

OVERVIEW AND SCRUTINY COMMISSION
22 NOVEMBER 2007
(7.30 - 9.15 pm)

Present: Councillors Edger (Chairman) Baily, Mrs Beadsley, Browne, Finnie, Leake, McLean, Ms Whitbread and Worrall

Mr I Sharland (Parent Governor Representative)

Also Present: Councillor Birch, Executive Member for Adult Services, Health & Housing
Councillor McCracken, Executive Member for Leisure, Corporate Services & Public Protection

Apologies for absence were received from:

Councillors Mrs Birch and Brunel-Walker.
Mr G S Anderson (Church Representative)
Mr M G Gibbons (Church Representative)

In attendance: Richard Beaumont, Head of Performance & Scrutiny
Pat Keane, Chief Information Officer
Lise Llewellyn, Berkshire East PCT – Chief Executive
Alan Nash, Head of Finance
Victor Nicholls, Assistant Chief Executive
Priya Patel, Democratic Services Officer

37. Minutes & Matters Arising

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Commission held on 13 September 2007 be agreed as a correct record and, signed by the Chairman.

Minute 29 – Urgent Items of Business - The Chairman commented that the Assistant Chief Executive had stated that it was important that reports were only tabled when absolutely necessary. This was key if the Overview and Scrutiny Commission was to perform its role properly. The Assistant Chief Executive assured members that he would be viewing all future Overview and Scrutiny agendas to ensure that papers were not tabled unless absolutely necessary.

Minute 30 – Performance Monitoring Report (PMR) – information had been requested about the member training budget, in terms of its size and usage. A response had not yet been provided.

Minute 34 – ICT Strategy – The Chief Information Officer attended to offer members an update on outstanding issues with their ICT equipment. The issues around the 'I doc.' software continued to be investigated and the ICT team would continue to work at resolving the problems. In terms of future ICT provision, proposals included supplying members with laptops that could be used in the new Council Chamber at the Civic Hub. The Chief Information Officer also proposed to report monthly to members on any issues around ICT, to ensure that members' needs were being met and they were kept well informed.

Members thanked the Chief Information Officer and the ICT Section for their work and support.

38. Declarations of Interest and Party Whip

There were no declarations of interest or indications that members would be participating whilst under the party whip.

39. External Auditor's Report to those charged with Governance

The Chairman informed the Commission that as the KPMG representative was unable to attend the meeting on this occasion, that this item be deferred until the next meeting of the Commission on 17 January 2008.

40. Internal Audit Half Yearly Assurance Report

The report before the Commission provided a summary of Internal Audit activity during the period April 2007 to September 2007. It covered work carried out by both the in-house resource and the Council's contractor Deloitte & Touche. The report provided an overall assurance opinion to the Council and its management for the first half of the year. The Head of Finance commented that the performance by Deloitte & Touche had improved significantly, and thanked the Commission for their intervention in that regard.

The Head of Finance reported that for the accounting period 2007/08 onwards the Audit Commission had appointed its own staff to undertake the Council's external audit. The Council had requested that KPMG be replaced with an alternative private sector firm, when responding to the consultation exercise. The rationale for this was that the Council had an excellent track record of working with private firms and the belief that private firms commercial outlook and experience would be beneficial to both the Council and its residents. Despite these representations the Audit Commission confirmed the appointment of its own staff. The reasoning was that this would be more efficient as the same team were undertaking the external audit of other bodies in the area and the Primary Care Trust in particular.

The expectation was that the new auditors would commence on site in January 2008. The appointment had also resulted in an increase in the Council's basic audit fee, potentially rising from £110,000 to £164,000. Part of this increase could be attributed to the one off risks associated with the transfer of the Council's housing stock to Bracknell Forest Homes. The Audit Commission had however, accepted that it was difficult to determine a precise fee whilst work associated with the 2006/07 audit was still being finalised. They had, therefore, agreed to submit a revised fee proposal once this had been concluded. The Council had reserved its position on the fee and planned to appeal against it if necessary.

Members queried the rate of responses to the Quality questionnaire detailed on page 30 of the report. It was noted that performance monitoring would be linked to these questionnaires and that this may lead to an increase in responses. The Commission asked that response rates be broken down by department in future reports, including the April – September 2007 response rates.

The Chairman asked that a report be brought to the next meeting of the Commission advising on the reasons for the increase in the External Audit fee.

Members noted that from the audit work undertaken during the period April – September 2007, the Head of Finance was of the opinion that the general system of internal controls in place at Bracknell Forest Borough Council accorded with proper practice, except for those specific areas, detailed in Appendix B of the report, where significant control weaknesses had been identified.

The Commission endorsed the proposed terms of reference for Internal Audit at Appendix C of the report, which had already been commented upon, by appointed members of the Commission.

41. **Corporate Performance Overview Report (CPOR)**

The Assistant Chief Executive commented that 342 of the Council's 372 planned detailed actions were on target and highlighted the following key activities from the report before the Commission:

Paragraph;

- i) 3.1 – the public inquiry for the Compulsory Purchase and Road Closure Orders, would be held on 14 February 2008.
- ii) 3.6 – the British Crime Survey showed a reduction in the number of crimes recorded in the Borough.
- iii) 3.11 – the formal launch of the Grow Your Own Project at Legoland in September 2007, which promoted learning skills around regeneration.
- iv) 3.12 – significant progress had been made in meeting the key actions relating to vulnerable adults and older people.
- v) 3.17 – the performance on road accident casualties was of concern and this was being reviewed by an Overview and Scrutiny Working Group.

In summary, it was noted that overall performance against targets had been good.

Members queried the fall of 15% in recorded crime in the British Crime Survey and asked whether this fall was as a result of the changing definitions of crime or as a result of the under-reporting of crimes. The Assistant Chief Executive stated that there had been a real improvement in the indicators. The Home Office drafted targets that changed every two years and that this could have an impact on the way crime is reported.

In response to Members queries, the Head of Finance stated that a Head of Audit and Risk Management had now been recruited and would commence work in January 2008. Members queried whether a dedicated post was necessary, given the size of the organisation. The Head of Finance stated that it was important that risk management was embedded within all areas of the Council's work. Current resources were not adequate to regularly refresh the Risk Register, train Members and carry out all other audit activity.

Members raised concerns about the recent media coverage of substantial losses of personal data by Government departments. They sought assurance that the Council had procedures in place to prevent this from happening in Bracknell. The Assistant Chief Executive stated that the ICT security and protocol was in place and would be reviewed at two year intervals. In addition, the Council was subject to spot checks by the Information Commission. Members asked for clarification as to whether software was in place to identify unauthorised copying of data from Council computers.

42. **Executive and Primary Care Trust (PCT) Responses to the Review of Healthcare Funding**

The Commission considered a report that detailed the responses of the Executive Member and Chief Executive of the Berkshire East PCT, to the report of the Review of Healthcare Funding Working Group. The Commission also noted the related letter from the Rt Hon Ben Bradshaw MP.

The Executive Member, Adult Services, Health and Housing reported that all points that had been raised in his letter had now been actioned. The Berkshire East PCT were offering their full co-operation and relations between the Council and the PCT were strong. He reported that the terms of reference for the Health and Social Care Partnership Board had now been updated. The Board was chaired alternately by the Council and the PCT, and the PCT's Locality Director for Bracknell Forest was a valued member of the team.

The Commission queried PCT funding arrangements referred to on page 116 of the agenda papers. The Executive Member stated that this was an area in which he and the Commission needed to remain vigilant. If for any reason the PCT were to change their funding arrangements, Members would need to keep a close eye on this.

The Executive Member informed Members that if they wished to learn more about formulas around National Health funding and other related information, the Department of Health's website provided a good starting point.

The Chief Executive of the Berkshire East PCT was welcomed to the meeting by the Chairman. She reported that the funding formula that impacted PCT's most significantly was centred on indices of deprivation. This usually led to debates around deprivation between northern and southern PCT's. In addition the Government's formula for the provision of funding to GP practices was based on the number of people registered with a GP. This was currently creating pressures on Slough budgets, as in Slough it was apparent that there was a large number of the population that had not been registered by public services. It was likely that this could be largely attributed to the influx of Polish communities. It was critically important that local authorities encouraged their populations to register with their GP, to avoid these pressures on budgets.

The Commission sought assurance that Bracknell Forest would not suffer as a result of budget pressures in Slough. The Berkshire East PCT Chief Executive, assured members that this would not happen, she would be lobbying the Government about the budget pressures in Slough and seeking increased funding for that Borough.

The Executive Member stated that the Council had a mutual responsibility with the PCT to ensure that it used every available mechanism to ensure that Bracknell Forest residents registered with their GP. Members suggested using the Electoral Roll or Council tax forms to ensure that residents were registered with their local GP's. The Commission asked that the Health Overview and Scrutiny Panel maintain a close monitor on this.

The Berkshire East PCT Chief Executive commented that her letter to the Commission's Chairman contained an error concerning the historical funding for Bracknell Forest.

The Chairman thanked the Executive Member and the PCT Chief Executive for their responses and attendance at the Commission's meeting.

43. Draft Report of the Health and Well Being Strategy Working Group

The Commission considered the draft report by a working group of the Health Overview and Scrutiny Panel, on the Borough's Health and Well-Being Strategy.

Councillor Leake, the lead Member of the Working Group had a positive outcome as their comments had been incorporated into the final Strategy. The case demonstrated

that Overview and Scrutiny can make a good contribution to policy development and he thanked the Executive Member and officers for their co-operation with the review.

Councillor Birch, Executive Member for Adult Services, Health and Housing stated that the Strategy would be a living document and that he welcomed the continued input to it by Overview and Scrutiny.

The Commission agreed to accept and note the report of the Health and Well-Being Strategy Working Group and referred it back to the Health Overview and Scrutiny Panel to formally adopt the report and to keep the Strategy under review.

44. Draft Report of the Medium Term Objectives Working Group

The Commission agreed to defer this item to the next meeting of the Commission on 17 January 2008, by which time the Executive would have made responses to the Working Group's preliminary views.

45. Neighbourhood Action Groups

The Commission considered a report that detailed the changes that had been proposed to the neighbourhood consultation process (in particular the Neighbourhood Action Groups or NAGs) and provided an update on the current situation with regard to neighbourhood engagement.

The Assistant Chief Executive reported that over the last year, attendance at the Neighbourhood Forums had been very patchy, ranging from 3 to 20 people. At best, there had been around 60-70 people at a meeting. There had been some concern expressed that where there were small numbers of people in attendance, that their views could not be considered as representative of the local community. The NAGs continued to be a good mechanism of gauging local issues, but arrangements needed to be kept under review. The NAGs had also been deemed as a positive mechanism for consultation by the CPA. The Assistant Chief Executive reported that there had been 1576 responses to the recent questionnaire sent to all households, to further inform service planning. The most frequently raised concerns included speeding, car parking and anti-social behaviour.

Some Members expressed the view that in some areas the attendance at NAGs was appalling and wasteful of resources. Whilst some NAGs were seen to be doing useful work, there were also some concerns that the NAGs were duplicating the work of Parish and Town councils in some instances. One Member highlighted that a NAG had taken place in a location outside the boundaries of its community, it was important that venues were chosen carefully.

The Commission noted that the structure of neighbourhood engagement was a central government requirement and asked that the Assistant Chief Executive report Members' comments about NAGs to the Chief Executive. The Commission also asked that the responses to the recent residents' questionnaires be notified to them.

46. Updates From Panel Chairmen

Lifelong Learning and Children's Services Overview and Scrutiny Panel

Working groups had been set up and school visits would take place in early December 2007.

Adult Social Care and Housing Overview and Scrutiny Panel

The following three working groups had been set up; Carers, Social Care and Modernisation and Care Homes. Visits to care homes had been arranged.

Health Overview and Scrutiny Panel

The Health and Well-Being Working Group had completed its work and the Patient Focus Working Group, was progressing well. A particular aspect of service delivery that the latter working group was focussing upon was GP related services delivered to patients. This was an area that needed to be kept under review as a result of concerns about resources.

Environment and Leisure Overview and Scrutiny Panel

Street Cleaning and Waste working groups had been set up. These working groups included representatives from Town and Parish councils as well as from the Council.

47. **Executive Forward Plan**

The Commission considered forthcoming items on the Executive Forward Plan that were of a corporate nature. The Chairman stated that all of the items detailed in the report were either under discussion or had been discussed already by the Commission.

The Chairman asked that Democratic Services ensure that Scrutiny Panel meeting dates were arranged in future to coincide with the budget 'consultation window' allowing sufficient time for members to study budget papers before Panel meetings were held.

CHAIRMAN