

## **BRACKNELL FOREST COUNCIL'S SUBMISSION TO THE COMMUNITIES AND LOCAL GOVERNMENT COMMITTEE CONCERNING ITS INQUIRY INTO OVERVIEW AND SCRUTINY IN LOCAL GOVERNMENT**

Bracknell Forest Council welcomes the opportunity to submit its views to the House of Commons Communities and Local Government (CLG) Committee, to assist its inquiry into Overview and Scrutiny (O&S) in local government.

### **General Comments**

The Council operates an Executive/Scrutiny, 'strong Leader' governance model, and this has served the borough well. O&S has shown that it can make a valuable contribution to local public services, in terms of holding decision makers to account and in contributing to policy development and service improvement. This is supported by commendations over the quality and effectiveness of our O&S both externally (for example from: the Audit Commission; a Local Government Association Peer Review; and the Centre for Public Scrutiny), and internally (with the Executive accepting most O&S recommendations, and senior staff giving consistently very high feedback scores on the quality and usefulness of O&S reviews). Consequently, we consider that O&S in Bracknell Forest is working effectively, both for the benefit of our local community and as an essential feature of the council's good governance.

The Council has an O&S Commission which focusses on corporate issues and community safety. Reporting to the Commission are four O&S Panels, three focussing on areas of council services and one focussing on health issues. Further information on the role and activities of O&S can be seen on our web pages at <http://www.bracknell-forest.gov.uk/scrutiny> and in our annual reports of O&S at <http://www.bracknell-forest.gov.uk/overviewandscrutinyreportsandresponses>

### **Responses to the Committee's Specific Questions**

#### **Whether scrutiny committees in local authorities in England are effective in holding decision-makers to account**

We believe there is ample evidence to show that O&S at Bracknell Forest is effective in holding decision-makers to account. Recent examples include:

- Challenging the West London Mental Health Trust's intention to deactivate the Broadmoor Hospital alert sirens. Following a meeting with the Trust's Chairman and Chief Executive, the Trust modified their plans.
- Calling-in an Executive decision on a highways junction alteration. The Executive subsequently decided not to go ahead with the alteration.

Our O&S function also carries out pre-Executive decision reviews on some important policy making areas.

#### **The extent to which scrutiny committees operate with political impartiality and independence from executives**

The record shows that our O&S Commission and Panels are politically impartial and independent of the Executive. There is good cross-party working, with a shared commitment to carry out O&S in the best interests of local residents. O&S works constructively with - but demonstrably not under the direction of – the Executive. There are also safeguards, such as

a requirement at meetings for everyone to declare whether they are operating under the party whip; and there have been no such declarations, to date.

#### *Whether scrutiny officers are independent of and separate from those being scrutinised*

The full time O&S officers are based in the Chief Executive's Office, reporting to the Assistant Chief Executive, and are separate from all service departments. O&S officers enjoy a high level of autonomy and work closely with councillors. For much of the time, the O&S officers effectively report directly to the O&S chairmen and lead Members of O&S reviews. The Director of Corporate Services is the Council's statutory scrutiny officer. The effectiveness of these arrangements does, however, depend on the quality, experience and operational independence of the Overview & Scrutiny Officers.

#### *How chairs and members are selected*

All councillors on the O&S Commission are nominated by the political groups and appointed by full Council. The chairman of the O&S Commission is nominated by the Majority Group (chosen by Majority Group councillors, excluding Executive Members) and elected by members of the Commission. Parent Governor representatives are appointed following open elections, and Church representatives are nominated by the respective Diocese.

All councillors on the O&S Panels are nominated by the political groups and appointed by the O&S Commission. Each Panel elects its chairman. The Commission also appoints co-opted members (who are selected to bring relevant, specialist knowledge) and observers to Panels.

#### *Whether powers to summon witnesses are adequate*

Yes. Whilst the powers are not all-embracing, there has never been an occasion when someone who O&S wanted to meet refused to attend a meeting (though there have been a few instances when people omitted to attend).

#### *The potential for local authority scrutiny to act as a voice for local service users*

O&S already acts as a voice for local service users. There is potential to develop this role further, for example if more resources were available for proactive public engagement, and if the nominated external public officials were 'required' to attend.

#### *How topics for scrutiny are selected*

There is an open invitation on our website for residents to suggest topics for O&S reviews, and we have a public participation scheme for residents to raise issues at O&S meetings open to the public. Additionally, the Executive and officers occasionally suggest topics for O&S review. The Commission and Panels consider at least once annually what they would like to include in their future work programme. The Council's Corporate Management Team and Executive are consulted on the proposed annual work programme, and the final decision over the topics to be reviewed rests with the Commission.

#### *The support given to the scrutiny function by political leaders and senior officers, including the resources allocated (for example whether there is a designated officer team)*

Political leaders are supportive of the O&S function, for example by inviting Lead Members of O&S reviews to personally present the reports of reviews to the Executive before they decide on their response to the O&S recommendations. Senior officers engage constructively and actively with O&S, for example by attending O&S meetings to present

information on their department's performance and to answer members' questions. There is a dedicated team of two O&S officers, and officer support is also drawn from service areas and from the Democratic Services team. There is also a £5,000 annual budget for O&S non-payroll items, such as printing, field visits and research.

We believe it is a sign of the Council's commitment to the value of O&S that we have maintained the resourcing of O&S at the same level for many years, despite having to make substantial budget reductions elsewhere due to the pressures facing local government finance.

#### What use is made of specialist external advisers

Specialist external advisers have been engaged, usually on an unpaid voluntary basis, to bring specialist knowledge to bear on specific O&S reviews. For example:

- A retired GP is a co-opted member of the Health Scrutiny Panel, bringing much relevant knowledge and weight to the Panel's work;
- We engaged the help of the Head of the Thames Valley Safer Roads Partnership when we carried out an O&S review of the increase in road traffic casualties.

Use is also made of external advisers to provide training to O&S members.

#### The effectiveness and importance of local authority scrutiny of external organisations

All Unitary Authorities operate within an extensive public and private partnership network, thus external scrutiny is very important. Our principal focus is on the NHS, where our health O&S Panel is active and demonstrably effective. For example, the Panel recently completed a review of whether there is sufficient GP capacity to meet the Borough's future needs, particularly as there are new major housing developments. The report was received positively, with the Clinical Commissioning Group commenting: *'The CCG sees this as a really important piece of work which has come at the right time to inform the local primary care strategy for the future.'* The CCG's Medical Director commented that the Panel's report was excellent, very comprehensive and it understood local issues.

Our external scrutiny also includes regular exchanges with Thames Valley Police, and occasionally with schools, Royal Berkshire Fire and Rescue, the Environment Agency and other organisations delivering important services to local residents.

#### The role of scrutiny in devolution deals and the scrutiny models used in combined authorities

Neither of these aspects applies to Bracknell Forest. However, we consider that O&S would be an essential element of good governance in any UK public sector structure.

#### Examples where scrutiny has worked well and not so well

In addition to the examples above, we would add:

- Our O&S has been improved by analysing and applying the lessons of failures in O&S elsewhere. This included a substantial piece of work on the findings of the Francis Enquiry into the poor care and high mortality rates at Mid Staffordshire NHS Foundation Trust.
- Joint scrutiny with other local authorities can be very worthwhile. An example would be our participation in the Joint East Berkshire Health O&S Committee where, with Slough Borough Council and the Royal Borough of Windsor & Maidenhead, we scrutinised and responded jointly to an NHS consultation over significant changes in the health infrastructure in East Berkshire.

Whilst we have been able to refine and develop our approach to O&S over the years, we have no examples to offer of O&S work which was unsuccessful.

Bracknell Forest Council trusts that this submission will be of use to the Committee, and we look forward with interest to seeing the results of the Committee's review.

**Councillor Paul Bettison OBE**  
**Leader, Bracknell Forest Council**  
**1 March 2017**