

AGENDA MANAGEMENT SHEET

Name of Committee Overview And Scrutiny Board

Date of Committee 16th July 2009

Report Title Overview and Scrutiny Strategy Action Plan 2009/10

Summary This report asks the Overview and Scrutiny Board to consider whether the O+S Strategy continues to provide appropriate strategic direction for O+S, to identify actions for a 2009/10 Action Plan for the Strategy and provides an outlined of the progress made against the 2008/09 Action Plan

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Would the recommended decision be contrary to the Budget and Policy Framework? No.

Background papers None

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

- Other Committees
- Local Member(s) N/A
- Other Elected Members
- Cabinet Member
- Chief Executive Jim Graham
- Legal Jane Pollard, Corporate Legal Services Manager
- Finance
- Other Strategic Directors David Carter - Strategic Director for Customers, Workforce and Governance
- District Councils
- Health Authority
- Police

Other Bodies/Individuals

FINAL DECISION YES

SUGGESTED NEXT STEPS: Details to be specified

Further consideration by this Committee

To Council

To Cabinet

To an O & S Committee

To an Area Committee

Further Consultation

Overview And Scrutiny Board - 16th July 2009.

Overview and Scrutiny Strategy Action Plan - 12 month update

Report of the Strategic Director for Customers, Workforce and Governance

Recommendation

That the Overview and Scrutiny Board:

- i) Consider whether the O+S Strategy continues to provide appropriate strategic direction for O+S function and make amendments as appropriate
- ii) Agree Actions to be included in an action plan for 2009/10 to progress the Overview and Scrutiny Strategy 2008/13, taking into consideration any amendments made to the strategy in relation to (i) above.

1. Action Plan 2009/10

- 1.1 At its meeting on 30th January 2008 the Overview and Scrutiny Co-Ordinating Group (OSCG), predecessor for the O+S Board, agreed the Overview and Scrutiny Strategy for 2008-2013.
- 1.2 Following this OSCG agreed an action plan to take forward the Strategy at its meeting on 30th April 2008. A copy of the Overview and Scrutiny Strategy 2008/13 is attached as Appendix B.
- 1.3 Section 2 below illustrates that the majority of the actions contained in the 2008/09 Action Plan have been completed.
- 1.4 Given the recent changes to O+S, the Board is asked to consider whether the Overview and Scrutiny Strategy 2008/13 continues to provide appropriate strategic direction for the O+S function and make amendments as appropriate.
- 1.5 The Board is asked to give consideration to what actions should be included in the 2009/10 Action Plan for the Overview and Scrutiny Strategy 2008-13, taking into account any amendments made to the strategy. Suggested actions for the 2009/10 Action Plan are included at Appendix A.

2. Summary of progress in 2008/09

Core Work Programme

- 2.1. OSCG agreed a Core Work Programme for 2008/09 at its meeting on 30th April 2008. Further to this, the Core Work Programme was endorsed by Council at its meeting on 24th June 2008. With the exception of two issues relating to Adults and Community Services OSC, the Core Work Programme for 2008/09 has been achieved.
- 2.2. The O+S Board now has an enhanced role of co-ordinating in-depth reviews undertaken by OSC's, in order to provide a strategic approach to the prioritisation of O+S work. Currently, all OSC's are undertaking work programme workshops to identify priority issues, including in-depth scrutiny reviews. It is proposed that at its meeting on 2nd September the Board reviews the proposals developed by OSC's and agrees a work programme for these reviews.

Mapping of key partnerships relating to each OSC

- 2.3 The O+S Team have undertaken a mapping exercise of the high level partnerships in Warwickshire and aligned these partnerships to relevant OSC's. With new O+S structures now in place this information will be circulated to Chair and Partyspokes of each OSC.

Developing effective arrangements for joint/partnership scrutiny

- 2.4 The establishment of the partnership O+S Board will provide a mechanism for joint scrutiny to be co-ordinated and managed effectively, with Task and Finish Groups being commissioned as appropriate.

Develop protocols between the County and Districts for the Scrutiny of CDRP's

- 2.5 The Home Office delayed the implementation of the measures relating to CDRP scrutiny contained within the Police and Justice Act 2006, to await the outcome of a number of policing reviews. This has inevitably led to a delay in developing local protocols to undertake CDRP scrutiny. The provisions in the Act came into force on 30th April 2009, with guidance published in May 2009. The guidance expresses strong support for a co-ordinated approach in two-tier areas. A co-ordinated approach would reduce duplication and over burdening responsible authorities from responding to multiple crime and disorder committees.
- 2.6 The Warwickshire O+S Officers Network is currently developing protocols for co-ordinating CDRP scrutiny. It is proposed that these protocols be considered by the O+S Board at a future meeting.

Review of Scrutiny Toolkit

- 2.7. The Review of the Scrutiny Toolkit has been an on-going piece of work for the O+S Team. The Team plan to develop a revised member, officer and member of public toolkit on the intranet and internet. This work was postponed at the beginning of 2009 in order to take into consideration potential changes to the O+S structure. With new structures now in place, this work is now resuming and a revised toolkit will be launched by the end of July 2009.

Develop a programme of visits to identify best practice

- 2.8 Best practice visits have been regularly undertaken as part of scrutiny reviews.

Develop Protocols for the new Councillor Call for Action

- 2.9 Following the Council meeting in September 2008, a New Constitutional Working Group was established to look at required constitutional changes arising from the Local Government and Public Involvement in Health Act 2007. The Council agreed the protocol for the new Councillor Call for Action in December 2008.

Developing the skills of members to be effective participants though the member development programme

- 2.10 A member induction and development programme for 2009/10 has been agreed and is currently being implemented. The programme provides opportunities for members to develop their knowledge and skills, for example, in developing priorities, setting targets, monitoring performance and developing effective partnerships. Opportunities for members to develop key skills such as chairing meetings, speed reading and ICT will also be provided.

Development of role descriptions/ job descriptions for OSC Chairs

- 2.11 Member Role Profiles have been revised and agreed by the Member Development Steering Group. Member role profiles were agreed by Council on 23rd June 2009.

Develop protocols between the new LINKs (Local Involvement Networks) and the relevant OSC's to support their new role / relationships

- 2.12. The development of protocols between the new LINKs and the relevant OSC's to support their new role / relationships has been dependent on the LINKs agreeing their governance arrangements, this has been a lengthy process. Governance arrangements have now been agreed and it is anticipated that draft protocols outlining the relationship between LINKs and OSC's will be presented at a future meeting of the Board.

Develop protocols for local area scrutiny based on new locality arrangements

- 2.13 Protocols for developing local area scrutiny based on new locality arrangements are an outstanding piece of work for the O+S Team and will be rolled over to next years action plan. However, it's worth highlighting that local area scrutiny exercises are still being undertaken when appropriate issues arise.

Develop media plans to publicise the work of each OSC

- 2.14 The work of O+S is now regularly covered by local media. However, some OSC's have developed more effective relationships with the Council's Communication Team than others. This will piece of work will require continual effort and will be rolled over into next year's action plan.

Quarterly monitoring of Council and LAA performance

- 2.15. During 2008/09 OSC's received quarterly LAA performance reports, and all OSC's with the exception of Health OSC, receive quarterly report cards outlining Council performance. The Council's Performance Management Framework has recently been improved and this will provide a more meaningful role for OSC's to scrutinise improvement plans produced to address poor performance. LAA quarterly performance will be reported to the O+S Board.

Review the arrangements for tracking outcomes of review recommendations

- 2.16 Arrangements for tracking outcomes of review recommendations have been reviewed and improvements to the process have been made. More emphasis needs to be placed on promoting effective outcomes from scrutiny reviews (see below).

Sharing best practice from O+S Reviews with relevant services

- 2.17 This is routinely undertaken.

Implementation of O+S Performance Management Framework

- 2.18 OSCG agreed a Performance Management Framework (PMF) for Overview and Scrutiny in April 2007. The PMF includes a self-evaluation tool for members to evaluate O+S function as a whole and the performance of individual OSC's. It also includes a range of indicators that measure the performance of the O+S function.
- 2.19 The PMF has been implemented in the following ways:
- O+S Team reporting against performance indicators within the Directorate and presenting regular reports to OSCG
 - OSC's using self-evaluation framework to assess work undertaken and identify areas for improvement.

- 2.20 In recognition of the lessons learnt through the implementation of the PMF, the O+S Team presented a revised PMF to OSCG at its meeting in January 2009. The main changes to the PMF included:
- Altering the layout of the self-evaluation element of the PMF to make it more user friendly, and expanding the possible audiences to include officers who contribute to O+S
 - Introducing a number of new performance indicators to capture the level of quality recommendations made by O+S, the number of external partners / partnerships subject to scrutiny and the percentage of O+S work that is linked to the achievement of Corporate Priorities and LAA targets.
- 2.21 OSCG agreed the revised version of the PMF and implementation began from April 2009.

Develop proposals for “Outcomes” reports

- 2.22 OSCG agreed the style and format for O+S outcomes leaflets at the meeting in November 2008. The leaflets will be used to promote the outcomes achieved by O+S Reviews as appropriate.

Develop a refresher programme for officers / partners about O+S

- 2.23 The O+S Team decided to delay delivering presentations to partners until after Council made decisions regarding the structure of O+S, in order for such changes to be taken into consideration. This work will now be progressed.
- 2.24 In terms of a developing training programme for Officers, the O+S Team are discussing options for developing an O+S training module for Officers. This piece of work will be progressed in 2009/10.

DAVID CARTER
Strategic Director for
Customers, Workforce and
Governance

Shire Hall
Warwick

22nd June 2009

Overview and Scrutiny Action Plan 2009/10 – Suggested Components

Topic	Comment
Developing and supporting the work programme	
Deliver workshops to develop OSC's work programmes	
Develop a short term, medium term and long term in-depth review work programme	As 08/09 Action Plan
Work programme for committees reflects the agreed criteria for the selection of topics	As 08/09 Action Plan but more robust process to be introduced post June 09 election
O+S Board to commission joint scrutiny exercises as appropriate	Implementation following earlier development of arrangements (Also see CPA/JAR below)
Develop protocols between the County and Districts for the Scrutiny of CDRP's	Warwickshire O+S Officers Network currently developing protocols to co-ordinate CDRP scrutiny across Warwickshire. Draft protocols to be presented to O+S Board at a future meeting
Review of the scrutiny toolkit	Ongoing with view to completion ahead of June 09 election
Undertake public consultation, including consulting community forums, to feed into work programme development for 2010/11.	
Critical Friend Challenge to policy makers and decision-makers	
Develop a programme of visits/video-conferences etc with other authorities to identify best practice	Ongoing
Implement new councillor call for action	Protocols agreed by Council. Legislation comes into force 1/4/09
Developing the skills of Members to be effective participants through the member development programme	CPA/JAR Improvement Plan 2008/09 makes training mandatory
Develop protocols for locality scrutiny	
CPA/JAR Improvement Plan 2008/09 - Actions	
Review WCC Scrutiny approach to compare with best practice across the public sector	Implement recommendations contained in review of scrutiny
Incorporate partnership scrutiny programme within the Partnership Performance Management Framework agreed with the PSB	



Overview and Scrutiny Strategy 2008 - 2013

Introduction

Overview and scrutiny is part of the process of checks and balances that seeks to ensure that the Council and public services in Warwickshire are delivering on its promises. It is member-led and key roles for overview and scrutiny committees are

- holding the Cabinet and other decision-makers to account
- using the call-in process to challenge executive decisions before they are implemented
- policy review and development
- engaging with the community
- ensuring that public services are effective, efficient and responsive to the needs of the community

The Local Government and Public Involvement in Health Act 2007 sets an ambitious agenda to empower individual councillors and overview and scrutiny committees to hold public service providers in their area to account and to ensure the concerns of communities are considered in local decision-making. Enhanced powers are given to individual councillors through the 'Councillor Call for Action' to refer matters of public concern to overview and scrutiny committees for consideration. Overview and Scrutiny Committees are given new powers to require information and have their reports and recommendations taken into account by public service partners in relation to matters falling within the scope of the Local Area Agreement.

The development of the new Local Involvement Networks (LINKs) provides another avenue for the public to express their views and concerns about health and social care services in their area and provides an opportunity to further strengthen the ability of overview and scrutiny committees to reflect public opinion.

Whilst it is hoped that by demonstrating the value of its work overview and scrutiny can gain the co-operation of partners voluntarily these new powers do provide a framework for enhancing both the democratic accountability of public services at a local level and the crucial leadership role for councillors as champions of their communities.

Our Vision For The Future

How would we like to see the overview and scrutiny function in Warwickshire develop over the next five years? Our aspirations are for an overview and scrutiny function that

- is a key driver of the local public service improvement agenda
- is viewed as an essential part of the decision-making process on important public service issues
- makes a positive difference to the lives of people living and working in Warwickshire
- encourages proactive engagement by the public, partners and communities
- enhances the community leadership role of councillors
- is valued by the council, public and partners
- is relevant to local people
- is recognised locally and nationally for the work it carries out

Good Overview & Scrutiny

- Provides 'critical friend' challenge to policy makers and decision-makers
- Provides an opportunity to debate the principles and values which lie at the heart of policy development
- Enables the voice and concerns of the public to be heard
- Is carried out by 'independent' minded people who lead and own the scrutiny role
- Drives improvement in public services
- Adds value and is able to demonstrate its effectiveness

Overview and Scrutiny is about increasing accountability, improving performance and engaging local people

Our Strategy

Engaging Members

- Actively engaging members in the development of the work programme.
- Providing all members with the requisite skills to be effective participants through the member development programme.
- Implementing effective arrangements for dealing with any councillor call for action under the Local Government and Public Involvement in Health Act 2007
- Ensuring all members are aware of how the procedures for call-in of executive decisions operate
- Demonstrating the benefits of what good overview and scrutiny can achieve
- Providing members with the opportunities to go on best practice visits
- Providing members with the opportunity to engage directly with service providers and service users
- Chairs and spokespersons of Overview and Scrutiny Committees acting as scrutiny champions within and outside the Council
- Publication of annual reports to Council and the outcomes of reviews in relevant council publications.

Critical friend challenge to policy makers and decision-makers

- Carrying out evidence based reviews
- Ensuring recommendations are achievable and practicable and draw on best practice
- Building relationships of trust with members and officers of the Council and relevant partners
- Engaging policy makers and decision-makers in the work of overview and scrutiny to ensure their issues and concerns are understood
- Ensuring the voice and concerns of the public are heard
- Using the call-in process in appropriate circumstances to challenge executive decisions before they are implemented

Engaging with the Community

- Providing all members with the opportunity to represent the views and concerns of their communities
- Inviting relevant partners and other organisations to participate in reviews and meetings
- Promoting the work of overview and scrutiny through the press and media
- Promoting the work of overview and scrutiny through the website and publication of leaflets
- Proactive publicity and consultation in relation to appropriate reviews
- Publishing the outcomes of reviews to the community and relevant partners
- Using the new locality arrangements and the new Local Involvement Network (LINK) to identify issues of local concern and to feedback the outcomes of reviews
- Responding promptly to issues of concern raised by the LINK

Driving improvement in public services

- Ensuring the work programme is focussed on issues where the overview and scrutiny function can add value/make a difference
- Implementing the agreed criteria for the selection of topics to ensure the work programme remains relevant to local people
- Developing and implementing a core work programme to ensure that priorities are dealt with
- Monitoring the performance of the Council to identify areas for improvement
- Implementing effective arrangements to monitor the performance of the local area agreement
- Through reviews or other activities providing a forum for the exchange of views on particular issues from stakeholders
- Ensuring the voice and concerns of the public on specific issues are heard
- Learning from best practice

Adding Value and demonstrating effectiveness

- Implementing the agreed performance management framework for overview and scrutiny
- Monitoring the response to review recommendations.
- Monitoring the impact of recommendations on the delivery of public services
- Publicising the outcomes and impacts of reviews through appropriate press and media
- Publication of annual reports

Key Skills for Overview and Scrutiny

Scrutiny requires members to assess, probe, analyse and adopt a number of different, often innovative techniques in order to achieve their objectives, requiring the application of a variety of skills.

Chairing Skills

Chairing Skills are key to an effective meeting. An effective chair manages the use of time by:

- ❑ Helping to interpret, clarify and summarise
- ❑ Helping move the discussion on
- ❑ Remains focussed on outcomes
- ❑ Gets a result which is then accepted as the collective will
- ❑ Shows a commitment to achieving objectives
- ❑ Holding respect through impartiality
- ❑ Managing and taking ownership of the work programme
- ❑ Ensuring balance
- ❑ Encouraging appropriate participation
- ❑ Using officers appropriately
- ❑ Communicating effectively, including through the media

Project Planning Skills

The ability to plan events to a conclusion taking into account resources and timescales. This includes planning scrutiny reviews and also planning work programmes for the Committees and identifying desired outcomes.

Team Working

Getting members of an Overview and Scrutiny Committee or panel working effectively together towards a common goal

Questioning Skills

The ability to probe and prod for information, managing to question and challenge officers without interrogating

Listening

Genuinely listening to others whose views and opinions may differ from your own.

Analytical Skills

The ability to review and interpret data and reach well reasoned conclusions and recommendations. Developing SMART recommendations

Report writing

The ability to write clear and concise accounts with recommendations for action

Negotiating

The ability to negotiate to reach a consensus

Developing relationships

Promoting scrutiny by developing relationships with the Cabinet, Officers, Partners, Key Stakeholders, members of the public, other Committees (Other Overview and Scrutiny Committees and Area Committees) and the media.

Selecting Topics for Overview and Scrutiny

1. Whether or not any particular issue will be addressed is determined by members using the following criteria.
 - Does this issue have a potential impact for significant section(s) of the population?
 - Is it a matter of general public concern?
 - Is the issue to be reviewed a key deliverable of a strategic and/or partnership plan?
 - Is it a key performance area where the Council needs to improve?
 - Is there a legislative requirement to undertake the review?
2. Secondly to ensure that reviews add value/ make a difference consideration will be given to whether it is practicable to undertake the review by asking the following questions-
 - Are there adequate resources available to do the activity well?
 - Is the overview and scrutiny activity timely?
 - Is there a clear objective for scrutinising this topic?
 - Is there evidence to support the need for overview and scrutiny?
 - What are the likely benefits to the council and its customers?
 - Are we likely to achieve a desired outcome?
 - What are the potential risks?

Reasons to Reject Items for Overview and Scrutiny

3. There will sometimes be very compelling reasons why an item should not be subject to overview and scrutiny. Most commonly this arises where
 - An issue is being examined elsewhere - e.g. by the cabinet, working group, officer group, other body
 - An issue was dealt with less than 2 years ago
 - New legislation or guidance is expected within the next year
 - There is no scope for overview and scrutiny to add value/ make a difference