

**AGENDA ITEM NO. 11**

**COUNCIL**

**Date** 25 JULY 2013

**Title** OVERVIEW AND SCRUTINY ANNUAL REPORT 2012/2013

**1. PURPOSE/SUMMARY**

The attached Annual Report reflects what has been undertaken and achieved by the Overview and Scrutiny Committee during 2012/13 and takes a forward look the programme of work and challenges for the Overview and Scrutiny in 2013/2014.

**2. KEY ISSUES**

- The Local Government Act 2000 sets out the requirements of a modernised democratic structure for local authorities. The Act includes the establishment of an Overview and Scrutiny Panel or Committee.
- Article 6 (3.4) of the Council's Constitution sets out the Overview and Scrutiny Panel's terms of reference. There is a stated requirement for the work and working methods of the Overview and Scrutiny Committee to be reported annually to the Council.

**3. RECOMMENDATION(S)**

That the Full Council acknowledges the broad scope of work undertaken by the Overview and Scrutiny Panel during 2012/13.

<b>Wards Affected</b>	All
<b>Forward Plan Reference No.</b> (if applicable)	-
<b>Portfolio Holder(s)</b>	Councillor John Chambers, Chairman - Overview and Scrutiny Committee Councillor Mrs Jan French, Vice Chairman – Overview and Scrutiny Committee
<b>Report Originator</b>	Councillor John Chambers, Chairman - Overview and Scrutiny Committee, <a href="mailto:jchambers@fenland.gov.uk">jchambers@fenland.gov.uk</a> Councillor Mrs Jan French, Vice Chairman - Overview and Scrutiny Committee <a href="mailto:jfrench@fenland.gov.uk">jfrench@fenland.gov.uk</a>

<b>Contact Officer(s)</b>	Carol Pilson – Corporate Director 01354 622360 <a href="mailto:cpilson@fenland.gov.uk">cpilson@fenland.gov.uk</a> Anna Goodall – Head of Legal and Governance 01354 622357 <a href="mailto:agoodall@fenland.gov.uk">agoodall@fenland.gov.uk</a>
<b>Background Paper(s)</b>	Overview and Scrutiny Panel Reports, Agendas and Minutes 2012/13

## **OVERVIEW AND SCRUTINY**

### **ANNUAL REPORT 2012-2013**

I am delighted to introduce the 2012/13 Overview and Scrutiny Annual Report for Fenland District Council. These are exciting times for Fenland, but the depth and pace of change across public services, much of it underpinned by financial pressures, also presents real challenges for the district.

The need for strong scrutiny has never been more important. That is why we have positioned scrutiny to focus attention on the Council's corporate priorities and therefore concentrate on matters affecting local residents the most.

This is a challenging and absorbing role for all those involved and it is testament to members' commitment and enthusiasm that we, as a committee, have been able to achieve so much during the past twelve months.

I would like to take this opportunity to emphasise the key achievements of the committee as well as highlighting the focus of the panel during the months to come.

I would like to extend a sincere word of thanks to the great many Councillors, Council officers as well as partners who have, over the course of the last year, contributed openly and positively to scrutiny. I would also like to take this opportunity to acknowledge the significant contributions both Councillor Peachey and Councillor Scrimshaw made to the work of the Committee.

Finally, my sincere thanks also to all members who have served on the Overview and Scrutiny Committee in particular the previous vice Chairman Councillor Alex Miscandlon, however all members have put in substantial effort during the course of the year and I look forward to working with you all next year.

I commend this report to Council.

Councillor John Chambers  
Chairman

**THE OVERVIEW AND SCRUTINY COMMITTEE 2012-2013**



**Councillor John  
Chambers  
*Chairman***



**Councillor Mrs Jan  
French  
*Vice Chairman***



**Councillor Mark Archer**



**Councillor Derek  
Stebbing**



**Councillor Miss Sam  
Hoy**



**Councillor Gary Swan**



**Councillor David  
Hodgson**



**Councillor Mike  
Cornwell**



**Councillor Mrs Virginia  
Bucknor**



**Councillor Will Sutton**



**Councillor David Broker**

## **INTRODUCTION**

### **What is Overview and Scrutiny?**

The Local Government Act 2000 requires Councils to have a committee with the power to review or scrutinise decisions or actions affecting the authority's area or residents. Scrutiny is an essential part of ensuring that local government remains effective and accountable. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve Council policies.

The power to scrutinise was further expanded by the Police and Justice Act 2006, which provided powers to scrutinise the work of Crime and Disorder Reduction Partnerships.

The Local Government and Public Involvement in Health Act 2007 provides more powers to local government to scrutinise other partner organisations. It also brings in other provisions that affect how scrutiny committees work, including powers over the creation of joint committees.

Recently, the coalition Government's Localism Bill (2010) consolidated the wide range of scrutiny legislation into a single place, largely unamended from previous legislation. This will aim to increase local accountability and transparency of public services as well as enhancing the involvement of local service users

### **Main responsibilities of Overview and Scrutiny**

The role of Overview and Scrutiny has five broad functions:

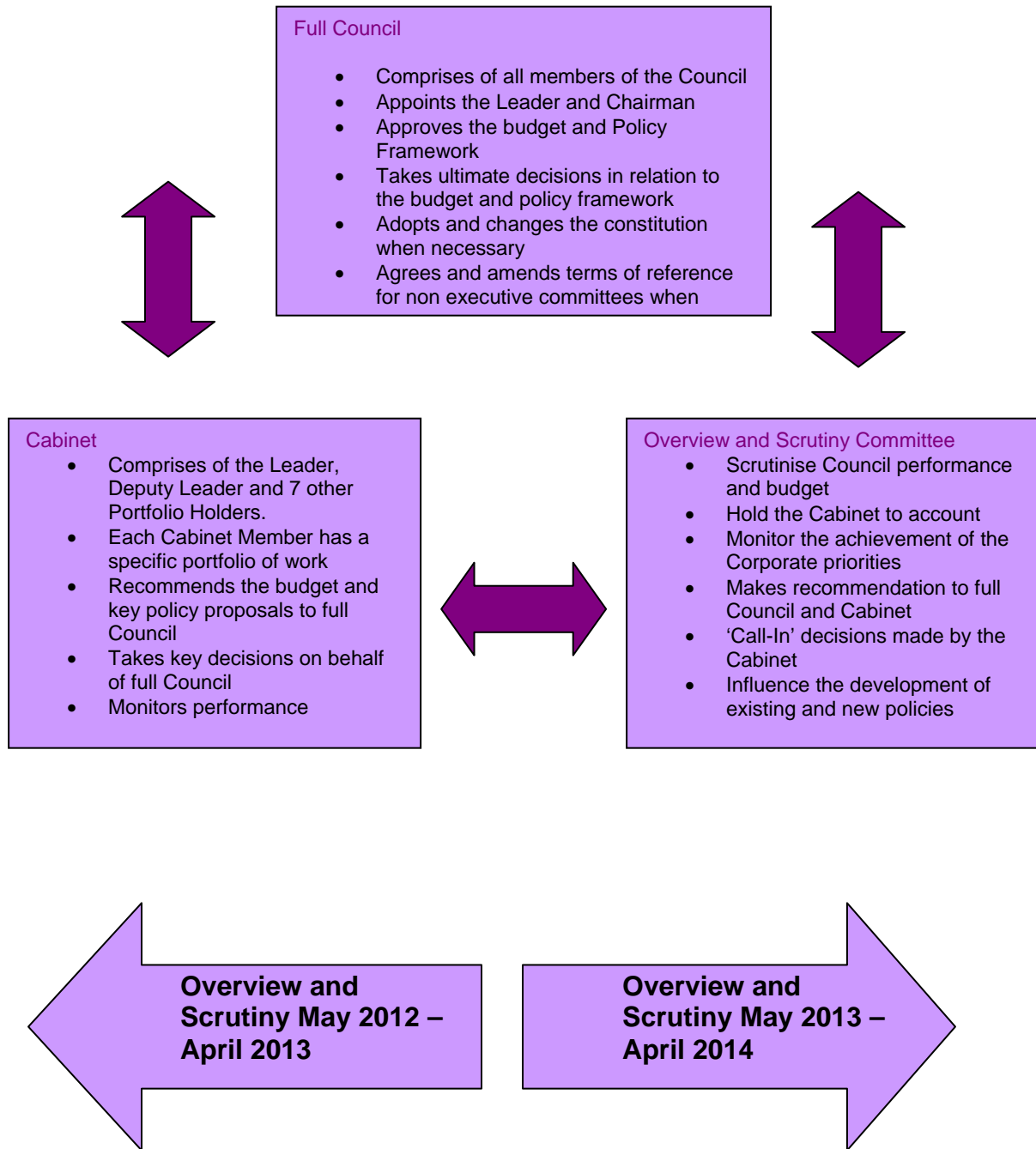
- Holding the Council's Executive and its statutory partners to account in the public interest. This enables more transparent and effective decision making.
- Supporting the development of effective policies and initiatives which have a beneficial impact on the community through policy review and development.
- Contributing to continuous improvement in the delivery of the Council's corporate priorities.
- Having a positive impact on the work and outcomes of external agencies and providers of public services.
- Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council's policies have been effectively implemented by the Cabinet.
Recommending how the Council's corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council's corporate priorities.
Bringing a wider perspective to problem solving.	Holding decision makers to account
Examining broader issues affecting local communities.	Ensuring all service providers within a local community are providing 'value for money'

### **Appointing members onto Overview and Scrutiny**

During 2012-2013, following a recommendation by the Leader of the Council, it was the responsibility of the full Council to appoint an Overview and Scrutiny Panel at their annual meeting in May. The Overview and Scrutiny Committee consisted of eleven members drawn from the political groups in the same proportion as they are represented on the Council as a whole.

## Relationship between Overview and Scrutiny, Cabinet and Full Council



### A BACKWARD LOOK TO 2012 - 2013



## What the Overview and Scrutiny Panel achieved in 2012/2013

### External advisors/partners

The panel looked at an array of different topic areas; most could be dealt with by drawing on the knowledge and expertise of Fenland District Council Councillors and Officers. However, sometimes there is a need to call in external advisors to help the panel with their knowledge and to provide a different vantage point.

As will be explained later, a greater emphasis has been placed on Local Authority scrutiny, of and with partner agencies. Fenland's Overview and Scrutiny Committee is already undertaking this partnership working in a positive spirit, demonstrating its forward thinking. The table below highlights the external partners the Overview and Scrutiny Committee have already engaged with, when undertaking the scrutiny function during 2012/ 13:

Agenda item	External Advisor/Partner	Organisation
Update on Roddons Housing Association	Christopher Smith	Roddons Housing Association
CDRP (Crime Disorder and Reduction Partnership) Scrutiny: Annual Scrutiny	Robin Sissons	Cambridgeshire Constabulary
Middle Level Drainage Board	Iain Smith	Middle level Commissioners
Fenland Health and Wellbeing Partnership Update	Val Thomas	NHS Cambridgeshire

As well as working with individual partners, the panel have also scrutinised other elements of partnership working through each of the respective corporate priority areas. The panel will build on this further in 2013/2014.

### How the work of Overview and Scrutiny is linked to the Council's corporate priorities

Fenland District Council's Corporate Plan clearly sets out a series of priorities that will be the focus of the organisation over a 3 year period. To ensure these priorities are correct, deliver on targets and achieve outcomes, the Overview and Scrutiny work programme reflects the Council's priorities to ensure robust scrutiny can be delivered.

The table below illustrates how agenda items link in with Fenland's priorities:

**NP** – Neighbourhood Planning  
**OFB** - Open for Business  
**QO** – Quality Organisation

**SA** – Streets Ahead  
**LO** – Localism

Topic/Issue	NP	OFB	SA	LO	QO
Progress against corporate priority: Open for Business					
Update on Roddons Housing Association					
CCC Health and Well Being Scrutiny Committee					
Crime Disorder and Reduction partnership					
Progress against Corporate Priority: Localism					
Annual meeting with the Leader, Deputy Leader and Chief Executive					
Draft Corporate Plan and Budget					
Older People's Action Plan					
Progress against Corporate Priority: Streets Ahead					
Progress against Corporate Priority Neighbourhood Planning					
Tourism Update					
Council Tax benefits Scheme					
Leisure Fees and Charges					
General Fees and Charges					
Outside Bodies					
Lettings Policy					
Domestic Violence Review					

### Links to other Overview and Scrutiny Committees

Cambridgeshire County Council's Adult Wellbeing and Health Overview and Scrutiny Committee consists of twelve County Councillors in addition to five District Council co-optees. The role of the committee is to co-ordinate the scrutiny of adult social care services, health services and other services related to health and wellbeing, and to make reports and recommendations to local NHS bodies, local authorities and other agencies.

The role of the District Council member is to; take a full part in the work of the committee, including committee meetings, reviews, working groups and visits. During 2012 – 2013 the Adult Wellbeing and Health Fenland District Council representative has contributed to a joint member working group with Peterborough City Health Overview and Scrutiny which followed up issues arising from the implementation of the changes to Mental Health Services agreed in early 2012. The group is also examining emerging joint commissioning plans for Mental Health services for working age adults and for older people.

In addition the Fenland District Council representative has also contributed to the overview of the Clinical Commissioning Groups emerging plan and also fostered links with the Clinical Commissioning Group Board in addition to Local Commissioning groups. The implementation of the Clinical Commissioning groups, represent a significant change in delivery of health services and as such it is crucial the organization keeps up to speed with the pace of the changes and potential implications for Fenland residents.

## Specific reviews undertaken in 2012- 2013

### Procurement Review

The Committee met with the Leader of the Council and Portfolio Holder for Policy and Resources, Councillor Melton, in addition to Councillor Clark Quality Organisation Portfolio Holder, Rob Bridge Corporate Director and Chief Finance Officer, to discuss the District Council's approach to procurement. The discussions focused on the considerable financial challenges the Council has faced over the last two years and is forecast to continue to face over the medium term.

Significant savings have been required to achieve a balanced budget and together with the staffing changes which have taken place over the last two years, savings from 'procurement of services' have also made a substantial contribution. It was also acknowledged that over the next few years, the Council is forecast to need to make additional savings to achieve a balanced budget. It is, therefore considered essential that the Council's Procurement Strategy (its' overall aims and objectives) and its' Code of Procurement (the detailed processes for procuring services and part of the Council's Constitution) ensure that the Council achieves value for money when procuring goods and services.

The Overview and Scrutiny Committee were also keen to promote procurement opportunities within the local economy and to assist businesses and employment within Fenland, wherever possible.

Following detailed discussions the Overview and Scrutiny Committee recommended the following:

1. That the Council's procurement policy is fit for purpose and up to date, is flexible and easy to follow
2. That the Council's procurement approach supports the local economy, businesses and employment within Fenland.
3. Link with the source Cambridgeshire portal to ensure transparency, local expressions and ultimately achieving the best value for money.

### Domestic Violence

The Overview and Scrutiny Committees of Fenland District Council, Cambridgeshire County Council and Huntingdonshire District Council embarked on a joint review into domestic violence. This was a really exciting approach to conducting a scrutiny review as it was undertaken as part of a three way partnership. This very much builds on the successes of the joint review conducted with Cambridgeshire County Council during 2010/11 in relation to Educational Attainment in Fenland.

Fenland District Council and the County Council both identified crime reduction and community safety issues as key priorities for the year. Effective scrutiny can help contribute towards this priority and help achieve outcomes that will have an impact on the quality of life of Fenland communities.

The review group made an initial recommendation to Cambridgeshire County Council Cabinet

[1] Cambridgeshire County Council Cabinet to expand resources within the Community Engagement Directorate devoted to addressing DA by using the current IP process

If recommendation 1 is rejected, then the following recommendation applies:

[2] It is recommended that levels of Cambridgeshire County Council funding devoted to DA be maintained within the Community Engagement Directorate at their current levels for the coming financial year

The review group then undertook further investigation with particular emphasis on the role of partnership working to effectively tackle domestic violence issues. This further investigation resulted in a second series of recommendations to the Cambridgeshire County Council Cabinet including;

- Having a shared definition in relation to domestic violence across all organisations to ensure shared understanding and consistency.
- Further build on the significant progress made in relation to the Domestic Abuse Strategy including the rollout of specific Children's programmes.
- Investigate opportunities to develop joint commissioning arrangements to ensure maximum value for money.
- The establishment of a pooled budget to facilitate and provide focus for further joint working.
- Establish referral routes to enable people in Fenland to have access to IDVA support

- Develop common data in order to gain a greater understanding about the outcomes for Domestic abuse intervention from a victims perspective.
- Utilise the Freedom training Programme to ensure that all partners have staff trained in all aspects of dealing with victims of domestic abuse.
- Review annually outcomes and achievements in Domestic Abuse services by investment

## **Overview and Scrutiny Call – In**

The Overview and Scrutiny Committees have the opportunity to scrutinise Executive decisions that have been made, but not implemented through the ‘call-in’ mechanism.

In accordance with the Council’s constitution, decisions of the Executive or a Portfolio Holder decision are published within 3 working days. There is then a further 5 working day period prior to the implementation of the decision in which Members are able to call in the decision. If the necessary number of Members, either the Chairman or Vice Chairman of any panel, or any 3 members of the Overview and Scrutiny Committee or any 10 Members of the Council, ask for a decision to be called in for scrutiny, the Overview and Scrutiny Committee has to meet within 15 working days to consider the issue. Whilst this process takes its course, the decision taking process is suspended. If no call-in occurs, the decision is adopted.

If, having considered the decision, the Committee remains concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or, in exceptional circumstances, refer the matter to full Council. If referred back, the decision maker shall then reconsider the matter within a further 10 working days and amend the decision or not, before adopting a final decision. If however the Committee decides not to refer the matter back, no further action is taken and the decision can take effect.

The call-in procedure does not apply where the decision being made by the Executive is deemed to be urgent i.e. where any delay likely to be caused by the call-in process would seriously prejudice the Council’s or the public’s interests. This should be clearly stated in the record of the decision.

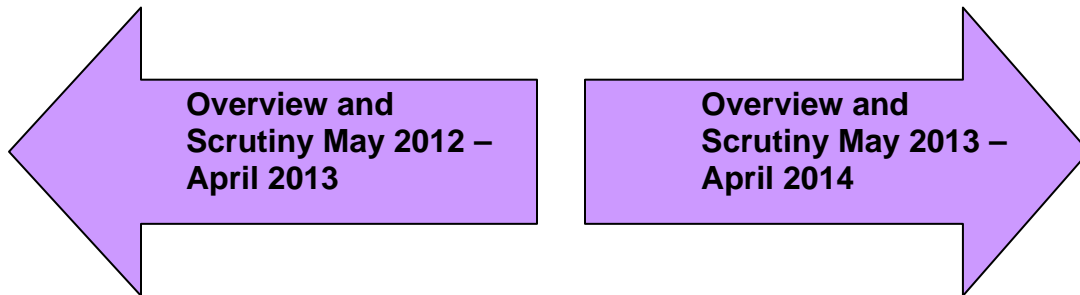
Because of the nature of the call-in procedure, it is generally recognised as a mechanism of last resort. Indeed Government guidance states that it would clearly be detrimental to efficient decision making if every individual decision of the Executive were called in for overview and scrutiny as a matter of course.

The call-in procedure is therefore utilised when other means of influencing decision making have failed. Nationally, Councils have on average 2 call-ins per year and approximately 25% result in an amended decision.

Fenland District Council did not utilise the call in procedure during 2012/13.

### **Cambridgeshire Scrutiny Network 2012- 2013**

The Scrutiny Network devised and implemented a number of development events for Members and officers involved in the Overview and Scrutiny process. The network is keen to share scrutiny work programmes for the forthcoming year in order to identify commonalities and opportunities for joint working



### **A FORWARD LOOK TO 2013/2014**

#### **Policies and measures affecting scope of Overview and Scrutiny**

The profile of scrutiny is changing nationally and as a result much is expected of us in response to the Localism agenda. This could include community involvement, scrutiny of and with partners, scrutiny of crime and disorder issues and supporting the scrutiny of health services.

#### **Overview and Scrutiny amending its role**

The Overview and Scrutiny Committee remains committed to achieving value for money and ensuring the Council is efficient and cost effective in the delivery of its corporate priorities.

#### **Fenland's Priorities**

In Fenland's Corporate Plan 2013-2016, the Council's corporate priorities are:

1. **Neighbourhood Planning**
2. **Localism**
3. **Streets Ahead**

4. **Open for Business**
5. **Quality Organisation**

It is important that the work of Overview and Scrutiny complements these priorities to ensure services are being delivered to highest quality and any scrutiny work adds value.

### **What the Overview and Scrutiny Panel will achieve in 2013-2014**

#### **Strategic Priorities**

We will work to raise the profile of the Council's Overview and Scrutiny work by better communicating our successes.

#### **Work Programme**

The Overview and Scrutiny work programme is a detailed programme that indicates the topics that the Overview and Scrutiny Committee will scrutinise. The work programme will be developed early in the new Council year setting out what the key areas of focus will be. Topics already identified for inclusion include:

- Crime Disorder and Reduction Partnership
- Council Tax Benefits Scheme
- Middle Level Drainage Board
- Draft Corporate Plan and Budget
- Progress of Corporate Priorities: Neighborhood Planning, Localism, Streets Ahead, Open for Business, Quality Organisation

#### **Specific reviews due to be undertaken in 2013- 2014**

- Feedback from Outside Bodies
- Street Drinking

#### **Scrutiny Networks**

##### **Cambridgeshire Scrutiny Network**

The Scrutiny Network will continue to meet on a regular basis to exchange best practice, share work programmes and discuss topical scrutiny issues. There are a number of projects that are planned for the network throughout 2012-2013:

- Provide joint development opportunities in relation to scrutiny training and networking within Cambridgeshire
- Continue to attend and represent Cambridgeshire at the Centre for Public Scrutiny National Overview and Scrutiny Forum
- Continue to investigate and develop a regional scrutiny network

## CONTACTS

Work of the Overview and Scrutiny Committee is enhanced by the involvement of Fenland residents, service users, our partners and local businesses as they bring an alternative perspective whilst also providing external challenge. If, therefore, you would like further details about any of the work mentioned in this report, or on how residents and partner organisations can contribute to the work of Overview and Scrutiny within Fenland, please contact:

Councillor John Chambers, Chairman

[JChambers@fenland.gov.uk](mailto:JChambers@fenland.gov.uk)

01354 696770

Councillor Mrs Jan French, Vice Chairman

[JFrench@fenland.gov.uk](mailto:JFrench@fenland.gov.uk)

01354 655099

Jane Bailey Member Services Officer

[jbailey@fenland.gov.uk](mailto:jbailey@fenland.gov.uk)

01354 622229



*Anna Goodall Head of Governance and Legal Services*

[agoodall@fenland.gov.uk](mailto:agoodall@fenland.gov.uk)

01354 622357