



## Scrutiny Committee 14 July 2015

### Report from the Chair of Scrutiny

For action

### Developing the Scrutiny Work Programme 2015/16

#### 1. Introduction

- 1.1 This report sets out the arrangements for the future operation of the Scrutiny Committee and the process for developing a relevant and robust work programme for the Committee during 2015/16.
- 1.2 The Council wants to ensure a stronger, more joined-up approach to scrutiny in Brent, which has more impact on the quality of life of local residents and appropriate scrutiny of the deliver of local public services. Scrutiny Committee which will develop, oversee and deliver a programme of scrutiny focused on issues which really matter to local people and the service that are provided locally.
- 1.3 Effective, independent and rigorous examination of the proposals and decisions made by the Cabinet are a significant feature of the all local scrutiny arrangements and provide a key opportunity for non-cabinet members to positively influence the development of the council's work. Scrutiny is the mechanism for holding the Cabinet to account, but it is also the process through which members can respond to local community issues and champion the interests of residents. The activities of the Committee will afford all members the opportunity to contribute to the decision-making of the Cabinet, to influence the development of policy, and to review the quality of services provided locally by the council as well as other public agencies.
- 1.4 The Scrutiny Committee each year establishes an annual work programme which focuses on the key issues affecting local people. As part of this work programme it will also establish a number of time limited member panels to undertake in-depth reviews with an emphasis on actively engaging residents and partners in the scrutiny process.

#### 2. Recommendations

Members of the Scrutiny Committee are recommended to:-

- 2.1 note the arrangements for the principles of effective operation of the Scrutiny Committee set out at paragraphs 3.1 – 3.6
- 2.2 agree the proposed process for defining the annual work programme for Scrutiny detailed at paragraphs 3.10 – 3.14.

### **3. Detailed Considerations**

#### **The scrutiny structure in Brent**

- 3.1 Scrutiny activities will be led and co-ordinated by the Scrutiny Committee. This Committee will meet up to 10 times during the year. The Committee consists of fourteen members comprising eight Councillors, four voting education co-opted members and two non-voting co-opted members. The voting co-opted members only have voting rights in relation to education functions.
- 3.2 The Scrutiny Committee will:
- hold the Cabinet to account for its decisions.
  - contribute to strategy development through scrutiny of key policy documents and make comments on these to the Cabinet.
  - support policy development through commissioning Member-led investigations of issues affecting the community or borough.
  - provide scrutiny of external public bodies and services, including education, health and other partners as specified by the Localism Act, 2011
  - coordinate activities with other local bodies charged with scrutiny functions , for example, Healthwatch, tenant scrutiny, Brent's Safer Neighbourhood Board and the regional Joint Health and Overview Scrutiny Committee.
  - review and monitor performance to ensure continuous improvement.
  - receive call-in of Cabinet decisions, public petitions and community calls to action.
- 3.3 The Council has a number of statutory responsibilities with regard to scrutiny of local bodies which will be built into the work programme of the committee during the year, particularly concerning health and police services. Appendix A sets out the terms of reference for the Scrutiny Committee, these are set out in the constitution of the council.
- 3.4 The Committee will be able to establish time limited task and finish groups which will focus on particular topics or issues of local concern. Through these time-limited reviews of local issues and services, scrutiny activities will not be limited to the members of the Committee. Rather all non-cabinet Members can and should participate. These scrutiny reviews will also create opportunities for a broad range of organisations, stakeholders and the public in Brent to get involved in the work of scrutiny.
- 3.5 The Scrutiny Committee may undertake external scrutiny of other organisations that provide local services such as education. The council has a statutory power to scrutinise local health provision and also crime and disorder functions. This can be achieved by requesting information from other public agencies or by asking them to attend a meeting of the Committee for questions. Members can also investigate any issue that is affecting local communities or the borough. External scrutiny is an area in which real value can be added, enabling Members to explore issues of public concern and take the lead on behalf of their community.
- 3.6 The Scrutiny Committee will therefore:
- develop an annual work programme based on genuine public participation and feed back from elected Members on local priorities.
  - work closely with other local bodies and groups charged with scrutiny functions
  - monitor and challenge performance and the use of resources both internally and externally

- make evidence-based recommendations to improve the work of the Council and other partner organisations
- scrutinise decisions and develop policy both in respect of the Council and external organisations
- scrutinise the Council's budget, particularly at the pre-decision stage
- deal with call-in and pre-decision scrutiny
- commission in-depth reviews to be carried out by task and finish groups and to be brought back to the Committee for consideration
- produce an annual report on its work showing, in particular, the impact of the work of the Committee in improving outcomes for local people.
- bring different agencies together to broker solutions to seemingly intractable problems.

### **Effective scrutiny**

- 3.7 Scrutiny provides councillors with the opportunity to question Cabinet Members, officers and others in order to gain knowledge around an issue and make effective, evidenced-based recommendations. It also enables Members to capture the views of their constituents to provide community leadership.

The principles of effective scrutiny are:

- **being Member-led**  
The Scrutiny Committee determines its own work programme and decides what evidence to seek. Members take an active role in the scrutiny process, for example by going on visits, taking part in consultation activities with service users, residents and discussions with local organisations.
- **a consensual approach**  
Effective scrutiny works towards developing a consensus-based view of the service or issue under consideration, focussed on the needs of service users and residents.
- **it is evidence based**  
Scrutiny should take evidence from a wide and balanced range of sources in order to develop a rounded view of the issues under consideration. Recommendations made by scrutiny should be firmly supported by the evidence gathered.
- **provide constructive challenge**  
Good scrutiny should foster a style of constructive challenge with officers and other witnesses, enabling sharing of views in an open and positive manner.

- 3.9 Members will be assisted in their scrutiny work by officers from the Policy and Scrutiny Team, located in the Chief Operating Officers Department.

### **Process for developing the work programme**

- 3.10 The process for developing the work programme for Scrutiny will be shaped by evidence and information from a number of sources. This will include:-

- Feed back from resident consultation regarding their issues and concerns.
- Key strategies and policy documents being considered by the Cabinet.
- Improvement priorities for the Council.
- Issues of community concern raised by Members.

- Council performance information and areas of high complaints.
  - Statutory responsibilities to scrutinise the proposals and performance of health, crime and education services provided by external partners.
- 3.11 In consultation with the Chair and members of the committee this information will be used to define a forward plan of agenda items for the formal meetings of the Scrutiny committee as well as a programme of time limited investigations for the year. The draft work programme will be updated on a regular basis and considered by the committee at each meeting.
- 3.12 The Scrutiny Committee will also receive a number of annual and statutory reports in relation to issues such as safeguarding of children and adults, adult social care services, complaints and ombudsman cases. These will be built into the annual forward plan for the agendas. Appendix B contains the draft work programme 2014/15.
- 3.12 As and when necessary the Scrutiny Committee will be responsible for receiving Cabinet decisions which have been the subject of a call in by five or more Members, public petitions or delegations and councillor calls to action.
- 3.13 This committee has a specific remit to provide Member scrutiny of the Cabinet's annual budget proposals. In order to perform this function arrangements will be developed to undertake scrutiny of budget proposals and a report from Scrutiny on the Council's budget strategy and proposals will be produced in January 2016..
- 3.14 The annual work programme will also include regular monitoring up-dates on the implementation and impact of the work of the Scrutiny Committee. In order to facilitate this process a log of the recommendations arising from previous meetings will be maintained and considered by each meeting of the committee. The log of scrutiny recommendations is attached as Appendix C. Items where the committee has requested further follow-up will be built into the work programme.

#### **4. Financial Implications**

- 4.1 The purpose of effective scrutiny is to ensure that the Council and its partners are making the most efficient and appropriate use of their resources for the benefit of local residents. It is also to add value to the work of the Council by defining a relevant work programme that addresses local priorities and community concerns and brings forward positive solutions for improvement. The Scrutiny Committee has a specific responsibility to include within its work programme scrutiny of the Council's annual budget proposals.
- 4.2 There are no direct financial implications arising from this report.

#### **5. Legal Implications**

- 5.1 The Local Government Act 2000 requires that Councils have a committee which has specific powers to review and scrutinise the Cabinet's decisions and functions, and those of the Council generally. The Act provides that this committee shall have powers to report or make recommendations on matters that affect the council's area or inhabitants. There are also specific powers to review and scrutinise health bodies and services and crime and disorder matters. The committee has the power to obtain information from certain partner agencies and to require their attendance at

Committee meetings. The legal remit of the committee is summarised in its terms of reference and is outlined above in the body of this report.

## **6. Equalities Implications**

- 6.1 The work programme of the Scrutiny Committee will be informed by consideration of equalities issues and the Council's responsibility to protect and promote equality of opportunity.

### **Contact Officer**

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