



**SCRUTINY
ANNUAL REPORT
2015 – 16**

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Introduction

The municipal year of 2015-2016 has been one of steady progress for scrutiny in Brent. However, half way through we suffered a setback that no one could have anticipated or imagined, when our much loved and admired chair, Cllr Dan Filson sadly passed away.



Dan (and woe betide you if you ever called him Daniel) was a ward colleague, a mentor and most of all a friend to me.

A councillor more suited to the role of scrutiny chair you could never imagine. He had a forensic eye for detail, a passion for getting to the truth and a cheeky sense of humour which would disarm any witness coming under the gaze of his committee.

Most of all he was absolutely determined to make the scrutiny work, his mantra was that scrutiny had been “the lion which failed to roar”, but this was something he certainly began to put right during his short time as committee chair.

I had hoped to serve under his chairmanship on the committee for many years, but following his sudden and tragic death I was elected to succeed him, and hope I have built on his legacy in the role.

Of course I have not done this alone. All of the councillors who have sat beside me on the committee have been dedicated, diligent and hardworking, and Brent’s “Team Scrutiny” does not finish there. We now have a team of officers – Pascoe, Kisi and James – who are passionate about the scrutiny process and take huge pride in seeing positive change delivered within the council.

This report summarises the work of Overview and Scrutiny over the last year, what we looked at, how we came to some of our biggest decisions, and what reforms we have carried out. It will also look at some of the biggest challenges for the year ahead.

**Cllr Matt Kelcher, Kensal Green Ward
July 2016**

Part One – The Year Just Gone

Reports

Under the structure of a single committee, scrutiny was called upon to look at a wide range of issues cutting across many departments in the year 2015/2016, as shown in appendix 1. Unfortunately, these items have not always been balanced completely across the various portfolios on the council's cabinet.

Lead Member/Portfolio	No. of Items
Cllr Butt – Leader	1
Cllr Denselow – Stronger Communities	2
Cllr Hirani – Adults Health & Well being	9
Cllr Mashari – Employment & Skills	2
Cllr McLennan – Housing and Development	3
Cllr Moher – Children and Young People	7
Cllr Pavey – Deputy Leader	6
Cllr Southwood – Environment	8
Grand total	38

It will be important to ensure that every department receives adequate scrutiny in the coming year. A complete balance – with each portfolio responding to an equal number of reports - is probably not possible, given the number of statutory items, particularly in the realm of health, which scrutiny must consider.

Task Groups

Three new task groups were set up at the start of the municipal year, focussing on issues at the top of residents' list of priorities – if the contents of the average councillor's email inbox are anything to go by.

The first, chaired by Cllr Reg Colwill, investigated the access to extended GP services and primary care in Brent. The review was concerned with the capacity in Brent, out of hours care and the delivery of out-of-hospital services to provide enhanced and extended care to meet the needs of local residents. His report made fourteen recommendations across Brent's healthcare providers for improving extended GP access. The committee welcomed all recommendations, nine of which have now been successfully implemented providing residents with improved access.

The second, chaired by Cllr Sam Stopp, investigated the nefarious problem of fly tipping. His report came up with a range of solutions to address this problem and will perhaps be best remembered for recommending that the council radically changes the language it uses when addressing this issue. The committee were enthused by his idea that the term "fly tipping" be dropped in favour of "illegal rubbish dumping" as this has more impact and emphasises that dumping waste on the street is a crime.

The third, chaired by myself, investigated the council's CCTV policies. My task group made twenty-two recommendations, about half of which the cabinet member endorsed and was able to implement fairly quickly. The other half included what I

admit are more ambitious ideas, such as monetising the infrastructure of the council's CCTV network to fund more cameras, and will therefore take more time.

At future Scrutiny Committee meetings we will be bringing in both the CCTV and Illegal rubbish dumping cabinet members to report on their progress on implementing the recommendations in these reports. The Access to GP services progress will be reported back to the Health and Wellbeing Board.

Towards the end of the year we set up two further task groups. The first, chaired by Cllr Tom Miller is looking into the performance of housing associations in the borough and will report back to the Community and Wellbeing Committee in July.

The second, chaired by Cllr Harbi Farah is looking into the use of the Community Infrastructure Levy (CIL) and section 106 and if the council is achieving the best possible financial and social outcomes. The report back to the Resources and Public Realm Committee in July.

In each case, the task group chairs have sought to open up their investigation process to the residents. Whereas previously task groups deliberated privately, many of these meetings were held in public with representatives from local resident groups being asked to sit on the panel with equal status to the councillors.

I think this is a tremendously positive move and I will encourage all future task groups to follow this policy.

Budget Scrutiny Panel

In December 2015 I put together and chaired the Budget Scrutiny Panel, a cross party group of backbench councillors, to analyse the budget documents being prepared for the April 2016 budget.

The panel met twice formally and further corresponded by email and telephone when producing this report. The panel interviewed the council's Chief Executive and Chief Financial Officer in person. Further information on various issues was also sought and delivered from officers.

This was the second half of a two year budget and so the list of savings proposed was not as long or daunting as in previous years. We analysed all proposed savings from the start of the process and were pleased to see progress in most areas. Only a few projects – for example the establishment of an ethical lettings agency – were seen to be behind schedule, and so we asked for a further report on this to come back for full scrutiny. This is now expected to come to the Community and Well Being Scrutiny Committee.

The panel were particularly interested in the idea of income generation – which will never be able to balance out cuts from central government but will certainly help us to become financially independent – and we received some favourable local press coverage due to our recommendation that the council look more closely at maximising the potential of the civic centre as a venue for weddings and receptions.

We also recommended the council uses its new powers to carry through a council tax rise, which came to pass in the final budget.

Call In

The committee only called in one cabinet report in this year. This was on proposals to use a contractor to set up new uniformed street patrols to issue on the spot fines for people committing environmental crimes like littering.

Our concerns were partially about the process, namely we felt it was unfair that cabinet were citing scrutiny (particular the task group completed by Cllr Stopp as mentioned above) for recommending the idea, but had then given us no formal, or even informal, role in developing the final policy.

But most of all we were concerned that the new uniformed officers may be on inferior pay, terms and conditions to existing council officers performing similar roles.

After questioning the cabinet member and lead officers extensively on the subject we made a recommendation that the twelve month trial go ahead to test the viability of the idea but with a very strong preference for an in-house option to run the service in future if it turns out to be a success. We believed this would be the most cost effective solution and ensure that workers receive the remuneration and conditions we would expect.

It will continue to be our policy that call-ins should be used sparingly, on issues which members are clearly concerned about and where there is a sense of urgency about the need to intervene.

Other recommendations

Through questioning of witnesses at our public meetings some further recommendations emerged which we put to the Cabinet. This included the setting up of direct debits by which residents can pay their green waste charges, so they do not need to re-buy a permit every single year.

We were also alarmed to discover, through one of our public meetings, that officers have delegated authority to sign off on changes to contracts worth up to £250,000.

Our whole Committee felt, even where this power was used sensibly, that this was too high a figure for decisions to be taken by someone not directly accountable to the public through the ballot box. Therefore we asked Cabinet to conduct a review into whether this should be lowered in the constitution and await their response.

Engaging with the public

In addition to opening up task group meetings to the public, we have worked hard this year to increase public awareness of the process of scrutiny in Brent, and allow them to participate.

At the beginning of the year, Cllr Filson toured all of the Brent Connects public forums to explain the scrutiny process and how people could suggest items for us to look at.

We are repeating the exercise this year, with myself, or Cllr Ketan Sheth, addressing each of these meetings around Brent as the two scrutiny chairs.

Reform

At the beginning of the municipal year we had just one Overview and Scrutiny Committee.

This brought about a series of challenges, most acutely that of capacity. With just one Committee meeting ten times per year, and with several statutory reports already set on the agenda, it was difficult to find the time to look at all of the areas which members and the public would expect us to analyse.

Cllr Filson and I both favoured the creation of a separate Health Scrutiny Committee to resolve this issue. It was felt that this would not only overcome the problems of capacity and allow more backbenchers to become involved in the scrutiny process, but also allow the group on the second committee to develop a real understanding and expertise in health policy.

Following discussions with senior officers and the Leader of the Council, the old committee's workload was divided into two, and the total number of annual meetings increased to twelve.

One of these committees, on Health and Wellbeing, will particularly focus on health issues, and the other, on Resources and Public Realm, will look at the Council's big spending projects.

I am confident this will allow Brent's "team scrutiny" to work more efficiently and effectively over the next twelve months.

Part Two – The Year To Come

Improvements Implemented

During the last year, the council receive an assessment from a Local Government Association (LGA) peer review team. As part of this process I met with the team individually as Chair of Scrutiny, and also collectively with representatives from the wider committee. Through this I picked up some suggestions about how we could improve the quality of our reports and I intend to implement these in the coming year.

Firstly, the LGA team noted that there was often frustration, occasionally leading to distrust, between members and officers regarding the content of reports.

I believe that most of this is entirely innocent and accidental. In the past, officers have simply been provided with a title upon which to base their report, and these are often very open – for example "Affordable Housing in Brent". They write this report to the best of their ability but find that when they get to the Committee, members have anticipated an entirely different set of information as they have interpreted the title of the document differently.

To resolve this, I have asked officers to develop a pro-forma which can be used whenever a new scrutiny report is requested by a member. This form allows them to state specifically what they expect to be included in the report, including statistics and figures they believe should be provided.

I am confident that this will help both officers tasked with writing the reports, and members in getting the information they need.

Secondly, the LGA team felt that our choice of topics was done slightly haphazardly, with lots of worthy things being discussed, but the full list not being thought through carefully and strategically.

This was of course partly to do with the time constraints of the single committee model, but even with added capacity I was determined that the new committees think more carefully about what they needed to look at it in the coming year.

Our scrutiny officers therefore organised fantastic events for each committee where strategic directors gave us an outline of the main issues in their departments, and members could also suggest any topic they felt worthy.

Through this we developed a long list of ideas and then whittled this down to a list of items we will examine at Committee through reports, and those which we will examine through task groups over the coming municipal year. This schedule also leaves space in the programme for us to add further reports, look at urgent issues or call-in requests.

The shortlist for the Resources Public Realm Committee is given in Appendix 2, it is listed in no particular order and the items will be allocated to specific meetings in the near future.

Recommendations – OFSTED and LGA Peer Review

In March 2016 a member training and development session led by advisers from the Centre for Public Scrutiny and the LGA was held which specifically focused on effective scrutiny of children and young people's services. This was in response to feedback from the recent OFSTED inspection regarding the lack of depth and impact arising from scrutiny of children's services. The issues and approaches discussed during the session were equally relevant to effective scrutiny across all council services and are highlighted below:-

- Know what you want to achieve – prioritise your work ruthlessly;
- Have clear key lines of enquiry focused on the aims and objectives of the service being scrutinised - scrutiny is not a random fact finding exercise.
- Use data to identify systemic issues, but do not get bogged down in the details, maintain a strategic view on the whole picture.
- Focus on outcomes and how scrutiny can support their achievement.
- Building and maintaining good relationships – positive challenge not conflict.
- Use a balanced range of evidence which includes policy objectives, performance, outcomes and the perspectives of users of the services.
- Well constructed recommendations will secure increased impact.

Members who attended the LGA session were very positive about the approach outlined by the Centre for Public Scrutiny and felt that adopting these principles would produce a more effective scrutiny function in Brent. Discussions with the LGA are ongoing and future scrutiny training session will be provided during 2016/17 scrutiny year.

Further to the LGA peer review, I have also been allocated a mentor who is an experience Chair of Scrutiny in another London Borough which the LGA regard to be an example of best practice.

In my discussions with this mentor it has become clear to be that verbal recommendations made in Committee meetings by a vote of members have much greater standing in other authorities. Previously recommendations made in this way by Scrutiny in Brent have not made it on to the papers for Cabinet to respond to.

I will ensure that at future meetings all verbal recommendations are recorded and distributed to the committee for approval, and then that they go forward to the cabinet meeting.

Budget

As noted above, the work of the Budget Scrutiny Panel was quite truncated in the last municipal year. For many reasons this was unavoidable, as there was a vacancy for chair for some time following the death of Cllr Filson.

This year I intend to start the review much earlier and use this time to more thoroughly question cabinet members putting forward suggestions for new cuts, charges or savings.

Furthermore, during last year's budget setting process, scrutiny had to work hard to assert itself and ensure that its views were being heard.

Our panel noted with concern that the "budget setting timetable" set out on page 30 of the cabinet report on the budget did not mention the scrutiny process at all, or note that the committee was due to interview the Deputy Leader of the Council on the subject at our January 2016 meeting.

Hopefully lessons have been learned, and next year scrutiny will be seen as a positive critical friend, and essential part of the process.

Appendix 1

Report to the Scrutiny Committee 2015/16

Meeting Date	Item	Lead Member/Portfolio	Strategic Director
16th June 2015	Paediatric Services - CCG	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	Access to GP services Interim Task Group Report	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	Brent Public Health Update	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	Access to affordable childcare	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
14th July 2015	Brent Housing Partnership - Performance	Cllr McLennan – Housing and Development	Phil Porter – Community Wellbeing (previously Environment & Regeneration - Andy Donald)
12th August 2015	The Councils future Transport Strategy	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
	Food Standards Audit	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
9th September 2015	Central and North West London NHS Foundation Trust - Care Quality Commission report and action plan	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	Scrutiny task group on Access to extended GP services and primary care in Brent	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	Terms of reference for task groups on Fly Tipping and CCTV	Cllr Denselow – Stronger Communities	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
8th October 2015	2015 Parking Strategy	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
	Complaints Annual Report 2014-15	Cllr Pavey – Deputy Leader	Carolyn Downs – Chief Executive (previously Lorraine Langham - Chief Operating Officer)
	Fly Tipping task group scope	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
5th November 2015	Brent Local Safeguarding Children Board Annual Report	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
	Scrutiny task group on Closed Circuit Television (CCTV)	Cllr Denselow – Stronger Communities	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
	Scrutiny task group on Fly tipping	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)

2nd December 2015	Update on the procurement processes for five General Practice services in Brent	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	CCG Commissioning Intentions	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	South Kilburn regeneration programme	Cllr McLennan – Housing and Development	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
6th January 2016	Review of charges to recycling and green waste collections	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
	Budget Scrutiny Panel Report	Cllr Pavey – Deputy Leader	Carolyn Downs – Chief Executive (previously Lorraine Langham - Chief Operating Officer)
9th February 2016	Child & Adolescent Mental Health Services in Brent: Current provision and future developments	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
	Safer Brent Partnership Annual Report 2015	Cllr Pavey – Deputy Leader	Carolyn Downs – Chief Executive (previously Lorraine Langham - Chief Operating Officer)
	Proposed Scope for Scrutiny Task Group on Community Infrastructure Levy (CIL) and Section 106 in Brent	Cllr Pavey – Deputy Leader	Carolyn Downs – Chief Executive (previously Lorraine Langham - Chief Operating Officer)
	Proposed Scope for Scrutiny Task Group on Housing Associations in Brent	Cllr Pavey – Deputy Leader	Carolyn Downs – Chief Executive (previously Lorraine Langham - Chief Operating Officer)
24th February 2016	Education Commission update -including the Annual Standards and Achievement report 2014-2015	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
	SEND reforms and implementation	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
	Adult Social Care Local Ac 2014/15	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing
	Brent Safeguarding Adults Board – governance arrangements	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing
	On-street Parking Service Offer and Charge in controlled Parking Zones; and Parking Statutory Guidance	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
5th April 2016	Call-in Report on Tackling Illegal Rubbish	Cllr Southwood – Environment	Lorraine Langham – Regeneration Growth and Environmental

	Dumping and Litter with Uniformed Street Patrols		services (previously Andy Donald)
	National Adoption Reform Proposal	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
	Brent and Harrow Systems Resilience Group – Update on Winter 2015/16 and planning for 2016/17	Cllr Hirani – Adults Health & Well being	Phil Porter – Community Wellbeing Melanie Smith - Public Health
	Access to affordable childcare	Cllr Moher – Children and Young People	Gail Tolley – Children and Young People
	HR and Equalities Review	Cllr Pavey – Deputy Leader	Carolyn Downs – Chief Executive (previously Lorraine Langham - Chief Operating Officer)
26th April 2016	Employment, Skills and Enterprise Strategy 2015-20, One Year On	Cllr Mashari – Employment & Skills	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
	Impact of the Overall Benefits Cap in Brent	Cllr Mashari – Employment & Skills	Lorraine Langham – Regeneration Growth and Environmental services (previously Andy Donald)
	Housing Pressures In Brent	Cllr McLennan – Housing and Development	Phil Porter – Community Wellbeing (previously Environment & Regeneration - Andy Donald)
	Promoting Electoral Engagement (IER): Scrutiny update	Cllr Butt – Lead Members	Peter Gadsdon – Performance Policy & Partnerships

Appendix 2

2016-17 Programme of Work

Reports

1. The Council's Planning Strategy

A strategic overview of the Council's planning objectives for Brent, specifically looking at:

- New Options for providing housing for example looking at land sites and the work of BHP
- Ensuring we have enough large 3-4 bedroom homes
- Our pub protection policies

2. Brent's High Streets

A review of various issues impacting on the performance of high streets in Brent, specifically looking at:

- Cleanliness of high streets and the performance of Universal Services Contracts
- The impact of timed collections on waste levels in town centres
- Preventative work to tackle environmental problems in town centres, particularly paan spitting on Ealing Road
- Our overall Town Centre Development Strategy
- The potential for Business Improvement Districts (BIDs) to be set up in Brent

3. Investment strategy

A report outlining the Council's strategic priorities for investment so that the Committee can satisfy itself that they are correct.

4. Customer Care & Access

A report looking at how accessible Council services are to our customers and residents, focussing specifically on:

- Residents with impairments, are they able to access services on an equal basis?
- How is our online offer performing, is its usability comparable to that of the private sector and what can we do to get more people to access our services online to save money?

5. Road Resurfacing Strategy

A look at how the additional money cabinet has recently allocated for road resurfacing will be prioritised and spent, focussing on:

- How is Brent choosing where to surface?
- How will the new software tool the Council may acquire make a difference to allocation?
- How is the Council communicating these decisions, do the public have confidence that we are choosing the right roads?
- Is resurfacing the priority or should we be looking at potholes instead?
- The quality of road resurfacing

6. Is Brent a “green” Council?

A report sustainability to particularly focus on:

- How is Brent incorporating the Mayor’s Green Strategy into our work?
- How does the Council ensure the environmental sustainability of the Borough’s work?
- What is Brent doing to tackle pollution and how do we perform against other Councils?

7. Prevent

The Council is mandated by the government to implement its Prevent strategy to tackle radicalisation and extremism locally. How are we performing in this statutory duty?

8. Crime and fear of crime locally

An item for the Borough Commander to come to committee to discuss. May specifically include an examination of hate crime levels in the borough.

9. Income generation

Two of the director presentations referred to the need to deliver income generation policies, the Committee wants to look at this issue across departments as was also request by the budget scrutiny panel in January, this would include but not be limited to:

- How can we get more weddings and receptions at the Civic Centre?
- How can we generate income at Council owned land away from the Civic Centre?
- How do we compare to other boroughs and benchmark ourselves?

10. Domestic Violence

What is our strategy to tackle DV and how successful is this?

Task Groups

11. Devolution of Business Rates

Task Group to be chaired by Cllr Davidson, terms of reference to include:

- What exactly are the government proposing?
- Is Brent ready for the change and if not what do we need to do to get ready?
- How are other Councils preparing, and what is best practice?
- What can Brent do to attract more businesses and more business rates once all rates are retained by local authorities?

12. Stronger Communities – Child Sexual Exploitation & Gangs

Task Group to be chaired by Cllr Tatler, terms of reference to be decided at a later date.

13. Budget

Annual budget scrutiny panel chaired by Cllr Kelcher