

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Overview & Scrutiny Committee **DATE:** 27 January 2011

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### **1 Purpose of Report**

To consider the current Scrutiny Structure and proposals for streamlining arrangements for Panels and effective scrutiny

### **2 Recommendation**

The Overview & Scrutiny Committee is requested to consider the report and recommend the following changes to Scrutiny effective from the Annual meeting of the Council (19<sup>th</sup> May2011):

- a) To initially reduce the number of Standing Panels from four to three by combining the Community Leisure & Environment and Neighbourhood & Renewal panels.
- b) To subsequently consider the possibility of reducing the number of Standing Panels to two, subject to future clarity regarding the authority's statutory obligations as a result of changes relating to the provision and monitoring of health services.
- c) That Democratic Services continues to provide a full clerking service to the Overview & Scrutiny Committee and to the Health Scrutiny Standing Panel (both statutory obligations) and that the Scrutiny Officer services the remaining two Scrutiny Standing Panels.
- d) Subject to (c) above that the minutes and records of the two non-statutory Scrutiny Standing Panels be confined to factual listing, bullet point and recommendations/resolutions for each meeting with no summary of debate.
- e) That the authority's participation in the Joint East Berkshire Health & Overview Scrutiny be kept under review.
- f) That the Committee and proposed three Standing Panels adopt a more robust focus on (and review of) priorities, setting clear objectives for their work at the beginning of each municipal year to best define activities and aid effective focussed scrutiny within a reduced budget.

### **3 Community Strategy Priorities**

The Council's decision making and the effective scrutiny of it underpins the delivery of the Council's Community Strategy Priorities.

## 4 Other Implications

### Financial

The Council has a substantially reduced financial settlement for 2011/12 from central government. The Council has proposals for saving £6.9m with effect from 1<sup>st</sup> April 2011 and the focus of these savings in line with Member requirements is away from customer facing front line services and requires reductions in corporate areas such as management costs and support services. Proposals within this report contribute to the savings requirement in Democratic and Member Services and Scrutiny support. The report suggests how Scrutiny might achieve modest savings whilst maintaining integrity

### Human Rights Act and Other Legal Implications

There are no Human Rights Act implications. The proposals comply with the legal requirements for Scrutiny.

## 5 Supporting Information

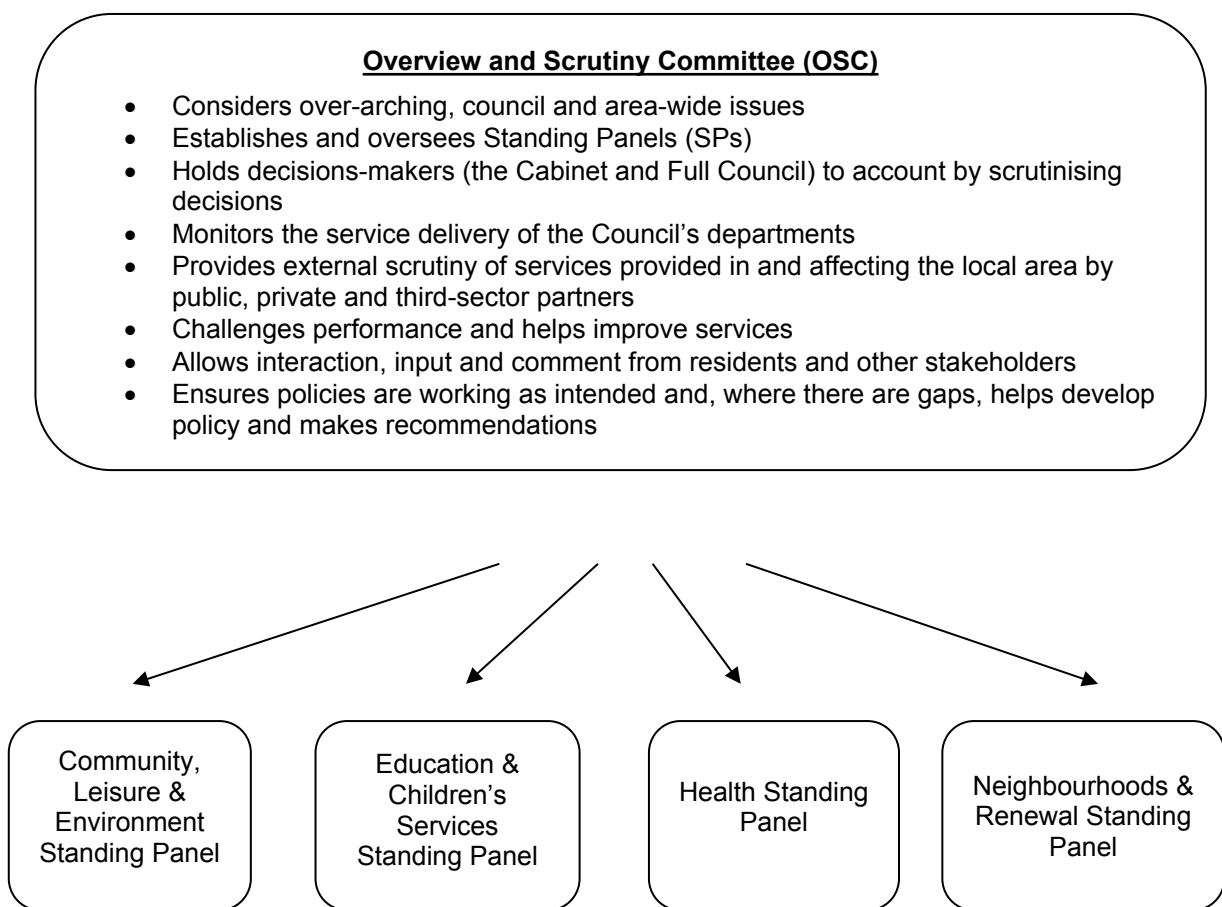
- 5.1 Overview & Scrutiny was introduced as part of the modernisation of local government and derives its powers from Section 21, Part II of the Local Government Act 2000. This **requires** local authorities operating under executive arrangements (i.e. leader and a cabinet) to create **at least one** Overview and Scrutiny Committee (OSC) consisting of non-executive (i.e. non-cabinet) elected members. The OSC's function is to review and scrutinise the decisions and actions of the executive or the authority and to make reports or recommendations accordingly. OSC may also make reports and recommendations on matters affecting the local authority's area or its inhabitants.
- 5.2 The OSC at Slough Borough Council (SBC), through powers derived from the Council's Constitution, subsequently appoints a series of Standing Panels (SPs) enabling greater focus on specific subject matter. SBC currently has four SPs each working to a thematic agenda:
- Community, Leisure & Environment
  - Education & Children's Services
  - Health
  - Neighbourhoods & Renewal
- 5.3 The remit of the first, second and fourth broadly reflects the current frontline service directorates of the Council although, due to the agreed restructure, this will be changing effective 1 April 2011; the third, whilst also being closely linked to a frontline directorate, is established to carry out the statutory functions of the Health and Social Care Act 2001 (Section 7) which **requires** review and scrutiny of local National Health Service (NHS) provision as well as wider health issues. It is unclear whether the requirement to scrutinise health will continue after 2013 (following the return of public health and health improvement to local authorities) but, in the meantime, the requirement remains.
- 5.4 As part of the legal framework for Local Area Agreements (LAAs), the Local Government and Public Involvement in Health Act 2007 provides enhanced powers to Scrutiny whereby certain public services have a "duty to co-operate" and respond, as required, including District councils, The Environment Agency, Natural England, Fire

and rescue authorities, Jobcentre Plus, The Health and Safety Executive, The Broads Authority, National Park Authorities, Youth Offending Teams, Police authorities, Transport for London, Chief Officer of Police, Local Probation Boards, Probation Trusts and other providers of probation services, Primary Care Trusts, National Health Service Trusts, NHS Foundation Trusts, Joint Waste Authorities, Joint Waste Disposal Authorities, RDAs, The Learning and Skills Council, Sport England, English Heritage, Arts Council, Museums Libraries and Archives Council, Highways Agency, Metropolitan Passenger Transport Authorities and others bodies which may be added by the Secretary of State (by Order).

5.5 The government has announced the abolition or disbanding of the some of the above. It is not yet known whether the new local enterprise partnerships (LEPs) will also be subject to Scrutiny.

5.6 Powers further enable Scrutiny to examine current local improvement targets (LAA targets), require information from partner organisations signed up to LAA targets and require those organisations to have regard to Scrutiny’s recommendations which relate to relevant local improvement targets. As the new Decentralisation & Localism Bill is still passing through Parliament, the future of the LAA and associated targets remains unclear.

5.7 The present structure of Scrutiny at SBC is:



5.8 There is currently a **statutory requirement** for the provision of **Overview & Scrutiny Committee and a requirement to scrutinise Health matters.**

## **Health Scrutiny**

- 5.9 Following the establishment of NHS Berkshire East (due to the reconfiguration of the local Primary Care Trusts) serving the boroughs of Bracknell Forest, Windsor & Maidenhead and Slough, a Joint East Berkshire Health Overview and Scrutiny Committee (JEBHOS) was formed; JEBHOS includes representatives (including elected members) from all three local authority areas. JEBHOS scrutinises health provision across East Berkshire whereas health matters relating only to each local authority area remain the remit of the relevant scrutiny committee or panel operated by that authority (e.g. the Health Standing Panel at SBC). JEBHOS meets three times a year and, by rotation, every third year each partner authority undertakes clerking, general administrative support and provides meeting facilities. Whilst this is not exhaustive, there are cost implications and it is recommended that the JEBHOS be kept under review.
- 5.10 SBC is also a member of the South Central Health Overview & Scrutiny Committee (SCHOSC) which covers a wide area from Oxfordshire and Milton Keynes to the Isle of Wight and includes the whole of the Thames Valley region. This is not a formally constituted committee but more of an informal network which now only meets as and when a relevant issue or consultation concerning the area arises. The network is likely to adjust and adapt in response to the proposals regarding GP commissioning and consortia and may well continue to meet our needs in terms of regional health scrutiny.
- 5.11 Under the new proposals for health reforms, local authorities will be required to create Health and Wellbeing Boards which will be responsible for setting the local direction of health services and as part of this they will absorb the powers currently given to Health Overview and Scrutiny Committees. The role of elected members, if any, on the Health and Wellbeing Boards is not clear at this point.

## **Support to Scrutiny**

- 5.12 SBC's Scrutiny Officer attends Committee and Standing Panel meetings, internal SBC Scrutiny related meetings, SBC public Scrutiny Surgeries, general Elected Member training and forward planning/agenda setting meetings. The officer helps co-ordinate reports, attendance at meetings by outside parties and administrative functions in conjunction with Democratic Services. The Scrutiny officer also advises elected members and other Scrutiny members on good practice with regard to scrutiny.
- 5.13 Currently all OSC and SPs meetings are formally serviced by Democratic Services, producing comprehensive minutes providing an accurate record of debate and recommendations. Consideration of methods of working and responsibilities has been undertaken as part of the support savings exercise and it is proposed that Democratic Services Officers continue to service the OSC and Health SP and the Scrutiny Officer service the remaining two SPs. Notes of meetings would be confined to action points and recommendation. This would enable notes to be produced very quickly and will save on Democratic Officer support time. As a full note of the main actions and recommendations will be taken it is believed that this will not compromise the quality of the necessary record of the Panel meetings.

## **Combination of Panels**

- 5.14 The existing Panel structure was introduced a number of years ago. The CL&E and N&R SPs have seen a blurring of subject matter with both SPs often considering similar if not the same material at their individual meetings. This has resulted in a

degree of duplication and in an attempt to reduce such duplication, bring consensus and enable the two SPs to work together better, a number of joint meetings have been held. This has worked well.

- 5.15 In 2010/2011, 35 Scrutiny meetings have been scheduled formally: OSC x 10, CL&E x 6, E&CS x 7, Health x 6 and N&R x 6. Additional meetings are held on an as-and-when-required basis.
- 5.16 The holding of combined meetings has reduced the number of individual meetings which, understandably and in turn, reduces the costs associated with Facilities (room hire, layout of the room, utilities, etc), the amount of time deployed by Democratic Services (preparation, sending out of agenda packs, clerking and the production of minutes, etc) and the amount of Scrutiny Officer time (meeting preparation, attendance at meetings, follow-ups, etc).
- 5.17 The Chair and Vice-Chair of OSC and the Chairs of each of the SPs receive Special Responsibility Allowances (SRAs) which are paid in addition to their Basic Allowances (BA). The Scrutiny SRAs in the current year are £6461, £2154 and £2769 respectively.
- 5.18 By combining the Community Leisure & Environment and Neighbourhood & Renewal panels, as a first step (subject to the necessary Council Constitution amendments), an immediate cost saving of £2769, without effecting service outcome, could be achieved.
- 5.19 The case has already been made for the rationalisation of the CL&E and N&R SPs into one. Subject to the NHS White Paper and whether the requirement to scrutinise health separately continues after 2013 (following the return of public health and health improvement to local authorities), a case might be made at that time for a second-stage rationalisation from the then three into two.

### **Agenda Setting and Role of Scrutiny**

- 5.20 Many of the agendas for each of the SPs incorporate standard items already considered by OSC (such as Performance Reports) which involves duplication. In addition, many SP agendas include update reports on matters already considered at an earlier date or previous meeting by that SP. Whilst updates are welcome, it often transpires that a further lengthy debate takes place on the same subject matter. If SP agendas were slimmed down considerably (with more in-depth and thorough scrutiny being undertaken on specific subject matter as opposed to generally high-level scrutiny undertaken) better more effective scrutiny could be undertaken via shorter, tighter and more focussed meetings.
- 5.21 Other local authorities are equally having to make financial savings. Many are also streamlining Scrutiny. A concept being employed elsewhere is that “to note” or “for information” papers are not considered generally at Scrutiny meetings but are circulated separately for information. This reduces the length of each meeting and helps Scrutiny robustly focus on priorities and select subject matter.
- 5.22 The inclusion of time guides for each agenda item would assist in focussing Member time at meeting and Chair’s will be asked to consider time guides at Chair’s briefing meetings prior to agenda despatch.
- 5.23 It is the Overview and Scrutiny Committee’s responsibility to hold the executive account and the Committee needs to explore the most effective mechanism for achieving this.

## **6 Conclusion**

The measures and proposals outlined in this paper should help to provide some small efficiencies in terms of costs but also effectiveness in terms of sharper and more focused scrutiny. The proposals should not diminish the role of scrutiny – instead it should allow better use of time and resources to support a vital function.

## **7 Background papers**

None