

Report for Resolution

8

Report to Council
28 June 2011

Report of Head of law and governance

Subject Scrutiny Review 2009 – 2011

Purpose

This review reports on the work and progress that has been made by the Scrutiny Committee for the civic year 2009 – 2011. At the 17 March 2011 meeting of the Scrutiny Committee the attached report was agreed for submission to the Council for adoption.

Article 6.3(d) of the Council's constitution (Overview & Scrutiny Committees) requires the Scrutiny Committee to report annually to the Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.

Recommendations

To receive the Scrutiny Review 2009 – 2011.

Financial Consequences

None

Risk Assessment

The year ahead may prove challenging due to the need for the Scrutiny Committee to be more involved with major corporate issues. This could impact upon the role of scrutiny and the work programme which is usually informed more by members' roles within the communities they serve.

Strategic Priority and Outcomes/Service Priorities

The role of the Scrutiny Committee as described in the report has an impact on the City and community by helping Norwich reach its full potential and assisting towards the constant improvement of services.

The criteria based work programme also considers matters that link with the forward agenda and the corporate plan – headline priorities; strong and prosperous city, safe and healthy neighbourhoods and opportunities for all.

Executive Member

Alan Waters; Resources, performance and shared services .

Ward(s) All

Contact Officer

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Background Documents

None



NORWICH City Council

SCRUTINY REVIEW NORWICH CITY COUNCIL 2009 – 2011

INTRODUCTION BY THE CHAIR

This, the second scrutiny review for the council covers the period April 2009 to April 2011.

Norwich city council's scrutiny function is a team effort. The council's scrutiny committee has the benefit of dedicated officer support and welcomes further cabinet involvement supported by departmental and director-level officers that assist with the scrutiny process. Scrutiny must be a member-led process and at Norwich city council we have enthusiastic councillors from all political groups who help shape the committee's work programme and who work together on scrutiny matters.

As the chair of the committee and with the support of the vice chair a consensual style of working is promoted and largely adopted.

The main work of the scrutiny committee falls under one of the five following headings; **Scrutiny task & finish groups** which are time limited focus groups that report their review findings to the main committee and are supported by relevant officers of the council and or outside contributors. **Pre - scrutiny work**, this is usually a topic that is destined to be received by the cabinet. The scrutiny committee sometimes selects issues from the forward work programme of the cabinet for pre scrutiny or sometimes this can happen as a result of a request from a cabinet member or lead officer. This allows the scrutiny committee to have an input to

decisions later made at cabinet. The committee also has ability to carry out **scrutiny of existing council policy** and make suggestions towards changes. **Joint scrutiny** is where the scrutiny committee or some of its members work together with members of scrutiny committees from other local authorities, for example the joint scrutiny panel of the Norfolk county strategic partnership. This is also a good example of **external scrutiny** of partners and other agencies.

For the period that this review covers, Norwich city council has been involved in a bid for unitary status and a corporate efficiency programme. There has also been a general election along with district and county council elections. These events punctuated the meetings diary and have sometimes influenced and frustrated scrutiny but I feel we have still made progress in terms of adding value to the decision making process.

I would like to take this opportunity of thanking both members and officers for their commitment to the scrutiny process at Norwich city council. Also, councillor Andrew Wiltshire for his support and work as the vice chair of the scrutiny committee, and councillor Samir Jeraj who took temporary chairship of the scrutiny committee in the summer of 2010 before my return to the committee in October 2010.

Moving forward I would like to introduce a tracking system for decisions made by the scrutiny committee so that members can track their recommendations through the decision making process. This would also be useful to measure the impact scrutiny has on decisions made by the council. An explanatory note by the scrutiny officer can be found on page 8 of this document. I also commend to you the guidance notes for carrying out a scrutiny review on page 8.

**Councillor Claire Stephenson –
Chair of the scrutiny committee.**

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THE WORK OF SCRUTINY 2009 TO 2011

There have been a number of themes throughout the committee's work in 2009 - 2011. These include; scrutiny task and finish groups, Committee pre - Scrutiny Work and Joint Scrutiny. Through 2009/10 & 2010/11 the council had significant financial challenges to face resulting from the impact of the recession. The general revenue fund budget had to be cut by £3,800,000 in 2009/10 and £6,100,000 in 2010/11 to balance the budget. This was set alongside a focus on improving services. To deliver the service improvements and these savings, two programmes of work were established; the corporate improvement & efficiency programme and the housing improvement programme.

If you would like to look in any more detail at the areas of work set out below these can be found on the council's website in the form of reports and minutes of the scrutiny committee. In brief this scrutiny period covered the following:

April 2009 - Pre-scrutinised the draft policy on decommissioning of council housing, endorsed the councillor call for action protocol that was later adopted by the cabinet, and established a burial provision task & finish group.

June 2009 – As part of the pre scrutiny of the corporate efficiency & improvement programme the committee looked at the choices being considered by the council in the context of a public consultation on the services the public most valued. At the same meeting the committee considered a report on the performance of the safer Norwich partnership and also looked at the partnership plan for the coming year.

July 2009 – Pre – scrutiny of identified savings as part of the corporate efficiency & improvement programme.

Also, in assisting the housing service's improvement plan the committee received a monitoring report on progress being made against the targets set in the housing improvement programme.

August 2009 – This meeting was used to follow the progress being made in identifying choices towards the council's efficiency and improvement programme. Members were also requested to identify any areas of work feeding into the programme they wished to assist with, especially those that required such difficult choices as possible increased charging.

The medium term financial strategy of the council was also considered in conjunction to the work that was being carried out on the corporate efficiency & improvement programme.

September 2009 – The scrutiny committee's role of overview of the measures undertaken towards improving the council's housing service saw the committee looking at the progress made with the targets of the housing improvement programme.

In looking at the draft proposals for the corporate efficiency & improvement programme members decided to look at the proposals for discretionary charges made by the council.

Also, the committee received an update of the quarterly performance data, and considered a report from the deputy chief executive outlining options around scrutiny structures.

October 2009 - At this meeting members received a report on the audit commission's review of the council's service that makes council house allocations. This was a follow on of the scrutiny committee's role in monitoring the housing improvement plan. Officers were congratulated on their achievements to date.

There was also a final meeting of the joint bus scrutiny panel. This meeting was held as a follow up to the recommendations made to the county council that involved monitoring the performance of bus operators in the greater Norwich area.

November 2009 – Topics covered were; the housing improvement plan progress, pre-scrutiny of the quarterly performance data and consideration of the options for the council regarding discretionary charges.

An extra meeting of the committee was held to look at the performance of the relatively new academy schools in Norwich. Representatives from the schools, their sponsors and the county council were in attendance for this meeting.

December 2009 – Members received the final report of the city centre toilet provision task & finish group. The group had concluded that current provision needed to be improved and with the support of the scrutiny committee recommendations were made to the cabinet and the officer working party for the night time economy.

Also this month the medium term financial position statement, capital funding position statement and revised city aims/priorities 2010 – 2011 were received pre to going to cabinet. The committee also agreed the recommendations of the task & finish group that was set up to look at discretionary charging and commented on proposed savings regarding the corporate efficiency & Improvement programme.

The performance data covering the previous six months for the safer Norwich partnership was also considered.

January 2010 - The final report of the allotments task & finish group which made several suggestions in assisting the service review and improvement of

the allotments service was supported by the scrutiny committee.

Two other reports were noted by the committee; annual review of the corporate governance framework for working in partnership and the report of the Chair of scrutiny on the Norfolk strategic partnership – joint scrutiny panel.

February 2010 – As part of the committee's role for monitoring, a report on the progress of community engagement strategy was considered, also the quarterly performance monitoring report.

A pre scrutiny of proposals for the future operation of the Norwich highways agency was also taken.

This month the scrutiny committee held a pre scrutiny of the budget and the corporate plan revisions.

March 2010 – Following on from the pre scrutiny of the revisions to the corporate plan considered as part of the budget proposals the month before, the committee took the opportunity to comment on the draft corporate plan for 2010 – 2012.

Members also made suggestions for the medium term objectives of the financial inclusion strategy.

May 2010 – This month the committee's time was largely taken up with monitoring duties; the council's quarterly performance data and the safer Norwich partnership plan and performance data were considered.

Scoping of questions for the forthcoming scrutiny look at road conditions in the city also took place.

June 2010 – Condition of roads in Norwich; this item was selected for the work programme as a result of concerns raised regarding the detrimental effect the harsh winter

conditions had had on the city's roads. The committee asked for an update later in 2011 on the results of the trial of new surface materials and other points that had been raised at the meeting.

The final report of the task & finish group – future burial provision in Norwich was received. The scrutiny committee agreed to support a recommendation (option 1) of the report which was to optimise existing space in each cemetery while the council looked at a wide range of options for provision in the future, including partnership arrangements and possible site identification.

July 2010 – The recommendations as detailed in the report of the cycling task & finish group were endorsed by the committee which the head of city development services was delegated to take forward to the cabinet at the appropriate time.

Also this month, members noted the housing improvement plan progress and made pre scrutiny suggestions for the draft revised interim business plan for the Norwich & the homes and community agency partnership.

October 2010 – members met to hold a pre scrutiny look at the letting of interim service contracts and held a further session to review their scrutiny work programme.

December 2010 – Resulting from a look at the audit commission inspection of the greater Norwich development partnership recommendations were made towards improving how the GNDP or any future revised body communicated.

Members also made suggestions for the budget general fund 2011 – 2012, and then the council's response to the consultation on Norfolk county council's budget reductions.

January 2011 – A report on the new county wide arrangements for a community safety partnership was considered. The committee decided to carry out a scrutiny of the new partnership possibly in the autumn of 2011.

The committee set up a task & finish group for the Threescore, Bowthorpe procurement process for the exemplar first phase. The task & finish group was delegated to report directly into the cabinet meeting in March 2011.

In preparation for scoping questions for the forthcoming exercise looking at due diligence and possible improvements that the council could make to its tendering process for large contracts a presentation on due diligence was given by the head of finance.

February 2011 - The budget proposals for 2011 – 2012 were given a pre scrutiny examination. The corporate plan was used to put the budget into context to assess the proposals in the budget against the council's objectives and aims.

A separate scrutiny exercise was carried out to assess the council's process with regard to due diligence when letting large contracts.

SCRUTINY OFFICER COMMENTS

To echo the Chairs point, the scrutiny committee has sometimes had to adapt to shifting demands over the last couple of years, but can be pleased with how it has approached a wide range of topics.

The most recent review of the work programme showed that members have come a long way in the last few years, and are developing the committee towards being more focussed on outcome and thinking more strategically when selecting topics for scrutiny.

I hope that scrutiny members will agree that with the questioning training and developments towards improving scrutiny of the budget their role has been enhanced. From this point on it will be important to keep this momentum going to further develop an understanding around scrutiny and how it can be most effective for the good of the whole council and the residents of Norwich.

A member lead approach for scrutiny is essential, and in the main this has been achieved at Norwich. However this can always be further enhanced. The strength of the scrutiny model Norwich has is that with a main committee, plus ad hoc task & finish groups, it is flexible and responsive.

The Localism Bill will mean changes to local government and the role of scrutiny may change in line with the move towards greater public involvement. The challenges the council is faced with in the coming years will require the scrutiny committee and cabinet to have a mutually beneficial approach to scrutiny.

WHAT IS SCRUTINY & WHY DO WE HAVE IT?

The local government act 2000 required councils to adopt different ways of working from the traditional service-based committee arrangements that most councils had been operating since 1974. In particular, councils were required to adopt new political arrangements. As a result, Norwich city council's political structure is based on the executive/leader model. With the exception of regulatory committees, the cabinet is the main decision making body of the council and is responsible for developing the council's policy and budget framework, and implementing these once they have been agreed by a full meeting of the council.

Scrutiny is the name given to the process whereby councillors investigate, scrutinise and oversee the work of the council. More specifically the scrutiny committee pays particular attention to; decisions made by cabinet, council and officers in relation to council policy or key decisions. Also, activities carried out by the council and other bodies such as the crime reduction partnership and the performance of the council in relation to its targets and objective.

The work programme for the scrutiny committee is informed by a combination of what councillors' consider are important topics, gathered from their ward work and their activities across the whole council or members of the public highlighting issues for debate and requests by cabinet for scrutiny to undertake 'pre-scrutiny' before policies are taken to cabinet.

Also council officers can request that scrutiny investigate and consider certain issues on their behalf.

FURTHER ROLE OF THE SCRUTINY COMMITTEE

- advocating the role of the non-decision maker
- accountability of a particular organisation
- helping communities to have a stronger voice
- raising public awareness of the role and value of 'non executives' within or across public sector organisations

SCRUTINY TRAINING AND DEVELOPMENT

Budget scrutiny café; as part of the committee's scrutiny of the budget setting process a new approach was taken. A "scrutiny café" was organised. This was a space where members and officers were able to explore ideas around the setting of budgets while considering the pressures each service was challenged by. Members gained a further understanding of the budget setting process and officers and portfolio holders were on hand to talk about the different factors that the budget was required to take account of.

The concept of a scrutiny café is to provide those members not on the cabinet with a relaxed café - style atmosphere in order that they can take part in a self - facilitating & participant driven exercise. Councillors moved around the tables that were set up café style for small group discussions based on the area of work that the officers and cabinet member at the table were responsible for.

On their way out of the scrutiny café, there was a suggestion box for members to put any suggestions towards the budget setting process.

Questioning skills training for scrutiny members; at the request of the members of scrutiny an afternoon was set up to provide them with frameworks and skills to compose and ask effective questions in scrutiny and to briefly review the role of the scrutiny councillor.

Members were helped to; recognise different types of questions and the likely impact and effect of each type, use a simple framework for identifying different aspects of an issue about which to ask questions, identify the underlying dynamics and conditions that help or hinder the composition of

useful questions and that get respondents to answer helpfully, extend their repertoire of questions to ask in the scrutiny context and to define their role as a Scrutiny Member.

NORFOLK SCRUTINY NETWORK

Scrutiny always has been an evolving process. Therefore, it is essential that members and officers keep up to date with new developments and legislation. For this reason they are encouraged to attend training and seminars both internally and externally.

The Norfolk scrutiny network is a valuable officer forum for the exchange of ideas and the sharing of knowledge. Over the years the network has helped the officers from the county, city and district councils to co-ordinate scrutiny work and training for members, which also helps to prevent too much duplication of effort around the county.

THE FUTURE

The council faces some significant challenges in 2011/12 and onwards.

The Localism Bill has the potential to completely reshape the role of local government. Current cuts to the revenue support grant, followed by a reshaping of local government finances by 2013/14 will significantly reduce the resources available to local government.

At Norwich, the cabinet and the council will need to give careful consideration to what the priorities of the council should be in those swiftly changing circumstances and the scrutiny committee may be able to assist by assessing how the council is preparing to rethink its role and reshape how it works.

SCRUTINY RECOMMENDATIONS & TRACKING RECORD

After each scrutiny meeting the record will be updated with the overall recommendations the committee may have made against each item that was discussed. On a 6 monthly basis the scrutiny officer, will seek updates from the officers or members responsible for carrying out the recommendation.

The progress column will be updated accordingly and where the recommendation has not been totally completed but is under way, or details of why action has not yet been taken, the outcome column will be updated to reflect this. When a recommendation has been completed it will be highlighted in the column.

Scrutiny will only receive recommendation updates for the rolling 12 month period. However, the record of all recommendations made and the outcomes etc will be kept on file and made available on e-councillor for all members to access at any time. This can also be used when compiling the scrutiny committee's annual report to track where the committee has made an impact on council policy etc...

CARRYING OUT A SCRUTINY REVIEW OR TASK & FINISH GROUP

This guidance is by no means definitive and is mostly aimed at larger, longer running reviews which will require detailed scoping, consultation and preparation. However, it or elements can also be used for shorter, one off pieces of work that require scoping.

A scrutiny review is; an important role for the council's scrutiny committee. The scrutiny committee can review areas of the council's responsibilities such as service provision, policy and other specific topic areas. Most topics on the scrutiny work programme can be dealt with as part of the agenda for a normal meeting but can still constitute a review. Others may be larger pieces of work that require a separate or special one issue meeting.

Scrutiny reviews can originate from members and officers and cover such topic areas as; corporate plan priorities, performance management, customer satisfaction, legislation and new guidance from central government, services with a high budget commitment, service reviews, and issues of public and media interest.

Through the chair, topic requests will be raised under the work programme item at meetings of the scrutiny committee. The PICK analysis is used for selecting those topics appropriate for scrutiny. (The PICK analysis is outlined on the front of the scrutiny work programme) In between scheduled meetings, once a suggestion for a scrutiny review has been received by the scrutiny officer it is then referred to the chair of the scrutiny committee who can accept or decline the work on behalf of the committee if an immediate answer is required. Otherwise this can be decided by the committee at its next meeting.

Scrutiny reviews can be used to; assess how an existing function can be carried out more effectively, to learn how changes to services have performed once implemented, to investigate new approaches and changes to provision and proposals for new service provision. It is important that those suggestions for scrutiny review that are adopted on the committee's work programme represent areas of work that members feel they can make a difference to, and that what is being reviewed is important to the people of Norwich.

Early stages and who to involve; Once a potential review has been decided upon it is advisable to make enquiries involving cabinet portfolio members, the chair and vice-chair of the scrutiny committee, internal and external specialists as well as senior officers of the council. It would be useful to identify if the proposed scrutiny review may fit in with other work that is already being undertaken elsewhere in the council. If this is likely to lead to duplication you may wish to reconsider the review or hold discussions on how best the scrutiny committee can add value to the area of work. At this stage the chair of the scrutiny committee should also be checking that the resources required for the review will be available at the time the review is proposed to take place. Will a task & finish group have to be set up or will the review be dealt with at committee?

All scrutiny reviews require some level of officer support. Some task & finish groups will be more hands on than others which could affect the number of officers required. In the case of a task & finish group, will the meeting(s) require minuting or will the officers weave the discussion findings into a report. Maybe the chair of the task & finish group will be required to report the groups finding to the scrutiny committee or be delegated to report directly to the cabinet.

If a task & finish group is to be set up in place of a full committee review taking place, interested members should volunteer to be involved. It is usual that task & finish groups are not politically balanced unless a strong need exists. This is because the main scrutiny committee which is balanced has to agree the findings, or delegates the task & finish group on behalf of the whole committee to report directly to the cabinet. Actually, it is much more important to appoint those members with an interest or expertise in the issue, irrespective of political groups.

It should also be decided who will be co-ordinating the group and organising the work streams.

The scoping stage; The parameters should be set in the scoping process. It is important to involve as many of the relevant people as possible in the scoping of a review. This would usually include appropriate officers.

A document that provides a template for scoping a review has been devised and can be obtained from the scrutiny officer upon request. This should be used as the basic starter for scoping a review.

Communication; It is important to speak to the communications team, especially if this is a contentious topic. This is in case the media contact them regarding the review and so that they are informed of the key issues. If necessary the communications officer can also advise on a wider communications or consultation strategy for the review.

Final report of the review; this should encompass all areas covered by the review. You should try to be as informative as possible while being brief. The report should also be easily understood by any reader. The report will need to explain both the rationale for the review as well as the methodology. It is important to clearly set out any proposed options or recommendations, the advantages and disadvantages of each including budgetary/costing. Then recommendations are forwarded to the cabinet or relevant executive/partner organisation.

It is also important to document how the group reached its conclusions and show any further options which were either considered or discounted. And any consultation results need to be given with the context outlined.

COUNCILLOR CALL FOR ACTION

The Councillor Call for Action represents a valuable tool in equipping councillors in their local advocate role for their communities and further strengthens their position of being community champions. Although expected to continue to resolve issues informally, where councillors are not satisfied that real action has been taken to resolve the issue that they have raised, resolution may be sought via CCfA. This enables any councillor of the council to ask the scrutiny committee to take a matter further.

The Council's CCfA protocol can be obtained upon request from the scrutiny officer and is also available on e-councillor.

E-PETITIONS AND THE SCRUTINY COMMITTEE

New legislation means that local people now have the right to petition for a senior member of council staff to attend a meeting of the scrutiny committee. If enough (750) people sign a petition, a senior officer will have to attend the meeting to answer the committee's questions, and explain how they are delivering public services.

This builds on existing powers of scrutiny committees who can already require members and officers to attend a meeting and give evidence.

The final decision on which officer(s) should attend and the questions to be asked would rest with the scrutiny committee. The committee may also consider it appropriate to ask the relevant cabinet portfolio member to be in attendance to deal with questions, in addition to the appropriate senior officer.

Grounds given in a petition for attendance at a meeting must relate to the officers role.

The council's petition scheme offers petitioners the opportunity to appeal to the scrutiny committee if they feel that the council's final response to their petition is inadequate. The scrutiny committee will be able to decide whether the steps taken by the council in response to the petition has been adequate.

If the scrutiny committee has reason to be concerned about the adequacy of the council's response to a petition, members may decide to carry out a full review of the issues raised in the petition using their powers under the Local Government Act 2000.

SCRUTINY CALL – IN OF A DECISION MADE BY THE CABINET

Call – in is the term used in describing the process whereby non – cabinet members can request the cabinet to reconsider a decision it has made. As part of this process the scrutiny committee can act as a forum where the validity and quality of a called in decision can be discussed before it is referred back to the cabinet with or without scrutiny recommendations. Once back with the cabinet, those who made the original decision can either change it while taking on board suggestions from scrutiny or they can reject any recommendations and keep the decision as it was. While a decision is called – in, it can not be enacted until the above process has been undertaken.

WHO CAN SIT ON THE SCRUTINY COMMITTEE AND PUBLIC INVOLVEMENT?

The scrutiny committee is politically balanced and is made up of councillors from all four of the political parties of the council. Only non – cabinet/executive members can be on the committee and this allows those councillors to have an active role in the council's decision making process.

Meetings of the scrutiny committee are usually as informal as possible and as well as scrutiny members, are attended by executive portfolio members, officers, partners and anyone else who can assist with the work and provide evidence for reviews.

Members of the public are also welcome to attend the scrutiny committee meetings and can participate at the discretion of the committee's Chair. If you do wish to participate regarding an agenda item at a scrutiny meeting you are requested to contact the committee officer who will liaise with the Chair of the committee and the scrutiny officer. Any questions for the committee have to be received no later than 10.00 am on the day before the meeting but in order for you to obtain a thorough answer it would be helpful if you could contact us as early as possible.

MEMBERS OF THE SCRUTINY COMMITTEE

Councillors; Claire Stephenson – Chair, Andrew Wiltshire – Vice Chair,

Roy Blower, David Bradford, Keith Driver, David Fairbairn, Graham Gee, Deborah Gihawi, Lesley Grahame, Samir Jeraj, Stephen Little, Jo Storie, and Viv Thomas

HOW TO GET IN TOUCH WITH THE SCRUTINY COMMITTEE

If you are a member of the public and wish to find out more about the scrutiny process and the committee or if you have any queries regarding this review, please feel free to contact the council's scrutiny officer;

stevegoddard@norwich.gov.uk

01603 212491

**Steve Goddard, Scrutiny Officer,
Norwich City Council, City Hall, St
Peters Street, Norwich NR2 1NH**

If you have any topic suggestions for scrutiny please use the form attached over this page and send it to the above address or hand it in at the council's reception – for the attention of the scrutiny officer.

**To contact the committee officer
please phone Jenny Wilson – Copp**

jennywilson-copp@norwich.gov.uk

01603 212416

**Jenny Wilson–Copp, Committee
Officer, Norwich City Council, City
Hall, St Peters Street, Norwich NR2
1NH**

Remember, the scrutiny committee does not just have to examine the council's executive but can also challenge and investigate decisions and policies of other public bodies responsible for delivering services to the people and businesses of Norwich.

Useful website for scrutiny officers and members;

The Centre for Public Scrutiny promotes the value of scrutiny and accountability in modern and effective government and supports non-executives in their scrutiny role. <http://www.cfps.org.uk/>



If you would like this document in large print, audio, Braille, alternative format or in a different language please contact the committee officer by phone 01603 212416 or email: jennywilson-copp@norwich.gov.uk

Request form to raise an item for Scrutiny Review

Councillors should be asked to carry out the following scrutiny review:

Please give your reasons (continue on a separate sheet if necessary)

Name:

Address:

Daytime Tel No

Email:

Signature

Date

Please return this form to Steve Goddard, Scrutiny Officer, Norwich City Council, City Hall, St Peters Street, Norwich NR2 1NH

Email: stevegoddard@norwich.gov.uk