

**OVERVIEW AND SCRUTINY COMMISSION
27 JANUARY 2011**

**REVIEW OF OVERVIEW AND SCRUTINY ACTIVITY
Assistant Chief Executive**

1 INTRODUCTION

Members requested an update on Overview and Scrutiny (O&S) activity following the reduction in officer resources in March 2010. This report highlights a range of measures that could improve efficiency and address the reduced level of officer support, at a time of great and growing pressure on local government resources. The Comprehensive Spending Review announced by the Government outlines a very significant 28% reduction in general grants and other reductions over the next four years. The Council is currently awaiting final details and drawing up plans on how it will respond to this unprecedented level of cuts. The proposed reductions in funding mean that allocating additional resources to the O&S function will be increasingly difficult.

2 SUGGESTED ACTION

That the Overview and Scrutiny Commission:

- 2.1 Notes that Overview and Scrutiny outputs have been largely maintained since March 2010.**
- 2.2 Notes that under the current structure and processes, the O&S outputs can be expected to decline in the future.**
- 2.3 Notes that it is unlikely that three Overview and Scrutiny reviews planned for 2010-11 can now be resourced.**
- 2.4 Considers measures to sustain O&S activity, including the options set out in paragraph 3.8.**
- 2.5 Notes that the consequence of having more meetings of the O&S Commission and Panels will be to have fewer O&S reviews.**
- 2.6 Continues to keep the O&S structure and work programme under review.**

3 SUPPORTING INFORMATION

- 3.1 At its meeting on 28 January 2010, the O&S Commission considered the implications of the budget proposal to reduce the O&S officer team from 2.4 (2.9 actually in post) to 1.9 Full Time Equivalentents (FTE). The O&S Commission recognised that this required a commensurate reduction in the O&S work requiring officer support.**
- 3.2 The changes agreed by the O&S Commission were:**
 - (i) Reducing the frequency of O&S Commission meetings from six to four each year;**
 - (ii) Reducing the frequency of all the O&S Panel meetings from four to three each year.**
 - (iii) Slimming down the agendas for meetings.**

- (iv) That the quarterly O&S progress reports should be replaced by six monthly progress reports.
- (v) Reducing the number of O&S reviews to a maximum of around three to four at any one time.
- (vi) Ceasing the planned approach to O&S of the Bracknell Forest Partnership.
- (vii) Noting that officers would have much more limited capacity for research and responding to members' requests for information than previously.
- (viii) Noting that there would be little capacity to develop O&S to meet and set best practice, e.g. by participating in conferences, thus giving BFC a lower national profile than currently.

3.3 The O&S Commission also resolved that the new arrangements should be reviewed after six months, and asked the Executive to keep the O&S staffing situation under review.

3.4 Key developments since January 2010 have included:

- (i) Designation of the Director of Corporate Services as the Council's statutory scrutiny officer under the Local Democracy, Economic Development and Construction Act 2009 to provide support to the authority's overview and scrutiny function.
- (ii) The O&S Officer team reduced from 2.9 Full Time Equivalentents (FTE) in post to 1.9 FTE from 1 March 2010. This compares to the average of 3.6 FTE for all Unitary Authorities, as shown in the latest annual survey by the Centre for Public Scrutiny.
- (iii) The O&S officer team took on the responsibility for supporting the Joint East Berkshire Health O&S Committee from May 2010 for one year, and this has proved to be as time consuming as an average O&S Panel.
- (iv) The Government has issued a major White Paper on the National Health Service. One of its proposals is to abolish Primary Care Trusts (PCT). The creation of the Berkshire East PCT in 2006-07 was the catalyst for creating the Joint East Berkshire Health O&S Committee with Slough BC and the Royal Borough of Windsor & Maidenhead, which raises a question over the continuing need for that Committee.
- (v) The planned 2009-10 approach to the O&S of the Bracknell Forest Partnership (BFP) has been rolled out successfully, culminating in a report which recommends that due to resource constraints, this field of work should now cease, and the Executive and the BFP Board have indicated their acceptance of that.
- (vi) The reduction in the frequency of meetings of the O&S Commission and Panels was applied at the commencement of the 2010-11 municipal year, from late May 2010.

Impact of the Changes to O&S

3.5 At only six months or so into the new arrangements, it is difficult to gauge accurately the real impact of the changes. It is proposed that a further report be brought forward in 8 months time. However, some observations can be made at this stage:

- (i) The headline rate of outputs for the O&S function¹ has not declined noticeably, however this can be attributed to:
 - A fairly long 'pipeline' of O&S work, particularly working groups, which would mitigate against short term fluctuations in outputs;
 - No Councillor or Community Calls for Action, or Petitions requiring an O&S input, also an exceptionally low level of stage 4 and Ombudsman complaints. There is an increased risk that this demand-led, top priority work will increase in the light of service pressures.
 - Officer capacity having been higher than anticipated. Officers engaged, at no cost, a Future Jobs Fund Trainee in May 2010. This part-time, fixed-term post has been helpful, but it ended in November 2010 and the scheme has been closed by the Government. The O&S officer team has also had exceptionally low levels of sickness absence, staff have not taken all their annual leave, and almost no time has been spent on staff training. This is unsustainable and potentially counterproductive in the medium to long term.
- (ii) The reduced frequency of meetings has made it harder to promptly conduct business and keep the agendas for the meetings of the Commission and Panels to a manageable size, with little time devoted to some important issues. There has been no slimming of agendas in practice, with agendas being on average larger than when meetings were held more frequently.
- (iii) As recognised at the outset, the three meetings of each Panel annually no longer correspond to the four Performance Monitoring Reports (PMR) produced annually, such that Panels will not publicly consider one PMR each year.
- (iv) The combined effect of fewer working groups and reduced frequency of meetings has shown a higher risk that Panel work can lose pace and Panel Members can cease to be regularly engaged and involved in their designated areas. Due to the organisation of the municipal timetable, some meetings are around five months apart, and if Members miss a meeting, a nine month gap means a major loss of contact.
- (v) Due to the timing requirements of two important NHS consultations not coinciding with meetings of the Health O&S Panel, that Panel held two extra informal meetings requiring officer support.

¹ Since January 2010, O&S reviews have been concluded on: Supporting People update; Housing and Council Tax Benefits – follow up; Preparedness for Public Health Emergencies; Review of the Bracknell Health Space; The Council's response to the severe winter weather; 14-19 Years Education Provision; Personalisation – safeguarding adults; Review of Partnership Scrutiny; also the annual report of O&S for 2009/10.

- (vi) The reduction in frequency of the O&S Commission's meetings may mean that the 2010-11 annual report of O&S, required by the Constitution, may need to be agreed outside a public meeting, or deferred until after the annual meeting and adopted by the next O&S Commission.
- (vii) The pressure on officer time has meant that O&S developmental work, for example on improving public engagement, has been continually deferred in favour of deadline-driven and demand-led work.

In overall terms, it is too soon to ascertain the long-term impact of the changes decided by the Commission in January 2010. Nevertheless, it is clear that the commendably high rate of outputs in the period cannot be sustained with the current arrangements. Also, there is less continuity of Member involvement, the officer team is very fully stretched, there is much less investment in the development of O&S, and there is little resilience to cope with any staff absences or surge in demand-led statutory work.

- 3.6 The progress report to the O&S Commission meeting in October 2010 set out the current status of the O&S Working Groups, along with the list of completed reviews. This shows that the number of reviews is running at a higher level than the planned maximum of around three to four at any one time, which has impacted on officer resources. Currently, two reviews are at draft report stage (Hospital Car Park Charges, and Safeguarding Children) and three reviews are underway (Bracknell Healthspace, Commercial Sponsorship, and Review of Highway Maintenance). It is also most unlikely that three reviews planned for 2010-11 can be resourced this year (Sustaining Economic Prosperity, English as an Additional Language stage 2, and The New NHS Constitution).
- 3.7 The latest annual survey by the Centre for Public Scrutiny states that the all-councils average number of O&S reviews carried out in 2009 was 5.43. This is close to the six O&S review reports finalised in 2009 at Bracknell Forest. This number of reviews is significant for an authority the size of Bracknell Forest.

Possible measures to Sustain O&S Outputs in the Future

- 3.8 The experience of the impact of the changes to O&S set out above, together with the increasingly challenging financial climate for all local authorities - including possibly significant budget reductions – requires that we should constantly strive to improve the efficiency of O&S. Further measures to reduce the demands on officer time, whilst helping to sustain the level of O&S activity are set out in the table below.

Area of Activity	Possible Measures
1. Structure of Overview and Scrutiny	1.1 Cease the Council's involvement in the Joint East Berkshire Health O&S Committee, only to be reactivated in the event of a statutory consultation requirement. 1.2 Reflecting the move of the public health function from Primary Care Trusts to local government, also to align with the departmental structure, possibly combine the Health and Adult Social Care O&S Panels. 1.3 The continuity of Member involvement has suffered from the reduced frequency of meetings and the reduction in working groups. Notwithstanding the increased demand on officer time, this would be improved if the previous frequency was restored – the

	Commission meeting six times each year (instead of four times at present) and the Panels meeting four times annually, (instead of three times annually as at present).
2. Public Meetings	2.1 Cease off-site public meetings. These assist in building Member's knowledge and enhancing public engagement and the profile of O&S, but they require much more officer time to arrange, as well as some direct costs.
3. Approval of O&S Reports	3.1 Currently, most O&S reports are agreed by the respective O&S Panel and then considered and adopted by the O&S Commission. A faster and more efficient route could be for the O&S Commission to delegate its approval powers to the respective Panel, and for Commission members to be invited to the respective Panel meeting. Panel Chairmen could also include details in their oral reports to the Commission.
4. Agenda Management	4.1 Chairmen of the O&S Commission and Panels, advised by the Directors, to reverse some of the 'creep' in agendas so as to concentrate time on the most important topics, particularly the effective holding of the Executive and officers to account for departmental performance.
5. O&S Working Groups	5.1 The officer support requirements currently vary between reviews, depending on the time deployed by Members. If all Members were to 'level up' their input to reviews, this would greatly reduce the officer requirements and enable more reviews to be carried out, faster. 5.2 Exercise tighter control over taking on new reviews - the presumption should be that any addition to the work programme during the year would result in the deferral of a review already in the programme.
There is an increasing need for O&S to be able to respond flexibly to run short focussed reviews on matters of topical interest and concern. Capacity for this needs to be secured.	Capacity might be released by adopting some of the proposals in this table.
Reduce the number of O&S reviews and re-focus more towards contributing to policy development	A reduced work programme would ease the pressure on the O&S officer resource. Instead, Members might like to spend more time contributing to policy development, supported more by departmental officers rather than the O&S Officer team.
Produce reviews in a different way	Members may be able to sustain a comprehensive and useful range of review topics by adopting different

	approaches to the format and operation of reviews, particularly in terms of cutting down on research, evidence gathering and analysis.
6. Miscellaneous	<p>6.1 A lot of officer time is spent arranging meetings with Members. If all Members used the Council's Outlook calendar and appointment function, this would save officer time.</p> <p>6.2 Members to be more discerning in their requests for officer assistance, mindful of the daily demands on a small officer team.</p> <p>6.3 Tighter control over informal or additional meetings of O&S requiring officer support.</p>

- 3.9 It is important to note that scrutiny of the council's activities is not restricted to the formal O&S process itself. Councillors are also engaged in other Council groups whose roles include holding the Executive and officers to account, for example the Access Advisory Panel and the Corporate Parenting Advisory Group.

Background Papers

Overview and Scrutiny Work Programme 2010-11

Overview and Scrutiny Commission Minutes and reports, 28 January 2010

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