited to discuss with each other the principal issues they wanted the meeting to cover. A short, facilitated discussion in the room led by the Chair highlighted the key issues, and the Chair then put those points to the company representatives.

At the end of the meeting, the public asked questions of the bus company representative in a 20-minute plenary item.

The meeting was fractious, but the planning carried out to prepare for this – by channelling issues through discussion and using the Chair to mediate the questioning – made things easier. Some attendees were initially frustrated by this structure, but the company representative was more open and less defensive than might otherwise have been the case.

The meeting also motivated the company to revise its communications plan to become more responsive to this kind of challenge, part of which involved a commitment to feed back to the scrutiny committee on the recommendations it made on the night.

Scrutiny Protocol

1. Principles of Effective Scrutiny

The Centre for Public Scrutiny has identified the following four principles which underpin effective scrutiny:

- Provide a constructive ‘critical friend’ challenge to the Executive as well as outside agencies
- Reflect the voice and concerns of the public and its communities
- Take the lead and own the scrutiny process on behalf of the public
- Make an impact on the delivery of public services.

2. Approaches to Effective Scrutiny

The following approaches will contribute to the effective conduct of scrutiny.

(a) Developing the different components of scrutiny

There are a number of different components of the scrutiny function including in-depth reviews undertaken by task and finish panels, pre-decision scrutiny of Cabinet reports by the **Scrutiny Commission**, scrutinising the development of Council policies, looking at ways in which scrutiny can assist in policy formulation and scrutiny of performance by the Directorate based Committees and call-in.

These components are complementary and at different times different components will be the most appropriate for scrutinising a topic.

(b) Programming

In considering items to be included in the scrutiny work programme members of scrutiny bodies should consider the principles set out in section 1 above and in particular the extent to which scrutiny can add value by responding to public concerns and having an impact on how public services are delivered.

Scrutiny bodies can make use of initial fact-finding through briefing notes, presentations or question and answer sessions to determine whether further scrutiny of a topic is required and what form that scrutiny should take. A copy of the template for a scrutiny briefing can be found at Annex A to this protocol.

Scrutiny panels commissioned by the **Scrutiny Commission** will operate on the basis of a scope document agreed by the Board. Councillors wishing to suggest new panels should work with appropriate officers to develop a scope document for consideration by the Commission. The title of a panel will be in the form of a question which the panel is seeking to answer through its work. A copy of the template for a scrutiny panel scope document can be found at Annex B to this protocol.

(c) Preparation for meetings

Informal meetings with chairs and vice-chairs or with all members of scrutiny bodies prior to formal meetings are encouraged as part of the preparation process.

All members of scrutiny bodies should have read the agenda papers prior to attending a meeting and familiarise themselves with any relevant background papers.

Members of scrutiny bodies should think about the questions they want to ask witnesses or other people attending the meeting. For example, pick the two issues which are the most important for each item on the agenda and prepare a question on each in advance.

(d) At the meeting

The Chair should ensure that every member has an opportunity to have their say and that all the issues that members had prepared in advance have been covered.

When it comes to making recommendations or other resolutions the Chair will check that all members are clear about the decision and are content with it or put the matter to a vote.

(e) Behaviours

Scrutiny should be conducted in a manner that is inclusive and co-operative.

A Witness Charter has been prepared to ensure that witnesses are appropriately supported and understand how the scrutiny process will operate and a copy can be found as Annex C to this protocol.

3. Relationship between Cabinet and Scrutiny

The relationship between Cabinet and the scrutiny function is governed in part by law and in part by the Council's Constitution, in particular the Scrutiny Committee Procedures. The purpose of this section of the protocol is to set out the principles which will be followed by both Cabinet and scrutiny in applying these rules.

(a) Responsibilities

Cabinet and scrutiny have very different functions and responsibilities. However the aim of both is to secure the best outcomes for the people who live and work in Charnwood.

- (i) It is the responsibility of Cabinet to take operational decisions to implement the budget and the key policies set out in the policy framework agreed by Full Council.

(ii) Scrutiny has a number of responsibilities. These include:

- holding the Cabinet to account through scrutinising its decisions;
- calling-in Cabinet decisions which have not yet been implemented if there is a need for aspects of the decision to be reviewed; undertaking reviews of Council activities (whether these are the responsibility of the Cabinet or not) and those of other public bodies in Charnwood, leading to recommendations on improvements which can be made;
- assisting the Cabinet in policy formulation and developing its recommendations on the budget and policy framework through commenting on the Cabinet's proposals and undertaking reviews.

(b) General Principles

The following principles set out how the working relationship between Cabinet and scrutiny should operate.

- (i) Cabinet and scrutiny recognise that they each have different functions and responsibilities and the contribution that both can make to securing the best outcomes for the people who live and work in Charnwood.
- (ii) Cabinet and scrutiny will work alongside each other in a positive manner. Cabinet recognises that scrutiny has a number of rights, such as call-in and requiring Cabinet members to attend its meetings, and will respect those rights. Scrutiny will exercise those rights responsibly.
- (iii) All participants in the working relationship between Cabinet and scrutiny will do so in a spirit of mutual respect and constructive challenge.
- (iv) There will be a regular dialogue between Cabinet and scrutiny through the Cabinet/Scrutiny Liaison Group to promote the effectiveness of the working relationship.
- (v) The relationship between Cabinet and scrutiny will be open and transparent. The Cabinet/Scrutiny Liaison Group will be provided with access to the Cabinet's forward programme of decisions to enable planning of scrutiny activity.
- (vi) The Leader and Chief Executive will attend a meeting of the **Scrutiny Commission** each year to discuss issues and priorities for the Council in the year ahead.

(c) Conduct of Meetings

The following principles set out how meetings should be conducted in support of the general principles above.

- (i) Meetings of Cabinet and scrutiny bodies are subject to the relevant provisions in the Council's Constitution including that they must normally be held in public unless factors allowed for by law and the Council's Constitution are judged to require consideration with the public and press excluded.

- (ii) Meetings of Cabinet and scrutiny bodies should be carried out in a businesslike, non-aggressive and non-confrontational manner with courtesy extended to all participants.
- (iii) Meetings of Cabinet and scrutiny bodies should be held using a room layout appropriate for the business to be conducted.
- (iv) Meetings of scrutiny bodies should keep in mind the statutory guidance that scrutiny work should be conducted in a non-party political manner.

4. Officer Support for Scrutiny

Officer support for scrutiny is different to the role that senior officers play in giving evidence to scrutiny bodies which is described in the **Scrutiny Committee** Procedures in the Constitution. Officers can support scrutiny through providing advice, providing administrative services, providing or sourcing training, undertaking research and providing background information in relation to subjects for scrutiny.

Scrutiny is able to call on the support of any officer of the Council where this is appropriate to the work it is undertaking. By the nature of the roles they carry out some officers will undertake more work for scrutiny than others.

Scrutiny bodies will be advised if scrutiny activity at a particular time would be likely to cause a significant impact on the operation of a team or service. Officers may suggest items for inclusion in the scrutiny work programme. Ultimately it is the responsibility of the **Scrutiny Commission** to determine the work programme.

Template for presenting background information to scrutiny to determine what future action to programme

**[body] – ??TH MONTH YEAR Report
of the Director/Head of ????**

ITEM SCRUTINY BRIEFING: [TITLE]

Purpose of the Report

To provide background information on to enable [body] to determine whether further scrutiny is required.

Briefing Summary

Title	<i>Name of service area, activity or policy that is the subject of the briefing paper</i>
Aims/Objectives	<i>No more than three bullet points Include origin e.g. mandatory, corporate plan, identified need, government initiative</i>
Background	<i>No more than six bullet points setting out the current position and approach to meeting the aims/objectives</i>
Required outcomes	<i>Outline the expected outcomes in bullet point format</i>
Measures to evaluate outcomes	<i>List in bullet point format – with source of any evidence to be used and providing benchmarking and comparative information where possible</i>
Implications for customers	<i>No more than four bullet points This should include a statement on consultation with customers</i>
Alternative options	<i>Are there alternatives – if so list</i>

Emerging issues	<i>No more than four bullet points This should set out the opportunities and threats etc. affecting the service/activity</i>
Timetable/Future events	<i>Are there any significant future events, e.g. new legislation, public consultation, new policies? Identify any opportunities for scrutiny</i>
Cost and staff requirements	<i>Current budget (income and expenditure) and staffing required by service/activity plus any known changes to be implemented</i>
Risks	<i>Identify in bullet points any significant risks associated with the issue and, where appropriate, mitigations that have been identified</i>

Additional information *(Delete if not required)*

[Provide a brief summary of any additional information that is necessary or has been specifically requested by scrutiny.]

Background Papers: None/list *(as appropriate)*

Officer(s) to contact: Name, tel (including code) and email
(Delete (s) if only one)



REVIEW TITLE:
SCOPE OF ITEM / TERMS OF REFERENCE
REASON FOR SCRUTINY
MEMBERSHIP OF THE GROUP
Councillor (Chair) Councillors
WHAT WILL BE INCLUDED
WHAT WILL BE EXCLUDED
KEY TASKS * * including consideration of efficiency savings
STAKEHOLDERS, OUTSIDE AGENCIES, OTHER ORGANISATIONS *
EQUALITY IMPLICATIONS
Is an impact needs assessment required? – to be considered at the Panel's penultimate meeting
LINKS/OVERLAPS TO OTHER REVIEWS

RESOURCE REQUIREMENTS	
REPORT REQUIREMENTS (Officer information)	
REVIEW COMMENCEMENT DATE	COMPLETION DATE FOR DRAFT REPORT

* Key tasks and stakeholders may be subject to change as the review progresses.

PROGRESS OF PANEL WORK

MEETING DATE	PROGRESS TO DATE

REPORT SUBMITTED TO SCRUTINY COMMISSION (SCRUTINY MANAGEMENT BOARD)

Scrutiny Witness Charter

Introduction

Charnwood Borough Council recognises the valuable contribution that can be made by witnesses to the scrutiny process, be this in the form of expert opinion from professionals in a particular discipline, the views of Town and Parish Councils and community groups, or consumers who are directly affected by a particular service. This Witness Charter seeks to ensure that there is a positive and clearly defined relationship between the Council and witnesses which supports the effective delivery of scrutiny arrangements.

Guidance for the Council

In managing an effective scrutiny process, the Council will seek to:

1. Provide witnesses with details of the time, date and place of the scrutiny session at which their evidence is to be taken.
2. Ensure that witnesses are advised about why they have been invited to attend a scrutiny session and the matters which they will be asked to comment upon.
3. Supply witnesses with copies of all relevant reports, papers and background information.
4. Ensure that all witnesses are treated with courtesy and respect.
5. Give witnesses the opportunity to verify any evidence that they have supplied before it is published in any document to which the public has access.
6. Inform witnesses about any actions recommended as a result of a scrutiny review and the decisions taken by the Council.

Guidance for Witnesses

1. What should a witness expect when attending a Scrutiny Committee or Panel?

There are two types of meeting: firstly, formal Panel meetings which where possible are held in public when the press and public may be present, and secondly, Panels meetings when the Panel elects to hear evidence in private, for example to allow a witness to give evidence in confidence, when the press and public will not be present. You will be advised beforehand whether or not it is a public or private Panel meeting. **In the case of formal panel meetings, the proceedings are sound recorded and made available to the public via the Council's website.**

Members of the Committee or Panel are normally elected Members of the Council i.e. Councillors. An officer of the Council who is supporting the Committee/Panel will also be present along with a Democratic Services Officer who will make notes or 'minutes' of the proceedings.

Other persons present may include specialists invited to assist the Committee/Panel including stakeholders, service users and officers of the Council. You will be

provided with details of the names of all witnesses and the organisations that they will be representing before the meeting.

The venue for meetings is normally the Main Council Offices at Southfields, Loughborough although other venues will be considered if this helps to conduct the review process more effectively. You will be notified in advance where the meeting is to be held.

You will normally be given a specific time to attend a Scrutiny Committee or Panel and every effort will be made to keep to the time allocated. When your turn comes, the Chair will invite you to speak and/or respond to any questions from the Councillors present. If you are not clear about a particular question, please ask for clarification.

2. What value can witnesses bring to the scrutiny process?

We recognise that it is important that you should understand the scope of the review, the key lines of enquiry of the Committee or Panel and how you can help to inform the review. This information will be provided to you in advance of the meeting so that you can be well-prepared. In addition, you will be informed of the manner in which your evidence will be taken e.g. question and answer session, timed representations, written submission followed by questions, a presentation etc. A copy of the agenda and any relevant papers will also be sent to you prior to the meeting.

The main aim of inviting witnesses to meetings is to gain access to relevant expertise, new perspectives and practical experiences which will help the review process to deliver well informed recommendations. Therefore, you will have an important role to play in providing us with an insight into the issue or service which is under investigation that we might not otherwise achieve.

3. What action should be taken if a witness has special needs?

The Council is committed to ensuring equality of access to the scrutiny process and will seek to respond positively to people's specific needs.

If you have any particular requirements or access needs to enable you to give evidence, please contact us before the meeting so appropriate arrangements can be made. If you need information in other formats for instance large print, please let us know and we will be glad to provide it to you. If you have any difficulties in understanding written or spoken English please let us know as you may be accompanied by a friend or other person appointed to assist you so that you are able to contribute fully to the scrutiny session.

A number of the meeting rooms at Southfields are installed with a hearing loop system and rooms are accessible for wheelchair users or people with mobility impairments. There is a ramped main entrance to the building and a lift to the first floor. On occasions Scrutiny Panels may meet in other venues and so far as possible, we will ensure that they are fully accessible

4. After you have given evidence

Once you have given evidence and there are no more questions, you may remain for the rest of the meeting or leave if you so wish.

Your evidence along with that of other witnesses will be used to develop the findings of the review and recommendations of the Committee or Panel.

The final report will normally be submitted to the Cabinet. You will be provided with access to the final report and be given details of the decisions taken as a result of the review so that you are fully aware of the outcomes achieved.

5. Feedback

We value your time and contribution to the scrutiny process. If you have any comments about your experiences as a witness or scrutiny in general, please contact:

Karen Widdowson
Democratic Services Manager
Tel: 01509 634785
E-mail: karen.widdowson@charnwood.gov.uk

CABINET – 14TH NOVEMBER 2019

Report of the Head of Landlord Services

Lead Member: Councillor Paul Mercer

Part A

ITEM TENANCY SUPPORT POLICY 2019-2024

Purpose of Report

For Cabinet to consider and approve the Tenancy Support Policy 2019-2024.

Recommendation

1. That the Tenancy Support Policy 2019-2024 attached at Appendix 1 be approved.
2. That delegated authority be given to the Head of Landlord Services in consultation with the lead member for Housing, to make minor amendments to the Tenancy Support Policy 2019-2024.

Reasons

1. To set out a policy on the Council's approach to supporting vulnerable tenants occupying council accommodation.
2. To enable minor changes to be made to support the efficient delivery of landlord services.

Policy Justification and Previous Decisions

This new policy will support compliance with the:

- Homes and Communities Agency (2012) Tenancy Standard which states that:

Registered providers shall develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions.

- Civil procedure rules Pre-Action Protocol for Possession Claims by Social Landlords.

The policy will also support delivery of the following corporate plan outcomes and indicators:

- Corporate Plan Outcome 2016/20 - *Put Customers at the heart of everything we do and provide strong community leadership.*

- Corporate Plan Outcome 2016-2020 - *Keep our residents safe through implementing a new community safety plan, combatting ASB and investing in emergency planning, food safety and safeguarding;*
- Delivery of the Council's Corporate Plan Indicator KI6 - *% rent collected (including arrears brought forward),*

Implementation Timetable including Future Decisions and Scrutiny

The policy will be implemented when the Cabinet decision comes in to force.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are none.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
The policy is not adequately communicated leading to incorrect application of the policy, harm to individuals and communities, financial loss to the Council, and reputational damage on individual cases.	3	2	Moderate (6)	<p>Training will be provided to officers.</p> <p>The policy will be published on the Council's website.</p> <p>Service level operational performance data will be monitored.</p>

Crime and Disorder Implications

This policy will positively contribute towards the effective management of ASB and hate incidents, and consequently compliance with the Council's responsibilities under Section 17 of the Crime and Disorder Act (1998) to undertake reasonable action to improve community safety in the borough.

Equality and Diversity

The policy will positively contribute towards the Council's equality and diversity responsibilities and commitments. Vulnerable residents and those with protected characteristics will be offered help and support when appropriate. The equality impact assessment can be found at Appendix 2.

Sustainability

The policy will positively contribute towards the following principles of sustainability:

- Reducing poverty and social exclusion
- Improving public health and wellbeing
- Ensuring that housing needs of all sections of the community are met
- Increasing access to services and facilities

Key decision: Yes

Background papers: None

Officer(s) to contact: Peter Oliver
Head of Landlord Services
01509 634 666
Peter.oliver@charnwood.gov.uk

Andrew Staton
Landlord Services Manager
Tel: 01509 634 666
Email: andrew.staton@charnwood.gov.uk

Part B

1. Background

- 1.2 Vulnerable tenants may need support to set up a new tenancy, and on-going or occasional help to maintain their tenancy, due to (for example), mental health problems, alcohol and / or drug dependency, debt, or difficulties making benefit claims.
- 1.3 Increasingly, the work of the Tenancy Support and Financial Inclusion Teams is focussed on supporting tenants moving on to Universal Credit (UC). At the end of September 2019 800 tenants were identified as being in receipt of UC. This number is expected to increase over the next two years and rent arrears will likely increase as a result. The risk of increased rent arrears will be mitigated through the provision of advice and support to tenants on making and sustaining a claim for UC.
- 1.3 This new policy sets out how support needs are identified and met, and specifically highlights the support available to tenants moving on to Universal Credit.

2. Policy Development

- 2.1 On the 7th November 2018 (minute 14) the Housing Management Advisory Board resolved that the draft policy be approved.
- 2.2 On the 13th November 2018 (minute 25) Policy Scrutiny resolved that the report be noted [and];
- that it be noted that officers would look at making it clear that safeguarding procedures were already in place and did not need to be newly developed and including further examples of the organisations with which the Council worked when preparing the final version of the policy.

Appendices

- Appendix 1 - Tenancy Support Policy 2019-2024
Appendix 2 - Equality Impact Assessment



Tenancy Support Policy 2019 - 2024

November 2019
Review date January 2024

CONTENTS

1. Foreword
2. Executive summary
3. Aims and objectives
4. Defining vulnerability
5. Identifying who needs help
6. The Tenancy Support Service
7. Financial Inclusion
8. Universal Credit
9. Warden and Lifeline Services
10. Partnership working
11. Dealing with anti-social behaviour
12. Additional support prior to legal action
13. Safeguarding
14. Links to other policies

1. Foreword

- 1.1 The Council is committed to helping its tenants to sustain their tenancies. It is recognised that vulnerable tenants may need additional support and advice to help them live independently and safely.
- 1.2 Some tenants need help to set up a new tenancy or to begin living independently for the first time. Vulnerable tenants may also need on-going or occasional help to maintain their tenancies. This could be because of, for example, mental health problems, alcohol and drug dependency, debt or difficulties making benefit claims.
- 1.3 This policy sets out how support needs are identified and met.

2. Executive Summary

- 2.1 Vulnerability and support needs are identified at various stages throughout a tenancy. The first assessment is carried out at the point an applicant is offered a tenancy. Support needs may be identified during subsequent routine contacts with tenants or when tenants begin to get into arrears with their rent, struggle with their behaviour or with maintaining acceptable home conditions.
- 2.2 Direct support is provided by housing staff in Landlord Services. Tenants may also benefit from support from external agencies such as Social Services, health providers, and the voluntary sector. Staff in Landlord Services aim to work with partners to maximise the support available to tenants.

3. Aims and Objectives

- 3.1 The objectives of the Tenancy Support Policy are to:
 - support and empower tenants to sustain tenancies;
 - help tenants deal with any problems or issues that arise during their tenancy such as rent arrears or problems with welfare benefits;
 - provide direct support through Tenancy Support Officers and Financial Inclusion Officers;
 - refer tenants to partner agencies for more specialist or long term advice and support when needed;
 - liaise with other statutory agencies, and make representations on tenants' behalf;
 - create safer and more stable communities;
 - reduce the economic and social effect of failed tenancies;
 - prevent and reduce rent arrears, and the associated costs of legal action;
 - maximise tenants' incomes;
 - help tenants to maintain their independence;

- prevent and reduce homelessness and the associated costs.

3.2 These objectives are delivered by:

- identifying tenants at risk of vulnerability or support at the beginning of and during their tenancies;
- providing support either in-house or by accessing support from partner agencies;
- encouraging and promoting partnerships with external agencies to maximise support for our tenants;
- following robust safeguarding procedures that will help to keep children and vulnerable adults safe from abuse;
- continually seeking to improve the information we hold about the needs and vulnerability of our tenants in order to best direct resources into meeting the needs of vulnerable households.

4. Defining Vulnerability

4.1 Examples of people who may be vulnerable or who may need support (this is not an exhaustive list) include:

- 16-17-year olds;
- Young people who have not held a tenancy before;
- Young people “moving on” from supported housing into an independent tenancy for the first time;
- Care leavers;
- People with drug / alcohol misuse issues;
- People with an offending history;
- People with poor mental health;
- People with behaviour problems or personality disorders;
- People with learning difficulties;
- People with physical disabilities;
- Frail older people;
- Families whose children have behavioural / emotional / mental health issues that affect parents’ ability to comply with tenancy conditions;
- Families with ‘children in need of services’ or ‘children in need of protection’ where the children’s problems affect their parents’ / carers’ ability to cope with maintaining their tenancy;
- Households with a history of tenancy failure;
- Households with significant debts / financial difficulties;
- People from abroad or who do not have English as a first language;
- Teenage parents;

- People who have suffered domestic abuse.

5. Identifying who needs help

- 5.1 Landlord Services assesses the vulnerability and support needs of all prospective tenants at the point an applicant is offered a tenancy.
- 5.2 A Tenancy and Estate Management Officer visits all new tenants within the first 4 weeks of their tenancies and uses this as an opportunity to check if all support needs have been identified and that any support needs are met. If a support need has been identified and is unmet, the officer will make a referral to the Tenancy Support Team.
- 5.3 When the Tenancy and Estate Management Officer visits, they ask the tenant to complete a form called 'Knowing You' which asks for information about gender, sexuality, disability, age and vulnerability. This form is also completed during routine tenancy visits. The information gained from completed 'Knowing You' forms is used to record levels of vulnerability. This helps us to ensure that support is directed to the most vulnerable tenants, and also shape our services to meet the needs of vulnerable people.
- 5.4 Officers check for vulnerability and support needs whenever a significant problem occurs with a tenancy i.e. tenancy breach, anti-social behaviour or rent arrears. A vulnerability risk assessment is carried out on all complainants of anti-social behaviour, with linked support where necessary.
- 5.5 Known vulnerabilities and disabilities are recorded on Landlord Services' integrated Housing Management System (QL).
- 5.6 Information held on QL about vulnerability is used to alert all staff to the needs of that tenant.

6. The Tenancy Support Service

- 6.1 Landlord Services currently employs a Tenancy Support Team Leader and three Tenancy Support Officers to deliver the in-house Tenancy Support Service.
- 6.2 The Tenancy Support Service provides advice and assistance to vulnerable tenants to help them sustain their tenancies. Help can be given in the following areas:
- Housing Benefit and Universal Credit;
 - Other welfare benefits;
 - Making referrals for debt and financial advice;
 - Budgeting;
 - Moving in and setting up utilities;
 - Acquiring furniture;

- Making referrals for help with health issues, education / training, parenting;
- Household routines;
- Maintaining properties and gardens to an acceptable standard;
- Keeping safe;
- Managing behaviour;
- Applying for re-housing / transfer.

6.3 The Tenancy Support Service concentrates on helping new vulnerable tenants set-up and establish their tenancies as well as assisting existing vulnerable tenants who have encountered a crisis in their tenancy. For example, they may be threatened with legal action because of rent arrears or anti-social behaviour, they may have fallen into serious debt affecting their ability to pay essential bills, they may have allowed their home conditions to deteriorate to an extent that poses a risk to themselves or others, (including hoarding and self-neglect), or they may be suffering a health problem that is affecting their ability to cope with everyday life. Tenancy Support Officers will offer assistance in the initial stages of a tenancy or in the event of a crisis and will where necessary try to refer the tenant to an external tenancy support agency who will be able to offer longer term, more structured or specialist support or to another service such as Social Care or Health.

6.4 The Tenancy Support Service also offers ad-hoc tenancy support for vulnerable people who do not engage well with other agencies or whose needs are too substantial or long-term for other tenancy support agencies to meet.

7. Financial Inclusion

7.1 There are two Financial Inclusion Officers based in the Income team who provide support to tenants on:

- how to maximise income and apply for welfare and housing benefits and Universal Credit;
- how to minimise household expenditure;
- advice on budgeting;
- where to get more in-depth advice and debt management advice if necessary.

7.2 The Income Team currently has five Housing Income Officers who have a role to play in advising tenants in relation to rent arrears, helping them resolve housing benefit and universal credit issues, and helping them to pay their rent by negotiating agreements to pay by instalments. There is also a Former Tenant Arrears Officer attached to the Income Team.

8. Universal Credit

8.1 Universal Credit started to affect working age tenants in Charnwood from June 2018

By 2022, most working age people in need of benefits to help them with their income and housing costs will be claiming this new benefit. Universal Credit

represents a significant change in how benefits are claimed and paid, and many tenants need help and support in making and maintaining claims.

- 8.2 Landlord Services has appointed a Universal Credit Officer, part of whose role will be to assist tenants to apply for and maintain claims for Universal Credit and to ensure that their housing costs are paid. Tenancy Support Officers and Financial Inclusion Officers will also provide this support but will focus on the needs of the most vulnerable and financially disadvantaged.

9. Warden and Lifeline Services

- 9.1 Landlord Services has a Warden allocated to each sheltered scheme and this is also available to tenants in properties designated for older people.
- 9.2 In sheltered housing and other properties designated for the elderly, tenants receive help and support through an individual support plan tailored to their needs. Wardens visit tenants on a regular basis as part of implementing the support plan.
- 9.3 The Lifeline service is available for anyone who needs it who lives in Charnwood regardless of age and regardless of whether they live in a Council property. Service users can use their alarm 24 hours a day, 365 days a year to ask for assistance.
- 9.3 Warden and Lifeline services have an important role to play in delivering the Council's policy for the protection of adults in need of Safeguarding. Potential risk is identified, referred to other agencies where necessary, and monitored with a key focus on prevention and maintaining people safely in their own homes.

10. Partnership Working

- 10.1 Landlord Services recognises the importance of working in partnership to help tenants sustain their tenancies.
- 10.2 Landlord Services also works closely with other external agencies. The most common agencies are the Police, DWP, Social Care, GPs, mental health professionals, Turning Point, Probation, Youth Offending and Living Without Abuse in order to maximise support and successful outcomes for vulnerable tenants. Referrals are also made to Housing Matters (Leicestershire-based Floating Support Service) which provides more long term and structured support than can be provided by Landlord Services.
- 10.3 Tenancy Support Officers can advise and assist tenants with disabilities on aids and adaptations to their home by making referrals to Leicestershire County Council, who will advise on and recommend the scope and type of support needed.
- 10.4 Officers in Landlord Services make referrals to Leicestershire County Council's Early Help service to secure additional support for children and/or their carers who are encountering difficulties with issues such as behaviour, school attendance and effective parenting.

- 10.5 The Tenancy Support Team refers tenants who are exhibiting signs of self-neglect and/or hoarding behaviours to Adult Social Care and to health professionals for further assessment and support. Tenancy Support Officers work closely with these agencies to try and improve living conditions for tenants in these circumstances and also attend relevant Safeguarding and Vulnerable Adult Risk Meetings (VARMS).

11. Dealing with anti-social behaviour

- 11.1 When anti-social behaviour is reported, a risk assessment of the complainant is carried out. Vulnerabilities and support needs are identified at the earliest opportunity for both complainants and perpetrators. Support is generally provided, where necessary, to both parties in order to resolve the situation.

12. Additional support prior to legal action

- 12.1 Where it is identified that it is necessary to take legal action (for rent arrears or anti-social behaviour), a multi-agency meeting generally takes place to review the circumstances of the case, to identify what support is required, and to check that it has been provided. This ensures that as far as is reasonably practicable no support opportunities have been missed.

13. Safeguarding

- 13.1 Every effort is made to ensure that vulnerable adults and children are kept safe from harm and abuse. Landlord Services follows Charnwood Borough Council's Safeguarding Policies for Children and Adults. These have been jointly developed by all Leicestershire District Councils. The adults policy reflects the principles of 'No Secrets' and the Care Act 2014.
- 13.2 Within Landlord Services, there are five Designated Safeguarding Officers (DSOs) who are trained to deal with safeguarding incidents for both children and vulnerable adults. This includes the Tenancy Support Team Leader and the Principal Officer - Tenancy and Income Management.
- 13.3 All front-line staff working with vulnerable adults and/or children receive safeguarding training in relation to child protection matters and support for vulnerable adults. This equips officers with the skills to identify potential risk and support issues, as well as making sure that officers know how to refer to appropriate agencies. This training is ongoing and is updated every three years either by attending a training session or completing on-line training.
- 13.4 Officers work closely with other DSOs in the Council in relation to safeguarding. A summary of all safeguarding incidents and the action taken by DSOs is recorded on Charnwood Borough Council's central safeguarding database. This allows Landlord Services and Charnwood Borough Council to identify patterns or frequent incidents relating to a particular child or vulnerable

adult as well as providing a secure record of action taken on each incident. DSO's also attend quarterly liaison meetings.

14. Links to Other Policies

14.1 Landlord Services seeks to consider the needs of vulnerable tenants in other relevant housing management policies such as those surrounding harassment, anti-social behaviour and domestic abuse.

14.2 The following Landlord Services and Charnwood Borough Council policies have relevance for the Tenancy Support Policy:

- Charnwood Borough Council Anti-Social Behaviour Policy and Procedures including domestic abuse, hate incidents, harassment;
- Charnwood Borough Council Housing Income and Financial Inclusion Policy 2019-2024;
- Charnwood Community Safety Partnership Plan 2017-20;
- Charnwood Borough Council Homelessness Strategy 2018-20;
- Charnwood Borough Council Equality and Diversity Strategy 2016-20;
- Charnwood Borough Council Customer Services Strategy 2016-20;
- Hoarding Procedure
- Care Act 2014 (Hoarding, self-neglect and safeguarding are included in this Act)
- Leicestershire District and Borough Councils' Children and Vulnerable Adults Safeguarding Policy and Procedures.

Charnwood Borough council

Equality impact assessment 'Knowing the needs of your customers and employees'

Background

An equality impact assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

Legislation- equality duty

As a local authority that provides services to the public Charlwood Borough council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex
9. Sexual orientation

What is prohibited?

1. Direct discrimination
2. Indirect discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

Step 1 – Introductory information

Title of the policy	Tenancy Support Policy
----------------------------	------------------------

Name of lead officer and others undertaking this assessment	Claire Westrup and Gill Taylor
Date EIA started	2 nd January 2019
Date EIA completed	8 th October 2019

Step 2 – Overview of policy/function being assessed:

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>The objectives of the Tenancy Support Policy are to:</p> <ul style="list-style-type: none"> ▪ support and empower tenants to sustain tenancies; ▪ help tenants deal with any problems or issues that arise during their tenancy such as rent arrears or problems with welfare benefits; ▪ provide direct support through Tenancy Support Officers and Financial Inclusion Officers; ▪ refer tenants to partner agencies for more specialist or long-term advice and support when needed; ▪ liaise with other statutory agencies, and make representations on tenants' behalf; ▪ create safer and more stable communities; ▪ reduce the economic and social effect of failed tenancies; ▪ reduce rent arrears, and the associated costs of legal action; ▪ maximise tenants' incomes; ▪ help tenants to maintain their independence; ▪ prevent and reduce homelessness and the associated costs.
What specific group/s is the policy designed to affect and what is the intended change or outcome for them?
All current tenants of council-owned dwellings and any potential tenants to help them manage and sustain their tenancy
Which groups have been consulted as part of the creation or review of the policy?
Housing Management Advisory Board, Charnwood Housing Residents'Forum, Policy Scrutiny Group

■ Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous equality impact assessments
- Demographic information
- Anecdotal and other evidence

A range of diversity information is available from our records and held in QL (our housing management system) for all those customers receiving housing management services. This includes information on age, gender, ethnicity, sexual orientation, race, religion and disability of tenants who receive help from the Tenancy Support Team.

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

This information enables support to be directed to the most vulnerable tenants. The information allows us to identify which groups of tenants most need help and support to maintain their tenancies and to direct resources accordingly. We can also use the information to ensure that support is delivered fairly and that no group is being overlooked or disadvantaged.

Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in step 2, do you need to consult specific groups to identify needs / issues? If not please explain why.

Staff in the Tenancy Support Team, Financial Inclusion Team, Children, Families and Partnerships Manager at Charnwood Borough Council, Principal Officer – Customer Engagement & Older Person’s Services, Housing Income Team Leader and Head of Landlord Services have all been consulted.

Step 5 – Assessing the impact

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any ‘protected characteristics’ and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	Support will be offered to tenants of all ages where deemed appropriate and beneficial to the tenant.

	<p>Older people may be less able to identify and access benefits to which they may be entitled. This increases their vulnerability and may lead to deterioration in their health and wellbeing. Support will address this by providing financial inclusion and welfare benefits advice.</p> <p>Older people can begin to struggle to live independently due to dementia or physical frailty. Tenancy Support Officers will, where required, offer older tenants help to access appropriate health and social care services to support them to continue to live in their own homes or to access more supported accommodation.</p>
<p>Disability (Physical, visual, hearing, learning disabilities, mental health)</p>	<p>Not all tenants with disabilities will need help to live independently or maintain a tenancy. However support is offered to those where it is identified they may need it.</p> <p>Many of our tenants have mobility, mental health and other disability needs.</p> <p>Health problems, including mental health problems and learning difficulties (which may also include problems with reading and writing) might, affect how a person can manage their tenancy. For example tenants in these groups may have difficulty in managing their benefits and in budgeting and therefore in paying their rent. They may need additional support in understanding what is acceptable behaviour, in keeping themselves safe and in maintaining clean and tidy homes and gardens.</p> <p>Tenancy Support Officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health.</p>
<p>Gender reassignment (Transgender)</p>	<p>Support will be offered to all tenants regardless of their gender identity.</p> <p>Tenancy Support Officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health.</p>
<p>Race</p>	<p>Support is available to all tenants regardless of their race where deemed appropriate and beneficial to the tenant.</p>

	<p>People from abroad or who do not have English as a first language may be susceptible to tenancy failure. Tenants who have been former asylum seekers may have mental health difficulties that make living independently more of a struggle.</p> <p>Tenancy Support officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health or to another service that supports people from other countries offering language and cultural support. Gaining access to external support may also include paying for interpreting services such as Language Line.</p>
<p>Religion or belief (Includes no belief)</p>	<p>Support is available to all tenants regardless of their religion or belief.</p> <p>Tenancy Support officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health or to another service that supports people of other religions or beliefs. We will make reasonable adjustments in the nature of support offered according to someone's religious or cultural needs.</p>
<p>Sex</p>	<p>Support is available to all tenants regardless of their sex.</p> <p>Tenancy Support Officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health. We will make reasonable adjustments in the nature of support offered according to someone's sex.</p>
<p>Sexual orientation</p>	<p>Support is available to all tenants regardless of their sexual orientation.</p> <p>Tenancy Support Officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or</p>

	<p>to another service such as Social Care or Health. If necessary we will make reasonable adjustments in the nature of support offered according to someone's sexual orientation. We will, if necessary try to refer the tenant to an external support agency that might be able to offer longer term more structured or specialist support or to another service that supports LGB tenants.</p>
<p>Other protected groups (pregnancy & maternity, marriage & civil partnership)</p>	<p>Support is available to all tenants, including these protected groups. Pregnant tenants and / or those on maternity are more likely to be vulnerable and in need of support.</p> <p>Tenancy Support Officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health. We will make reasonable adjustments in the nature of support offered according to someone's pregnancy & maternity, marriage & civil partnership status. We will, if necessary try to refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health.</p>
<p>Other socially excluded groups (Carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)</p>	<p>These groups are more likely to be vulnerable and in need of tenancy support.</p> <p>Tenancy Support Officers will offer specialist advice and support where that is deemed to be appropriate and beneficial. We will, if necessary refer the tenant to an external tenancy support agency that might be able to offer longer term more structured or specialist support or to another service such as Social Care or Health.</p>

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

There is no adverse impact or discrimination identified in this assessment.

Tenancy support will benefit vulnerable tenants by providing help and support when needed to sustain their tenancies.
Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).
Delivery of the council's general equalities duties is supported by the provision of general professional advice and assistance from the Tenancy Support team.

■ **Step 6- Monitoring, evaluation and review**

Are there processes in place to review the findings of this assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?
The needs of tenants are assessed and monitored at every contact with the Tenancy Support Team.
How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.
No recommendations have been identified in this assessment.

■ **Step 7- Action plan**


Please include any identified concerns/actions/problems in this action plan: The problems etc. identified should inform your service plan and, if appropriate, your consultation plan			
Reference number	Action	Responsible officer	Target date
	No actions have been identified in this assessment		

■ **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	Team meetings
Tenants	✓	Publication on the council's website

Partners and stakeholders	✓	Publication on the council's website
Others	✓	Future and potential tenants through publication on the council's website.
To ensure ease of access, what other communication needs/concerns are there?		None identified.

■ **Step 9- Conclusion (to be completed and signed by the service head)**

Please delete as appropriate	
I agree with this assessment.	
Signed (service head):	
Date: 08/10/2019	Peter Oliver - Head of Landlord Services

Please send completed & signed assessment to Suzanne Kinder for publishing.

CABINET - 14TH NOVEMBER 2019

Report of the Head of Planning & Regeneration Lead Member: Councillor Hunt

Part A

ITEM VIREMENT – PLANNING AND REGENERATION SERVICE

Purpose of Report

To seek approval for the virement of budget in cost centres in the Planning and Regeneration Service in order to meet forecast expenditure on agency workers this financial year.

Recommendation

That a transfer of budget (virement) of up to £147,400 from cost centre P499 and P330 A0101 Salaries is made to P499 A0153 Agency to 31 March 2020.

Reason

To meet the current and forecast expenditure in cost centres P499 A0153 to year end and to comply with the financial procedure rules 1.3, 1.7 and 1.8.

Policy Justification and Previous Decisions

The provision of a fully staffed Planning Service is important if it is to maximise its contribution to the Corporate Plan aim 'to create a strong and lasting economy' and to ensure that growth in homes and infrastructure benefits residents through improved community facilities, affordable housing and superfast broadband.

Rules 1.3, 1.7 and 1.8 in Appendix 3 of the Council's Financial Procedure Rules set the rationale for virement and the limits on the delegation to officers in terms of the level of cumulative budget that can be vired by officers, between cost centres and between Service areas within the same Directorate. Under the Council's Financial Procedure Rules, S151 Officer and Cabinet approval is required for virements made in a single cost centre that are cumulatively above £100k in a given financial year and where these virements are between the controllable budgets of cost centres within the same directorate, but in different Head of Service areas.

Implementation Timetable including Future Decisions and Scrutiny

The report seeks approval for the virement of budget from cost centres within the Service to meet the expenditure on agency workers and their forecast costs to year end.

Report Implications

The following implications have been identified for this report.

Financial Implications

The virement requested is able to be met from a forecast budget underspend in salaries from cost centre P499 and P330. The virement will therefore meet current and forecast expenditure on agency staff in cost centres to the end of the year.

	Actual spend to September 2019	Estimated spend - October 2019 to March 2020	Estimated Outturn 2019/20	Current Budget 2019/20	Projected under/(-) overspend
	£	£	£	£	£
P499 - Development Management					
Salaries	390,665	430,400	821,065	951,600	-130,535
Agency Costs	125,383	115,600	240,983	93,600	147,383
P330 - Local Plans					
Salaries	155,560	153,600	309,160	359,000	-49,840
Projected overspends to be met by budget virements	671,608	699,600	1,371,208	1,404,200	-32,992

Risk Management

No specific risks are identified with this decision.

Key Decision: No

Background Papers: None

Officer to contact: Richard Bennett
Head of planning and Regeneration

(01509) 634763
richard.bennett@charnwood.gov.uk

Part B

Background

1. Agency workers are used in the Planning and Regeneration Service to cover long term vacant posts and service pressures and ensure business continuity can be maintained. Generally speaking, the need for agency workers cannot be planned for at the start of a financial year with any certainty and therefore any predictions as part of the budget process will always be subject to uncontrollable variables.
2. Two posts in the Development Management Group have been staffed using agency workers this financial year and funded by virement from salary budget underspends in year. Those virements have now reached a cumulative level which requires the approval of the S151 Officer and a Cabinet decision to enable the virement to be made.
3. The following posts in the Development Management Group are affected (cost centre P499):
 - P110 Team Leader Strategic Development; and
 - P111 Principal Planning Officer (Strategic Development)
 - P122 Principal Planning Officer

Expenditure up to Period 5

4. Virements already approved on agency workers in cost centre P499 to Period 5 2019/20 is £94k. This was £6k below the threshold of £100k set by the financial procedure rules.

Forecast expenditure to year end

5. A forecast of agency cost expenditure has been undertaken to find the estimated agency costs to maintain service continuity to year end. It shows a further requirement for virements of £116k in cost centre P499. Authority is sought from Cabinet to make the virement up to this limit through the remainder of the year.

Proposals

6. It is proposed to meet the forecast expenditure by virement from salary underspend in the cost centres P499 and P330 A0101 to P499 A0153 and as detailed in Part A of the report.
7. Accordingly, under the Financial Procedure Rules, there is a requirement to seek S151 Officer support and cabinet approval for these virements, as cumulatively they exceed the £100k threshold for delegated authority to officers set by the constitution. The S151 Officer has given his approval to the proposal.

SCRUTINY COMMISSION – 11th NOVEMBER 2019

Report of the Cabinet

ITEM 9 SCRUTINY COMMISSION PRE-DECISION SCRUTINY – CABINET RESPONSE

Purpose of Report

To set out the Cabinet’s responses to the recommendations of the Commission on pre-decision scrutiny items.

Action Requested

To note the Cabinet’s responses to the recommendations submitted by the Commission on items considered for pre-decision scrutiny.

Policy Context

One of the principles of effective scrutiny, identified by the Centre for Public Scrutiny, is “provide a constructive critical friend challenge to the Executive”.

Pre-decision Scrutiny

Since the October meeting of the Commission, the Cabinet has considered the following items on which the Commission undertook pre-decision scrutiny:

- A. TRANSFORMATION PROGRAMME – RESOURCING FOR MOBILISATION
- B. DRAFT LOCAL PLAN 2019-36
- C. FUNDING BID – SHEPSHED PUBLIC REALM IMPROVEMENTS

Details of the Commission’s consideration of the items as reported to the Cabinet on the 17th October 2019 can be found in the minutes from the Commission’s meeting on 14th October 2019.

The Chair of the Commission, Councillor Rattray, attended the Cabinet’s meeting on the 17th October 2019 to present the Commission’s report to the Cabinet.

Cabinet Response

The Cabinet considered the Commission’s report and acknowledged the work undertaken and the views of the Commission. In particular, the Cabinet responded as follows to the report:

Transformation Programme – Resourcing for Mobilisation

The Cabinet adopted the officer recommendations as set out in the report, which the Commission had supported.

Draft Local Plan 2019-36

The Cabinet adopted the officer recommendations as set out in the report, which the Commission had supported.

Funding Bid – Shepshed Public Realm Improvements

The Cabinet adopted the officer recommendations as set out in the report, which the Commission had supported.

Report Implications

The following implications have been identified for this report:

Financial Implications

None.

Risk Management

No risks have been identified in connection with this report.

Background Papers: None

Officer to contact: Sally Watson
Democratic Services Officer
01509 634969
sally.watson@charnwood.gov.uk

SCRUTINY COMMISSION – 11th NOVEMBER 2019

Report of the Head of Strategic Support

ITEM 10 SCRUTINY PANELS

Purpose of the Report

To review progress with Scrutiny Panels.

Action Requested

To review the progress with Scrutiny Panels and make any amendments the Commission feel necessary.

Reason

To ensure timely and effective scrutiny of the matter/subject.

Scrutiny Panels

The Scrutiny Panels agreed by the Scrutiny Commission on 5th August 2019 and as updated at the meeting on 14th October 2019 are set out in the attached appendix.

The Budget Scrutiny Panel (formal) met for the first time on 25th September 2019 to consider the Medium-Term Financial Strategy (MTFS) and has further meetings scheduled for 4th December 2019 and 8th January 2020.

The Generating Commercial Income/Surplus Panel (formal) will meet informally on 5th November 2019 and formally on 28th November 2019, 23rd January 2020 and 5th March 2020.

The Waste Services and Waste Management Panel (informal) is at the initial factfinding stage.

At the previous meeting of the Scrutiny Commission, Chairmen for the following Scrutiny Panels were appointed:

Cllr Parsons	Digitisation and Transformation of Services	Formal
Cllr Howe	Parking Enforcement and Enhancement	Informal
Cllr Bolton	Child Mental Health and Wellbeing	Express
Cllr Parton	Loneliness	Express
Cllr Miah	Funding for Small Businesses	Informal
Cllr Draycott	Council Unitary Status	Formal

Appendices: Appendix 1 – Scrutiny Panels

Background Papers: None

Officer to Contact: Karen Widdowson
Democratic Services Manager
01509 634785
karen.widdowson@charnwood.gov.uk

SCRUTINY COMMISSION – 11th NOVEMBER 2019

APPENDIX 1

PROGRESS WITH PANEL WORK

The CfPS 4 Principles:

- Provides a ‘critical friend’ challenge to the executive – policy development, policy review and performance management.
- ‘Enables’ the voice and concerns of the public and its community to be heard.
- Independent and Member Driven.
- “Drives improvement” for the Local Authority.

This will be a living document, so as new ideas and proposals arise, they may take priority over proposals that have been on the list for a longer period.

Only 4 panels (express or formal panel) can be held at any one time, so timings will need to take account of this. Informal meetings will be conducted without Democratic Service officer time and can therefore be run concurrently.

Directorate	Scrutiny Type	Topic	Scope	Terms of Reference	Timing
CS	Formal	Generating commercial income/ surplus	To identify areas where our income could be maximised, or further improved.	Peer councils	5 Nov (informal) 28 Nov 23 Jan 5 March
CS	Formal	Digitalisation and transformation of services	This is a panel to determine how we go about inserting a personalised front end to our website, so that individual residents can log in, book; order; complain;	Outside bodies who already have this facility. Councils who have this facility.	Feb to April 2020

			<p>compliment; and pay for services and can immediately see what their status is for all the services and payments they have with the council. This is to promote the 80:20 rule, that 80% of residents will be able to carry out all their transactions with the council through this route, while the remaining 20% who cannot will have better access to people and facilities who are freed up from dealing with residents who would be better served helping themselves. To identify options and costs. To identify economies of scale and potential savings.</p>	<p>IT and CRM (Customer Relationship Management) companies. Individuals with skills in this area. Our current key partners such as Capita and Serco to understand how they will integrate their services.</p>	
CS	Formal	Budget Scrutiny	<p>To closely review all aspects of the proposed budget for the following year and to monitor the performance of the budget from the previous year. Identify areas where improvements could be made, including reviewing capital projects which have</p>	<p>Interview Lead Members and CMT for each department.</p>	<p>25 Sep 4 Dec 8 Jan</p>

			been proposed many years ago but have not yet been taken up.		
CS	Formal	Unitary Status	[Further detail needed from the Member who raised this topic.]		Jan to March 2020

Directorate	Scrutiny Type	Topic	Scope	Terms of Reference	Timing
HPRRS	Express	Parking enforcement enhancement	[Further detail needed from the Member who raised this topic.]		Jan to April 2020
HPRRS	Informal	Funding for small businesses	[Further detail needed from the Member who raised this topic.]		Feb to April 2020

Directorate	Scrutiny Type	Topic	Scope	Terms of Reference	Timing
NCW	Informal	Waste services and waste management	<p>To understand the current position of national policy on waste management and what issues/ opportunities this presents for the council in future years.</p> <p>Establish what practices are in place in other councils that have a higher recycling rate than CBC.</p> <p>Reference: Letsrecycle.com puts CBC 135th in the league table for overall performance 2017/18 with 45.5%. Rushcliffe are 80th at 50.2%.</p> <p>Are there any specific actions CBC could take to improve the recycling rate? [I think the national target is 50%.]</p>	<p>Peer councils, such as Rushcliffe.</p> <p>Key partners such as Serco and Leicestershire County Council.</p>	Autumn 2019
NCW	Informal	Children's Centres	<p>Carry out a review of Children Centre services.</p> <p>What impact has there been on CBC residents following the reorganisation of services and the closure of some physical buildings?</p>	<p>Interview the Lead Member for Children Services at LCC a year after the new service was put in place.</p> <p>Interview key partners such as Social</p>	Spring 2020

			What specific actions could CBC take to support their residents with children 0 to 5? What are the costs involved and statutory responsibilities of county and borough?	Services; and Health Visitors.	
NCW	Express	Child mental health and obesity.	What steps can be taken by CBC to assist in supporting our children with mental health difficulties and in tackling obesity in the young.	Interview key stakeholders and charities. Meet with Public Health representatives and County Council lead.	Autumn 2020
NCW	Informal	Combatting loneliness	Undertake desk based and interviewing research to understand what the level of loneliness is in the Borough currently and in what age groups. Identify activities already undertaken by the council to combat loneliness. What can be done to promote these facilities with hard to reach groups? Identify specific actions that could be undertaken by CBC to combat loneliness that are not currently being undertaken. What actions/discussions could we have	Seek residents' individual views through social media and press. Interview local charities and support groups. Interview Leicestershire County Council Adult Social Care representatives and CAMHs.	Autumn 2020

			with our partners to support this project?		
NCW	Full Panel	Promoting tourism in Charnwood	<p>Identify our key attractions to the area, both physical buildings and special events. What is CBC doing to promote and support these venues/ events? What else could be done? Do we have a unique selling point that we are not exploiting? How do people travel to the area? Where do they stay? What specific actions could CBC take to encourage more people to visit the area; spend more money on local businesses; and to stay for a longer period?</p>	<p>Approach and/ or interview peer councils to see what they do. Look at specific events around the country to see if they could be adapted for CBC, e.g.: Congleton Makers Market, or Stockton on Tees Comedy Festival.</p>	Autumn 2020

SCRUTINY COMMISSION – 11th NOVEMBER 2019

Report of the Head of Strategic Support

ITEM 11 SCRUTINY WORK PROGRAMME

Purpose of the Report

To enable the Commission to review and agree the Scrutiny Work Programme. This includes reviewing the changes made by the other three Scrutiny Committee's and adding items to their individual work programmes.

Action Requested

1. To review the Scrutiny Committees, Work Programme and make any amendments the Commission feel necessary.
2. To agree that the Scrutiny Work Programme be updated in accordance with the decisions taken during consideration of this item and any further decisions taken during the course of this meeting (see Appendix 1).

Reasons

1. To ensure timely and effective scrutiny of the matter/subject.
2. To ensure that the information contained within the Work Programme is up to date.

Policy Context

The Corporate Plan commits the Council to review and improve its approach to the delivery of services to ensure it is constantly working to achieve a better service providing better value for money and enhancing the performance and commitment to service delivery.

Updates on the individual Scrutiny Committee work programmes

The Corporate Services Scrutiny Committee is the only directorate-based Scrutiny Committee to have met since the last meeting of the Scrutiny Commission held on 14th October 2019. No changes were made to the work programme at that meeting although the Chairman advised that the publication of a new draft Corporate Plan and draft Business Plan would be reflected in the Committee's work programme in due course to allow a more strategic approach to scrutiny.

Scrutiny Work Programme

The current Scrutiny Work Programme, as it stood at the time of the publication of this agenda, is attached as Appendix 1 to enable the Commission to decide which scrutiny

body should consider new items and currently unscheduled items, and when those should be considered.

Any decisions taken by the Commission during the meeting will be reflected in an updated Work Programme.

Appendices: Appendix 1 – Scrutiny Work Programme

Background Papers: None

Officer to Contact: Karen Widdowson
Democratic Services Manager
01509 634785
karen.widdowson@charnwood.gov.uk

Corporate Services Scrutiny Committee Work Programme

APPENDIX 1

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
CS	03 Dec 2019 (standing item at every meeting)	Work Programme	To consider items for future meetings.	To allow the Committee to identify items for which scrutiny is required.	L. Strong/ Lead Officer	
CS	03 Dec 2019 (annual item)	Performance Information (Quarter 2 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 2 Report considered at the same time annually.
CS	03 Dec 2019 (Period 7 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Three reports to be considered through the year. Reports to be considered at the same time annually.
CS	25 Feb 2020 (annual item)	Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 3 Report considered at the same time annually.

Corporate Services Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
CS	25 Feb 2020 (Period 9 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Three reports to be considered through the year. Reports to be considered at the same time annually.
CS	07 July 2020 (annual item)	Capital Monitoring including Outturn	Monitoring of position with the Council's Capital Plan.	To ensure progress to the Council's Capital Plan and its financing are satisfactory.	Lead Member/ L. Tansey	Annual report.
CS	07 July 2020 (annual item)	Revenue Monitoring (General Fund and HRA) Outturn	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Annual report.
CS	07 July 2020 (annual item)	Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 4 Report considered at the same time annually.

Corporate Services Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
CS	08 Sept 2020 (annual item)	Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 1 Report considered at the same time annually.
CS	08 Sept 2020 (Period 4 - annual item)	Revenue Monitoring (General Fund and HRA)	Monitoring of Council's revenue position.	To compare actual income and expenditure against budget, find out why variances have occurred and, where necessary, ensure corrective actions are in place.	Lead Member/ L. Tansey	Three reports to be considered through the year. Reports to be considered at the same time annually.

Housing, Planning and Regeneration, and Regulatory Services Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
HPRRS	10 Dec 2019 (standing item at every meeting)	Work Programme	To consider items for future meetings	To allow the Committee to identify items for which scrutiny is required.	N. Conway/ Lead Officer	
HPRRS	10 Dec 2019 (standing item at every meeting)	Five Year Housing Land Supply - update	To provide an update to the Committee on the status of the five year Housing Land Supply irrespective of whether it drops below 5.5 years	To ensure that, when necessary, the figures are scrutinised on a regular basis and any actions can be identified if required.	Lead Member / R. Bennett	Agreed by SMB on 24 October 2018 (min 25.3) in response to a recommendation by the Five-Year Housing Land Supply Scrutiny Panel. Agreed by HPRR on 03 September 2019 to receive regular updates.
HPRRS	10 Dec 2019	Update on the Housing, Empty Homes and Homelessness Strategies Action Plan	To scrutinise progress of the Housing, Empty Homes and Homelessness Strategies Action Plan, details of the objectives for the new Homelessness and Rough Sleeping Reduction Strategy going to Cabinet in December 2019, and the outline and objectives for the new Housing Strategy going to Cabinet in Spring 2020	To ensure appropriate scrutiny of the Housing, Empty Homes and Homelessness strategies.	Lead Member/ A. Simmons	Added by SMB 25 October 2017, see min 26.1. Scope of item amended in consultation with Chair and Vice-chair 03 September 2019
HPPRS	10 Dec 2019 (annual item)	Full Performance Information (Quarter 2 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti- social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 rd June 2019. Quarter 2 Report considered at the same time annually.

Housing, Planning and Regeneration, and Regulatory Services Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
HPRRS	10 Dec 2019	Local Plan	<p>To enable scrutiny of the development of the Local Plan.</p> <p>The Local Plan is being developed to the timetable set out in the Local Development Scheme. Informal public consultation took place in April 2018 and further consultation is due to take place in the second half of 2019.</p>	To ensure appropriate scrutiny of the development of the Local Plan.	Lead Member/ R. Bennett /D. Pendle/ C. Clarke	<p>Last considered by PSG on 10 July 2018 at which the results of the first phase of consultation were considered (min 6).</p> <p>Scheduled by HPRR 02 Jul 2019.</p>
HPRRS	03 March 2020 (annual item)	Full Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti-social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 rd June 2019. Quarter 3 Report considered at the same time annually.
HPRRS	July 2020 (annual item)	Full Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti-social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 rd June 2019. Quarter 4 Report considered at the same time annually.
HPRRS	Sep 2020 (annual item)	Full Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives. To also include reports on any anti-social or housing repairs complaints.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Item amended by SC at its meeting on 3 rd June 2019. Quarter 1 Report considered at the same time annually.

Housing, Planning and Regeneration, and Regulatory Services Scrutiny Committee Work Programme

HPRRS	Sep 2020 (annual item)	Climate Local Action Plan	Monitoring of the Climate Change Strategy Action Plan.	Monitoring of progress on Action Plan.	Lead Member/ M. French / C. Clarke	Amended by SC at its meeting on 3 rd June 2019: report to be reviewed by the Committee and possibly deleted after its meeting if no longer relevant.
HPRRS	To be scheduled as required (ongoing item)	Five Year Housing Land Supply	If the Council's housing land supply falls below 5.5 years, a quarterly report to be provided and the Lead Member to attend to explain what actions are in place to return the five-year housing supply to a satisfactory level.	To ensure that, when necessary, the figures are scrutinised on a regular basis and any actions can be identified if required	Lead Member / R. Bennett	Agreed by SMB on 24 October 2018 (min 25.3) in response to a recommendation by the Five-Year Housing Land Supply Scrutiny Panel.

Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
NCW	26 Nov 2019 (standing item at every meeting)	Work Programme	To consider items for future meetings	To allow the Committee to identify items for which scrutiny is required.	Democratic Services / Lead Officer	
NCW	26 Nov 2019	Leisure Provision	A briefing report be provided to the committee about leisure provision including leisure centre's and Loughborough Town Hall.	To provide more information to the Committee on this matter and to see if there is an opportunity for further scrutiny.	Lead Member / S. Wright	Added to the committee's work programme at its meeting on 9 th July 2019.
NCW	26 Nov 2019	Improving recycling and waste	A briefing report be provided to the committee setting out options to improve the recycling rate and to reduce the level of waste contamination.	To provide more information to the Committee on this matter and to see if there is an opportunity for further scrutiny.	Lead Member / M. Bradford	Added to the committee's work programme at its meeting on 9 th July 2019.
NCW	26 Nov 2019 (annual item)	Performance Information (Quarter 2 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 2 Report considered at the same time annually.

Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme

RB	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
NCW	10 March 2020	Children and Families Wellbeing Service	To scrutinise the new service model being provided by Leicestershire County Council.		External Partner	SMB 06 March 2019, Minute 39.1 refers.
NCW	10 March 2020 (annual item)	Performance Information (Quarter 3 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 3 Report considered at the same time annually.
NCW	10 March 2020 (six-monthly item)	Community Safety Partnership	To review the work of the Community Safety Partnership on a six-monthly basis, to enable any issues to be identified for further scrutiny by the appropriate scrutiny body and to enable incidences of violent crime to be monitored.	To ensure effective scrutiny of the work of the Community Safety Partnership.	CSP Chair/ J. Robinson / T. McCabe	To consider if an ASB Panel is required after this report (proposed NCW meeting 10 Sep 2019)
NCW	July 2020 (annual item)	Performance Information (Quarter 4 Report – Year End)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 4 Report considered at the same time annually.

RB	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
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Neighbourhoods and Community Wellbeing Scrutiny Committee Work Programme

NCW	Sept 2020 (annual item)	Performance Information (Quarter 1 Report)	Monitoring of Performance Indicator information and Corporate Plan Objectives and Initiatives.	To ensure targets and objectives are being met. To identify areas where performance might be improved.	Relevant Lead Members & Heads of Service / A. Ward & H. Gretton	Quarter 1 Report considered at the same time annually.
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SCRUTINY COMMISSION – 11th NOVEMBER 2019

Report of the Head of Strategic Support

ITEM 12

SCRUTINY COMMISSION WORK PROGRAMME

Purpose of Report

To enable the Commission to review its own work programme, including considering the list of forthcoming Executive Key Decisions in order to schedule items for pre-decision scrutiny.

Work Programme

The Commission's current work programme is attached at Appendix 1. Currently the work programme consists of items concerned with the Commission's roles in overseeing the scrutiny function and undertaking pre-decision scrutiny, and two items to be scrutinised.

Following the last meeting on 14th October 2019 the following items were added by members of the Committee:

- i. *Building Control Alternative Service Delivery Project – 13th January 2020*
- ii. *Private Sector Licensing – 9th December 2019.*

Key Decisions

To enable the Commission to be aware of the Key Decisions to be taken by the Cabinet over the coming months and to determine which, if any, of these items should be programmed for pre-decision scrutiny, details of forthcoming Exempt and Key Decisions to be taken by the Cabinet are attached as Appendix 2.

Items dated prior to this meeting have been removed from the Appendix to avoid confusion.

Appendices:

Appendix 1 – Scrutiny Commission Work Programme

Appendix 2 – Notice of Key Decisions

Background Papers:

None

Officer to Contact:

Karen Widdowson
Democratic Services Officer
(01509) 634785
Karen.widdowson@charnwood.gov.uk

Scrutiny Commission Work Programme

APPENDIX 1

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Commission	11 th November 2019	Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities		To update the Committee of the content of guidance and any implications on Scrutiny functions at Charnwood Borough Council.	K.Widdowson (report) Lead Officer (meeting)	Scrutiny Commission
Scrutiny Commission	11 th November 2019 (standing item)	Scrutiny Work Programme and Requests from Scrutiny Committees		<p>To review the Commission's Work Programme.</p> <p>To consider the Scrutiny Work Programme in its entirety to ensure the Commission's role in managing that programme is undertaken.</p> <p>To consider any requests from scrutiny committees that items be added to the work programme which are not within their own remit or that scrutiny panels be established.</p>	K.Widdowson (report) Lead Officer (meeting)	
Scrutiny Commission	11 th November 2019 (standing item)	Cabinet items for pre-decision scrutiny		To allow identification of items from the latest Key Decisions Notice for pre-decision scrutiny by the Commission.	K.Widdowson (report) Lead Officer (meeting)	<p>Items may also be determined by the Chair and Vice-chair in consultation with the Democratic Services Manager.</p> <p>Further items may also be added following publication of the</p>

Scrutiny Commission Work Programme

Scrutiny Commission	11 th November 2019 (if applicable, standing item)	Pre-decision scrutiny of any specific financial matters to be considered by Cabinet		To ensure pre-decision scrutiny of any <u>out-turn reports, virements and in-year service pressures</u> , particularly when they are related to additional costs arising from decisions by other agencies to reduce services.	K.Widdowson (report) Lead Officer (meeting)	Agreed by SMB 23 January 2019 (see minute 31.2) (supports recommendation of Budget Scrutiny Panel Jan 2019). To be identified from the Key Decisions Notice or from the Cabinet agenda.
Scrutiny Commission	11 th November 2019 (standing item)	Pre-decision scrutiny – Cabinet Response		To consider the response of Cabinet to recommendations by the Commission on pre-decision scrutiny items.	K.Widdows on (report) Lead Officer (meeting)	<i>*Not applicable to first meeting of the Commission.</i>
Scrutiny Commission	11 th November 2019	Progress with Panel Work		To review progress with Scrutiny Panels.	K Widdowson	Scrutiny Commission

Scrutiny Commission Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Commission	9th December 2019	Private Sector Licensing		To consider options to decide on the introduction of a Private Sector Licensing Scheme.	Alison Simmons	
Scrutiny Commission	13th January 2020	Building Control Alternative Service Delivery Project		To agree on the report to request approval of the preferred delivery model for the provision of future building control services.	Richard Bennett	
Scrutiny Commission	10th February 2020 (annual item)	Business Plan 2020/21		Consideration of draft plan to ensure scrutiny input. Plan due to be considered by and agreed by Cabinet in March 2020.	Leader/ R.Mitchell/S. Kinder	<i>*Short timescale between committee and Cabinet consideration.</i>
Scrutiny Commission	09 March 2020 (annual item)	Draft Annual Scrutiny Report 2019-20	To report on the activities of Scrutiny and look forward to the forthcoming year.	To agree on the content of a report to Council on the workings of scrutiny over the past year.	Dem. Services Manager	
Scrutiny Commission	As required	Scrutiny Commission or Scrutiny Committee Recommendations – Cabinet Response and Monitoring Implementation		To consider the response of Cabinet to recommendations made to it by the Commission or by scrutiny committees and to decide how implementation of agreed recommendations will be monitored by the Commission.	S.Watson (report) Lead Officer (meeting)	

Scrutiny Commission Work Programme

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Scrutiny Commission	As required	Scrutiny Panel Reports		To consider recommendations set out in Scrutiny Panel reports before they are referred by the Commission to Cabinet, Council or a committee.	Panel's Democratic Services Officer (report) Panel Chair (meeting)	
Scrutiny Commission	As required	Scrutiny Panels – Cabinet Response and Monitoring Implementation		To consider the response of Cabinet to Scrutiny Panel recommendations and to decide how implementation of agreed recommendations will be monitored by the Commission.	Panel's Democratic Services Officer (report) Lead Officer and Relevant Officers (meeting)	

Scrutiny Commission Work Programme

Formal Scrutiny Panels

Due to officer capacity there is an agreement that no more than 4 scrutiny panels should be convened during any given period. Currently, there are 2 established scrutiny panels:

Generating commercial income/surplus (Formal) – Chair Cllr Baines

Meetings scheduled for 5 Nov (informal), 28 Nov, 23 Jan and 5 March

Budget Scrutiny Panel (Formal) – Chair Cllr Parsons

Meetings scheduled for 4 December 2019 and 8 January 2020.



**FORTHCOMING KEY
DECISIONS AND DECISIONS
TO BE TAKEN IN PRIVATE
BY CHARNWOOD BOROUGH
COUNCIL'S EXECUTIVE**

**Published
16th October 2019**

What is a Key Decision?

A key decision is one which:

- commits the Council to expenditure, savings or increases or reductions in income of £150,000 or more in any financial year;
- makes proposals in relation to the budget or the policy framework under Budget and Policy Framework Procedure 14.2(a); or
- will result in the closure of any facility from which Borough Council services are provided or a reduction by more than 10% in the level of a discrete service provided.

In other cases, the impact of the decision will be considered in terms of the strategic nature of the decision, the effect on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected, the size of the area affected and the likely public interest in the decision.

What is a Private Meeting?

Meetings of the Council's Cabinet are open to the public to attend. All or part of a meeting may be held in private, where the item of business to be considered may result in confidential or exempt information being disclosed. Definitions of confidential and exempt information are set out in the Access to Information Procedures in the Council's Constitution.

Representations

Members of the public are able to make representations about forthcoming key decisions to be taken by the Council's Executive, these should be made in writing (including via e-mail) to the responsible officer (details are listed for each proposed key decision). Members of the public are also able to make representations concerning proposals to hold a meeting in private, these should be made in writing (including via e-mail) to Democratic Services (contact details below). In both cases, representations should be submitted by midday on the working day preceding the date on which the decision is due to be taken.

Other information

This document supersedes all previous Forward Plans.

If you have any general queries, please contact:

Karen Widdowson
Democratic Services Manager
Charnwood Borough Council,
Southfield Road, Loughborough, Leicestershire, LE11 2TX
Tel: 01509 634785
Email: democracy@charnwood.gov.uk

FORTHCOMING EXECUTIVE KEY DECISIONS

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Purchase of Additional Rental Property	To complete the purchase of a property in Loughborough for use as an additional HRA rental property.	Officer Delegated Decision	17th October 2019	Delegated Decision Document	No. Delegated Decision Document will be publicly available.	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Purchase of Additional Rental Property	To complete the purchase of a property in Loughborough for use as an additional HRA rental property.	Officer Delegated Decision	17th October 2019	Delegated Decision Document	No. Delegated Decision Document will be publicly available.	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Purchase of Additional Rental Property	To complete the purchase of a property in Mountsorrel for use as an additional HRA rental property.	Officer Delegated Decision	17th October 2019	Delegated Decision Document	No. Delegated Decision Document will be publicly available.	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Draft Charnwood Local Plan 2036	To consider approval of the draft Charnwood Local Plan for public consultation as identified in the Local Development Scheme 2019.	Cabinet	17th October 2019	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Bid for Funding to Support Shepshed Public Realm Improvements	To consider giving delegated authority to the Head of Planning and Regeneration to submit a funding bid to the LLEP against the Business Rate Pool.	Cabinet	17th October 2019	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Transformation Programme Mobilisation	To consider approving funding of £220,000 from the Reinvestment Reserve to facilitate the mobilisation and initial resourcing of the Transformation Programme.	Cabinet	17th October 2019	Report	Yes	Simon Jackson Strategic Director of Corporate Services Tel: 01509 634699 simon.jackson@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Disposal of Landholding known as Plot 5, Weldon Road, Loughborough	To consider approval for the disposal of the freehold interest in land known as Plot 5, Weldon Road, Loughborough.	Cabinet	14th November 2019	Report	No	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Tenancy Support Policy 2019-2024	To consider approval of a Tenancy Support Policy 2019-2024.	Cabinet	14th November 2019	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 peter.oliver@charnwood.gov.uk
Medium Term Financial Strategy 2020-2023	To present a revised MTFs to Cabinet and Council for approval.	Cabinet Council	14th November 2019 20th January 2020	Report Report	Yes Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Private Sector Licensing Scheme	To consider options to decide on the introduction of a Private Sector Licensing Scheme.	Cabinet	12th December 2019	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Homelessness and Rough Sleepers Strategy	To consider approval of the Homelessness and Rough Sleepers Strategy and Action Plan setting out priorities for the next 5 years.	Cabinet	12th December 2019	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Draft Capital Plan 2020/21 – 2022/23	To consider the draft Capital Plan for consultation.	Cabinet	12th December 2019	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Charnwood Grants	To enable Cabinet to consider applications for funding received in round three of the Community Facilities Capital Grants and Community Development Grants Schemes for 2019/20.	Cabinet	12th December 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Draft General Fund and HRA 2020-21 Budgets	To seek approval to the Draft Revenue Budget for 2020-21 as a basis for consultation.	Cabinet	12th December 2019	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	12th December 2019 20th January 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	12th December 2019	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Charnwood Grants – Strategic Partners (2020/21 – 2021/22)	To consider recommendations regarding the proposed levels of Strategic Partner Grant funding for the next two years.	Cabinet	16th January 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Corporate Plan 2020-2024	To consider approval of the 2020-2024 Corporate Plan.	Cabinet Council	16th January 2020 20th January 2020	Report	Yes	Geoff Parker Chief Executive Tel: 01509 634600 chief.executive@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Sheltered Housing and Support Review	To outline on a scheme by scheme basis the recommended proposals of the Project Board and detail the next steps for implementation.	Cabinet	16th January 2020	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Building Control Alternative Service Delivery Project	To request approval of the preferred delivery model for the provision of future building control services.	Cabinet	16th January 2020	Report	No	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Capital Strategy, Treasury Management Strategy Statement, Minimum Revenue Provision Policy and Annual Investment Strategy 2020-21	To seek approval to a Capital Strategy, Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy for 2020-21 and the annual report on the Prudential Code, for recommendation to Council.	Cabinet Council	13th February 2020 24th February 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
2020-21 General Fund and HRA Revenue Budgets and Council Tax	To seek approval to the Revenue Budget, Capital Plan, Financial Plan for 2020-21 and to propose the Council Tax for approval by Council.	Cabinet Council	13th February 2020 24th February 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
New Capital Plan 2020-21 to 2022-23	To approve the Capital Plan.	Cabinet Council	13th February 2020 24th February 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round four (additional) of the Community Facilities Capital Grants and Community Development Grant Schemes for 2019/20.	Cabinet	12th March 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Amendment Report	To consider and approve amendments to the current Capital Plan.	Cabinet Council	12th March 2020 27th April 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Annual Procurement Plan 2020/21	To seek approval to the Annual Procurement Plan for 2020/21.	Cabinet	12th March 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Housing Capital Programme	To approve the annual investment programme for improvements to the Council's housing stock.	Cabinet	12th March 2020	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 peter.oliver@charnwood.gov.uk
Local Development Scheme	To approve a revised Local Development Scheme (LDS) so that the programme for the preparation of planning documents for Charnwood is agreed.	Cabinet	12th March 2020	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Business Plan 2020/21	To set out the Council's principal activities in delivering the Corporate Plan for the Council Year 2019/20.	Cabinet	12th March 2020	Report	Yes	Adrian Ward Head of Strategic Support Tel: 01509 634573 adrian.ward@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round one of the Community Facilities Capital Grants and Community Development Grant Schemes for 2020/21.	Cabinet	4th June 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Outturn 2019/20	To report the Council's capital expenditure results for 2019/20 subject to audit.	Cabinet	2nd July 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
General Fund and HRA Revenue Outturn Report (2019/20) and Carry Forward of Budgets	To report the Council's revenue expenditure results for 2019/20 subject to audit.	Cabinet	2nd July 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	2nd July 2020 7th September 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	2nd July 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round two of the Community Facilities Capital Grants and Community Development Grants Schemes for 2020/21.	Cabinet	17th September 2020	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	17th September 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	17th September 2020 9th November 2020	Report	Yes	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk

EXECUTIVE MEETINGS TO BE HELD IN PRIVATE

The following items are due to be considered by the Council's Cabinet and the public could potentially be excluded since exempt or confidential information could be considered.

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Disposal of Landholding known as Plot 5, Weldon Road, Loughborough	To consider approval for the disposal of the freehold interest in land known as Plot 5, Weldon Road, Loughborough.	Cabinet	14th November 2019	Report	No	Lesley Tansey Head of Finance and Property Services Tel: 01509 634828 lesley.tansey@charnwood.gov.uk
Building Control Alternative Service Delivery Project	To request approval of the preferred delivery model for the provision of future building control services.	Cabinet	16th January 2020	Report	No	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk

When items are considered in exempt or confidential session, the reasons for exemption would fall into one or more of the following categories:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes—
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

CABINET MEMBERS

Members of the Council's Cabinet are as follows:

Name (Group)	Lead Member Responsibilities
Councillor Morgan (Conservative)	Leader of the Council Whole Council, Strategic Partnerships and Communications
Councillor Barkley (Conservative)	Deputy Leader of the Council Finance and Property
Councillor Bokor (Conservative)	Loughborough
Councillor Harper-Davies (Conservative)	Performance of Major Contracts
Councillor Hunt (Conservative)	Planning, Inward Investment and Tourism Strategy
Councillor Mercer (Conservative)	Housing
Councillor Poland (Conservative)	Equalities, Member and Strategic Services
Councillor Rollings (Conservative)	Transformation
Councillor Smidowicz (Conservative)	Regulatory Services, Enforcement and Licensing
Councillor Taylor (Conservative)	Communities, Safety and Wellbeing