

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee – 11th June, 2013

Report of the Lead Officer and the Director of Corporate Resources

Terms of Reference and Annual Scrutiny Programme 2013/14

Purpose of Report

1. To note the terms of reference of the Committee and the items included in the Annual Scrutiny Programme for detailed consideration by this Scrutiny Committee during 2013/14.

Background

2. On 25th April, 2013, the Cabinet considered a report on a review of the Council's overview and scrutiny arrangements. The recommendations from Scrutiny Chairs were endorsed by the Cabinet and formally approved at the annual meeting of the Council on 16th May, 2013.
3. The principles of the new structure are to strengthen the Council's overview and scrutiny arrangements; to ensure proper democratic accountability and to promote confidence in the conduct of the Council's business. The new scrutiny arrangements are also set in the context of significant financial pressures faced by the Council and the need to focus limited resources in the most effective way.
4. The review was also based on the following principles, as agreed by Scrutiny Chairs:-
 - That the former informal "Chairs of Scrutiny Committees" meeting be formalised into an "Overview and Scrutiny Management Board".
 - That a revised structure of Overview and Scrutiny Committees be adopted, including Scrutiny Committees to carry out detailed scrutiny reviews and a separate Scrutiny Committee with a remit for Corporate Performance Management, Efficiency and Effectiveness.
 - That the role of Scrutiny Committees be developed further to comprise:-
 - The adoption of the "Parliamentary Select Committee" model by undertaking single item in-depth scrutiny investigations/inquiries with reports from the Scrutiny Chair being presented to the Cabinet/Council.

- Being more strategic and selective in selecting topics for scrutiny with Scrutiny Committees focussing on in-depth investigations. The Overview and Scrutiny Management Board will have a role in overseeing and co-ordinating the annual scrutiny programme.

- Enhancement of the role of Scrutiny Committees in policy development by carrying out the in-depth scrutiny reviews as referred to above.

- All scrutiny "Call-ins" to be determined by the Management Board (with provision for inviting statutory co-opted members in the case of Education matters).

- Cabinet Members/Chief Officers and others to attend scrutiny meetings to give evidence/reports if required by the Scrutiny Committee (given advance notice).

- The retention of statutory co-opted members on the Scrutiny Committee that considers "Education" matters (ie: Children's Services).

- The Chair of the Overview and Scrutiny Management Board to submit an annual report to the Council on corporate scrutiny activity.

- The Minutes of the Overview and Scrutiny Management Board and individual Scrutiny Committees to be submitted to Council.

5. The approved terms of reference of the Scrutiny Committee are set out in Appendix 1. The terms of reference of the Committee also gives a clear indication of the Cabinet portfolios and Directorate functions within the remit of the Scrutiny Committee.

6. Scrutiny Committees have discretion to set their own programme of meetings to carry out the workload and reviews that are allocated to them. Meetings of this Scrutiny Committee have also been scheduled on the dates below, primarily to facilitate consideration of the quarterly performance management reports and the detailed scrutiny of the Council's revenue budget proposals in November.

- Thursday, 5th September, 2013 – 6PM
- Wednesday, 20th November, 2013 – 6PM
- Monday, 27th January, 2014 – 6PM

7. In April, 2013, Scrutiny Chairs considered the development of a draft Annual Scrutiny Programme for the 2013/14 municipal year taking account of the views of Cabinet Members and Directors as part of their business planning cycle. The Overview and Scrutiny Management Board formally endorsed the Annual Scrutiny Plan at its meeting on 29th May, 2013. The items for detailed consideration by the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee during 2013/14 are:

- Local Council Tax Reduction Scheme (Year 2)
- Apprenticeships and Work Experience
- Corporate Complaints System

8. Appendix 2 gives more detailed information on the topics set out in the Annual Scrutiny Programme for 2013/14 as referred to in paragraph 7 above.
9. Immediately following this first formal meeting of the new Scrutiny Committee, an informal development session will be held for members and officers to discuss the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews (with timescales for both informal and formal meetings).
10. Under the Scrutiny Committee Procedure Rules, as contained in the Constitution, all Scrutiny Committees previously had the discretion to include a standard item entitled 'Public Forum' on the agenda to facilitate members of the public asking questions on any matter falling within the terms of reference of the Committee. This discretion remains under the revised Scrutiny arrangements and the Committee is invited to express views on whether such an item should be included on future agendas.
11. The revised scrutiny arrangements will be subject to ongoing review and further consideration by the Overview and Scrutiny Management Board during the municipal year.

Finance

12. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

Law

13. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.
14. The Police and Justice Act 2006 gives the Council powers to scrutinise the work of the Crime and Disorder Reduction Partnership and the Local Government and Public Involvement in Health Act 2007 enables local authorities to scrutinise other partners. Much of this legislation has now been consolidated in the Localism Act 2011.

Equality Impact

15. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

16. That the terms of reference of the Committee, as set out in Appendix 1, be noted.
17. That the issues contained in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 and Appendix 2, be noted.
18. That an informal development session be held for members and officers, at the conclusion of the formal business of this meeting, to discuss how they wish to progress the items for detailed consideration by the Committee during 2013/14.
19. That the Committee consider the possible inclusion of a "Public Forum" session as a standing item of business on the agenda for future meetings.



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List of Background Papers

Reports and minutes of the Cabinet dated 25th April, 2013
Reports and minutes of the Council dated 16th May, 2013
Reports and minutes of the Overview and Scrutiny Management Board dated 29th May, 2013

Terms of Reference

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee

To scrutinise the Quarterly Corporate Performance Management Report and to make any associated recommendations to the Cabinet, Cabinet Members, the Chief Executive, Directors and Chief Officers.

To undertake scrutiny functions associated with the strategic Crime and Disorder Reduction Partnership (Safe and Sound).

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations/inquiries in respect of specific issues assigned to the Committee within its terms of reference.
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Chief Executive's Directorate, the Directorate of Corporate Resources and the Cabinet portfolios of the Leader, the Cabinet Member for Finance and the Cabinet Member for Human Resources, Legal and Property.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Appendix 2

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee		
Portfolio		Cabinet Member for Finance
Area for Scrutiny		Local Council Tax Reduction Scheme 2 nd Year (2014/15)
Council Priorities		
	Council Plan:	'Alleviating hardship suffered by households resulting from low incomes and vulnerable to changes with the economy'
Context		<ul style="list-style-type: none"> • Council tax benefit was localised with effect from April 2013 with a reduction in Government subsidy of 10% (£2.4m for Dudley) • Reducing council tax support is seen by the Government as an incentive for getting people into work. Pensioners must be protected, but it is for individual councils to decide whether or to what extent to protect other 'vulnerable' groups such as disabled people or households with young children which may have previously received support. • Council in November 2012 approved the adoption of the Government's default scheme for its 2013/14 local scheme following consultation and an equality impact assessment. • The agreed option requires the council to absorb the £2.4m reduction within its overall budget (although Government has provided a Transition Grant of £0.5m for 2013/14) • Schemes may be revised from one year to the next (but not within the year)
Rationale		<ul style="list-style-type: none"> • Council approval was for the 2013/14 scheme. Against the background of continuing financial pressures, there is an urgent need to consider whether to revise the scheme for 2014/15 or to continue to absorb the cost of maintaining current eligibility rules and award criteria • A range of options exists to meet in full or in part the £2.4m reduction in funding but all options have some impact on various protected or vulnerable groups and each have different pros and cons. • Responses to the Big Question council tax consultation indicated that of those who said no to a council tax increase 72% would cut 'benefits and other welfare services' (the most popular choice) and of those which said yes to an increase 39% would most want to protect 'benefits and other welfare services' (the equal second least popular choice).
What are we asking from the Scrutiny Committee?		<ul style="list-style-type: none"> • To consider the options for the Local Council Tax Reduction Scheme in 2014/15 and to advise the Cabinet on an appropriate course of action.

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee		
Portfolio		Cabinet Members for Human Resources, Legal and Property and Children's Services & Lifelong Learning
Area for Scrutiny		Apprenticeships and Work Experience
Council Priorities		
	Council Plan:	Developing apprenticeships, work placements and experience across the whole Council to help school leavers in getting a job and training.
Context		Over the last 2 years there has been significant media coverage about youth unemployment and the limited opportunities for young people. Dudley Council wants to ensure that there is appropriate provision of apprenticeship opportunities across the borough and within the Council for young people.
Rationale		To provide further direction to the apprenticeship task group to review, plan and support young people and employers to engage in high quality Apprenticeship programmes and work experience placements within Dudley. Where gaps are identified, to make recommendations for improvement. To support the development of a multi agency approach for ensuring high quality apprenticeships in Dudley.
What are we asking from the Scrutiny Committee?		To examine how the Council can maximise the opportunities for apprenticeships and work experience for the benefit of local people.

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee		
Portfolio		Cabinet Member for Human Resources, Legal and Property
Area for Scrutiny		Corporate Complaints System
Council Priorities		
	Council Plan:	'To give local people customer friendly and responsive services'
Context		<ul style="list-style-type: none"> ▪ The council wants to have in place a process which gives easy access to local people wishing to give feedback. ▪ The corporate customer feedback procedure is a means by which customers can give feedback to the council, and be sure that they will be listened to and taken seriously. ▪ A corporate complaints system to manage and report on compliments, comments and complaints in a consistent manner will be implemented in July 2013, following recommendations arising from an internal audit (July 2012) of the council's corporate feedback procedure. ▪ The system is underpinned by the expectations of the local ombudsman as outlined in the publication "Guidance on running a complaints system". ▪ The Local Government Act underpins how councils should respond to corporate complaints; the separate statutory social care complaint process will remain and is not affected by this new corporate system. ▪ The new procedure will provide a more effective process for reporting on all complaints received across the council.
Rationale		<ul style="list-style-type: none"> ▪ The council introduced a corporate feedback procedure to give customers easy access to provide feedback, and to instil public confidence that the council manages complaints in a consistent manner ▪ There is potential for member engagement in customer feedback, with members been appropriately informed about the corporate feedback procedure when asked to assist customers with their complaints. ▪ Members decided that the new procedure be renamed as 'compliments, comments and complaints'. ▪ It will protect the interest of the council in terms of local government ombudsman enquiries. ▪ It will promote and safeguards the council's reputation. ▪ It will enable us to ensure that services carried out jointly with partner agencies are also captured through use of this process. It will also enable complaints raised in relation to services provided by our partners to be captured and consistently responded. ▪ The new procedure will enhance our capabilities to detect errors, correct mistakes, take action and learn from complaints. ▪ This will provide a further opportunity for local people to tell us what they think of the services provided by the local council.
What are we asking from the Scrutiny Committee?		<ul style="list-style-type: none"> ▪ To consider the policy priorities for corporate complaints and to advise the Cabinet on the implications for the Council.