



Title: **Overview and Scrutiny Work Programme 2012/2013**

Public Agenda Item: **Yes**

Wards Affected: **All**

To: **Overview and Scrutiny Board** On: **20 June 2012**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Kate Spencer**
Telephone: **01803 207014**
E.mail: kate.spencer@torbay.gov.uk

1. What we are trying to achieve and the impact on our customers

1.1 To ensure that the Overview and Scrutiny Work Programme for 2012/2013 is robust and realistic but also flexible enough to enable emerging issues of concern to be addressed. This will help to ensure that overview and scrutiny is driving service improvement and playing a key role in the policy development process. A successful scrutiny function would have a positive impact on our customers as the community would be involved in the work being undertaken and the outcomes of that work would be focused on the community's needs.

2. Recommendation(s) for decision

2.1 **That the Work Programme set out in Appendix 1 and 2 to this report be agreed.**

2.2 **That the following Review Panels be established:**

Political Governance Review Panel - comprising 4 members of the Conservative Group, 2 members of the Liberal Democrat Group and either 1 member of the Non-Coalition Group or the Labour councillor

Priorities and Resources Review Panel – comprising the councillors who make up the Overview and Scrutiny Board

Value for Money (External Contracts) Review Panel – comprising the councillors who make up the Overview and Scrutiny Board

3. Key points and reasons for recommendations

- 3.1 The Constitution requires that, early in the Municipal Year, the Overview and Scrutiny Board will co-ordinate the production of a Work Programme for the function as a whole.
- 3.2 In May 2012, a questionnaire was sent to all members of the Council asking them to identify three issues within their wards which they felt should be subject to scrutiny together with three Bay-wide issues. The Mayor, Directors and Executive Heads were also asked for their views on the Bay-wide issues which should be considered and the Council's health partners were asked to identify issues which may need to be subject to scrutiny. Whilst it was acknowledged that there will not be space within the Work Programme to consider every issue it was hoped that some themes would emerge on the issues which the two scrutiny Boards could investigate to the benefit of the community as a whole.
- 3.3 The document attached as Appendix 1 has been prepared taking account of the suggestions received from the consultation exercise and subsequent informal discussions with the Overview and Scrutiny Co-ordinator, his Deputy and the Scrutiny Lead Members. It is recommended that this forms the basis of the Work Programme for the coming year as shown at Appendix 2.

For more detailed information on this proposal please refer to the supporting information attached.

Mark Bennett
Executive Head – Business Services

Supporting information

A1. Introduction and history

A1.1 There are a range of methods of working available to the Overview and Scrutiny Board such as:

- Establishment of task-and-finish review panel
- Briefing notes
- Desk based research
- Single-issue meetings of the Overview and Scrutiny Board
- Site visits
- Clusters of reports considered over a period of time by the Overview and Scrutiny Board

A1.2 The document set out in Appendix 1 shows the topics which are recommended for review over the course of the coming year together with the suggested methods of working. By identifying key lines of enquiry, the majority of the issues that were suggested as part of the Consultation Exercise have been included within the Work Programme (although not necessarily as specific, stand-alone reviews).

A1.3 The latter part of the Work Programme is relatively free to enable councillors to respond in a timely manner to issues which arise during the course of the year. One of the principles of good scrutiny is that it is carried out by 'independent minded governors' who lead and own the scrutiny process. Therefore, throughout the year members will be encouraged to identify agenda items for the meetings of the Overview and Scrutiny Board and the Health Scrutiny Board.

A1.4 Sources for items could include the Forward Plan, ward matters, Community Partnerships, performance information, the news media, and the Council's research and consultation findings (for example, the Viewpoint survey). Scrutiny Leads will agree future agenda items at monthly briefing meetings.

A1.5 The Work Programme for the Health Scrutiny Board will be agreed at the first meeting of the Health Scrutiny Board to be held on 19 July 2012. However, initial discussions have been held with the Health Scrutiny Lead Member and it will be recommended that two, inter-linked themes will form the basis of the Work Programme – namely, reducing demand on acute services and services for the elderly. Rather than undertaking in-depth reviews, it is likely that the Health Scrutiny Board will employ similar methods to the Overview and Scrutiny Board such as site visits, consideration of case studies, attendance at health partner events whilst keeping in mind its key lines of enquiry for the year. Time will also need to be allowed for the consideration of any possible substantial variations in services or referrals from the Torbay LINK. Further, the Health Scrutiny Work Programme will be shared with health scrutiny colleagues in neighbouring authorities to avoid duplication and possibly undertake shared work.

A1.6 In undertaking the Work Programme, overview and scrutiny meetings and events will be held in alternative venues (to the Town Hall) whenever practicable.

A1.7 Overview and scrutiny is member-led. Accordingly, members should add to, delete, or change any of the items within the draft Work Programme.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

A2.1.1 The exact nature and timing of the Reviews that have been identified will need to be agreed by members through the scoping process. In order to deliver successful reviews, members will need to ensure that they are clear about what they wish to review (and indeed what they will be excluding from the review). The timings of each review will also be critical to ensure that as little 'bunching' as possible occurs. The timeline for each individual review should be adhered to – this will help ensure that all the reviews can be delivered within the resources available.

A2.1.2 A critical success factor will be members' commitment to these reviews – members need to be sure that these issues are matters which can make a difference to the community of Torbay and that they are willing to commit time and energy into identifying consultees and key questions, meeting and discussing issues with other members, officers and consultees, reading and challenging the information presented to them and, finally, drawing conclusions, considering options appraisals and risk assessments, and formulating evidence based recommendations.

A2.1.3 Members also need to receive support from officers within service departments and within relevant partners. Whilst the Scrutiny Support Team can provide day-to-day support (including research, consultation and analysis), detailed information will need to be provided through Executive Heads especially at the scoping, options appraisal, and risk assessment stages.

A2.1.4 If members are not committed to the topics within the proposed Work Programme and to making overview and scrutiny a worthwhile mechanism to improve the lives of the community of Torbay (and if they do not receive adequate support from service departments), then there is a risk that no or few positive outcomes can be shown to have been achieved by Overview and Scrutiny.

A2.1.5 Co-ordination with the various work programmes of the Council's Policy Development Groups is necessary to ensure there is not duplication of Overview and Scrutiny's role and workstreams and vice versa.

A2.2 Remaining risks

A2.2.1 There are none at the of writing.

A3. Other Options

A3.1 Members may wish to add to, delete, substitute, or change any of the items within the draft Work Programme.

A4. Summary of resource implications

A4.1 The proposed draft Work Programme can be delivered within the resources available provided that members are willing to give their time and energy.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

A5.1 Each review will take account of these issues.

A6. Consultation and Customer Focus

A6.1 The draft Work Programme has been prepared taking account of the views expressed by the Overview and Scrutiny Co-ordinator, Scrutiny Lead Members, the Mayor and all other Members of the Council, senior Council officers, and health partner organisations.

A6.2 Each review will aim to involve the community through consultation and possible co-option.

A7. Are there any implications for other Business Units?

A7.1 The relevant Executive Heads will be involved in the work of overview and scrutiny especially at the scoping, options appraisal, and risk assessment stages as well as providing information to members as part of each review.

Appendices

Appendix 1	Overview and Scrutiny Work Programme – Commentary
Appendix 2	Overview and Scrutiny Work Programme

Background Papers:

The following documents/files were used to compile this report:
Results from Consultation Exercise

Overview and Scrutiny Work Programme – 2012/2013

The Overarching Questions

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| 1. How will this encourage “investment for the future” of Torbay? |
| 2. How does this “protect the vulnerable” within our community? |

These two questions will be at the heart of everything that the Overview and Scrutiny Board and Health Scrutiny Board do in the coming year.

In addition, the Boards will also be aware of the continuing difficult economic climate and the reducing resources available within the public sector.

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| 3. How can we spend less but to greater effect? |
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The topics for review – Overview and Scrutiny Board

Economic regeneration

When councillors and officers were asked for their views on what should be the subject of scrutiny review over the course of the year, the category with the most suggestions was Economic Regeneration.

It is proposed that the Mayor be asked to provide a **briefing note** in July 2012 which addresses the following questions:

- What is your economic strategy? What are its aims and objectives?
- How is the economic strategy being implemented? What are the outcomes from your recently established Regeneration Task Force?
- How is the Council encouraging new businesses and job creation?
- How are we ensuring the long term sustainability of those businesses and jobs?
- How does the economic strategy link to the housing strategy?
- How do we balance the needs of locals against the needs of tourists?
- How do we ensure that the economic strategy protects the vulnerable in our communities?

Arising from consideration of that briefing, Board members will determine which areas they wish to follow up and/or investigate further. The Mayor will then be invited to **attend** the meetings of the Overview and Scrutiny Board in September 2012 and February 2013 to answer the Board’s questions.

Use of Local Labour for the South Devon Link Road and other contracts

The meeting of the Overview and Scrutiny Board in September 2012 will have a focus on economic regeneration (as outlined above). The Board will also receive a **report** on the use of local labour for the construction of the South Devon Link Road.

Priorities and Resources 2013/2014

The Priorities and Resources **Review Panel** (made up of the same members as the Overview and Scrutiny Board) will meet in September, November and January to discuss the assumptions around the budget setting process and the detailed proposals being put forward by the Mayor for the 2013/2014 budget.

A number of suggestions put forward during the consultation on the Overview and Scrutiny Work Programme could form **key lines of enquiry**:

- How is the cost and efficiency of support services demonstrated?
- What opportunities are there for further outsourcing of non-core services?
- What are the opportunities for mutuals for service delivery? Or the third sector?
- How can we deliver more with less? Is it possible?
- What is the impact of government spending cuts on the wider community?
- What contribution do/can partner organisations make in the context of reduced public sector spending?

Impact of Benefits Changes and Development of Local Council Tax Reduction Scheme

At its meeting in February 2012 and subsequent briefing meetings, the Overview and Scrutiny Board asked for further information about the impact of benefits changes in Torbay. A **briefing note** has been prepared for consideration by the Board at its meeting on 20 June 2012.

The Board will be asked to determine if it wishes to investigate any of the issues in the note further. It is suggested that the Board will wish to comment, at least, on the proposals for a Local Council Tax Reduction Scheme which is due to be considered by the Council in December 2012. The draft Scheme will be presented to the **Board** at its October meeting following previous consideration of **briefing notes** on the development of the scheme (possibly at the relevant Policy Development Group).

Children's Safeguarding and Corporate Parenting

Children's safeguarding has been at the forefront of the work of overview and scrutiny for a number of years. A more structured approach to scrutiny of this issue is proposed with **performance reports** being supplied to the Board on a six-weekly basis and two **single-issue meetings** on the safeguarding – one to discuss the Peer Review report (July 2012) and the other to discuss the expected Ofsted report (provisionally set for November 2012). Supplementing this, members will be invited to attend the **Corporate Parenting briefings** held for all members (which will ensure there is no duplication of work for Children's Services officers) together with **informal visits** to service areas.

Arising from the consultation on the Overview and Scrutiny Work Programme some **key lines of enquiry** will be:

- How can demand for high cost children's services be reduced?

How efficient are services for children in Torbay?

Value for Money of External Contracts and Service Level Agreements

During consideration of the Revenue Budget for 2012/2013 the Overview and Scrutiny Board discussed the subsidy for the Riviera International Conference Centre (RICC).

The Board requested that the RICC should provide Torbay Council with a subsidy reduction plan for the next 2/3 years once the new Board of the RICC is established, and requested that the Chairman and Managing Director meet with the Overview and Scrutiny Board quarterly to report on progress in achieving the subsidy reduction plan.

Other issues which were raised during the consultation on the Work Programme included whether the Council got value for money from its external contracts and service level agreements. Organisations such as TOR2 and the Torbay Coast and Countryside Trust were highlighted as well as the Riviera International Conference Centre. Questions have also been asked around the role of the Citizens' Advice Bureau.

It is suggested that a **Review Panel** be established, feeding into the work of the Priorities and Resources Review Panel, that focuses on the role of some of these arms-length organisations to determine how they contribute to the Council's priorities and whether the subsidies/grants we provide give the community value for money.

Corporate Governance – Political Management Structure

Three suggestions were put forward around the political management of the Council. Within the report that was considered by the Council on the Chief Executive's request for voluntary redundancy, it was highlighted as part of the Risk Assessment that "attention would need to be given to the involvement of Senior Officers in decision making to ensure that this is as efficient as possible. The political decision making and governance arrangements may need to be revised to take into account any revised management structures".

A **review panel** could be established to undertake this role which would need to be carried out in conjunction with the work on determining alternative senior management structures.

Performance and Financial Monitoring

Members of the Overview and Scrutiny Board will continue to receive **quarterly performance reports** including budget monitoring reports. However, it is suggested that these be considered outside of the meetings of the Overview and Scrutiny Board with members **identifying keys issues of concern** which they would like to investigate in more detail. This would provide more focus on the issues which matter rather than trying to scrutinise all aspects of the report at one particular meeting.

Key lines of enquiry could pick up on the range of topics which have been identified during the consultation but are not the subject of specific pieces of work by the Board such as:

- Outstanding road repairs
- Environmental anti-social behaviour
- Demand for primary school places
- Tree maintenance
- Youth provision

In particular members may wish to follow up on whether the savings identified during the previous budget round have been achieved.

Bathing Water Quality

The members of the Overview and Scrutiny Board have kept a watching brief on bathing water quality and the impact of emerging European directives on the issue over the past couple of years. The last update report was considered about twelve months ago and a **briefing note** is due to be prepared in July 2012. At this stage, members will be updated on the current position and can determine how they wish to progress with their interest in this subject.

Housing Strategy

A number of issues in relation to housing were highlighted through the consultation on the Overview and Scrutiny Work Programme (such as accommodation for vulnerable people, houses in multiple occupation, demand for affordable housing, tenant engagement). The Council's Housing Strategy is due to be published for consultation at the end of the year and the **Overview and Scrutiny Board** may wish to consider the draft document before it is published (possibly at its meeting in October 2012) when these issues could be considered in more detail.

Appendix 1: Complete Results from Consultation (Grouped by Theme)

Theme	Issues	Suggested Methodology
Economic Regeneration	Performance of the TDA The role of the TDA Outcomes of the Regeneration Task Force Economic Strategy – post Mayoral Vision Job Creation Encourage new businesses Assistance to ensure long term future of businesses New Homes Bonus Scheme How economic policy links to Core Strategy for Housing Locals v. Tourism Deprivation Influence nationally and regionally Better quality jobs	Hold the Mayor to account: <ul style="list-style-type: none">• Request briefing note for 10 July – what are your objectives, where are these set out, how are you measuring success, when will we see an impact• Attendance at Overview and Scrutiny Board – September and February• Take themes into other reviews
Town Centres	Parking charges Anti-social behaviour at the Harbourside Build up of vulnerable people Town centre shopping vs. out of town Level of business rates Availability of parking Parking charges	Request update on progress of Neighbourhood Plans at Overview and Scrutiny Board (September) – Link to theme of meeting of Economic Regeneration (including the role of TDA in Neighbourhood Plans)

Theme	Issues	Suggested Methodology
Housing	<p data-bbox="465 213 658 250">Empty shops</p> <p data-bbox="465 277 1010 314">Accommodation for vulnerable groups</p> <p data-bbox="465 325 1050 362">Devon Home Choice/Devon Home Swop</p> <p data-bbox="465 373 1240 448">Affordable housing/Houses in Multiple Occupation (Impact of welfare reform)</p> <p data-bbox="465 459 909 496">Demand for affordable housing</p> <p data-bbox="465 507 667 544">Bad landlords</p> <p data-bbox="465 555 1240 630">Housing Strategy – How to deliver with reducing resources</p> <p data-bbox="465 641 1066 687">Sanctuary Housing – Tenant engagement</p>	<p data-bbox="1263 277 2033 352">Challenge of draft Housing Strategy – Overview and Scrutiny Board (October)</p>
Corporate	<p data-bbox="465 719 1021 756">Cost and efficiency of support services</p> <p data-bbox="465 767 1046 804">Further outsourcing of non-core services</p> <p data-bbox="465 815 1167 852">Opportunities for mutuals or spin out from council</p> <p data-bbox="465 863 887 900">How to deliver more with less</p> <p data-bbox="465 911 808 948">Impact of spending cuts</p> <p data-bbox="465 959 1173 995">Contribution of partner agencies in context of cuts</p> <p data-bbox="465 1007 1240 1082">Value for money of external contracts/SLAs > Riviera Centre > TOR2</p> <p data-bbox="465 1093 779 1129">Poor communications</p> <p data-bbox="465 1141 1010 1177">Strategic Vision – post Mayoral Vision</p> <p data-bbox="465 1189 846 1225">Influence of national policy</p>	<p data-bbox="1263 719 2033 794">Key lines of enquiry during Priorities and Resources Review</p> <p data-bbox="1263 1034 1839 1070">Task and Finish Review (Sept/Oct 2012)</p> <p data-bbox="1263 1209 1823 1246">Key line of enquiry during other reviews</p> <p data-bbox="1263 1273 1823 1310">Key line of enquiry during other reviews</p>

Theme	Issues	Suggested Methodology
	Corporate Governance > Need for 36 councillors > Political structure post 2015	Task and Finish Panel – short review (Summer 2012)
Transport	School run congestion Reducing speed limits Traffic calming Footpath condition Cycling – commuting and leisure Parking Charges > Parking provision for councillors Outstanding road repairs Promoting sensible neighbourhood parking	Issues already being considered in Transport Working Party and Policy Development Group
Environmental social behaviour	Anti- Litter Dog Mess Fly tipping > Collection of garden waste	Key line of enquiry: <ul style="list-style-type: none"> • Priorities and Resources Review Panel • Performance Framework (Public Value issue)
Community	Lack of community facilities – community bonding Military Community Covenant Distribution of services to the whole of Torbay Parks and open spaces – reliance on voluntary organisations > Shoalstone Pool Demand for primary school places Youth provision – impact of change over to new provider Maintenance of Trees	

Theme	Issues	Suggested Methodology
	<p>Access for disabled people to facilities within the Bay. Cost of Transport for same Group. Flood Risks Support at nursery level and for parents in poverty and single parents with under 5 year-olds.</p>	
Health and Wellbeing	<p>Drugs Foundation Trust status Deprivation Future services for the elderly – what should they expect/what do they deserve Care home provision/fees Priorities of the Health and Wellbeing Board How to reduce demand for high cost adult social care Transition of children to adults services Impact of cost reduction plans Alcohol and supermarket licensing Impact of welfare reform > On individuals > On services Changes to adoption standards Cost and efficiency of children’s and adults services How to reduce demand for high cost children’s services Wastage in the Health Service (unused medicines and dressings, missed appointments) Single Community Care Record</p>	<p>These issues will be discussed at the Briefing Meeting on 10 July 2012 prior to the Health Scrutiny Board on 19 July 2012.</p>

Theme	Issues	Suggested Methodology
	<p>Residential Care for the frail elderly in Torbay in light of the cut-backs.</p>	
	<p>Supported Living. What does this mean. What are the challenges in training, budget, choice, standards for those suffering from mental health issues, learning disabilities, physical disabilities, dementia and frail elderly</p>	
	<p>Hospital and rehabilitation for the elderly in Paignton</p>	
