

SCRUTINY MANAGEMENT BOARD – 6TH MARCH 2019

Report of the Head of Strategic Support

ITEM 10 DRAFT ANNUAL SCRUTINY REPORT 2018/19

Purpose of Report

To consider the draft Annual Scrutiny Report 2018/19 with a view to it being recommended to Council for approval.

Action Requested

1. That delegated authority be given to the Democratic Services Manager, in consultation with the Chair and Vice-chair of the Scrutiny Management Board, to format and amend the draft report to include reference to matters raised at the meeting.
2. That it be recommended to Council that the Annual Scrutiny Report 2018/19, including any amendments made following the meeting as per recommendation 1, above, be approved.

Reasons

1. To ensure that additional and updated information is incorporated into the final Annual Report before its submission to Council.
2. To report annually, as required by the Council's Constitution, on the operation and workings of Scrutiny.

Policy Context

In accordance with Scrutiny Committee Procedure 6.3(e) of the Council's Constitution, the Scrutiny Management Board must report annually to Council on the workings of scrutiny bodies and the operation of the scrutiny function generally.

Background

The information contained within the draft report was informally approved by the chairs of each scrutiny body prior to it being submitted for consideration by the Board.

Should the Board agree the report it will be considered by Council on 25th March 2019.

Financial and Legal Implications

None

Risk Management

No risks have been identified in connection with this report.

Background Papers: None

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Scrutiny

Annual Report

2018/19

Scrutiny Management Board



Introduction from the Chair of the Scrutiny Management Board

The Scrutiny Management Board's role is central to scrutiny arrangements at Charnwood as it works to:

- focus scrutiny by commissioning reviews and investigations where value can be added;
- monitor the effectiveness of scrutiny work by following up on actions agreed as a result of scrutiny recommendations;
- review Cabinet decisions before they are implemented where councillors have "called-in" such decisions for scrutiny.

During 2018/19, the Board has:

- continued to review the work of the Community Safety Partnership, in particular requesting a change to the basis of the report received to provide a more consistent and user-friendly report for its purposes;
- considered a call-in of a Cabinet decision under Scrutiny Committee Procedure 11.7 in respect of the Council's Environmental Services Contract, a decision which it concluded should be supported;
- noted key dates in relation to the Council's Revenues and Benefits Contract, concluding that programming further scrutiny of the contracting process was not necessary.
- looked at how effectively the themes set out in the Council's Corporate Plan were delivered in 2017/18, suggesting also ways in which the wording in the report might be made clearer;
- reviewed the Scrutiny Work Programme on an ongoing basis to ensure timely and effective scrutiny.

In addition, the Board has continued to support the work of scrutiny groups and panels by:

- considering requests from scrutiny groups in respect of the scrutiny work they wish to undertake and including those matters on the Scrutiny Work Programme where such scrutiny would add value and is appropriate to the role of the group concerned;
- further monitoring of the implementation of a Cabinet decision in relation to the Decent Homes Scrutiny Panel;
- considering the conclusions and recommendations of the Five Year Housing Supply Scrutiny Panel, making amendments to clarify those, and then submitting the Panel's report to the Cabinet. The Board also supported a recommendation that a quarterly report be provided to the Performance Scrutiny Panel if the Council's housing land supply fell below 5.5 years, to ensure that the position was monitored, and action identified if required;
- supporting and submitting to the Cabinet recommendations made by the Policy Scrutiny Group relating to the management of public open space, an outcome being that the Leader would raise again the issues identified at the next quarterly meeting of the Leader/Chief Executive/local Members of Parliament;
- having agreed the process for scrutiny of the Council's 2018/19 draft budget, subsequently recommending the Budget Scrutiny Panel's report to the Cabinet.

Finally, during 2018/19, the Board continued to be updated on progress with recommendations arising from the Centre for Public Scrutiny review, which had been instigated with a view to making scrutiny even better at Charnwood. Resulting improvements have included a greater role for Cabinet Lead Members where scrutiny issues relate to their portfolios, pre-meetings to enable scrutiny bodies to better focus their scrutiny at meetings and a revised scrutiny structure being proposed by the Board to Full Council in February 2019.

Councillor Jewel Miah, Chair of the Scrutiny Management Board

To access the agendas, minutes and sound recordings for meetings of the Board, click [here](#).

Policy Scrutiny Group



The main role of the Group is to act as a critical friend supporting the development and review of the Council's policies and strategies before the documents are agreed by the Cabinet or full Council. In particular, the Group seeks wherever possible to engage at the earliest possible stage when the Council reviews existing policies and strategies, as this approach provides the best opportunity for scrutiny input to have an impact. Policy development and review is a key area of the Council's activities as it is those policies that underpin how the Council delivers its service to the public.

Making a Difference

The Group is pleased to report that in performing this role it has been able to influence and improve the content of a number of policies and strategies during the year. In most cases the Group works constructively with Lead Members and officers to make suggestions and comments that will be considered as policies and strategies are finalised. It is pleasing to note that Lead Members and officers have readily accepted those suggestions and comments at the Group's meetings. The Group can also use its powers to make the Cabinet aware through recommendations and reports of its concerns or its wish to commend a particular policy approach.

It is worth noting that examples of all of these positive outcomes can be found in the summary of the Group's work set out below.

The Work of the Group in 2018/19

The Group scrutinised a wide range of policies and strategies and was able to achieve improvements to a number of them. Those improvements included: broadening the scope of the Climate Change Strategy to highlight the important contributions that commuting by bicycle and a vegetarian diet can make to reducing CO₂ emissions, clarifying that people who had mental health disabilities would be treated in the same way as those people who had physical disabilities in the Housing Income and Financial Inclusion Policy, and including more information about the issue of problem gambling and the measures that could be used to reduce its impact in the Statement of Principles made under the Gambling Act 2005.

During its consideration of the Council's Open Spaces Strategy, the Group identified concerns with the increasing use of management companies to manage open space on developments as an alternative to adoption of the land by the Council. The experience of residents on developments where this approach was used suggested that there could be problems with high levels of service charges and a lack of transparency when they were increased. There was also evidence that maintenance work was of low quality in some cases. As the current system is set out in law, the Group sent a report to the Cabinet recommending that the matter be raised with MPs. The Cabinet agreed to the Group's recommendation.

Policy Scrutiny Group

The Council is developing its new Local Plan and scrutiny of this will continue to be a priority. During the course of the year, the Group was able to consider the results of informal consultation with stakeholders and the public on options for the Plan. One key issue that the Group explored was the balance between pursuing a policy of urban concentration in order to enable infrastructure to be provided in those locations to support new development and focussing on too few sites which could add to the pressure on infrastructure. A second issue was how to deal with uncertainty regarding the delivery of planned sites and the use of reserve sites if delivery was delayed.

The Group also considered how the Council might use more direct methods to address the need for housing and particularly affordable housing. The Group was therefore pleased to have reported to the Cabinet its support for the Council to establish a housing development company. The Group saw doing so as an exciting initiative that could provide an opportunity for the Council to act more flexibly in responding to housing needs in the Borough.

During its consideration of the Council's Tenancy Support Policy, the Group identified that access to IT equipment was becoming more important for tenants, for example to complete online forms. The Group welcomed the availability of computers for public use in the Council's reception but identified that the layout could be improved to improve the privacy of computer users. Changes have recently been made to the layout which have addressed this issue.

The Process of Policy Development

As the Group sees policy and strategy documents from a range of services it is able to make comments and suggestions based on ensuring consistency and best practice across the Council. This year the Group has focussed on the issue of ensuring that the Council's policies can be clearly understood by the public. This led to amendments being made to the format and content of the Children and Young People's Strategy, the Tenancy Support Policy and the Council's Business Plan.

Councillor Brenda Seaton, Chair of the Policy Scrutiny Group

To access the agendas, minutes and sound recordings for meetings of the Group, click [here](#).

Get Involved!

There are many opportunities for members of the public and representatives of organisations to get involved in the work of Scrutiny. The Scrutiny Members would welcome an increase in the number of people attending either to watch the meeting in action or ask a question on notice. Meetings are usually held at 6.30pm at the Council Offices, Southfields Road, Loughborough.

Members of the public can:

- Attend meetings of the Scrutiny Committees and standing panels, except in instances where confidential information is to be discussed. Details of these meetings are on our website, [here](#)
- Ask a question on notice on any agenda item. Email Democratic Services for more information, democracy@charnwood.gov.uk
- Suggest a topic for Scrutiny to consider by getting in touch with the Democratic Services team either through email democracy@charnwood.gov.uk or telephone 01509 634785
- Raise issues with your local Ward Councillor and request that Scrutiny considers this as part of a Councillor Call for Action, or add it to their Scrutiny Work Programme
- Watch out for consultations, surveys and requests for evidence by registering at <https://www.charnwood.gov.uk/pages/currentconsultations>

Overview Scrutiny Group

The Overview Scrutiny Group has two roles:

- (i) Scrutinising the recommendations of officer reports before they are presented to the Cabinet.
- (ii) Scrutinising external public service providers and partners, outside bodies and services shared with other local authorities.

Pre-decision Scrutiny

The Group's role is a valuable one within the decision-making structure. It provides the opportunity for reports to be viewed and scrutinised before they go to Cabinet for approval. The Group has the chance to ask questions and to gain more information about the reasoning behind the recommendations made to Cabinet. It is imperative that the Group provides a comprehensive scrutiny of reports to ensure that any concerns are highlighted before Cabinet make its decision.

During the year, Overview Scrutiny Group undertook pre-decision scrutiny of 20 items, supporting the recommendations being made to the Cabinet but also providing its own comments and suggestions. These included:

- Model of Local Government in Leicestershire – The Group was given the chance to scrutinise the response given by the District Council Leaders and the Leader's response in relation to the proposed model;
- Future Cemetery Provision for Loughborough – The issue of the site for the future cemetery in Loughborough was brought before the Group again following a review. The Group had the opportunity to scrutinise the revised proposals and was happy to agree with the proposed site. The Group commented that it was happy to see the review completed given the public opposition regarding the previous decision;
- Discretionary Houses in Multiple Occupation Licensing Scheme Options – The Group voiced its concerns regarding the lack of evidence cited in the report. It wanted to support the Cabinet Lead Member and commented that it disputed some of the data provided in the report. At its meeting, Cabinet agreed to pursue further investigation and research to obtain the evidence needed to establish the case for the introduction of an Additional or Selective Licensing Scheme.

Scrutiny of External Bodies

No scrutiny of external bodies took place during the year.

Councillor John Capleton, Chair of the Overview Scrutiny Group

To access the agendas, minutes and sound recordings for meetings of the Group, click [here](#).



Budget Scrutiny Panel

The Budget Scrutiny Panel is now well established as part of both the Council's scrutiny work programme and its financial governance arrangements. In 2018/19, it held meetings between June and January to accord with the Council's timetable for setting its Medium Term Financial Strategy and 2019/20 budgets.

The process followed by the Panel was different to that followed in previous years in two respects. Firstly, the Panel was not involved in considering detailed suggestions regarding the Loughborough Special Expenses budget. This is now a function of the newly-established Loughborough Area Committee. Secondly, the Panel refined the process that had been agreed by the Scrutiny Management Board to bring forward its consideration of the draft revenue budgets and, therefore, give itself more time to consider the content of its draft report.

The Panel reported its conclusions in respect of the Council's 2019/20 draft budgets to the Scrutiny Management Board in January 2019, with the Board resolving to submit the Panel's conclusions to the Cabinet when it considered the Council's 2019/20 final budgets in February 2019.

The Panel focussed its scrutiny on a number of areas and identified several issues which it drew to the Cabinet's attention. These were primarily concerned with the Council's longer term financial management.

- As in previous years the Panel put on record the fact that the Council would be using reserves in each of the three years covered by the Medium Term Financial Strategy.
- The Panel also continued its review of the issue of underspends. It identified that there would be a significant difference in the way that underspends would be managed in 2019/20 compared to previous years and that the impact of seeking to save £300,000 per year in this way would need to be monitored.
- Another theme was the Council's approach to generating income, managing its assets and commercialisation more generally. This was identified as an area of continuing work for the Council.
- In this context the Panel identified a number of risks and in particular that there was considerable uncertainty regarding the amount of funding that the Council would receive from the Government after 2020. As a result the Panel recommended to the Cabinet that the issue was dealt with more explicitly in future versions of the Medium Term Financial Strategy.
- The Panel also highlighted the importance of pre-decision scrutiny of out-turn reports, virements and in-year service pressures, particularly when they related to additional costs arising from decisions by other agencies to reduce services, in ensuring the sound financial management of the Council.

With the continuing pressure on local government finances the support of scrutiny in overseeing the Council's budgeting process and financial strategy remains crucial.

Councillor Jewel Miah, Chair of the Budget Scrutiny Panel

To access the agendas, minutes and sound recordings for meetings of the Group, click [here](#).



Performance Scrutiny Panel

The Performance Scrutiny Panel reviews Council Services with the aim of seeking improvements in Council performance and monitoring whether performance targets are being met. The Panel takes a significant role in rigorously scrutinising all Cabinet initiatives to ensure that objectives are being achieved and policies are operating efficiently.

The Panel receives performance reports on a quarterly basis to monitor progress against agreed targets. During 2018/19 the Panel requested additional reports and further information from officers to support its scrutiny of certain key performance targets. The Panel requested additional reports concerning the following:

- details as to why the target for the number of working days lost to the local authority due to sickness absence had not been met;
- suggested ways in which the Council could improve the number of satisfaction surveys completed by members of the public to drive further improvement in the web service they received;
- details as to why the time taken to process Housing Benefit/Council Tax new claims had not met its target, particularly with respect to the introduction of Universal Credit.

The Panel requested the following further information from officers to support its scrutiny of the Council's performance:

- an explanation of the reasons for the underspend in Landlord Services relating to the budget for electrical upgrades;
- an explanation of the reasons for the underspend in Neighbourhood Services relating to community grants and carry forward request to support Clockwise Credit Union;
- a detailed breakdown of food complaints and service requests to understand why the success criteria had not been met;
- clarification in relation to the Food Hygiene Rating Scheme targets and what actions were taken by the Service when a food business did not achieve level 3 or above on the National Food Hygiene Rating Scheme.

The Panel determined to review the performance of Council policies in this year and considered the Council's Zero Waste Strategy mid-way through its policy period as a test case. It recommended that the policy be further scrutinised once it had been revised in light of the Government's published Resources and Waste strategy. This was agreed by the Scrutiny Management Board and assigned to the Policy Scrutiny Group. The Panel reviewed the decision by the Scrutiny Management Board and the Cabinet in relation to the Council's housing land supply. After considering the views of officers and the Lead Member, it agreed with the decision to receive a quarterly report if the Council's housing land supply falls below 5.5 years and to add a performance indicator to monitor the five-year housing supply figure to the Council's Business Plan from 2019/ 20.

During the year the Panel also scrutinised the performance of the following Council matters in addition to its scrutiny of Revenue Monitoring and Capital Plan reports, the Council's financial performance, and revenue position as agreed by the Cabinet:

- Housing Repairs Complaints
- Housing Rent Arrears and Universal Credit
- Online Customer Service
- Delivery of Climate Local Plan
- Supporting Leicestershire Families Programme
- Tenancy Support
- Lightbulb Service Model
- Homeless Strategy 2018-2020
- Empty Homes Strategy 2017-2022
- Housing Strategy 2015-2020
- Charnwood Lottery

Councillor Hilary Fryer, Chair of the Performance Scrutiny Panel

To access the agendas, minutes and sound recordings for the Panel, click [here](#).

Scrutiny Panels

“Task and Finish” panels have an essential role in enabling councillors to engage in thorough investigation of specific issues of importance to the Council and the services it provides.

These panels are especially useful in enabling Councillors to identify and look at important issues in more detail. They can take a variety of forms, from a detailed review to a short, sharp, concentrated focus on a high-profile issue.

Five Year Housing Supply Scrutiny Panel

In March this year, the Scrutiny Management Board commissioned the Five Year Housing Land Supply Scrutiny Panel to scrutinise how effective the current method of calculating the five year housing land supply is and what the current situation is with local developers bringing sites to completion.

The Panel took evidence from a range of witnesses, including national housebuilders. Many factors were put forward that were likely to contribute to delays in the process, but overall a consensus was drawn that everyone should be working together more often to move forward for the benefit of the residents of Charnwood.

The final report of the Panel with its findings and recommendations was presented to the Scrutiny Management Board on 24th October 2018 and subsequently to the Cabinet on 15th November 2018. The Panel was successful in having its recommendations adopted by Cabinet which included adding the Five Year Housing Land Supply figures to the Council's Key Performance Indicator (KPI) list to ensure that the figure is monitored regularly, the planning application deadlines be determined as KPIs with effect from the 2019/20 Business Plan. The Lead Member for Planning, Inward Investment and Tourism Strategy was tasked with writing to the Government with any further recommendations following the Panel's report and reviewing the Council processes for section 106 agreements, reserve matter applications and pre-commencement conditions and bring any issues before the Cabinet for consideration.

Both the Cabinet and the Scrutiny Management Board thanked the Panel for its meticulous research and work and believed the recommendations to be sensible and added value to the Council's scrutiny function.



The Value of Scrutiny Panels

By focusing on a particular topic where scrutiny considers value can be added, scrutiny panels are able to gather evidence from a number of sources, including officers, customers and other people directly affected by the issue, as well as experts from outside the Council. In addition to enabling comprehensive consideration of the matter, a Panel can provide the opportunity for the public to influence the policy-making process and assist the Panel in developing its recommendations.

Looking Ahead

The Scrutiny function has been in place since the implementation of the Local Government Act 2000, its practices have been interpreted widely and with varying degrees of effect nationally.



Essentially overview and scrutiny exists to ensure the Council's Executive is publicly held to account for its decisions and actions, and to promote open and transparent decision-making and democratic accountability. It has a wide remit to explore how the Council and its partner organisations could improve services for the residents of Charnwood. When evidence shows there could be a better way of doing things, overview and scrutiny can make recommendations for change.

The Parliamentary Select Committee report into Overview and Scrutiny in Local Government, published in December 2017, made interesting and timely reading. The Select Committee gathered a range of evidence from councillors, civil servants and scrutiny officers, and put forward a number of recommendations about how the scrutiny function could be improved and championed within local authorities. A review of the Select Committee's report shows that Charnwood Borough Council is already compliant with many of the recommendations put forward; providing assurance that the Council's scrutiny arrangements are reflective of best practice.

However, Members recognise that it needs to raise its game in terms of impact and the areas for improvement identified by the Centre for Public Scrutiny (CfPS) in February 2018 have been fully evaluated by members of the Scrutiny Management Board and Cabinet.

One significant change relates to the structure of the scrutiny committees with the aim of making them more outcome focussed. Full Council on 25th February 2019 approved a new scrutiny structure based on service directorates, overseen by a Scrutiny Commission Committee. This new structure will come into effect immediately after the May 2019 elections and is being seen as a catalyst for making a real difference to the lives of local people.

Going forward Members are also keen to review how the public can be better involved in the Scrutiny process, recognising that this is an area for improvement.

Following the May elections members will be offered training on effective questioning and listening skills which is vitally important for effective scrutiny. Likewise members will be offered development opportunities on how to use scrutiny effectively and how it can be focussed on the most appropriate and important topics.

Overall, there are many challenges ahead and the new guidance from HM Government which is due out shortly will certainly set the future direction of the scrutiny function nationally and more importantly at Charnwood.

Karen Widdowson, Democratic Services Manager



Membership of the Scrutiny Management Board



Cllr Jewel Miah

Chair of the Scrutiny Management Board



Cllr Geoff Parsons

Vice-chair of the Scrutiny Management Board



Cllr John Capleton

Chair of the Overview Scrutiny



Cllr Brenda Seaton

Chair of the Policy Scrutiny Group



Cllr Hilary Fryer

Chair of the Performance Scrutiny Panel



Cllr Pauline Ranson

Vice-chair of the Overview Scrutiny Group



Cllr Keith Harris

Vice-chair of the Policy Scrutiny Group



Cllr Bill Bebbington

Vice-chair of the Performance Scrutiny Panel

More Information?

If you would like to suggest a topic for scrutiny to look into, would like more information about scrutiny, or need this information in a different format, for example large print, audio or braille, please contact:

Democratic Services
Telephone: 01509 634785
Email: democracy@charnwood.gov.uk

