

MEETING:	SCRUTINY
DATE:	Monday 4 July 2005
SUBJECT:	Review of the Scrutiny Process 2001-2005
REPORT OF:	Scrutiny Co-ordinator and Assistant Director – Strategy and Democracy
Ward(s):	All
Purpose:	To provide Members with information regarding the development of the Scrutiny function over the past four years, since April 2001, and to suggest ways of developing the service in the future.
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<p>Recommendations</p>	<p>(1) That the Committee supports the submission of a growth bid of £3000 in the 2006/07 budget for the effective conduct of scrutiny reviews.</p> <p>(2) That in respect of Scrutiny Reviews earmarked for 2005/06, any identified need for funding support be considered by the Council and made available from within existing budgetary constraints if possible.</p> <p>(3) That a monitoring report for each of the four reviews that have been carried out be included in the annual programme for 2005/06.</p> <p>(4) That an Annual report be produced detailing the work of the Committee, the reviews conducted, the outcomes of each review and the work programme for the forthcoming year.</p>
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Appendix 1

Appendix 2

Appendix 3

Appendix 4

<p>1.0</p>	<p><u>Background and Introduction</u></p>
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1.1	<p>The Council, at its meeting on 30 September 1999, approved the implementation of a pilot modernised political structure based on the Government's Leader and Cabinet model.</p> <p>There are two main elements of the modernised structure, the Executive (Cabinet) and Scrutiny (sometimes referred to as "Overview"). A crosscutting single party Cabinet has been in operation since October 1999 and has, been operated by both political groups on the Council. This effectively replaced the previous service based committees with a view to considering issues in a more corporate manner and improving the transparency, efficiency and accountability of decision-making.</p>
1.2	<p>As part of the agreed structure, Council also approved the creation of four Scrutiny Committees, three of which related specifically to activities within the various Officer Groups, plus one with a Cross-Council brief.</p>
1.3	<p>Unfortunately, it was clear that the scrutiny element of the new structure had been less successful. It was essential to streamline the scrutiny process in line with the rest of the modernised political management structure to improve efficiency and transparency, and; to create the necessary time and opportunity for Members and Officers to develop these new roles.</p>
1.4	<p>Council agreed to amend the structure in April 2001, agreeing that a single crosscutting Scrutiny Committee would bring the same corporate emphasis to the scrutiny process, as is the case with the decision making process, therefore aligning the executive and non-executive roles of Members.</p>

1.5	The purpose of this report is to provide Members with information regarding the development of the Scrutiny function over the past four years, since April 2001, and to suggest ways of developing the service in the future.
2.0	<u>Scrutiny – What is it?</u>
2.1	The main role of Scrutiny is to help improve the council’s performance through monitoring and review; to examine the Cabinet’s decisions and challenge where necessary; and to help in the development and monitoring of the council’s policies and strategies. The Committee can also look at the effectiveness of outside organisations and the council’s external partnerships.
2.2	Scrutiny’s approach is loosely based on the model of Select Committees at Westminster.
2.3	It is one of the most effective ways in which councillors who are not on Cabinet can independently challenge and influence those making decisions.

2.4	The Scrutiny Committee meets in public and members of the public are encouraged to take part and join in the discussion.
2.5	The Committee can invite Cabinet Members, Council officers and representatives of outside organisations to discuss how things are currently being done and how they can be improved.
2.6	Scrutiny Committee can also gather evidence in other ways, for example public consultation.
2.7	The Scrutiny Committee has a work programme that sets priorities for the coming year.

2.8	<p>One of the biggest challenges remains how to generate more interest among the public and press, by demonstrating that effective Scrutiny can make a difference.</p>
3.0	<p>Items considered.</p>
3.1	<p>The table below details the actual items Scrutiny have considered over the past four years. Appendix 1 details the items year by year.</p> <p>(These items have been grouped to enable easier analysis, for example there have been 12 items for Task Groups, which covers the formulation of the Groups and includes the final reports).</p>
3.2	<p>An analysis of items discussed can be found at appendix 2 and a list of agenda items can be found at appendix 3.</p>
3.2.1	<p>Annual Programme – This is the standard item which covers the agreement of the Annual programme at the start of the municipal year and also allows for additional items to be added to the programme.</p>

3.2.2	<p>Best Value Reviews – Reviews conducted were as follows: Corporate Land and Buildings, Corporate Management Arrangements, Housing Management Part 1, Cemeteries and Crematoria, Highways Management, Cleansing, Building Control, Benefits, Finance, Emergency Planning, Leisure Services, Equalities, Lifeline, Housing Management Part 2, Emergency Planning, Community Safety, Tourism and Housing Management Part 3.</p> <p>Cabinet agreed on the 16 March 2005, that all Best Value Reviews with the exception of Tourism are formally closed.</p>
3.2.3	<p>Performance Indicator Reports – This is a standard item for which the Council’s Constitution provides that Scrutiny may review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas; Scrutiny receives quarterly reports regarding PI’s, Members are invited to request that Officers are present to answer any questions they may have. It is not the intention that the Committee gets ‘bogged’ down with reviewing each indicator, but that the indicators are a guide to the Council’s overall performance, which may also assist the Committee in targeting specific areas for review. The Performance Management Task Group monitors all aspects of performance management activities on behalf of the Cabinet.</p>
3.2.4	<p>Task Groups – see item below.</p>

3.2.5	<p>Information Reports – Items covered include Use of Bed and Breakfast Accommodation, Complaints Monitoring, Eastbourne Crime Reduction Partnership, Rent Arrears, HMO's, Use of Temporary Accommodation, Choice Based Letting, Mainframe Migration and Staffing Issues, Staff Pension Fund, Voting Procedures, Property Issues, Summer Season Theatrical Performances 2003, Planning Performance, IT Security Issues, ESP Second Homes Money, Redoubt and Military Museums Strategy, Decriminalised Parking, Corporate Equality Update, Members IT and Member Development Programme.</p>
3.2.6	<p>Seminars – Members have not attended any training outside of the Borough.</p>
3.2.7	<p>Motions – The Committee has received two motions for investigation; IT and Security Issues - Scrutiny 8 September 2003, which called for a report into the virus which caused considerable disruption to the Council in August 2003. Schools Admissions – Council 5 May 2004, this item was referred to the County's Scrutiny Committee responsible for Education.</p>
3.2.8	<p>Budget reports – Items covered include 2002/03 Budget and Financial Strategy, HRA July 2002, Capital Strategy and Asset Management Plan, Cleansing Contract and Service and Financial Planning 2003/04, Financial Strategy 2005/06 – 2008/09 and 2005/06 Budget.</p>
3.2.9	<p>Strategies / Policies – This included the following items; Eastbourne Borough Plan 2001-2011, Housing Strategy 2003/08, Homelessness Review, Best Value Performance Plan, Revision to the Policy Framework and Draft Statement of Community Involvement</p>

3.2.10	<p>Call-in – Closure of Sovereign Centre Crèche, this item was called-in on 9 December 2002, and was the subject of a special Scrutiny Committee held on 16 December 2002. The Committee agreed to support the Cabinet’s decision to close the crèche.</p>
3.3	<p>In previous years, as can be seen in appendix 1, Between April 2001 and March 2005 information reports have formed the main part of agenda items discussed at Committee, even greater than the number of Best Value Reviews considered. It is only more recently, within the past three years that the Scrutiny Committee has included issues for investigation within their Annual Programme.</p>
4.0	<p>Task Groups</p>
4.1	<p>Since April 2001, Scrutiny Committee has conducted four reviews covering Elections and Voter Turnout, Taxi and Private Hire, Wheelie Bins and Abandoned Vehicles. Two reviews are currently in progress; Disabled Access to Council Buildings and Gypsies and Travellers.</p>

4.2	The Gypsies and Travellers task group agreed that there was a need to develop an integrated corporate travellers' strategy, which would be endorsed by Scrutiny Committee.
4.3	A list of Task Groups, their aims and outcomes can be found at appendix 4.
4.4	The reviews have not been monitored since their agreement by the committee. It is an important part of the Scrutiny process that the outcomes of these reviews are monitored and it is proposed that monitoring reports be included as part of the Annual Programme.
5.0	Increasing the profile

5.1	Following the CPA report in March 2004, it was felt that the Scrutiny Committee's contribution to policy development and service delivery had not been effective, and was listed as a weakness of the Council.
5.2	The Council is also in the process of developing a Council Plan, which includes developing the Scrutiny Committee function as one of its targets.
5.3	In order to comply with the CPA requirements and the targets within the Council Plan, the ways in which Scrutiny currently operates need to be reconsidered.
5.4	It must be recognised that culture and styles of working are as important as structure, and in those authorities where scrutiny is struggling tend to include those where party politics predominate, and where councillors are struggling to move away from the old committee system.
5.5	It is vital for the Scrutiny Committee to maintain its momentum in producing its Annual Programme, moving away from information reports and increasing the proportion of issues for investigation. Consequently increasing public participation and engaging a greater number of 'backbench' Members in the process would be constructive.

5.6	It should be remembered that public participation should start with topics under investigation. It is unlikely that members of the public will be interested in investigations into internal matters, and therefore attention should be paid to public priorities and issues of local concern.
5.7	It is essential that Members consider the objectives for each review proposed carefully, in order not only to conduct a thorough and worthwhile review, but also to ensure the most suitably qualified Members are appointed to the review teams and that all relevant parties are aware of the forthcoming review and, more importantly, are invited to participate.

5.8	<p>When selecting items for investigation the Committee should ensure that topics are:</p> <p>Specific: To avoid scrutiny review teams finding it hard to pin down exactly what they are scrutinising.</p> <p>Achievable: To be attainable within the timescales allowed</p> <p>Accessible: To be suited to engaging the public, so that scrutiny will mean something definite for Eastbourne residents.</p> <p>Results driven: To be able to produce some tangible and preferably fairly immediate results.</p>
6.0	Public Participation
6.1	Each review is publicised on the Council's website inviting written evidence and comments from members of the public, but this only covers those members of the public with internet access.
6.2	In addition to encourage public participation, notices of areas under investigation could be placed in the local paper, which carries a cost of around £350 per notice, and at present Scrutiny does not have a budget for conducting Scrutiny Reviews. Alternatively use could be made of the Council Press Office where joint statements from the Chairman and the lead Opposition Spokesperson could be publicised to initiate a review and feedback key findings.

6.3	In addition, Scrutiny Reviews can call witnesses and collect evidence relating to the issue being investigated which can include Cabinet portfolio holders, Directors, Assistant Directors, members of local press, interested parties and a random sample of local residents.
6.4	At present we do not offer expenses to external invitees, and this could be seen to discourage participation, particularly as a Scrutiny review can only request that an interested party attend and cannot enforce attendance.
6.5	We do not currently hold review group discussions outside of the Town Hall, which again may be seen to discourage public participation. Again cost implications need to be taken into consideration; hiring halls, equipment and refreshments etc.
6.6	Members are requested to consider the option of applying for a growth bid of £3000 which would allow six reviews to be conducted at a cost of £500 per review.

7.0	Annual reporting
7.1	As part of the development of the service, the reviews conducted will form part of an Annual report published with the aim of highlighting the role and work of Scrutiny function in Eastbourne.
7.2	The Annual report will cover the reviews conducted by the Committee, the recommendations made and the outcome of each review.

7.3	The Annual report should also outline the committee's programme for the forthcoming year, giving not only Members, but also local residents, notice of topics that will be reviewed.
7.4	The annual report may also be incorporated into the Eastbourne Review as a way of publicising the work of the Committee.
7.5	It is hoped that a constructive annual report could become a key evidence of improvement during the next CPA exercise.
7.6	Early guidance from the CPA inspectors indicates that the Council will be assessed on a reduced number of performance areas, but that a greater weight will be placed on those areas selected for inspection. It is likely that the Council's Scrutiny function will be specifically highlighted.
7.7	Members are asked to consider other areas that they would like highlighted in the Annual report.
8.0	Training
8.1	Overview and Scrutiny has presented challenges for all local authorities, and developing scrutiny to become more influential and produce a positive impact on the community was identified by CPA.

8.2	<p><i>The development of Elected Members has been highlighted and a number of recommendations were made in the Peer Challenge for Comprehensive Performance Assessment. One of the recommendations for action was the inclusion of Elected Members in IIP accreditation and ensuring individual development needs are addressed. As a consequence, the Member Development Programme has been submitted as part of our IIP re-accreditation exercise.</i></p>
8.3	<p>At the meeting of the Performance Management Task Group held on 22 September 2003 Members agreed to conduct a training needs analysis to identify the individual needs of each Member against an agreed framework of key competencies in order to progress the Member Development Programme.</p>
8.4	<p>One of the main areas of development identified by Members was Overview and Scrutiny.</p>
8.5	<p>To date Members have received the following training with regard to Scrutiny;</p> <p>South East Employers, 28 October 2003 1 day event attended by 15 Members.</p> <p>Roger Howarth, Scrutiny and Best Value Co-Ordinator, ESCC, Monday 2 February 2004 evening event attended by 17 Members.</p>

8.6	<p>The Member Development Manager is currently researching further courses regarding Overview and Scrutiny, and Members will be advised of suggested seminars / training in due course.</p>
9.0	<p>Consultations</p>
9.1	<p>None specific to this report.</p>
10.0	<p>Resource implications</p>
10.1	<p>A growth bid of £3000 will be required to cover the basic costs of conducting an annual programme of up to six scrutiny reviews. This budget will cover public notices in the local newspaper, and if necessary the cost of expenses claimed by external stakeholders, and may also cover the cost of hiring halls, equipment etc.</p>
11.0	<p><u>Other Implications</u> (covering equalities, environmental, human rights, community safety, youth, anti-poverty)</p>
11.1	<p>None specific, however, it is hoped that areas selected for review are of significantly wide public interest and, as a consequence, will probably affect several of these issues.</p>

12.0	Conclusion
12.1	The aim of the report is to provide a factual review the items that have been discussed by the Committee over the past four years. With particular attention to the reviews that have been conducted.
12.2	The report also aims to highlight the need to increase the profile of the Scrutiny function within Eastbourne, not only following the CPA inspection in March 2004 but also as part of the Council Plan.
12.3	The ways in which the profile can be increased are detailed within the report, and include the importance of careful selection of topics for review, ensuring that attention is paid to public priorities and areas of local concern.
12.4	It is essential that greater public participation is sought, using the Council's website, local press, inviting witnesses to participate, and conducting forums outside of the Town Hall.

12.5	The Council should be promoting the work of the Committee by producing an Annual report detailing the reviews conducted, their objectives and outcomes. It would also provide advance notice of topics for review in the forthcoming year.
12.6	The provision of additional training for Members is an important part of increasing the value of Scrutiny within the Council.

	Katie Armstrong	Peter Finnis
	Scrutiny Co-Ordinator	Assistant Director – Strategy and Democracy

Background Papers:

The Background Papers used in compiling this report were as follows:

CPA Inspection March 2004

Constitution

Member Development Programme November 2004

Political Management Structure April 2001

Scrutiny Task Group reports – as detailed

To inspect or obtain copies of background papers please refer to the contact officer listed above.