

Leicester
City Council

MEETING OF THE OVERVIEW SELECT COMMITTEE

DATE: MONDAY 19 MARCH 2012
TIME: 5:30PM
PLACE: OAK ROOM, GROUND FLOOR, TOWN HALL.

Members of the Committee

Councillor Willmott (Chair)
Councillor Clayton (Vice-Chair)

Councillors Connelly, Cooke, Glover, Grant, Kitterick, Osman, Porter,
R.Patel, Waddington and Westley.

Youth Council Representatives

To be advised.

Members of the Committee are invited to attend the above meeting to consider the items of business listed overleaf.

for the Monitoring Officer

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Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda, and/or indicate that Section 10 of the Local Government Finance Act applies to them.

3. CHAIR'S ANNOUNCEMENTS

4. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 23 February 2012 have been circulated and the Select Committee is asked to confirm them as a correct record.

5. PETITIONS

The Monitoring Officer to report on any petitions received.

6. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

Appendix A

The Committee has received one representation which will be presented by Councillor Willmott on behalf of residents and is attached at Appendix A. An officer will present at the meeting to provide a response.

7. SCRUTINY ANNUAL REPORT AUGUST 2011 TO FEBRUARY 2012

Appendix B

The Select Committee is asked to consider the Scrutiny Annual Report covering work done by Scrutiny at the Council from August 2011 to February 2012.

8. KNIGHTON FIELDS CENTRE UPDATE

Appendix C

The City Mayor will be providing a response to the representation raised regarding the Knighton Fields Centre. A summary report for the Select Committee is attached.

9. CITY WORKS AND IMPROVEMENTS CAPITAL PROGRAMME 2012/13 TO 2013/14

Appendix D

The report of the Acting Director of Finance and Interim Director of Financial Strategy submit a report to seek the Committee's views on the proposed capital

programme, which is described in the attached report.

10. REVENUE BUDGET MONITORING 2011/12 - PERIOD 9 [Appendix E](#)

The Acting Director of Finance submits a report which shows a summary position comparing spending with the budget. This is the third full report in the regular cycle for the 2011/2012 financial year showing the budget issues that have arisen so far.

11. 2011/12 CAPITAL PROGRAMME MONITORING - PERIOD 9 [Appendix F](#)

The Acting Director of Finance submits a report to show the position of the capital programme for 2011/12 at the end of Period 9. This is the third capital monitoring report of the financial year and a final report will be presented at outturn.

12. FRAMEWORK FOR TREASURY DECISIONS [Appendix G](#)

The Acting Director of Finance submits a report that establishes the framework for the governance of the Council's borrowing and investments. It mainly reflects the existing framework subject to a number of minor changes.

13. TREASURY STRATEGY 2012/13 TO 2014/15 [Appendix H](#)

The Acting Director of Finance submits a report that establishes the strategy for the Council's borrowing and investments during 2012/13.

14. ANY OTHER URGENT BUSINESS

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Appendix A

“We call on the Council to maintain the 20 hours support provided by the Community Services officer at Rushey Mead Recreation Centre.

The 20 hours are good value for money to the council and means that groups feel safe in using the centre and having the help and support the officers provides.

We do not feel that we would be able to use the centre without knowing that there was a member of staff present for some of the time, to let us in and deal with things like the heating.

The key fob system does not work for us. We are not able to take responsibility for showing people around who want to hire the centre and to deal with other enquiries, including passing on requests to Councillors.

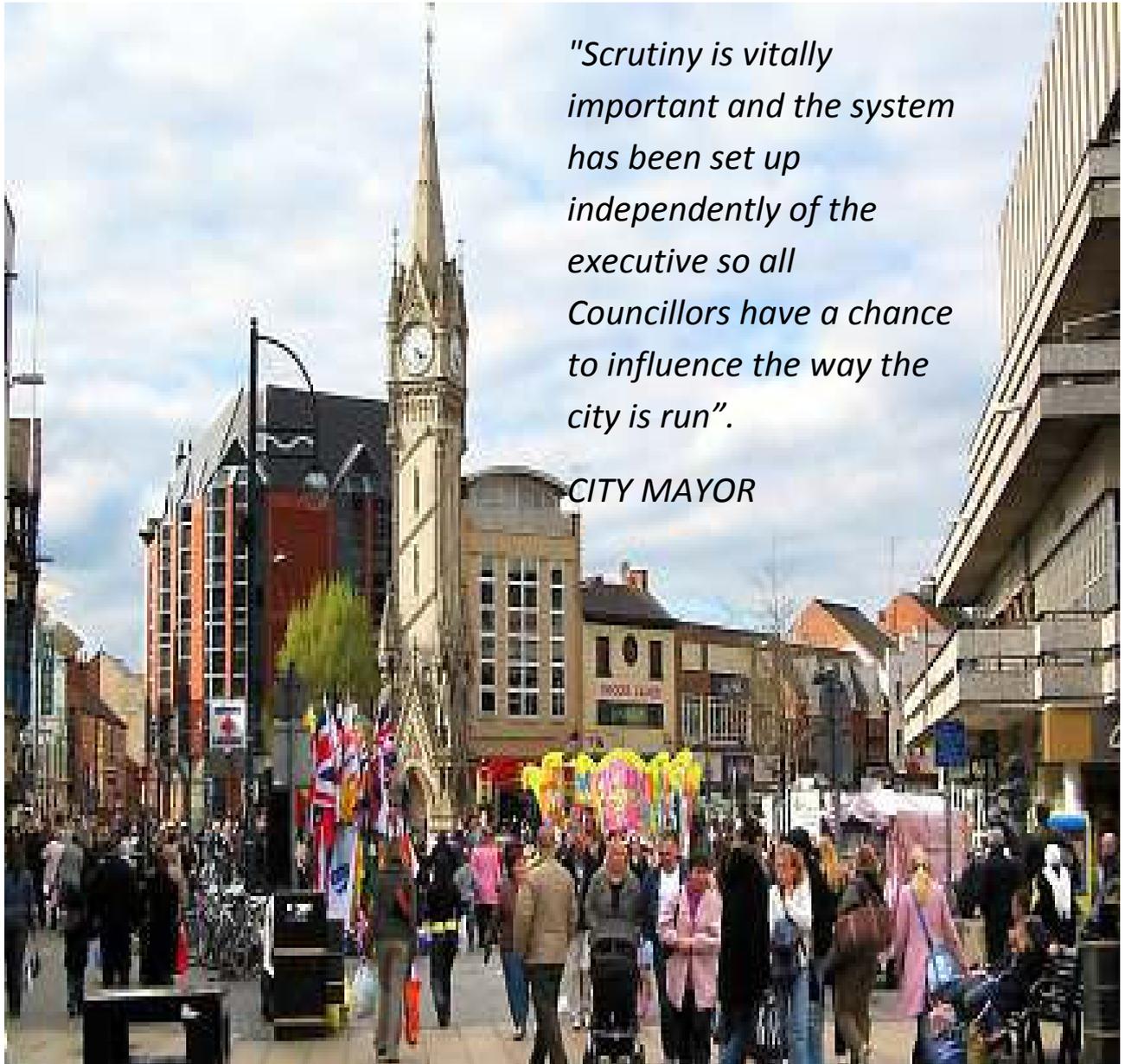
We ask that the council recognises the use of the centre, and that the income to the council has increased because of the good work of the staff”.

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Appendix B

Overview & Scrutiny Report

August 2011 – February 2012



"Scrutiny is vitally important and the system has been set up independently of the executive so all Councillors have a chance to influence the way the city is run".

CITY MAYOR

LEICESTER CITY COUNCIL

Foreword

This first six month report sets out the work of scrutiny in the council so far under our new mayoral system of governance. It is intended to update it at the end of the municipal year.

I would like to thank all those who have contributed to the success of scrutiny over the past few months. It is only through the active involvement of all members that scrutiny will succeed. The review of Elderly Persons Homes is a good example of this. I wish to particularly thank those members of the public and representatives of other organisations who gave evidence.

Scrutiny was not set up until a long while after the elections but we have made considerable progress since the first meetings were held in September.

I believe we have made an impact both through affecting decisions of the Executive and increased public involvement. We have also established a media presence and I would like to thank BBC Radio Leicester and the Leicester Mercury for their coverage of our work. Scrutiny work that attracts media attention is a sign of its wider significance and shows it has relevance beyond the confines of the council

We have provided an overview of the work we have undertaken so far and identified a number of issues to be addressed in the coming months. It also looks ahead to some of the things that members have said they want to scrutinise in the coming year. Comments are particularly welcome on these and any other aspects of the report.

Cllr. Ross Willmott

Chair Overview Select Committee

Executive Summary

- Scrutiny has made good progress and some significant interventions since it started work in September 2011
 - New arrangements were introduced with a Select Committee to deal with cross cutting strategic issues, and scrutinise the work of the City Mayor and Deputy. The work of each assistant mayor is scrutinised by a separate Scrutiny Commission.
 - Some of these changes were member driven and others were in response to an Audit Commission inspection in 2010.
 - Scrutiny Handbook for the guidance of all members compiled and published on website.
 - All reviews are now fully scoped before starting and have timescales for completion
 - Scrutiny has sought to both review extant decisions of the executive and organise its work to be able to feed in comments and recommendations before decisions are taken.
 - Scrutiny has met 58 times in this 6 month period
 - 26 reviews have been undertaken, 12 finished 14 still underway
 - 201 Reports considered
 - 22 reports of the Executive have been considered
 - Significant evidence given by, and questioning of the City Mayor, Deputy and Assistant Mayors
 - 29 witnesses have given evidence
 - Several hundred documents have been reviewed
 - Undertaken 14 visits
 - Profile of scrutiny is much higher than previously with 12 newspaper articles, 4 radio interviews (Appendix 1)
 - Scrutiny will be webcast from 19th March meeting to improve accountability and public involvement
-
- Scrutiny has effected some real changes in council direction and decisions in this short period of time:
 - Changes to the proposals to privatise or close elderly persons homes leading to increase in capital investment of £2.7m in adult care transformation and proposal to invest £3.39m capital in intermediate care and an increased revenue provision of £2.8m, by 2014
 - Council to stay a residential care provider at least for the next 3 yrs and to ensure that any changes fully recognises the needs and wishes of existing residents and their families.
 - Proposed 21 changes to the revenue budget of which 9 were accepted increasing the spending on services by £2m
 - New funding for ESOL work
 - Influenced the LEP to improve its website with immediate effect
 - Assistant Mayor agreed that part of Ashton Green should be developed as a Community Land Trust and we should consider a retirement village

- Influenced the executive to keep the BREEAM environmental standard for BSF schools
- Scrutiny was not successful in persuading the Executive to:
 - Ring fence savings from winding up Prospect Leicestershire to inward investment
 - Continue with the major bid for a Bus station for the city
 - Reconsider pulling out of the Myplace project
 - Freeze members allowances for the next year
- Scrutiny has yet to have dedicated scrutiny support staff.
- Scrutiny is considering a public consultation of issues for future scrutiny
- Commission Chairs are preparing work plans for next year.
- We are implementing a way of measuring the performance of scrutiny
- Challenges:
 - To secure dedicated and adequate staffing support
 - Ensuring that all commissions are effective and all members are involved and equipped to carry out their roles. Officer support to scrutiny support needs to be strengthened in this area to make this happen.
 - Agree a process for engagement with the Executive and developing ways of achieving maximum impact.
 - To continue raising the public profile of scrutiny
 - The City Mayor's delivery plan will, when published, need scrutiny in terms of its scope and routine monitoring in terms of implementation
 - Scrutiny of partnerships has not yet been possible with current resources.
 - To make revisions to the constitution to ensure that scrutiny is not hampered by cumbersome procedure rules

Cllr Grant And now by Cllr Connelly – “if anything Scrutiny tonight is proving Cllrs can have a mature discussion of their pay”

Introduction

This report looks at the development of Scrutiny at Leicester City Council between August 2011, following the local and mayoral elections, and February 2012.

The current arrangements came into operation in August-September 2011 after a member-led review of Scrutiny. The Overview Select Committee started its work in August 2011, and Scrutiny Commissions started their work in August/September 2011.

The Scrutiny role is to:-

- Monitor, review and hold to account Council services and decisions of the City Mayor and Cabinet
- Act as a 'critical friend' and work with the City Mayor and Cabinet to develop policy.

The purpose of this report is to summarise the changes that have been made to the Scrutiny process since May 2011; to provide an overview of the current work programme and the early progress and impacts of this programme to date; and to set out the next steps for continuing to improve Scrutiny. A report of this nature will be produced annually.

Scrutiny Committee Membership

Overview Select Committee



(Chair) Councillor Ross Willmott



(Vice Chair) Councillor Neil Clayton

Members of the Committee: Councillors Connelly, Cooke, Glover, Grant, Kitterick, Osman, Porter, R.Patel, Waddington and Westley

Adult Social Care and Housing Commission



(Chair) Councillor Westley



(Vice Chair) Councillor Joshi

Members of the Committee: Councillors Alfonso, Aqbany, Chaplin, Cleaver, Glover, and Willmott

Children, young people and schools Commission



(Chair) Councillor Connelly



(Vice Chair) Councillor Unsworth

Members of the Committee: Councillors Bhatti, Cole, Clarke, Mayat, Dr Moore and Senior.

Economic Development Culture and Tourism Commission



(Chair) Councillor Waddington



(Vice Chair) Councillor Bhatti

Members of the Committee: Councillors Bhavsar, Chaplin, Naylor, Shelton, Thomas and Unsworth

Health and Community Involvement Commission



(Chair) Councillor Cooke



(Vice Chair) Councillor Sangster

Members of the Committee: Councillors Chowdhury, Fronseca, Gugnani, Kamal, Naylor, and Westley

Heritage, Leisure and Sport Commission



(Chair) Councillor Osman



(Vice Chair) Councillor Newcombe

Members of the Committee: Councillors Dr Barton, Connelly, Desai, Fonseca, Shelton, and Unsworth

Neighbourhood Services Commission



(Chair) Councillor Glover



(Vice Chair) Councillor Moore

Members of the Committee: Councillors Bajaj, Cutkelvin, Gugnani, Joshi, Sandhu, and Singh.

Transport & Climate Change Commission

(Chair) Councillor Clayton

(Vice Chair) Councillor Willmott

Members of the Committee: Councillors Dr Barton, Kitterick, Sandhu, Bajaj, Porter, and Unsworth

What is Scrutiny?

The Scrutiny process aims to develop policy and improve the performance of the Council and also to look in detail at the City Mayor's decisions to make sure powers are used wisely and the City Mayor, Deputy Mayor and the Assistant Mayors are held to account by scrutiny fulfilling the role of "Critical Friend".

The new scrutiny arrangements have a one to one relationship mirroring the responsibilities of the Executive. It was agreed that this model gave the maximum transparency and accountability. In designing the new system regard was paid to the Audit Commission report that examined the previous arrangements (Appendix 2).

The Overview Select Committee succeeded the Overview and Scrutiny Management Board and scrutinises the work of the City Mayor and Deputy Mayor. It meets once a fortnight.

Seven Scrutiny Commissions reflect the Assistant Mayor portfolios and replace Scrutiny Task Groups. They meet at least once a month.

Scrutiny link with the Executive

Overview Select Committee -Executive Member City Mayor

Adult Social Care and Housing Commission –
Executive Member Cllr Dawood

Children, young people and schools Commission -
Executive Member Cllr Dempster

Economic Development Culture and Tourism
Commission - Executive Member City Mayor



Health and Community Involvement Commission Executive Member City Mayor, Cllr Sood

Heritage, Leisure and Sport Commission Executive Member Cllr Clair

Neighbourhood Services Commission Executive Member Cllr Russell

Transport & Climate Change Executive Member Cllr Palmer

The work of scrutiny is both planned and reactive.

The work scrutiny undertakes comes about in different ways:-

- The Council's Forward Plan
- Items generated by Councillors
- Decisions of the Executive
- Petitions
- Performance data
- Actions of other organisations

It is proposed to have a work plan of reviews commissioned by members of scrutiny for the coming year. The number of commissioned reviews is strictly limited at the moment by the lack of dedicated staffing.

The Overview Select committee has introduced proper scoping for all reviews and investigations initiated by scrutiny. These set out the remit, extent and time scale of the review.

In the coming year we intend to gauge the views of local people to inform the scrutiny process on emerging issues and help focus on concerns which are affecting the people of Leicester in these challenging times.

The Scrutiny Handbook is a useful guide for anyone requiring more detailed information about the role of scrutiny and procedures it uses. It is available by contacting the Scrutiny Team on (0116) 2298808.

Making a difference...

As acting as a “critical friend” to the Executive and the City Mayor our role is to independently examine decisions and develop policy.

We wish to mark the occasions where scrutiny has played an instrumental role in supporting the decision making process by challenging ideas and providing another view on key topics.

We also wish to acknowledge the commitment by the City, Deputy Mayor and Assistant Mayors in respecting scrutiny’s independence whilst working positively with each Commission.

The full work programme is attached to this report, as Appendix 3, but some examples of the work undertaken are highlighted below.

Methodology

Commissions are not solely focused on producing formal reviews. Reports of the Executive are also considered, and actions of other organisations. Good scrutiny is complex and a significant amount of time is focused on challenging officers, members, and partner organisations. This is done by collating and checking information from documents, websites, witnesses, officers and other organisations. Evidence can be in person or taken in written form but also can involve visits to “understand the situation first hand”. Interim reports are prepared and commissions then cross reference all the relevant evidence and enable discussion to form a view which may validate the original proposal, recommend amendments or present a completely different view.

For this work to be really effective it calls on the use of research skills and analytical methods by staff and members. This is an area where there is scope for development to strengthen the role of scrutiny.

Work in Commissions

Examples of Commission work where approaches other than a formal review have been used is within the Health and Community Involvement Commission, where they have been able to:

- Scrutinise the member of cabinet about the councils work on public health & budgets and transition of health services. The commission paid specific consideration

to the implications of the proposed budgets for 2012/13 for health and health inequalities.

- Scrutinise the Chief Executive of University Hospitals Trust to investigate why patient complaints have increased.
- Scrutinise the quality accounts and services provided by LOROS, University Hospitals Trust and East Midlands Ambulance Trust. For example the commission revisited the 2010 scrutiny review of mental health for working age adults.
- Questioned the Chair of the Local Involvement Network (known as Health Watch if the proposed government reforms to health are implemented). The network is a standing invite to all Health and Community Involvement commission meetings
- Scrutinise the newly formed Leicester City Clinical Commissioning Group on how it plans to deliver services.
- Scrutiny of the broad issues around the reforms to the NHS White Paper via presentations and discussions at commission meetings
- Questioned the NHS Leicester City about the high rates of infant mortality rates in Leicester

None of the above has formed a review characterised as task and finish, but this ongoing questioning and challenge from commissions is an integral part of good scrutiny

Overview Select Committee (OSC)

- Has looked at the independent Panels work on members allowances. The Chair of the panel attended and gave evidence.
- Took up the representation from users of Knighton Fields arts and drama centre. Receiving evidence in writing and person and passing this to the City Mayor for him to act on. Allowing representation is a crucial component of all scrutiny to enable views of local people to be heard and facilitate a formal response.
- Considers regular reports on financial monitoring, and performance before they are signed off by the Executive.
- Considered proposals on Community Land Trusts (CLT) as a way of building new affordable houses that ensures they stay affordable into the future. The Committee recommended the major housing development at Ashton Green as a proposed site. It also suggested that a retirement village be considered for this development.

We asked for Community Land Trusts to be included, and then Assistant Mayor Ted Cassidy agreed, saying it was 'a great idea'.

Task Groups

- Much of the work of scrutiny takes place in between formal meetings, in interviews and information gathering and analysis. We have also set up a number of task groups to progress scrutiny enquiries in parallel to the work of the select committee and commissions.
- Task groups are being chaired by Councillors Willmott and Newcombe focusing on Procurement and Olympics Legacy respectively. Task Groups play a key role in bringing together groups of people focused to deal with specific issues.

Commission Work on Formal Reviews

Elderly Persons' Homes Review

The Overview Select Committee asked the Adult Social Care and Housing Scrutiny Commission to review both the recent consultation process and the proposals to change the future form and function of elderly persons' residential services provided by the Council.

This review was important for councillors, residents at the homes their friends, family and staff. The scope for the original consultation was that residential homes were going to be considered for closure or alternative management. This uncertainty on the future for residential homes was worrying particularly as feedback from witnesses showed that service users were generally very happy with the provision and were not convinced that closing or alternative management would result in better service

The Scrutiny review set out to achieve the following:

- Review the original consultation process and options already carried out
- Support/develop a particular consultation option, or propose alternative options
- Recommend ideas for service redesign and /or improvements to the quality of the service provided
- Take into account wider funding issues surrounding adult social care and their impact on this review.

The future of the following eight residential homes were included in the Review:

- Herrick Lodge
- Cooper House
- Preston Lodge
- Thurncourt House
- Abbey House
- Arbor House
- Elizabeth House
- Nuffield House

The review had to be completed and recommendations prepared within a tight timetable so they could be used to shape the final proposals for decision by the Executive late 2011 as at the time:

“No decision has been made yet and the outcome is not a ‘done deal’”.

CLr Mohammed Dawood, Cabinet Lead – Adult Social Care & Housing,

3rd November 2011

The Scrutiny Commission met on five occasions. In addition to these meetings commission members made site visits to seven Council and two independently-run Elderly Person’s Homes and held discussions with key stakeholders for the purpose of gathering evidence.

Members of the Commission who visited the homes found that all Council-run homes had a homely and friendly atmosphere, the staff were very caring and do their best to cater to all the needs of the residents. The feedback from the residents has been overwhelmingly positive.

A large number of documents were reviewed and what was happening elsewhere was studied. The Commission also called witnesses with experience of both public and private section provision to make representation.

Officers of the Council gave evidence at every meeting and through questioning and analysis the Scrutiny Commission found that:

- There was confusion about what projected costs were for. It was discovered that they were based on a formula for conversion to intermediate care homes. Not only were estimates unreliable but could not apply to more than 2 homes that were planned for conversion to intermediate care.
- That 2.17 million had been invested in homes over last 5 years
- That condition surveys said homes were all in ‘good’ condition
- The running costs of our homes are about the same as those in the private sector, excepting for salaries.

The detail outlined above is important as we were told that we may not be able to afford to run our own homes and undertake the refurbishment required.

The scrutiny function identified that staff term and conditions were generally much better than what is offered in the private sector. This key to employing and retaining the right calibre of person in this key area of work.

Another reason given for closing is that the homes are under occupied and that this is a result of people not wanting to go into a residential home, however the Commission found that occupancy rates are 90% or over in six of our homes, the other two being 86% and 60%.

After challenging financial and admission information provided by officers to the Executive Scrutiny Commission members resolved unanimously to keep all eight Council-run care homes open and in Council control.

This report was fed into the political decision making process and has clearly influenced the decision of the Executive, as seen in the changes to the budget. However it has yet to be formally considered by them. After positive discussions the following has been agreed.

1. Recognise there has got to be change
2. Not going to be a single solution for all homes
3. Driven by policy rather than just budget
4. Put appropriate indicative sum in capital programmes for two intermediate care provision
5. Intend to offer direct provision for at least the next 3 years. Explore potential acceptable alternative providers – “soft-market testing”
6. Budget provision that is adequate to enable change to take place in a structured and timely way that fully recognises the needs and wishes of existing residents and their families.

The Council will now continue to fund the Homes and keep them open, continuing to invest in the upkeep and maintenance. Two homes will be selected to be transformed into intermediate care facilities. This has resulted in major changes to both the revenue and capital budgets of the council. Committing £2.8m of new revenue by 2014 and £5.7m of capital resources.

This is perhaps the most significant achievement of scrutiny to date, it now provides a more certain future for care homes and more importantly the vulnerable people that depend on their services. As well as creating new provision of intermediate care.

Scrutiny will continue to receive reports on the implementation of these decisions and monitor them.

English for speakers of other languages (ESOL)

This Scrutiny Review started following concerns about the impact of Government funding changes for students wishing to learn or improve their English.

ESOL (English for speakers of other languages) classes provide a vital link between incoming communities and the wider economic and social community within Leicester. ESOL classes provide a direct link into employment for new and incoming communities. Around 4,000 students a year attend such classes in Leicester.

Proposed Government changes to funding for ESOL students threatened to cut off many students from such courses. The proposals meant as many as 80% of students – around 3,000 - would have had to pay for their courses. This means ESOL students within the city would have been hit particularly badly by the proposed cuts in fee support.

This Review considered the impact of the proposed cuts on ESOL in Leicester and its communities and the possible impact of future funding cuts.

It looked at how ESOL was delivered in the city, and considered ways in which other communities – including international examples – managed the key task of delivering language classes to incoming communities.

For example in Nottingham a third-party organisation, Begin, funded by the City Council and by local colleges, acts as a clearing house and screening agencies on behalf of the providers.

The Chair and Vice Chair of the Commission visited the offices of Begin on 3rd November 2011

Issues arising from the visit included the impression that data was organised in a highly effective way which signposted applicants to relevant courses – and relevant services.

The coordinated marketing approach within Nottingham was also considered – and led to a recommendation that Leicester providers should also consider a more coordinated approach to marketing of courses.

The Commission heard that providers within Leicester used a range of different approaches to gathering information on ESOL applicants, making it difficult to consider a coordinated and integrated approach to information-gathering.

The Commission also heard that while ESOL applicants within Nottingham were signposted to other relevant support services and benefits to which they might be entitled, this did not happen within Leicester although job seekers in the city were provided with that signposting service. This inequality was highlighted as a concern by the commission.

It was suggested that the data to provide signposting to support services existed but was not accessed or used for this purpose. It was felt that a clear screening process could make it easier to provide a clear signposting service for ESOL applicants within Leicester.

Evidence to the Commission suggested that students' concerns about having to pay for ESOL lessons had a serious impact on the level of initial registrations, and also had an impact on the profile of students on current ESOL course. This disproportionately affects access by women to ESOL. This work fed into the budget process and the scrutiny proposals for budget growth of 26.K over 3 years were accepted.

20 MPH speed limits in Leicester.

In its 2011 Election Manifesto, the Leicester City Labour Group pledged:-

“To improve safety, continue to introduce 20 miles an hour zones near schools, community facilities and in densely populated areas where residents want them.”

The Transport and Climate Change Scrutiny Commission subsequently carried out a review into 20 MPH speed limits in Leicester. The Commission wished to scrutinise the effectiveness and value for money of existing and planned 20 MPH schemes in the city, focusing especially on how schemes are identified and promoted and how 20 MPH zones and limits fit into the wider context of road safety planning measures across the city.

The Commission welcomed the commitment of the Mayor and Deputy Mayor to improving road safety. Additionally the *Commission believed that there is enough evidence for schools to be prioritised alongside accident cluster sites when implementing 20 MPH speed zones¹*; This review considered evidence from various sources including school head teachers, written information from scrutiny reviews carried out by other local authorities such as Brighton and Hove and Haringey Councils. Submissions were also provided by RoSPA and CTC, the UK’s largest cycling charity, and the Commission also considered an opinion poll commissioned by The Institute of Advanced Motorists.

The commission recommended that the Deputy Mayor specifically request officers to draw up a programme of 20 mph zones for 2012/13 for areas that are not already calmed. Whilst that will inevitably lead to fewer zones being introduced, it would represent greater value for money in terms of the number of accidents prevented. It would also be entirely consistent with pledges made in the Labour Party Manifesto. This recommendation is under consideration by the Deputy Mayor.

The Council Budget

Informal meetings between Assistant Mayors and Scrutiny members enabled comprehensive challenge on the budgets. Each Commission considered its budget area. Which lead to a range of recommendations, reported to and co-ordinated by the Overview Select Committee.

As a result of this exercise 21 budget proposals were prepared and presented by the Overview Select Committee for consideration by Cabinet and Council. Nine proposals were accepted and included as amendments to the Council's budget. Resulting in the addition of a further £2m for services added to the budget over three years.

These were:

- Review of Elderly Person's Homes
- Remove proposed deletion of teenage pregnancy coordinator
- Defer proposed deletion of Open Door management post and review:-
- Additional funding for ESOL improvements
- Planning and Information Support (2 staff deletions instead of 3) :-
- Remove proposed reduction to bedding plants
- Defer cessation of libraries' minibus proposal to allow time for individuals to be matched to voluntary services
- Increase City Wardens to 16 for one year only
- Pay for changes to NS19 & 21 from EIA response fund

Further details of the changes to the council budget proposals arising from Scrutiny involvement are included in. (Appendix 4)

Completed and Current Work

The Commissions started their work in August/September resulting in the first reviews being initiated in November/December. Each review has a timescale of about three months for completion. Scrutiny has sought to both review extant decisions of the executive and organise its work to be able to feed in comments and recommendations before decisions are taken. As stated earlier work is not just focused on producing review documents

To find more information about this work please refer to the relevant scrutiny Chair or officer.

Completed Work

- Elderly People Homes. (EPH) **(Adult Social Care and Housing Commission)**
- English for speakers of other languages (ESOL) **(Economic Development, Culture and Tourism Commission)**
- 20 Miles per hour speed limits **(Transport & Climate Change Commission)**
- Inward investment **(Economic Development, Culture and Tourism Commission)**
- Council Annual Budget **(Overview Select Committee)**
- Planning framework for student housing **(Economic Development, Culture and**

- Tourism Commission (**Economic Development, Culture and Tourism Commission**)
- Hundred pledges document (**Overview Select Committee**)
- Members allowances (**Overview Select Committee**)
- Sustainability for schools (**Transport & Climate Change Commission**)
- Community land trusts (**Overview Select Committee**)

Current Work

Procurement

- Review the current procurement policies of the Council to examine their impact of the local economy, relationship with ESPO, and current structures.
(Chair) Cllr Willmott, (Officers) Jerry Connolly/Shawn Miles

Events & Festivals

- Review of the current city wide programme for Events and Festivals to ensure they are appropriate and reflect the changing diversity of the city
(Chair) Cllr Waddington, (Officer) Jerry Connolly

Job Creation and Protection

- Consulting with local business and other organisations to develop plans to minimise the impact of the current economic climate on unemployment in the city.
(Chair) Cllr Waddington, (Officer) Jerry Connolly

Adult Learning Strategy

- Reviewing previous strategic documents and progress on creation of the new Strategy.
(Chair) Cllr Waddington, (Officer) Jerry Connolly

Fairer Charging Policy

- Review of the consultation relating to the charging policy for Adult and social care services
(Chair) Cllr Westley, (Officer) James Schadla-Hall

Rogue Traders

- Examine the impact of Rogue traders to local people with particular focus on the vulnerable.
(Chair) Cllr Glover, (Officer) James Schadla-Hall

School Admission Information

- Examine the quality of information and help for parents for school admissions and provision of online admissions
(Chair) Cllr Connelly, (Officer) Nichola Pell

0-19 commissioning

- Examine the methodology and proposals from the on-going review of services provided for 0-19 yrs olds.
(Chair) Cllr Connelly, (Officer) Nichola Pell

Joint Health

- Examine the arrangements with Leicestershire County Council and Rutland County Council, in the light of the forthcoming changes to the NHS.
(Chair) Cllr Cooke, (Officer) Anita Patel

Health Forums

- To gather the views and experiences of organisations and user groups in Leicester. These will identify the gaps in service and key areas for improvement in Leicester.
(Chair) Cllr Cooke, (Officer) Anita Patel

Cost of Staff Sickness to the Council

- To examine the true costs of sickness in monetary terms...
(Chair) Cllr Cooke, (Officer) Anita Patel

City Centre Bus Centre

- Examine the strategic vision for bus provision within the city.
(Chair) Cllr Clayton, (Officer) Gordon Armstrong

Residents Parking Scheme

- To consider the impact and viability of resident parking schemes within the city.
(Chair) Cllr Clayton, (Officer) Gordon Armstrong

Olympics Legacy

- Examine the impact of the Olympics on the city to look at ways to increase participation in sports.
(Chair) Cllr Osman, (Officer) Gordon Armstrong

Annual Work Programme

Scrutiny will have a yearly plan for meetings. This will enable better co-ordination of agendas, and work programmes

Areas for scrutiny consideration for next year include:

Overview Select Committee

- Review of Leicester City Council Procurement procedures
- Monitoring mayor's delivery plan and council performance
- Budget monitoring
- Scrutiny of partners

Adult Social Care and Housing Commission

- Support for carers
- Transition from Youth to Adult Social Services

Children, Young People and Schools Commission

- To be determined

Economic Development Culture and Tourism

- The Role of the City Council in economic development and sustaining and creating jobs
- Reviewing the work and developments in the City Council's Adult Skills and Learning Service
- A review of the Cultural aspects of the work of the City Council. This includes De Montfort Hall, Curve, Phoenix Square and the Cultural Quarter.
- The Festivals Programme

Health and Community Involvement Commission

- Dementia Services/Strategy
- Drug Use and Users Review
- Infant Mortality Rates

Heritage, Leisure and Sport Commission

- The Festivals Programme

Neighbourhood Services Commission

- To be determined

Transport & Climate Change

- Road Maintenance
- Quality Bus Partnership

Improvement Plan

Scrutiny Development Group

The Chair of the Overview Select Committee has held a number of informal meetings with chairs and vice chairs of Scrutiny to consider progress. It is proposed to set up a member led development group to drive forward improvements within scrutiny. This group will consider training needs, best practice, consistency, information sharing, changes to the constitution, and benchmarking.

Resident consultation

Examine all recent public consultation work which has asked local people what is important to them. The scrutiny team will examine high priority items more detail in the coming year. It will also raise the profile of the role that scrutiny plays in holding decision makers to account.

Website

Update the Scrutiny website with improved links to social media and opportunity for input particular focus on young people

Head of Scrutiny

The Audit Commission recommended the scrutiny structure be revised to include a Head of Scrutiny. This officer role will be the champion for scrutiny and provide the required led officer link between the Scrutiny function and the executive.

Dedicated and adequate staffing of scrutiny

Currently there are no dedicated scrutiny staff which hampers the work of scrutiny. Despite assurances, the transfer of Ward Meetings responsibility from scrutiny team has not yet happened. Until this happens scrutiny will not be able to function fully. Adequate and dedicated staff will enable the scrutiny team to undertake more work on scrutiny development and more pre-decision reviews.

The above will be captured in an annual scrutiny improvement plan which will be linked to corporate priorities and will be robustly monitored.

Performance Data

Performance data against agreed targets will be provided quarterly by the scrutiny function. This will be used to measure the relative successes against its terms of reference

Webcasting of Overview Select Committee

Provide webcasting of Overview Select Committee meetings. This will enable more people to become aware of this important area of work. This will also enable better recording of minutes and action points. Webcasting of other meetings will also be considered.

Process mapping of scrutiny

Refine the process and pathway for decisions, documents ensuring checks are made at appropriate points to ensure scrutiny is inclusive.

Scrutiny Handbook

Carry out a twelve month review of the scrutiny handbook to include focus around induction and training for new members

Audit Commission Report (June 2010)

This section considers the 2010 Audit Commission review of scrutiny and shows how its findings and recommendations have been addressed.

The Audit Commission report presented a number of challenges to Scrutiny by highlighting that:

“Scrutiny is in place and improving”

But also said there were a number of issues:

Audit Commission main themes for improvement:

Develop a more positive, productive and mutually supportive relationship between overview and scrutiny and the Executive:

Response:

- The Executive now attend every OSC Commission and utilise Scrutiny as a valuable resource that can be commissioned to research and support the development of policy and monitor the delivery of priorities; a recent example is the request for a review to establish the true cost of sickness to the Council.
- Established a more effective and open dialogue between overview and scrutiny with lead officers meeting on a regular basis to discuss development of work programmes and support.
- There is still a need to clarify the way in which the executive formally considers reports of scrutiny. Eg the report of elderly peoples home’s, whilst dealt with through the political process has not been formally considered by cabinet or council.

Align the work of overview and scrutiny more closely to the strategic priorities of the Council and its partners:

Response:

- Each commission mirrors the executive cabinet so clear links are established. This means that areas chosen for scrutiny or task group review demonstrate a clear linkage with corporate priorities and the Executive.
- The newly developed performance framework will improve the way commissions evidence their work in line with corporate priorities.
- The mayor’s delivery plan will, when published, need scrutiny in terms of its scope and routine monitoring in terms of implementation

Improve the focus of overview and scrutiny committee meetings by effective agenda management:

Response:

- To ensure reports do not dominate the agenda, each commission now is able to decide on areas they wish examine. This includes requesting informal briefings from officers at commissions.
- Report templates have been agreed to ensure clear and specific reports about what the overview and scrutiny committee is being requested to do.
- Scrutiny members have commissioned more reports and are not just processing reports of the Council

Ensure that members are equipped with the necessary skills to carry out overview and scrutiny effectively:

Response:

- Key competencies associated with the overview and Scrutiny role have been developed.
- The establishment of the Scrutiny development group who will lead on specific training and development needs of commission members.
- There is still more work to be done here, with many members who are new to the council and the move away from simply considering council reports. Officer support to scrutiny support needs to be strengthened in this area.

Broaden engagement in the overview and scrutiny process:

Response:

- Stakeholders including partners, service users and local people are actively engaged to contribute to task groups and commission reviews.
- To promote greater public involvement, webcasting or alternative methods such as online question sessions will be considered in the coming year particularly with engaging with the Youth Council.
- The Scrutiny website will be updated this year and the use of alternative communication methods, such as social media to promote and encourage greater public involvement will be will fundamental to the design.

The detailed findings from Audit Commission inspection are attached to this report (Appendix 2).

Performance Management

Scrutiny must examine its own performance and account for its own actions as well as the performance and actions of others, to ensure value for money and instil confidence in the process and the outcomes.

Performance measures are required to set expected standards and to show year on year performance against agreed targets.

A performance data sheet has been drafted and is awaiting agreement at OSC. In general terms performance management will focus on the following areas:

- Critical Friend
- Reflect the voice and concerns of the public
- Take the lead and own the scrutiny process
- Making an impact on service delivery

Current and proposed work programmes will also be measured within the performance management framework for scrutiny to ensure reviews are completed to agreed deadlines

It is expected that Scrutiny performance data is reported on a quarterly basis with annual feedback to be contained within the annual report.

Benchmarking

An approach will be made to similar authorities during the coming year to see if a benchmarking group can be set up. External benchmarking providers such as The Chartered Institute of Public Finance and Accountancy (CIPFA) could also provide a benchmarking service for Scrutiny. However cost may be a barrier to this approach.

Contacts & Useful Information

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Or visit the scrutiny website on line at www.leicester.gov.uk/scrutiny

The website contains information on scrutiny and the reviews being carried out. It includes electronic versions of the scrutiny work plan, this Overview and Scrutiny Handbook and details of the membership of the Overview Select Committee and the Scrutiny Commissions. The Website includes all scrutiny reports and links to papers for formal meetings.

Useful Websites

Below is a brief list of websites which often provide useful information. The list is not intended to be comprehensive, but highlights some key sites from which further information can be accessed. All links were correct at the time this document was produced.

Local Government Group

<http://www.local.gov.uk/>

The LGG represents the interests of local authorities across the Country.

Local Government Improvement and Development

<http://www.idea.gov.uk/>

LG Improvement and Development (formerly the IDeA) is an organisation dedicated to seeking improvement and sharing best practice in local government.

Centre for Public Scrutiny (CfPS)

<http://www.cfps.org.uk/>

The Centre for Public Scrutiny is a charity whose principal focus is on scrutiny, accountability and good governance, both in the public sector and amongst those people and organisations

who deliver publicly-funded services.

The Audit Commission

www.audit-commission.gov.uk

The Audit Commission acts as a watchdog for central and local government.

UK online

www.ukonline.gov.uk

UK online acts as a portal to hundreds of central and local government Website.

Department of Health (DoH)

www.dh.gov.uk

The DoH is the government department responsible for the National Health Service.

Department for Education

www.education.gov.uk

The DfE is the government department responsible for schools.

Department of Environment, Food and Rural Affairs

www.defra.gov.uk

DEFRA is the government department responsible for the environment.

Home Office

www.homeoffice.gov.uk

The Home Office is the government department responsible for law and order.

Parliament UK

www.parliament.uk

Parliament UK links to the House of Commons and House of Lords sites. From here it is possible to obtain acts of parliament, statutory orders, and parliamentary information.

Centre for Public Scrutiny

<http://www.cfps.org.uk>

Promotes the value of scrutiny in modern and effective government

Cabinet Office

www.cabinet-office.gov.uk

The Cabinet Office is the government department responsible for the civil service.

Leicester City Primary Care Trust

www.leicestercity.nhs.uk

Responsible for buying and overseeing many of the health services for the City of Leicester
Leicestershire Police

www.leics.police.uk

Responsible for policing in the County.

Leicestershire County Council

www.leics.gov.uk

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Leicester Mercury

WEEKEND EDITION

SATURDAY, OCTOBER 22, 2011

Wizard of Oz classic book - just £2.99



GREAT 2-FOR-1 DAYS OUT BONANZA!

Hallowe'en at Warwick Castle, plus Hatton and Stonehurst farms

P10

40 pages of homes to buy inside



SAVE OUR CITY CARE HOMES!

Councillors urge leaders not to close sites

by DAVID MACLEAN

Councillors have sent out a message to the city's leaders - don't close our care homes.

A team charged with reviewing the service as the council considers over the possible closure of six homes praised their "warm and welcoming" and said all they needed was "a lack of rain".

Leicester City Council is proposing to close or sell six homes and convert two more into specialist dementia or short term care centres.



the review for the adult social care and housing scrutiny committee, which will report to mayor Sir Peter Soulsby and his cabinet.

Coun Wesley said: "These are warm older people really and it's a shame while the council says these buildings would cost hundreds of thousands of pounds to renovate, we do agree. Many just need a lick of paint and some new flooring."

Some of the residents told us they couldn't bear to be moved. The council said it would cost hundreds of thousands of pounds to refurbish or rebuild the houses. It also said elderly people might be better served using their care allowances to choose private operators.



REPORT: Councillor Paul Wesley says city council care homes including pictured from left, Crown House, Alice House and Elizabeth House should stay open.

TURN TO HOMES P2

SOULSBY: EIGHT CITY POLITICIANS MAY EACH BE GIVEN A 'WATCHDOG'

How the Mayor's decisions could be held up to scrutiny

by DAVID MACLEAN
POLITICAL CORRESPONDENT

Mayor of Leicester Sir Peter Soulsby, his deputy and all six assistant mayors could come under more scrutiny than any city politician before them.

The Labour party is drawing up plans which may see individual scrutiny committees set up for each of the eight people up for the city council's big decisions over the next four years.

A scrutiny committee is a panel of councillors which examines council policy and quizzes politicians and council executives on their decisions.

Patrick Kitterick, councillor for Castle ward and Labour group chairman, is charged with overhauling the system. He said: "There are a couple of options on the table.

"We can have committees set up to look at particular areas of policy, as we have now, or create several different committees to shadow the mayor and each of his assistants individually. "Over the next few weeks we'll have meetings with councillors from all parties and get everyone's views on what they believe is the best way to scrutinise council policy. "But as well as holding power

to account, I think scrutiny committees should also be able to help the mayor and his team to develop policy.

"For example, it would be good to see a situation where the mayor could come to a committee with an issue and for that issue to be considered in-depth and policies proposed."

Coun Kitterick said he had found the current scrutiny system useful during his time as a cabinet member. He said: "Many brains are better than one and the more input you get on an issue the better."

Sir Peter said: "It's only right we have a proper procedure in place for holding power to account in the city. "I'd like to see meaningful

scrutiny similar to that of select committees in Parliament. "It is only right that this is done independently of the executive so all councillors continue to have influence over time the city is run."

The selection of scrutiny committee members, which would have normally taken place at last week's annual meeting, was put back to next month by the council so the options can be considered.

"The council's overview and scrutiny management board - the main scrutiny committee before the mayoral election - will continue to operate for another month, at Sir Peter's request.

He said: "After the 2007 local

election committee decisions were deferred for a month, so this isn't new. I thought it was only right for the current scrutiny board to remain in place in the meantime."

Ross Grant, the city's only Conservative councillor, said: "I was surprised when the scrutiny issue was deferred for a month."

"Whenever the issue of scrutiny was brought up during the mayoral campaign, Peter Soulsby sounded like a man with a plan. He had a vision for how his decisions would be scrutinised."

"But it's only now that the meetings have started to decide how his power will be kept in check."

NEWS IN BRIEF

Views sought by NHS watchdog

A HEALTH watchdog will be asking patients and the public which services should be scrutinised over the coming months.

Members of the newly established Leicester City Council health scrutiny commission are drawing up a list of areas to look into.

Areas so far include the quality of health services in the city, mental health services and how well the council works with the community over important health issues.

Further details on how to get involved and give views are set to be published next month.

PROPOSAL: CRIMINALS TARGETING ELDERLY AND VULNERABLE Councillors hope to ban cold-calling in Leicester



A citywide ban on cold callers could be introduced to tackle rogue traders.
Councillors backed with backing to have door-to-door traders and salesmen operate in the city have made the recommendation in a new report.
There was it could be introduced using a criminal by law, which could see leaders fined for knocking on residents' front doors uninvited.
Alan Glover, councillor for Armington Park, is the panel's chairman. He said: "Criminals are trying their luck by targeting vulnerable and elderly people, and householders are often too nervous to turn them away."
The city's Trading Standards team has welcomed the proposal but said it was unclear whether the council would be able to introduce a criminal offence.
Glover said: "It's a good idea because people don't want uninvited salesmen or traders visiting their homes. We would, however, need to explore whether we can legally do this, and who would enforce it."
"There are lots of issues that would need to be looked at. For example, should there be exemptions for organisations such as registered charities, or other organisations, such as the police or fire service?"
Lines dating back to 1972 provide councils with the power to create by-laws that the police and the environment of an area and for the prevention and suppression of nuisances.
By-laws can be created with a council vote.
The laws must not conflict with existing national or European legislation, and must not be applied to any person.
Glover said: "Criminals are trying their luck by targeting vulnerable and elderly people, and householders are often too nervous to turn them away."
The city's Trading Standards team has welcomed the proposal but said it was unclear whether the council would be able to introduce a criminal offence.
Glover said: "It's a good idea because people don't want uninvited salesmen or traders visiting their homes. We would, however, need to explore whether we can legally do this, and who would enforce it."

FACING A BAN? Door-to-door sales could be outlawed in Leicester.
Official figures show there were 13 reported incidents of bogus offers in the city last year, but councillors say that represents just a fraction of the incidents which take place.
Knighton councillor Lynn Moore, who also sat on the panel, said: "Many of the people affected don't report it because they feel embarrassed or ashamed that they've been conned."
The panel's report recommends that tackling the issue should be one of the main policing priorities in the city.
It also calls for a publicity drive by the council, as well as banks and public bodies, to help educate vulnerable people about the risks of doorstep doorstep trading.
It will be discussed at next Monday's meeting of the city's strategic committee, before eventually reaching city Mayor Sir Peter Soulsby and his cabinet.

Can Ann Glover

SPENDING: CITY COUNCILLORS BID TO RESTORE SOME CUTS Alternative budget 'can save homes and libraries'

An alternative budget which could save old people's homes, libraries and subsidised transport for college students has been put forward.
The budget for Leicester was drawn up by the city council's scrutiny panel, made up of city councillors.
It comes after city Mayor Sir Peter Soulsby put forward a budget proposal last month which, if accepted, would see the council's eight care homes closed or sold, three libraries shut and subsidised bus travel for students axed.
The scrutiny panel suggested, in its alternative budget, that the council could bail some of the planned cuts if it put less cash into its reserves this year, and made savings elsewhere.
Former council leader Ross Willmott, who chairs the panel, said: "The council's finances are in a better position than we have been in for a long time. They're fully costed and workable. We've balanced the books."
"The council had planned to increase its reserves from £5 million to £15 million in the next financial year."
"We have suggested increasing them to £12.5 million instead."
"We've also called for a freeze on allowances for council members, including the mayor."
"The current budget proposals would increase spending in certain areas, such as highways improvement."
"We've suggested that spending should still increase in these areas, but by a lower amount."
"By reducing the levels of extra spending in some areas, we can reduce the need for cuts in other areas."
"This document will now go to the mayor and the cabinet and I'm hopeful that our ideas will be seriously considered."
Sir Peter said: "The scrutiny panel has produced a detailed budget which has been put forward as a very interesting alternative."
"Some of the proposals need more discussion and work, while a few don't appear to make a lot of sense."
"Myself and the cabinet will now consider all these proposals in detail."
The city council must cut £70 million from its £500 million budget over the course of three years. In 2010-11 financial year, £30 million was cut.
The authority needs to cut £20 million in both this and the next financial year.

The alternative budget proposes continuing to provide car-price travel for college students, which would cost £65,000 per year, and see the three threatened libraries - in Fosse, Aylestone and St. Martin's - which would cost £45,000. It suggests closing only two care homes, which would save £560,000. These savings would be in addition to the £2.5 million available by reducing the amount of money put into reserves.
Try opposition councillor Ross Willmott, he was not convinced by the proposals.
He said: "The reserves are there as a cushion for any emergency and to protect us against any financial risk. They're not there to plug gaps in the budget."
The final budget proposals will be put forward to the full council on February 22, when they will be voted on by all councillors.

Former council leader Ross Willmott, who chairs the panel, said: "The council's finances are in a better position than we have been in for a long time. They're fully costed and workable. We've balanced the books."

BUDGET: CITY COUNCILLORS VOTE TO DELAY SELL-OFF OF CARE HOMES Last-minute changes aim to soften impact of cash cuts

Last-minute changes to the city council's budget proposals will see a reprieve for elderly care homes, a teen pregnancy service saved and cuts to city wardens reduced.

Labour councillors met on Monday night to discuss the authority's budget proposals for the next financial year, and made a number of changes to the original plans.
A proposal to cut the number of city wardens from 22 to eight funding has now been found to keep 16 wardens on the streets.
A decision on the future of the city's eight care homes, which could have seen them closed or sold-off, will be delayed for two years. They will remain funded by the city council in the meantime.
A teenage pregnancy co-ordinator, who works to reduce the number of unplanned pregnancies among young people in the city, had faced the axe but will now stay.
Many of the changes had been suggested by the council's cross-party scrutiny committee. However, their suggestion to freeze councillor allowances was thwarted when more than half of Labour group members voted against it. The changes will be rubber-stamped this evening.
City councillor Ross Willmott, who chairs the council's scrutiny committee, said: "I welcome the changes made in response to suggestions made by the scrutiny committee, and the commitment shown to our city wardens."
"However, I'm disappointed that more of our recommendations weren't accepted."



OPTIONS: Peter Soulsby

City Mayor Sir Peter Soulsby said: "When I was elected last May I knew that, because of the substantial cuts in Government funding, the most challenging issue I and my colleagues were going to face in our first year was to set the council budget."
"Over the last few months we have spent a huge amount of time discussing options with colleagues, with our staff and course, with partners and businesses in the city. As a result of these discussions, we have made some changes to the proposals we published at the beginning of January."
"The city council must cut £70 million from its £500 million budget over the course of three years. In the 2010-11 financial year, £30 million was cut. The authority needs to cut £20 million in both this and the next financial year."

The original budget plans were announced in December and January Members of the public were then invited to give their views.
A small amount of money earmarked to go into the council's cash reserves will pay for the changes.
Sir Peter said: "People really seem to understand how difficult it has been for us to come up with proposals to take large sums of money out of our budget."
"We've tried very hard to avoid these cuts having a serious impact on our frontline services. Whilst I can't pretend there won't be an impact, I think we have managed to keep it to a minimum."

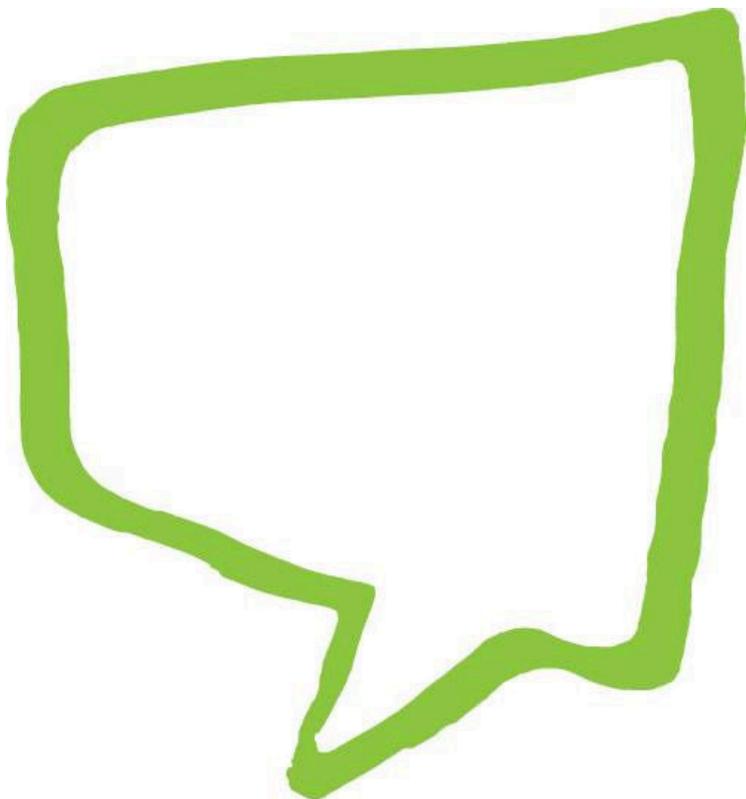
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Review of Overview and Scrutiny

Leicester City Council

Audit 2009/10

June 2010



Contents

Introduction	3
Background	4
Audit approach	7
Main conclusions	8

Status of our reports

The Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission explains the respective responsibilities of auditors and of the audited body. Reports prepared by appointed auditors are addressed to non-executive directors/members or officers. They are prepared for the sole use of the audited body. Auditors accept no responsibility to:

- any director/member or officer in their individual capacity; or
 - any third party.
-

Introduction

- 1 The corporate assessment published in June 2008 highlighted weaknesses in relation to the Council's overview and scrutiny arrangements. The Council agreed with the Audit Commission that a review of overview and scrutiny should take place to assess the progress that has been made in this area. This report sets out the findings of the review.

Background

What is Overview and Scrutiny?

- 2 Overview and scrutiny (commonly known as 'scrutiny') is an essential part of the councillor's role as a representative of the people. It is a statutory power and a duty which enables non-executive councillors to hold the executive and other bodies in the local area to account and to review policies and services on behalf of the public.
- 3 The overview and scrutiny function was first introduced by the Local Government Act 2000 which created a separation between executive councillors and the majority. The executive's role is to propose and implement policies whilst the latter can shape, influence and review policy development, challenge performance and scrutinise decisions to hold decision makers to account. In undertaking the scrutiny role, non-executive members also have the opportunity of restoring public interest and confidence in local democracy by representing and engaging the public and bringing external expertise and balance to a debate.
- 4 In 2001 the Health and Social Care Act extended the power of scrutiny to enable local government scrutiny of local health services. These powers were updated in the NHS Act 2006 and the Local Government and Public Involvement in Health Act 2007 which strengthened the role of scrutiny even further. The thrust of the changes will enable scrutiny committees to be able to scrutinise any public service partner signed up to the Local Area Agreement.
- 5 Scrutiny provides a mechanism for public accountability and is an effective way for local councillors to fulfil the council's responsibility for ensuring community wellbeing by examining decisions made and services provided by not only the council executive but other public bodies in the local area. It provides a counter-balance to the executive and increasingly also provides an opportunity for assurance and accountability for decision making undertaken in partnership.
- 6 An effective scrutiny process will provide a channel for members of the public to voice their comments and concerns and it should assess performance and delivery from the perspective of the citizen. The 2007 Local Government Act has given scrutiny a specific role to challenge and monitor local improvement targets that are negotiated as part of the Local Area Agreement. This will become an increasingly important aspect of scrutiny's work and one in which it has the opportunity to genuinely influence and add value.

Background

National Policy Context

- 7 The strengthened role for scrutiny should be seen as one element of a much wider devolution agenda set out in the Local Government Act 2007 and the democracy and involvement provisions of the Local Democracy, Economic Development and Construction Act 2009. The emphasis is now firmly on the need for strong accountable leadership of place, devolution of decision making to neighbourhoods and a community engagement and empowerment agenda which includes participatory budgeting, the Councillor Call for Action, new petitioning proposals, the transfer of assets and a duty to involve representatives of local people. Partnership working through the Sustainable Community Strategy, Local Area Agreements and Multi Area Agreements also increasingly emphasise the role of the democratically elected member which provides an ideal opportunity for scrutiny to exert its influence.
- 8 In this context, the way in which scrutiny responds to the partnership working framework will be critical to its development and the value it adds to the provision of local services. As this process develops, sub-regional partnerships will be required to develop joint scrutiny arrangements for Multi Area Agreements and to scrutinise local health services in a regional context and the economic development responsibilities of Regional Development Agencies.
- 9 Scrutiny now needs to develop and adapt to make the most of these new opportunities and enable it to play a full and active role in the new political landscape.

Overview and Scrutiny in Leicester

- 10 The overview and scrutiny arrangements at Leicester consist of an Overview and Scrutiny Management Board (OSMB), a Performance and Value for Money Select Committee, Health Scrutiny Committee, the Children and Young People's Scrutiny Committee and a series of Task Groups.
- 11 The Overview and Scrutiny Management Board oversees the scrutiny process and directly scrutinises policy or service changes. It also decides on issues for task groups to consider in more depth.
- 12 The Performance and Value for Money Select Committee scrutinises performance delivery within Leicester City Council and its partners. This includes monitoring efficiency, scrutinising the annual budget setting, and identifying areas for more in-depth work for the task groups to investigate.
- 13 The Health Overview and Scrutiny Committee scrutinises Leicester's Primary Care Trusts and other health care bodies to ensure that health care services are provided effectively. The City Council also takes part in the Leicestershire, Leicester and Rutland Joint Health Scrutiny Committee, which scrutinises health issues and provision which cover Leicestershire and Rutland.
- 14 The Children and Young People's Scrutiny Committee has been set up to consider reports, policy changes and performance relating to children and young people's services. The committee fulfils the Council's statutory role in scrutinising education matters and therefore has members who are statutory education co-optees.

15 Various task groups meet as and when necessary to investigate issues in more detail, as directed by the Overview and Scrutiny Management Board or Performance and Value for Money Select Committee. These Groups are not formal committees and may meet in public or private, as appropriate.

16 The Corporate Assessment report highlighted that:

Overview and Scrutiny is in place and improving. Recent elections have resulted in a high number of new and inexperienced Scrutiny councillors and there is still a large training and learning issue faced by the Council to equip these with the required skills to challenge effectively. Cabinet members do not routinely present themselves to scrutiny for challenge and scrutiny is not effectively challenging service performance. Past scrutiny task groups have reviewed specific service areas such as the operational transport service and night-time economy and the newly developed task groups set up since May 2007 are beginning to add challenge and drive agendas. However, until recently the overall impact on services delivered to the community has been limited. Scrutiny is still not properly challenging Cabinet decisions and has yet to demonstrate an impact on improving outcomes for local people.

17 One of the areas for improvement that the report highlighted was that:

The Council should strengthen performance management so that councillors can take a more robust and transparent overview of performance against aims and priorities and assess the impact of the Council's activities.

18 The key roles of overview and scrutiny are to:

- hold decision makers to account;
- challenge performance and help improve services;
- ensure that policies are working as intended and, where there are gaps, to help develop policy;
- bring in a wider perspective, from citizens and stakeholders; and
- examine broader issues affecting local communities.

A fully effective scrutiny system would be making significant contributions in all these areas.

Audit approach

19 The following activities were undertaken to gather evidence for this review:

- Interviews with Scrutiny Chairs, a sample of Scrutiny Committee members, an Executive member, scrutiny support staff and a sample of senior staff elsewhere in the Council; and
- Observing meetings of Overview and Scrutiny Management Board, Performance and Value for Money Select Committee, and the Children and Young People's Scrutiny Committee and reviewing committee reports.

Main conclusions

20 Overview and Scrutiny in Leicester is having limited impact. It is not challenging the executive or shaping policy development. Examples of changes to service delivery as a result of overview and scrutiny intervention are few and minor. It is not effectively engaging with local people so that their views can shape service and policy development. However, it is having a greater impact in monitoring and challenging the performance of Council services and some task group reviews have resulted in some positive changes.

Holding the Executive to account

21 Overview and Scrutiny is not effectively holding the executive to account. Cabinet members are now required to appear before scrutiny committees where they are challenged on any issues for which they have responsibility. While this requires executive members to account for their decisions and actions there are very few examples of executive decisions being influenced or changed by overview and scrutiny.

22 There are few examples of any pre-decision call-in of executive policies or actions. Committee chairs state that as the Council's Forward Plan only covers a four month period this does not give them sufficient time to identify, scrutinise and make recommendations on any key policy areas in the plan. There is also limited post-decision scrutiny. Overview and scrutiny committees receive reports on proposed policies and actions and these are generally debated in detail and recommendations made to Cabinet. However, there is no formal feedback mechanism to notify overview and scrutiny committees what, if anything, Cabinet does with these recommendations. A feedback process is being piloted with the current review of the Highcross Centre. The relevant department will have two months to report back to OSMB on how it proposes to respond to the review recommendations. If successful this could provide a framework for tracking the progress of overview and scrutiny recommendations but still does not address the lack of feedback from Cabinet to overview and scrutiny.

23 There is widespread frustration amongst overview and scrutiny members that Cabinet simply adopts those recommendations that suit its purposes and ignores the rest. The Overview and Scrutiny Management Board receives the revised Forward Plan on a Thursday as the Cabinet meets to discuss it the following Monday. This allows OSMB insufficient time to do anything other than forward initial comments to Cabinet. Consequently many members feel that the overview and scrutiny process makes limited contribution or adds very little real value to Council business.

Monitoring policy delivery

24 The role of overview and scrutiny in monitoring the delivery of Council policies is limited and unstructured. Committee agendas are largely officer-driven with most reports being instigated by officers rather than requested by members. While there is often a good level of debate the most usual outcome is that reports are simply 'noted'. As a result overview and scrutiny has limited influence in monitoring or shaping policy delivery.

Main conclusions

- 25** The exception to this is the Performance and Value for Money Select Committee. This effectively monitors the performance of Council services, receiving performance monitoring reports and challenging executive members and officers to account for underperformance. In addition to monitoring key performance indicators it is developing its role to challenge efficiency and value for money. For example, it is monitoring the performance of the Council's twelve largest contracts and benchmarking costs and performance against other councils. It has also scrutinised Council funding of external organisations to ensure that the Council receives value for money. It therefore has a structured and focused approach to performance management.
- 26** Overview and scrutiny generally is not aligned to Council priorities. Work programmes are not well-developed and as a result activities are not structured around ensuring that corporate priorities are being delivered. This is not such an issue in the case of the Performance and Value for Money Select Committee where the work programme is largely dictated by the receipt of regular performance monitoring reports. Overview and Scrutiny Management Board is hindered by the fact that the Council's Forward Plan only covers a four month period. However, the Council's seven corporate priorities, agreed with its partners, could form a framework for a work programme. The Health Overview and Scrutiny Committee has a work programme but this largely consists of issues that are of interest to committee members. While these may be relevant areas for scrutiny they do not necessarily correlate to corporate priorities, the strategic priorities of the PCT or the delivery of the joint strategic needs assessment. Task groups provide a useful means of focusing in greater detail on specific issues, but again areas chosen for review can be fairly arbitrary. For example, the pro-forma document used to scope task group reviews requires a rationale for the review to be stated but does not specifically require a linkage with corporate priorities and can be broad and open-ended. Overview and scrutiny is therefore lacking a strategic focus.
- 27** The work of overview and scrutiny task groups has led to some positive outcomes. By carrying out in-depth investigation, engaging with stakeholders, collating a range of evidence and researching good practice elsewhere task groups have had a positive influence in a range of areas. The Scrutiny Annual Report 2008/09 illustrates the outcomes that have been achieved by task groups. Additionally, the 2009 Audit Commission inspection of regeneration stated:

The Council uses its scrutiny function to good effect in developing its regeneration work. Scrutiny studies have been completed on a range of issues including re-development of the market, worklessness, making the City Centre more family friendly and boosting the evening economy. These have been used to help inform work, for example, on the Highfield MAC, the retail circuit and improving accessibility.

Involving external people and seeking local views

- 28** The Council is making some progress in engaging external opinion and local views in the overview and scrutiny process but still has some way to go. Task groups have sought the views of experts, service users and others with an interest or involvement in the issue under review. For example, the co-chair of the local involvement network (LINK) is a standing invitee on the Health Overview and Scrutiny Committee and young people's representatives are invitees on the Children and Young People's Scrutiny Committee. A current task group on flooding issues sought the views of Severn Trent Water and the Environment Agency.
- 29** Meetings are predominantly held in the Town Hall and there has been little progress in hosting more community-based meetings which might encourage better engagement with local people. However, there have been site visits, such as to the ambulance service and a visit to an accident and emergency ward as part of a review of alcohol-related problems. The Council acknowledges that it needs to do more to involve local people in the overview and scrutiny process.

Member Development and Capacity

- 30** Scrutiny requires much more active involvement of all scrutiny members than the previous committee system if it is to work effectively. The Council has provided a range of training and development opportunities for members but take up has not always been good. A member development strategy has been introduced which includes an individual skills audit for members. This is used to produce an individual personal development plan. However, there has been limited interest in this voluntary process, with only 24 out of 54 members agreeing to participate. Members need to be prepared to invest sufficient time and effort developing their skills of enquiry and analysis and acquiring interviewing and listening skills, working in small groups and fitting their findings into the wider picture if overview and scrutiny is to be effective.
- 31** Elected members have many demands on their time and if they are to feel the degree of commitment necessary for this demanding role, they must feel that they have a real opportunity to influence decisions. There is currently a concern amongst members that Cabinet does not take overview and scrutiny seriously and that their ability to influence decisions and policy development is marginal. While this view persists overview and scrutiny will add only limited value to the development of strategy and monitoring of priorities.

Main conclusions

Recommendations

32 To address the issues raised by this review we recommend that action is taken in the following areas.

Recommendations

- R1** Develop a more positive, productive and mutually supportive relationship between overview and scrutiny and the Executive, to include:
- greater use of overview and scrutiny as a valuable resource that can be commissioned by the Executive to research and support the development of policy and monitor the delivery of priorities;
 - develop a more collaborative discussion between Executive members and overview and scrutiny about what issues should be included in the overview and scrutiny work programme; and
 - more effective and open dialogue between overview and scrutiny and the Executive to include feedback on the outcome of recommendations made by overview and scrutiny.
- R2** Align the work of overview and scrutiny more closely to the strategic priorities of the Council and its partners by:
- devising a means of providing overview and scrutiny with greater notice of key policy development areas that could be chosen for scrutiny than is currently the case with the four-month Forward Plan; and
 - ensuring that areas chosen for scrutiny or task group review demonstrate a clear linkage with corporate priorities.
- R3** Improve the focus of overview and scrutiny committee meetings by effective agenda management to include:
- ensuring reports do not dominate the agenda;
 - being clear and specific in reports about what the overview and scrutiny committee is being requested to do;
 - restricting the number of reports that are simply for noting; and
 - ensuring that agendas include proactive scrutiny activities such as progress with task groups and items for future scrutiny.

Recommendations

- R4** Ensure that members are equipped with the necessary skills to carry out overview and scrutiny effectively by:
- identification of the competency requirements associated with the overview and scrutiny role;
 - development of arrangements for periodic assessment of councillors against such competency requirements in order to identify outstanding training and development needs;
 - delivery of specific training and development needs and evaluation of impact through assessment against competency requirements; and
 - encouraging member participation in the above process.
- R5** Broaden engagement in the overview and scrutiny process by consideration of:
- co-opting/inviting a range of stakeholders including partners, service users and local people to attend committee meetings;
 - revising the content/agenda of meetings to promote greater public involvement;
 - exploring alternative times and venues for meetings; and
 - exploring the use of alternative communication methods, such as social media to promote and encourage greater public involvement in the overview and scrutiny process.

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