

Overview and Scrutiny Annual Report



2019 - 2021

Foreword from the Chair of the Overview and Scrutiny Commission, Councillor Robert Angell



This report covers May 2019 to March 2021, a period of significant change for the overview and scrutiny (O&S) function within Bracknell Forest Council.

The early period focussed on implementing positive changes to the way we conduct scrutiny,

drawing on a Centre for Public Scrutiny (CfPS) 'healthcheck' in December 2018. Scrutiny is now centred around the themes of the Council Plan, ensuring we direct our efforts into areas that will contribute to the effective delivery of the council's objectives. The section on O&S at Bracknell Forest Council at the end of this report describes what this means for our structure and activities.

We also reviewed the role and purpose of O&S to better reflect the Government's statutory guidance on O&S and the recent council reorganisation. This led to a comprehensive work programme spanning the four-year administration. The work programme was developed in consultation with the Executive, senior council officers and O&S panel chairs and was agreed at the O&S Commission meeting in November 2019.

As with the revised structure, the new work programme aligns with the Council Plan objectives and sets a clear path for O&S to have a positive impact. Work programme activities gained momentum but were paused in March 2020 when the national health pandemic required a cross-council response, meaning changes to priorities and a focus on staff arrangements to deliver them.

The Commission continued to meet but formal panel scrutiny activity was paused. With experience of the pandemic, the Commission revised the work programme in September 2020

to reflect the impact and the recovery process for some services. The programme acknowledges revised priorities and timescales, the need to update some review scopes and new ways of working in some areas.

2020-21 presents an ongoing challenge to work with services to maintain a deliverable O&S programme whilst responding to changes in their capacity due to Covid activities. The Commission and panel chairs recognise the new pressures on services and are keen to manage them carefully by refocussing reviews to support service activity. I must take this opportunity to thank the officers and staff who have maintained a high level of support for the O&S activity in difficult times.

The pandemic has also offered opportunities and the O&S function has delivered several quality reviews using remote meetings. All of the chairs have recognised that remote meetings enable experts to attend more easily and have the ongoing potential to increase the diversity of witnesses.

As well as sponsoring the panel activities and scrutinising the budget, the Commission also took the lead on O&S's response to tackling climate change, which is described later in this report.

O&S benefits from a wide range of experience and viewpoints, and the Commission welcomes input from residents and local organisations via its public participation scheme. I would like to see this used more frequently so increased publicity will be a feature of the coming year to attract wider opinions on the council's performance.



Introduction from Kevin Gibbs, Statutory Scrutiny Officer



Overview and Scrutiny is an important function of Bracknell Forest Council. Its legal powers and duties are set out in the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils. This legislation also details

the role and duties of Statutory Scrutiny Officer :

- To promote the role of the authority's overview and scrutiny committee(s);
- To provide support to the authority's O&S function and to local councillors;
- To provide guidance to members and officers of the council in relation to O&S's functions.

The Statutory Scrutiny Officer is an important role. It must ensure that scrutiny is taken seriously by members and officers and, in so doing, ensure that the council has effective governance arrangements.

Bracknell Forest Council has assigned the Statutory Scrutiny Officer role to the Executive Director of Delivery, to ensure that the role has a high profile within the corporate organisation, plus the Executive and the wider member community. It is vital that members have the same confidence in the advice given to them in this role as with any of the other statutory posts, such as Monitoring Officer and s151 Finance Officer (Director of Resources).

The powers of the Overview and Scrutiny function are wider than the services provided by the council. A good and effective Overview and Scrutiny function may investigate any issue which "affects the area or the area's inhabitants". This can and does include other partner organisations, in particular local NHS bodies, the community safety partnership and other public / 3rd sector organisations. Such bodies are under various obligations to respond or have regard to the

recommendations of the Commission and its Panels.

It is therefore important that the Statutory Scrutiny Officer is a senior Officer as, from time to time, questions and concerns will arise about the operation of the scrutiny function, and an official will need to make a determination about what the law says and how this should be applied to that particular situation. Members and officers, both working in scrutiny and in other roles, need to understand how the Statutory Scrutiny Officer, Head of Democratic & Registration Services and the Monitoring Officer are empowered to exercise these functions and provide advice in these circumstances. In carrying out this statutory role, there is a need to have a nuanced and meaningful understanding of the scrutiny function in order to accurately make judgments about its operation when disagreements or other issues arise.

Following the council reorganisation in 2019, Bracknell Forest Council's implementation of the role is in line with the recommendations of the Communities and Local Government Select Committee report, Effectiveness of local authority overview and scrutiny committees. This Overview and Scrutiny Annual Report 2019 – 2021 discharges the duty of the Statutory Scrutiny Officer to "...make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them".

Council will be aware that on 27th November 2019, Council noted the decision of the Overview & Scrutiny Commission on 5 November 2019 to implement revised arrangements to discharge the overview & scrutiny function (Appendix A). Council also noted the Commission Chairman's encouragement for all non-Executive members to get involved in future overview and scrutiny activity. To guide member involvement in the function, a four-year work programme was developed tracking the themes within the new Council Plan.

I am pleased to report to Council that this report demonstrates that these changes to the function have been highly effective and the function is meeting the highest standards.

This report details the extensive programme of reviews of council services. Reviews have also been undertaken on external organisations, including Thames Valley Police, registered

providers of social housing and contracted service providers.

In support of these reviews, a broad range of witnesses have given evidence to the Panels and Commission. These have included a number of organisations, tenant representative groups, community groups, campaigning groups, service users, academics and individual members of the public. Trade groups and those representing industry have shared insights and learning, putting the Panels and the Commission in the best possible position to use this intelligence to frame their reviews and produce insightful recommendations.

The Commission has undertaken pre-decision scrutiny on the budget, the IT strategy, the Customer Experience Strategy and extensive work was undertaken on the Climate Change strategy.

Scrutiny's role in in-year performance and finance monitoring sits alongside the audit function of the authority. Corporate performance management was undertaken with quarterly reviews of the

Corporate Performance Overview Report (CPOR), with all Executive Members having been reviewed in public session of the Commission over the municipal year.

It is worth highlighting to Council that the impact of the Covid-19 global pandemic required the work programme to be reschedule a number of times. The resources assigned to the function have also been spread much more thinly as, initially, the resources needed to mount a remote public meeting were four times that required for a face to face public meeting. However, even with the pause in Commission and Panel meetings in April - May 2020, the end of year will see that the Panels and Commission have exceeded the number of meetings scheduled and will have delivered more review reports than has been the case in the last 3 years.

The support to members for the provision of policy and research support, plus organising and administering meetings, has been set at 86 hours per week since 2018-19. Pre-Covid the 86 hours were delivered by three staff:

| Governance & Scrutiny Officer | Governance & Scrutiny Officer | Governance & Scrutiny Manager |
|--|--|--|
| 1 full time equivalent (FTE) | 1 FTE | 0.32 FTE |

Interim Covid arrangements are in place and the 86 hours are currently delivered by four people:

| Governance & Scrutiny Officer | Governance & Scrutiny Officer | Governance & Scrutiny Officer | Governance & Scrutiny Manager |
|--|--|--|--|
| 0.75 FTE | 0.65 FTE | 0.6 FTE | 0.32 FTE |

| Commission | | |
|---------------------------------------|--|---|
| 2018-19 | 2019-20 | 2020-21 to date |
| 5 meetings held No review activity | 6 meetings held Climate Change review commenced | 9 meetings held (1 scheduled for April) 3 reviews completed – recommendations to Executive |
| 2 over 2 hrs | 2 over 2 hrs | 8 over 2 hours |
| Average 1.5 hrs each | Average 1:40 hrs each | Average 2:20 hrs each |
| Total = 7:55 hrs | Total = 9:45 hrs | Total = 20:20 hrs so far |

| Panels | | |
|--|--|--|
| 2018-19 | 2019-20 | 2020-21 to date |
| 16 meetings held across 4 panels | 14 panel meetings held across 3 panels | 25 review meetings held across 3 panels |
| 3 reviews – no recommendations generated | 2 reviews completed – recommendations to Executive 1 review almost complete – on hold | 1 review complete – recommendations to Executive 2 reviews close to completion 3 reviews in early stages of pre-review preparation |

I am therefore content that the function has adequate resources and that service departments are contributing sufficiently to reviews to ensure these are effective.

Below is my review of the effectiveness of the Panel and Commission, in terms of meeting hours and reports completed.

Kevin Gibbs

Executive Director: Delivery (acting as Statutory Scrutiny Officer)

Education, Skills and Growth Overview and Scrutiny Panel, Chair: Councillor Mrs Gill Birch



All the panel members work well together, and I would like to thank them all for their help and support during 2019-2021.

This period has been one of many challenges and new ways of working, not least adopting a theme-based approach to our

scrutiny which allows activity to align more closely to the council's objectives. The coronavirus pandemic impacted on our capacity to carry out scrutiny. Some activities took longer to complete and the four-year work programme has been realigned to account for this necessary pause in activities.

One delayed activity was the care leavers review which was finally endorsed by the Executive in September 2020. The five recommendations were accepted by the Executive and the panel recognised all the good work already in place to support care leavers. Specifically, it was pleasing to see that the council was prioritising the leaving care services to provide support to young people in their transition to independent living. It is vital that members recognise our responsibility as corporate parents and the need to ensure there is sufficient support in terms of housing, education, jobs, and accommodation for care leavers.

The recommendations from the care leavers review are due to be monitored at the O&S Commission meeting in May 2021 to evaluate progress on outcomes.

The apprenticeship review began in November 2020 and completed in January 2021. It followed directly on from the care leavers review as post-16 apprenticeship opportunities for our care leavers and young people are extremely important, especially with the current challenges of the coronavirus pandemic. This review looked at the new government incentives, barriers to undertaking an apprenticeship, employing apprentices and the range of apprenticeship opportunities.

The review findings were endorsed by the Executive in March 2021 and all recommendations were accepted. When implemented, the recommendations will improve the apprenticeship information for both providers and potential apprentices and will increase partnership working across providers and with the council.

The review demonstrated how well the council works with partners and how positive everyone is about promoting apprenticeships. It was interesting to find out that we have 55 apprentices across the borough with ages ranging from post-16 to late fifties..

The next review is the Community Infrastructure Levy (CIL). This has already been scoped and is commencing in April. The review will look at the mechanisms that govern CIL funding and spend as well as reviewing how parish councils and Bracknell Forest council have used CIL funding to stimulate local growth, with particular reference to communication and including residents in decision making.



(L-R) Councillor Brossard, Councillor Mrs Birch and Councillor Temperton with the fitness equipment at Holly House (taken in 2019)

Findings and observations

- The new shorter report focuses on outcomes by presenting the review recommendations at the beginning. This has been well received and is the preferred format.
- The themed approach has facilitated reviews across departments which has enabled the review of broader topics and helped form policies.
- The reviews have attracted wider participation from members. The apprenticeship review was carried out by ten councillors and three Executive members.
- Due to the coronavirus pandemic, virtual ways of working were established. These allowed relevant witnesses to attend regardless of location, which contributed to high quality reviews. This way of working is efficient and should be continued.
- Although the panel has concluded two excellent reviews, there is a desire to increase our scrutiny focus by making greater use of the performance dashboard .
- The panel has only discussed and decided priorities on one occasion (in June). It would be more effective to have at least one more meeting at the end of the period to evaluate the work done.
- Members who work full-time have found it difficult to attend daytime reviews. Having panel meetings in the evening keeps them in touch and provides an opportunity to contribute to reviews.
- The one-day review was too long and intense. In future, short format reviews should aim for two half days.
- Ideally, meetings should be a maximum of two hours long to maintain focus and engagement.



Environment and Communities Overview and Scrutiny Panel Chair: Councillor John Porter



The objective of the panel changed at the start of the new term. The panel will still scrutinise how each service item has been delivered and whether it met its key objectives, and will also now input into reviews of upcoming contracts, initiatives and plans.

This welcome change

increases the influence of scrutiny and allows councillors to make a greater contribution on behalf of residents.

In this period, the panel concluded the findings of the LED lighting review, confirming that the new lighting delivers cost savings for the council and reduces our carbon footprint.

The next review looked at additional burial space within the Borough as the crematorium is running out of space. Having visited various sites and listened to evidence from officers and experts, the panel recommended to the Executive a suitable site for testing. If the testing is successful this site has the potential to support burials in the area for 25 years. The report also identified a second phase to this review - to understand what other burial options could be offered to residents that would increase the number of burials possible as well as increasing choice.

In April 2020, the panel had intended to look at introducing food waste to Houses of Multiple Occupation (HMOs) and flats but this was delayed due to Covid-19. I am pleased to report that this review is now starting and I look forward to recommending some key considerations for a successful implementation.

The panel has now looked at registered providers of social housing. The aim of the review was to identify opportunities for providers to foster community wellbeing and assist in individual health and wellbeing outcomes within Bracknell Forest. The review also looked at the service provision for residents to understand how it impacts them and identify any opportunities to improve. The panel spoke to registered providers, tenants, housing officers and the Public Protection Partnership, and made several recommendations designed to improve understanding and speed up processes for the benefit of residents. The recommendations will be considered by the Commission in April and, if endorsed, are due to be reviewed by the Executive in late April.

Registered providers was the panel's first review following the pause due to the pandemic. Covid-19 has demonstrated how important the security of social housing is and the influence that registered providers can have on building and supporting communities.

Observations

During lockdown it was necessary to conduct the registered providers review remotely. The review has not suffered as a result and has probably benefitted as we had more people contribute due to not having to travel vast distances to assist us with the review. My view on future reviews and scrutiny is to have virtual meetings when any contributor has a long journey or other difficulties attending in person. The panel could decide whether it is preferable to have a physical or virtual meeting with officers.



Wellbeing and Finance Overview and Scrutiny Panel

Chair: Councillor
Malcolm Tullett



This has been a very unusual and difficult year, dominated by the Covid-19 pandemic and emergency arrangements. However, the panel has discussed and consulted on two work programme topics, while continuing to review the priorities identified by members of the public, outside

organisations, panel members and council officers in a joint workshop in 2019.

Healthy eating, activity and exercise

Although the panel interviewed relevant officers and third-party providers, the first wave of the pandemic forced this review to be halted. Regrettably, it has still not restarted as the officers and organisations involved are either focused on the pandemic response or have closed, respectively. We particularly needed to speak with Officers working with schools, especially regarding the attendance of students at out of school sports clubs and the reasons why others did not attend.

When the situation eases sufficiently, we will review the draft findings to understand where they fit with the current situation and any plans. Officers from Public Health, Children's and School's Services, together with leisure service providers will all need to be invited to give evidence, again.

Social isolation and loneliness

Following the first lockdown, the council's corporate management team commissioned a Community Impact Assessment to understand how residents in Bracknell Forest have been

affected by the virus and the restrictions. Together with the findings of a residents' survey and the Frimley Healthcare Foundation Trust Integrated Care System patient review, the subject of social isolation and loneliness became a high priority for review.

Officers from public health and adult social care had to prioritise our Covid-19 response so, with the approval of the O&S Commission, the panel reviewed the findings of the three reports. Several organisations also expressed a desire to get involved.

The panel heard evidence from carers, carers support groups, faith groups, Berkshire Healthcare Foundation Trust, Community Mental Health Trust and councillors representing self-help groups and day centres. We also heard from the Older Person's Community Champion.

The panel considered the issue of digital inclusion and invited the Assistant Director: Customer Experience, Digital and ICT to take part in the review. Her involvement proved pivotal to the review outcomes, which focus on the need for the Health and Wellbeing Board to prioritise social isolation and loneliness to ensure a holistic approach to statutory, voluntary and charity sector projects. The recommendations include a 'One Stop Shop' for signposting services, and the development of digital solutions to underpin improvements. A scrutiny review into mental health services provision in the borough is also recommended. All of the recommendations from this review will be considered at the Commission in April.

Blue Badge scheme

The O&S Commission agreed that the panel should scrutinise the issue of awarding blue badges in Bracknell Forest, immediately after the completion of the social isolation and loneliness review.

The requirement for scrutiny arose following several complaints to councillors and a local newspaper article highlighting a discrepancy in allocation outcomes between Bracknell Forest Council and other local authorities. The article suggested poor performance from the council in relation to applicants with hidden disabilities. The O&S Commission agreed that, notwithstanding a broadly clean bill of health from the Local

Authority Ombudsman in relation to the process, the underlying reasons for the difference in outcomes need to be understood.

This review is in the planning phase with the scrutiny work being carried out in April.

Observations

The big difficulty this year has been trying to involve the most relevant senior officers and partner organisations when they are leading the Covid-19 response.

In the past, undertaking scrutiny via evening meetings at Times Square may have been a barrier for some participants. Moving to online meetings has meant some meetings have been held at different times (daytime or early evening). This has suited some participants, but not all, and is a change from which we have learned.

In general, remote meetings have allowed a wider range of members and witnesses to attend as there is no need to travel and it is easier to attend for short segments. Reviews are best when there is participation from many outside parties sharing experience that is relevant to the scope. Wide participation also helps outcomes as participants support and implement the agreed recommendations. The practice of remote meetings should be embraced and next year, if regulations allow, meetings could be on a blended face-to-face and remote basis.



Climate change O&S Commission Vice-chair: Councillor Tony Virgo



In support of this, the council hosted a climate change market place in March 2020 where council officers and external partners showcased the projects making a sustainable difference to council services. The Commission workshop that followed identified a number of projects to

be considered in the developing strategy. Several O&S members subsequently took action over the summer, carrying out individual research into areas from air quality to schools infrastructure to water dispensers.

On 2 December, the Commission reviewed this research and further discussed climate change with external experts. The resulting suggestions were presented to Kevin Gibbs, Executive Director Delivery, who is coordinating the council's overall strategy. The Commission endorsed the draft strategy and recommended that an advisory group be set up to focus on driving the strategy forward and to coordinate the expertise amongst parish councillors, action groups and experts in the field. The meeting also commissioned a review into the opportunities to use community leadership to harness the collective contributions required from residents to fight climate change.

The focus on climate change continues and, in February, the Commission proposed eight members to be part of a cross-party advisory panel for climate change being set up by the Executive.

I would like to thank all the members who have made strong contributions to our climate change response over this period for their continued commitment to making a real difference in the fight against climate change.



Overview and scrutiny at Bracknell Forest Council

Overview and scrutiny is structured with an overarching O&S Commission and three O&S panels, as described below.

Overview and Scrutiny Commission

Membership:

Councillor Angell (Chair), Councillor Virgo (Vice-chair)

Councillors Mrs Birch, Brossard, Gbadebo, Mrs Mattick, Mrs McKenzie-Boyle, McLean, Mossom, Porter, Temperton, Tullett

Responsibilities:

- Create a focussed work programme to ensure scrutiny activity contributes effectively to the Council Plan objectives
- Continually manage the work programme to ensure the best use of resources, accommodating any necessary extensions or urgent short-term issues
- Act as sponsor for panels as they undertake deep dive reviews or support policy development
- Consider the recommendations from panels' scrutiny activity and, where they are supported, refer to the appropriate decision-maker
- Scrutinise the council's budget proposals
- Hold the Executive to account for council performance according to the Corporate Performance Overview Report
- Carry out the council's crime and disorder responsibilities and strategic health responsibilities.
- Manage call in (the process to scrutinise Executive decisions).
- Review the policy framework.

Education, Skills and Growth Overview and Scrutiny Panel

Panel membership:

Councillor Mrs Birch (Chair), Councillor Brossard (Vice-chair)

Councillors Ms Gaw, Mrs Hamilton, Gbadebo, Ms Hayes, Ms Merry, Skinner, Temperton

Parent governor representatives (voting): Mark Glanville, Tracey Wright

Strategic themes:

Education and skills

Economic resilience

Environment and Communities Overview and Scrutiny Panel

Panel membership:

Councillor Porter (Chair), Mrs McKenzie-Boyle (Vice-chair)

Councillors Angell, Brossard, Brown, Ms Gaw, Mrs Ingham, Kennedy, Kirke

Strategic themes:

Communities

Protecting and enhancing our environment

Wellbeing and Finance Overview and Scrutiny Panel

Panel membership:

Councillor Tullett (Chair), Councillor Mrs Mattick (Vice-chair)

Councillors Allen, Atkinson, Bhandari, Brossard, Finch, M J Gibson, Mrs L Gibson, McLean, Skinner, Temperton

Strategic themes:

Caring for you and your family

Value for money

Each panel is responsible for two themes from the Council Plan. By aligning activity areas with strategic themes, O&S can focus on topics that closely support the council's objectives over the four-year administration period.

These arrangements recognise that scrutiny is most effective when operating the task and finish group model rather than as sub-committee. Panels work flexibly to carry out focussed enquiries and deep dive reviews across a wide range of topics in support of the council's objectives. Panels meet as required to deliver the work programme rather than on a pre-agreed fixed cycle.

The format is also flexible, and activities range from a single scrutiny panel meeting on an issue to a three - six month focussed review. In addition to the core panel membership, all non-Executive members can take part in any review work. This enables the O&S function to tap into the skills and knowledge of members across a wide variety of topics. It also means that councillors who need to balance external responsibilities can be involved effectively based on their availability, interests and knowledge.

This approach recognises the importance of non-Executive members' involvement in policy development and pre-decision input and scrutiny, ensuring that scrutiny not only provides challenge but also actively contributes to the work of the council.

Getting involved

Overview and scrutiny activities benefit from a wide range of knowledge, experience and viewpoints and the Commission is keen to encourage wider participation. Review recommendations help shape the services we deliver for residents. Here are some insights from officers and a resident about what they gained from recent reviews.

"I've been invited to contribute to a couple of O&S reviews this year. Although they can be challenging, the sessions are always valuable and make me and my team think. Panels are keen to look at technology and understand how the council can use it to improve the lives of residents and make services more efficient. They ask relevant questions and give insights we may not have considered before which helps us all achieve a better outcome."

Bobby Mulheir, Assistant Director: Customer Experience, Digital and ICT

"The timing of the O & S review into apprenticeships coincided with the pandemic. It gave us the opportunity to share how we had adapted our services to continue providing effective support to children and young people, as well as to factually present the challenges we were experiencing. The resulting findings and recommendations are closely linked to the Education and Improvement strategy and will support the strategic priorities of the department."

Kashif Nawaz, Head of Children's Support Services

"Lorem ipsum dolor sit amet, consectetur adipiscing elit. Donec nec turpis hendrerit, cursus ipsum a, ullamcorper urna. Praesent quis ligula ut orci rhoncus ultricies id id felis. Suspendisse ut egestas lectus. Interdum et malesuada fames ac ante ipsum primis in faucibus. Nam mollis fermentum tellus eu aliquam. Maecenas quis mauris."

Quote from a resident

Find out more about the overview and scrutiny work programme. If you would like to be involved in future activities contact committee@bracknell-forest.gov.uk.



Appendix A

Revised overview and scrutiny arrangements, in place since November 2019



