

Report for: Overview and Scrutiny Committee, 6th June 2016

Item number:

Title: Overview and Scrutiny Work Programme Development 2016/17

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Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

- 1.1 This report sets out how the foundations will be laid for targeted, inclusive and timely work on issues of local importance where scrutiny can add value.

2. Recommendations

- 2.1 That the Committee:

- (i) Agree the timeframe for the development of the Overview and Scrutiny Work Programme for 2016/17 (outlined in sections 6 - 7);
- (ii) Approve the scoping document for the Disproportionality in the Youth Justice System Scrutiny Project, attached at Appendix A.

3. Reasons for decision

- 3.1 The Overview and Scrutiny Committee (OSC) is responsible for developing an overall work plan, including work for its standing scrutiny panels. In putting this together, the Committee will need to have regard to their capacity to deliver the programme and officers' capacity to support them in that task.

4. Approach

“Scrutiny is based on the principle that someone who makes a decision...should not be the only one to review or challenge it. Overview is founded on the belief that an open, inclusive, member-led approach to policy review...results in better policies in the long run.”

Jessica Crowe, former Executive Director, Centre for Public Scrutiny

- 4.1 Developing an effective work programme is the bedrock of an effective scrutiny function.
- 4.2 The careful selection and prioritisation of work is essential if the scrutiny function is to be successful, achieve added value and retain credibility. A summary of what needs to be done to develop a successful work programme is provided below.

An effective scrutiny work programme should reflect a balance of activities

- Holding the Executive to account
- Policy review and development – reviews to assess the effectiveness of existing policies or to inform the development of new strategies
- Performance management – identifying under-performing services, investigating and making recommendations for improvement
- External scrutiny – scrutinising and holding to account partners and other local agencies providing key services to the public
- Public and community engagement – engaging and involving local communities in scrutiny activities and scrutinising those issues which are of concern to the local community

Key features of an effective work programme

- A member led process, short listing and prioritising topics – with support from officers – that:
 - reflects local needs and priorities – issues of community concern as well as Corporate Plan and Medium Term Financial Strategy priorities
 - prioritises topics for scrutiny that have most impact or benefit
 - involves local stakeholders
 - is flexible enough to respond to new or urgent issues

4.3 Depending on the selected topic, and planned outcomes, scrutiny work will be carried out in a variety of ways, using various formats. This will include a variety of one-off reports. In accordance with the scrutiny protocol, the OSC and Scrutiny Panels will draw from the following to inform their work:

 - Performance Reports;
 - One off reports on matters of national or local interest or concern (e.g. Casey Report);
 - Issues arising out of internal and external assessment (e.g. Ofsted, Care Quality Commission);

- Reports on strategies and policies under development, or other issues on which the Cabinet or officers would like scrutiny views or support;
 - Progress reports on implementing previous scrutiny recommendations accepted by the Cabinet or appropriate Executive body.
- 4.4 In addition, in-depth scrutiny work, including task and finish projects, are an important aspect of Overview and Scrutiny and provide opportunities to thoroughly investigate topics and to make improvements. Through the gathering and consideration of evidence from a wider range of sources, this type of work enables more robust and effective challenge as well as an increased likelihood of delivering positive outcomes. In depth reviews should also help engage the public, and provide greater transparency and accountability. It is nevertheless important that there is a balance between depth and breadth of work undertaken so that resources can be used to their greatest effect.
- 4.5 With this in mind, and following work undertaken by the Children and Young People's Scrutiny Panel during 2015/16, a scoping report, concerning an in-depth review into Disproportionality in the Youth Justice System, is attached at Appendix A for consideration/approval by the Committee.

5. Review of 2015/16

- 5.1 This time last year it was agreed the Scrutiny Cafe, for 2015/16, would have succeeded if the work programme:
- Was aligned with corporate priorities, objectives and outcomes, complimenting work of the Council and its partners;
 - Didn't duplicate work being undertaken elsewhere;
 - Reflected wider community's concerns;
 - Was practical and produced positive and beneficial impacts;
 - Was focused on areas where greatest practical assistance could be provided;
 - Was managed so its scrutiny processes were commensurate with desired outcomes (e.g. a one-off report or a more in depth investigation).
- 5.2 In order to assess the impact of last year's work programme each of the Panel Chairs, from 2015/16, were invited to a short de-briefing session with the Chair of OSC and the Performance, Programme and Scrutiny leads for the particular corporate priority that their Panel covered. These reviewed progress in the last year and flagged up matters requiring further attention. For example, there was an opportunity to look at how the priority dashboards had been used to shape the scrutiny work programme and how these could be used moving forwards.

Summary of Achievements 2015/16

Corporate Priorities

- Regular briefings agreed for panel chairs, with priority, performance and finance leads, to support strategic understanding with work programme planning linked to corporate priorities.
- In-depth project work, linked clearly to the corporate priorities, concerning: Finsbury Park Events; Social Inclusion; Community Infrastructure Levy; Viability Assessments; Cycling; Community Safety in Parks; and Dis-proportionality in the Youth Justice System which have resulted in practical and achievable recommendations being made.

Positive and Beneficial Impact

- Thorough sessions on adult and children's safeguarding, plus briefing sessions for members and now joint work planning in hand with adults and children's safeguarding boards.
- Effective budget scrutiny with positive recommendations fully agreed by Cabinet, and forward planning to formalise budget monitoring at panels (see section 5.4).
- More focussed Cabinet member Q&As, with questions/KLOE determined in advance.
- New ways of working e.g. "scrutiny review in a day" sessions (Community Infrastructure Levy and Viability Assessments), and a range of site visits meeting staff and service users, including long-term unemployed people, young offenders, and adult service users. Members also gained first-hand experience of issues relating to cycling by touring the Borough on bikes.
- Rapid response e.g. review of Finsbury Park events with agreed recommendations developing policy and addressing resident concerns; review of action taken on various adult care concerns.

Wider Concerns / Practical Assistance

- Improved engagement with partners including police, CCG, and other NHS bodies; and a wide range of agencies, including key policy makers across London, such as the Mayor's Cycling Commissioner, and input from local MPs.
- Improved engagement with the public, both in developing the work programme and evidence gathering e.g. the Call for Evidence in relation to Finsbury Park Events.
- Learning from best practice from other local authorities through visits to Cambridge and Waltham Forest and witnesses who have attended scrutiny evidence gathering sessions (e.g. from Greenwich, Islington, Lambeth, Tower Hamlets and Southwark).
- Improved communication with local stakeholders, including press releases, coordinated through regular meetings with the Assistant Director of Communications.
- Improved engagement and involvement with wider scrutiny bodies such as the London Scrutiny Network.

- 5.3 Despite these positive developments difficulties remain, in some areas, in terms of prioritising, developing and maintaining an effective work programme.
- 5.4 To make greatest and most constructive input, the careful selection and prioritisation of work is essential if scrutiny is to be successful, gain buy in from senior officers and Cabinet, retain credibility and achieve added value. This will require using performance and financial information, on a regular basis, to shape and inform the work programme. To help with this, a number of steps have been identified:

Performance Data: In January, briefing sessions were held with OSC / Panel Chairs to look at the Council's performance dashboards, which track progress against the targets in the Corporate Plan. The sessions were well received and have been helpful in developing a deeper understanding of the Council's key performance indicators.

There is an opportunity to use performance dashboards to develop the scrutiny work programme for 2016/17. Following the 2015/16 de-briefing sessions (outlined above) a process will be developed to ensure OSC / Panel chairs are briefed regularly throughout the year on the latest performance position.

Financial Scrutiny: The Council's Overview and Scrutiny Procedure Rules (Constitution, Part 4, Section G) state: "The Overview and Scrutiny Committee shall undertake scrutiny of the Council's budget through a Budget Scrutiny process". The procedure by which this operates is detailed in the scrutiny protocol.

In previous years OSC has tasked individual Scrutiny Panels with reviewing and providing comments on budget proposals relevant to their areas, with the full OSC taking a lead role for those areas not covered by a specific panel and overarching comments to Cabinet on the draft budget proposals. However, following approval of the Council's three year Medium Term Financial Strategy (MTFS) in February 2015, OSC considered its role in October 2015.

It was agreed that scrutiny of the 2016/17 budget, part of the approved MTFS 2015-2018, would be undertaken only by OSC. This took place in January 2016.

In order to cover the period of business rate devolution, work commenced on a new five year MTFS in May 2016. This will use the last year of the currently approved MTFS (2017/18) and will add a further four years (2018/19, 2019/20, 2020/21 and 2021/11). As a result, this will result in a new range of proposals for the latter four years being initially approved by Cabinet in December 2016.

5.5 With this in mind, and in view of the Scrutiny Protocol, a request has been made by Cllr Wright, Chair of OSC, for a clear timetable to be provided to OSC in July 2016, in relation to the budget setting process for 2017/18. This will outline the timescale for scrutiny input to ensure activity in this area can be co-ordinated as part of the process for developing the overall scrutiny work programme for 2016/17 and beyond.

5.6 To support this work, it is suggested that training on financial scrutiny should be provided to help develop the 2016/17 work programme. This will help ensure work in this area is proportionate, informed and considers the three stages of financial scrutiny:

Stage 1 - Planning and setting the budget. Scrutiny should seek to use financial information at a strategic level and try to avoid too much detail at this stage.

Stage 2: Monitoring the budget. It is the role of budget holders to undertake detailed budget monitoring, and the Executive and individual Portfolio Holders, will oversee such detailed budget monitoring. To add value to this process OSC, in October, agreed that each scrutiny panel could set a date, during the course of each year, to undertake a review of their areas overall service and financial performance, taking into account previous years' performance, the current year's estimated outturn position and future changes as set out in the Council's MTFS.

Stage 3: Reviewing the budget. At the end of the financial year, OSC receives an "outturn report" to look back and to think about what lessons can be learned.

5.7 To help structure the 2016/17 work programme, such training could take place in June/July to link in with OSC's consideration of the Council's Financial Outturn 2015/16.

6. Activities to Support the Development of the Work Programme

6.1 Any local stakeholder may suggest an item for the scrutiny work programme, including: elected councillors, local residents, partners, officers, and members of community/voluntary sector groups. With this in mind, various activities will be employed to support the development of the Overview & Scrutiny Work Programme, these include:

- **Press Release** – inviting local residents to put forward suggestions;
- **Stakeholders** – emails will be sent out asking members, senior officers, and partners for suggestions;
- **Scrutiny Cafe** – non-executive members, local partners and senior officers;
- **Informal meetings** with Cabinet Member and Senior Officers;

Stakeholder Engagement

- 6.2 To ensure issues considered by scrutiny are both important and relevant to the local community, a press release will be issued inviting local residents to put forward suggestions. In addition, emails will be sent out to ask councillors, senior officers, and partners for their suggestions. At this stage, input would be particularly welcome as the purpose is:
- To identify broad areas of concern which may guide and inform member decisions in agreeing the scrutiny work programme;
 - To highlight specific suggestions for in depth scrutiny review.
- 6.3 To facilitate further discussion and prioritisation of topics to be included within the work programme, suggestions will be analysed with consideration given to the relevant corporate priority and scrutiny body.

Scrutiny Cafe

- 6.4 Feedback, from 2014 and 2015, suggests the Scrutiny Cafe approach has been useful in supporting informed discussion and allowing meaningful assessments of suggested topics for scrutiny. This year's event will take place on 9 June.
- 6.5 As in previous years the 2016 Scrutiny Cafe will bring together key local stakeholders (non executive members, partners and senior council officers) for round table discussions to inform the development of the scrutiny work programme. Round table discussions will be themed around the remits of the scrutiny panels (which also correspond closely to corporate priorities).
- 6.6 The themed round table discussions will be informed and guided by issues and suggestions emerging from suggestions received during May – June and from items rolled over from last year. Discussions will be led by the relevant scrutiny chair with the support of officers. The aim of these discussions will be to:
- Identify any further issues (to those already suggested);
 - Prioritise issues/ suggestions to be included within the scrutiny work programme.

Cabinet Members and Senior Officers

- 6.7 To finalise the consultation process, the Chairs of each scrutiny body will meet with relevant Cabinet members and senior officers. The primary purpose of such meetings will be to discuss emerging issues, to identify the value of each topic, and to consider how selections align with corporate priorities, objectives and outcomes. This will help ensure scrutiny processes are commensurate to desired outcomes (e.g. one-off report or more in depth investigations).
- 6.8 At this juncture, Cabinet members and senior officers are also invited to suggest additional topics where scrutiny could be beneficially involved, including:

- Any matters forming part of the Budget and/or Policy Framework which will require adoption in the coming year;
- Any other strategies or policies which may benefit from scrutiny involvement;
- Items on the Forward Plan which may benefit from pre-decision scrutiny;
- Annual service reports or inspection reports.

6.9 In addition, these meetings provide an opportunity for relevant Cabinet member(s) to agree dates, with the Chair, at which they will attend meetings for their (twice yearly) Question and Answer sessions.

Monitoring the Work Programme

6.10 Once the work programme is agreed, there are both formal and informal systems in place to ensure effective monitoring of the work programme. Regular agenda planning meetings (with the Chair and senior officers) and discussion at Committee give an opportunity to discuss the scope and approach to the area of inquiry.

7. Work Programme Development Timeline

Date	Fora	Purpose
April / May	Informal meetings	Members of OSC to reflect on the 2015/16 work programme to: <ul style="list-style-type: none"> • Assess impact of 15/16 programme; • Identify carry over work items; • Identify future training and development needs
April / May	Groups / Chief Whips	Recruitment of non-executive members to Scrutiny Panels
16 May	Annual Council	Confirmation of Membership of Overview & Scrutiny Committee
May	Informal meeting of new Overview & Scrutiny Committee	<ul style="list-style-type: none"> • Brief for work programme development process; • Identify training needs.
May	Stakeholder Engagement	To identify priorities and topics for inclusion in the scrutiny work programme for 2016/17 from local stakeholders.
6 June	Overview & Scrutiny Committee (1)	<ul style="list-style-type: none"> • Chairs, membership and terms of reference of scrutiny bodies confirmed • Work programme development update and sign off process; • Leaders State of the Borough address (outline priorities in year ahead).
9 June	Scrutiny Cafe	Overview & Scrutiny Committee to conduct themed round table discussions with non-

Date	Fora	Purpose
		executive members, Senior Officers & partners to identify & discuss possible work areas.
June / July	Consultation with Cabinet Members and Senior Officers	Individual Chairs of OSC and Scrutiny Panels to meet with relevant Cabinet members and Senior officers to: <ul style="list-style-type: none"> • Ensure work items align with corporate priorities; • Identify those areas where scrutiny can provide greatest assistance; • To agree and scope work items.
27 June - 7 July	Scrutiny Panels – Round 1	<ul style="list-style-type: none"> • Each Panel to note terms of reference and membership • Discuss and agree work plans – agenda planning
July	OSC/Cabinet face to face	Twice yearly meeting – details TBC as the meetings did not take place during 2015/16.
21 July	Overview & Scrutiny Committee (2)	Confirm 2016/17 work plan of Overview & Scrutiny Committee and Scrutiny Panels.
Ongoing	All meetings of all scrutiny bodies	Work programme monitoring

8. Member Learning and Development

8.1 In terms of Overview and Scrutiny, Members require a number of skills. Various activities took place, during 2015/16, to support the delivery of the scrutiny work programme, including:

- Chairing Overview and Scrutiny: Developing and Improving Skills
 - o ½ day training delivered in August
- Mentoring for the Chairs of Overview and Scrutiny
 - o This was tailored to each Chair and their identified requirements and took place during Autumn
- How to effectively challenge the Council and its partners on Child Safeguarding, including addressing Child Sexual Exploitation
- Various MLD sessions and site visits (specific to certain scrutiny projects)

8.2 Moving forwards, these activities, the broad range of generic skills required by all members, issues raised (under section 5) concerning financial scrutiny, and topics included in the future scrutiny work programme, will need to be considered/reviewed as part of work that's taking place to develop a new Member Learning and Development programme. This will ensure scrutiny Members are properly equipped to undertake planned work during 2016/17.

9. Contribution to strategic outcomes

- 9.1 Activities to develop the annual scrutiny work programme, will take place during May, June and July, with the final programme to be agreed by OSC on 21 July. The contribution scrutiny can make to strategic outcomes will be considered as part of this process.

10. Statutory Officers comments

Finance and Procurement

- 10.1 There are no financial implications arising from the recommendations set out in this report. Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications these will be highlighted at that time.

Legal

- 10.2 There are no immediate legal implications arising from the report.
- 10.3 In accordance with the Council's Constitution, the approval of the future scrutiny work programme falls within the remit of the OSC.
- 10.4 Under Section 21 (6) of the Local Government Act 2000, an OSC has the power to appoint one or more sub-committees to discharge any of its functions. In accordance with the Constitution, the appointment of Scrutiny Panels (to assist the scrutiny function) falls within the remit of the OSC.
- 10.5 Scrutiny Panels are non-decision making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the Overview and Scrutiny Committee. Such reports can then be referred to Cabinet or Council under agreed protocols.

Equality

- 10.6 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.

10.7 The Committee should ensure that it addresses these duties by considering them within its work plan and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
- Whether the impact on particular groups is fair and proportionate;
- Whether there is equality of access to services and fair representation of all groups within Haringey;
- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

10.8 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

11. Use of Appendices

Appendix A Scoping Report for the Disproportionality in the Youth Justice System Scrutiny Project

12. Local Government (Access to Information) Act 1985