

OVERVIEW AND SCRUTINY COMMISSION
15 MARCH 2007

SCRUTINY OF EXTERNAL PUBLIC SERVICE BODIES
(Assistant Chief Executive)

1 INTRODUCTION

- 1.1 There are many government departments and other public bodies which have a role in providing public services in Bracknell Forest. The Overview and Scrutiny Commission have expressed an interest in extending their scrutiny in this area, as signalled in the 2006 annual report of Overview and Scrutiny, which received full support from members at the Council meeting on 28 February 2007. This report informs members of the principal public bodies external to the Council, for the Commission to consider how they and the Scrutiny Panels might pursue this new dimension to their work. The suggested emphasis of this work would be to examine whether the external bodies are providing the services they have a duty to provide to the Borough, in line with residents' needs.
- 1.2 "External Scrutiny" is the term used to describe the process of applying scrutiny to bodies outside control of the Council's Executive i.e. those providing non council services. Section 21 2 (e) of the Local Government Act 2000 permits local authorities to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area. External scrutiny is a distinct branch of scrutiny, enabling local authority overview and scrutiny committees to extend their remit of review.

2 SUGGESTED ACTION

- 2.1 That the Overview and Scrutiny Commission consider which public bodies external to the Council might be suitable for a further feasibility review of whether their activities should be scrutinised.
- 2.2 That the Overview and Scrutiny Commission receive a further report in due course on how this initiative can be pursued further.

3 SUPPORTING INFORMATION

- 3.1 Overview and Scrutiny has operated in local government for over four years. In this time, it has increasingly played a key role in examining issues of importance through several methods; by holding the Executive to account through pre-decision scrutiny, 'call-ins' and by monitoring the performance of Council services.
- 3.2 However, the Health Scrutiny powers also show the impact local democratic oversight can have over non council services. External Scrutiny can help non-Executive councillors develop their community leadership role and extend their influence over other non-council organisations - the Police, utilities and other public and private sector organisations - as well as the NHS. Many local authorities are now developing external scrutiny committees to enable this potential to be realised, many with a "freelance" approach to be able to scrutinise non local authority organisations whose work affects the residents of their area. To date, scrutiny of external bodies by BFBC's Overview and Scrutiny has concentrated on NHS bodies,

with occasional coverage of others such as the Police and the Driver and Vehicle Licensing Agency, for example.

- 3.3 External scrutiny undertaken elsewhere has enabled councils in addition to focussing on the key issues to the residents of their area, to also analyse the reasons driving those issues and hence provide some local accountability for the individuals making decisions on their behalf. Taking a co-operative approach to the work has been shown to help to add value and build relationships through external scrutiny.
- 3.4 As external scrutiny reports carry no direct sanctions on the body that is being scrutinized, the voice of the council joins with others to raise awareness with the public of an issue. This has been a key result in other areas.
- 3.5 A list of the main external organisations whose work affects Bracknell Forest and who could be considered to be scrutinised in this way is at Annex A. The role and principal aims of each organisation have been reproduced from the web site entries. The highlighted organisations are those which may be considered as most appropriate for further consideration.
- 3.6 The Local Government Bill, currently before Parliament, envisages a wider role for Local Authority Overview and Scrutiny in relation to other public service providers. This complements the Police and Justice Act, which – once the Commencement Order is issued - provides an expanded role for Local Authority Overview and Scrutiny in relation to the Police and other organisations involved in crime reduction.
- 3.7 The structure of Overview and Scrutiny was commented on in the 2006 annual report, and in order to accommodate this new dimension of external scrutiny it was envisaged that the Health Overview and Scrutiny Panel could have an expanded remit to embrace all external service providers. It is suggested that this issue is returned to once members have determined the extent to which they wish to pursue external scrutiny.

Background Papers

“External Scrutiny – the voice in the crowded room” Centre for Public Scrutiny
Article – “London Borough of Hillingdon – exploring scrutiny of external organisations.”

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External Public Bodies with a Role in Bracknell Forest

1. Adult Learning Inspectorate	Works across a vast range of learning. Have a unique insight to compare standards of education and training across publicly and privately funded provision; works via inspection of educational facilities funded by the Department for Education and skills. Works with Ofsted to assess education and training for 14 to 19 year olds in a local area. Looks at education provided by other government departments; Jobcentre Plus, New Deals, the local constabulary etc. Also involved in quality Improvement.
2. Appeals Service	Arranges and hears appeals on decisions regarding: Pensions Credit, Child Tax Credit, Compensation Recovery, Tax Credit, Vaccine Damage, Council Tax Benefit, Housing Benefit, Child Support and Social Security
3. Assets Recovery Agency	Established to disrupt organised criminal enterprises through the recovery of criminal assets, and also aims to promote the use of financial investigation as an integral part of criminal investigation.
4. Association of Police Authorities	Set up on 1st April 1997 to represent police authorities in England, Wales and Northern Ireland, both on the national stage and locally. It influences policy on policing and it supports local police authorities in their important role.
5. Benefit Fraud Inspectorate	Began operating in 1997 as part of the Government's initiatives to reduce the high levels in fraud in the social security system.
6. Boundary Commission for England	An advisory Non-Departmental Public Body funded by the Department for Constitutional Affairs. The Commission are required by the Parliamentary Constituencies Act 1986 (as amended) to keep the parliamentary constituencies in England under continuous review and periodically, every 8 to 12 years, to conduct a general review of all constituencies in England at the same time and submit to the Secretary of State a report showing the constituencies they recommend.
7. Child Support Agency	Helps parents take financial responsibility for their children.
8. Countryside Agency	Works to conserve and enhance the natural environment for its intrinsic environment, the wellbeing and enjoyment of people and the economic prosperity that it brings.
9. HM Courts Service	The remit is to deliver justice effectively and efficiently to the public.
10. The Crown Estate	With a property portfolio encompassing many of the UK's cityscapes, ancient forests, farms, parkland, coastline and communities, The Crown Estate's role as employer, influencer, manager, guardian, facilitator and revenue creator is unique. There are two main objectives: to benefit the taxpayer by paying the revenue from our assets directly to the Exchequer; and to enhance the value of the estate and the income it generates.
11. Dept for Culture Media and Sport	DCMS aim to improve the quality of life for all through cultural and sporting activities, to support the pursuit of excellence and to champion the tourism, creative and leisure industries.

12. Dept for Education and Skills (DfES)	<p>The Department for Education and Skills was established with the purpose of creating opportunity, releasing potential and achieving excellence for all.</p>
13. Dept for Environment, Food and Rural Affairs (DEFRA)	<p>Defra's core purpose is to improve the current and future quality of life.</p> <p>For the first time one department has brought together the interests of farmers and the countryside; the environment and the rural economy; the food we eat, the air we breathe and the water we drink.</p> <p>DEFRA integrates environmental, social and economic objectives - putting sustainable development into practice every day, and by championing sustainable development as the way forward for Government.</p>
14. Dept for Transport	<p>The Department for Transport's aim is transport that works for everyone. This means a transport system which balances the needs of the economy, the environment and society.</p> <p>In support of this aim, the Department has four strategic objectives which focus on the core areas of its business:</p> <ul style="list-style-type: none"> • to sustain economic growth and improved productivity through reliable and efficient transport networks • to improve the environmental performance of transport • to strengthen the safety and security of transport • to enhance access to jobs, services and social networks, including for the most disadvantaged <p>To achieve these objectives, the Department for Transport provides leadership across the transport sector, working with regional, local and private sector partners who deliver many of the services. Its work is focused around six key tasks:</p> <ul style="list-style-type: none"> • improving the current operation and capacity of transport networks and services, and providing better information for travellers • shaping the future pattern of demand for transport, including through land-use planning and appropriate pricing • tackling the environmental impacts of transport through pricing, regulation, technology, consumer information and promoting efficient use of resources • planning and managing investment programmes for the long-term • regulating and licensing certain transport services and operators • managing information and delivering services to support wider Government objectives.
15. Dept for Work and Pensions (DWP)	<p>The Department for Work and Pensions promotes opportunity and independence for all through modern, customer-focused services.</p> <p>DWP help people to achieve their potential through employment, so that they are able to provide for their children and to work and save for secure retirement.</p> <p>DWP want children to have the best possible start in life, growing up in secure homes and developing skills for the future. One of their</p>

	<p>objectives is to end child poverty by 2020 and they are working with other government departments to make this happen.</p> <p>DWP are promoting work as the best form of welfare, helping more people into work and supporting those who can't work.</p> <p>DWP are also working to improve rights and opportunities for disabled people. Another key target is to help people plan for retirement and, when in retirement, to access their entitlement.</p> <p>Just about everyone in Great Britain will deal with the Department or one of its eight businesses at some point in their lifetime.</p> <p>All this is part of building a fair and inclusive society.</p>
<p>16. Dept for Health</p>	<p>The DOH's overall purpose is to help improve the health and wellbeing of everyone in England. They do this by leading and supporting NHS and social care organisations so they can provide fair, high quality services that offer real choice for patients, as well as best value for taxpayers.</p>
<p>17. Department of Trade and Industry (DTI)</p>	<p>The DTI plays a vital role, creating the conditions for business success; and helping the UK respond to the challenge of globalisation.</p> <p>DTI do this by facilitating partnerships and promoting fresh thinking between government, businesses, employees, unions, consumers and the scientific community. They invest in world-class science and technology, and help ensure its successful exploitation. DTI promote a legal framework that encourages enterprise and innovation, ensuring consumers, companies and employees receive a fair deal. DTI ensure a successful economy is underpinned by secure, sustainable and affordable energy. And DTI champion British interests globally while promoting economic reform in Europe and free and fair world trade.</p>
<p>18. Ministry of Defence Estates</p>	<p>The MOD is one of the largest landowners in the United Kingdom and currently spends over £1bn per annum on its estate. The defence estate comprises some 240,000 hectares (ha) in the UK with over 4,000 sites. Sites can be broadly described as "built" (barracks, naval bases, depots, aircraft hangars, etc.) or "rural". The built estate, covers around 80,000 ha, including more than 45,000 buildings (excluding housing), and it is on this that most expenditure is concentrated.</p> <p>The remaining 160,000 hectares is relatively undeveloped rural land, which includes 21 major armed forces training areas and 39 minor training areas. As well as military facilities, the defence estate contains 289 Sites of Special Scientific Interest (SSSIs), 48 special protection areas, over 650 statutorily protected buildings, almost 1300 scheduled monuments, and thousands of other archaeological sites.</p> <p>The Ministry of Defence is one of the largest landowners in the country. In total, it occupies an estate equivalent to about 1% of the UK landmass. This land is vital if our Armed Forces are to carry out their responsibilities to the high standards, which the MOD expect from them.</p> <p>There is increasing pressure for land for residential development, economic regeneration and recreation. The MOD must be able to justify the need for every piece of land it holds and to demonstrate that it is properly managed.</p> <p>The MOD also needs to balance the requirement of retaining this land</p>

	<p>for the use of our Armed Forces against its responsibility for the conservation of the land, ensuring its heritage is safeguarded and enabling access for recreation wherever possible.</p> <p>The organisation charged with carrying out this task is Defence Estates.</p>
19. Disability Rights Commission	The Disability Rights Commission (DRC) is an independent body established in April 2000 by Act of Parliament to stop discrimination and promote equality of opportunity for disabled people.
20. Drinking Water Inspectorate	<p>The Drinking Water Inspectorate (DWI) regulates public water supplies in England and Wales.</p> <p>DWI is responsible for assessing the quality of drinking water in England and Wales, taking enforcement action if standards are not being met, and appropriate action when water is unfit for human consumption.</p>
21. Driver and Vehicle Licensing Agency (DVLA)	The Driver and Vehicle Licensing Agency is an Executive Agency of the Department for Transport (DfT). The Agency is accountable to the Secretary of State and Ministers and, through them, to Parliament and the public, for efficient and effective management of the Agency and its responsibilities. The primary aims are to facilitate road safety and general law enforcement by maintaining registers of drivers and vehicles, and to collect vehicle excise duty (car tax).
22. Driving Standards Agency (DSA)	<p>DSA's vision is "Safe Driving for Life". The overall mission is to contribute to the public service agreement objective to achieve 40% reduction in riders and drivers killed or seriously injured in road accidents, in the age group up to 24 years, by 2010 compared with the average for 1994-98.</p> <p>The DSA's contribution centres on:</p> <ul style="list-style-type: none"> * Setting standards for drivers, riders and instructors * Driver education and the provision of learning resources * Registering and supervising quality assured instructors * Modern, effective and efficient assessments conducted as computer based and practical tests.
23. Environment Agency (EA)	The leading public body for protecting and improving the environment in England and Wales. It works to make sure that air, land and water are looked after by everyone in today's society, so that tomorrow's generations inherit a cleaner, healthier world.
24. Food Standards Agency (FSA)	The Food Standards Agency is an independent Government department set up by an Act of Parliament in 2000 to protect the public's health and consumer interests in relation to food.
25. Forestry Commission	Works with a whole range of partners from private sector landowners to sports clubs, local communities to national businesses, on a whole host of recreation, regeneration and educational schemes. Their responsibilities span research, commercial timber production, sustainability programmes and policy, as well as learning and leisure. Their goal is always to ensure that, at a practical level, Britain can use its forests to contribute positively to as many of the nation's needs as we can while sustaining this great resource for the future.

26. National Probation Service	The 19,000 staff of the NPS, and their colleagues in other organisations who support their work, are committed to minimising the impact of crime on communities and especially victims who have been touched by serious violent or sexually violent crimes. They are actively committed to rehabilitate offenders given community sentences and those released from prison; to enforce the conditions of their court orders and release licences and to take whatever steps in their power to protect the public.
27. Small Business Service	A DTI agency working to make the UK the best place in the world to start and grow a business. They work with the rest of government on an action plan to work with small businesses towards achieving their vision.
28. South East Economic Development Agency (SEEDA)	The South East England Development Agency (SEEDA), as the Regional Development Agency for the South East, is responsible for the sustainable economic development and regeneration of the South East of England - the driving force of the UK's economy.
29. Royal Berkshire Fire and Rescue Service (RBFRRS)	<p>Royal Berkshire Fire and Rescue Service provides cover 24 hours a day, 365 days a year from 20 fire stations across the county. It's 600 highly-trained firefighters, 150 of whom work as retained staff, attend some 12,000 incidents every year, ranging from road and rail accidents to fuel and chemical spills, aviation and waterway accidents, collapsed buildings, large animal rescues and of course - fires.</p> <p>Last year, Berkshire firefighters dealt with more than 5000 fires, in houses, industrial premises, vehicles and open spaces. They carried out more than 2000 rescues of members of the public, including those trapped or at risk in buildings or in road accidents.</p>
30. Thames Valley Police (TVP)	Thames Valley Police is the largest non-metropolitan police force in the country. Close work with the communities they serve, their many partners in local authorities and the criminal justice system remains at the core of their role and aims. By working together TVP can use a problem-solving approach to increase safety, convict and deter offenders and be tough on crime and criminals. TVP's aim is working with communities to reduce crime, disorder and fear of crime. <u>Note</u> – under the provisions of the Police and Justice Act, the Council will have a statutory duty to form a Crime and Disorder Committee to scrutinise TVP.

Note – the list excludes the NHS bodies already under subject to review by the Health Overview and Scrutiny Committee, also other public bodies which have a limited remit in Bracknell Forest.