

BUSINESS SUPPORT OVERVIEW AND SCRUTINY COMMITTEE

6 DECEMBER 2012

REVIEW OF THE COUNCIL'S OVERVIEW AND SCRUTINY FUNCTION AND E - PETITIONS

Report from: Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance

Author: Julie Keith, Head of Democratic Services

Summary

This report reviews the Overview and Scrutiny function in Medway and how it compares with other local authorities. The report also provides a response to concerns raised by Members about how the e-petition facility in Medway is currently working with particular reference to the accessibility of the e-petition pages on the Council's website. The report was requested by the Committee at its meeting on 21 June 2012.

1. Budget and Policy Framework

1.1 This Committee has within its remit the provision of guidance and leadership on the development and co-ordination of the scrutiny function for all Overview and Scrutiny Committees, including guidance on priorities for scrutiny activity.

2. Background

2.1 On 21 June 2012 this Committee considered the options available to local authorities for future governance arrangements under the Localism Act 2011, including the scope to return to the Committee system (with or without Overview and Scrutiny Committees). This was a matter for debate and determination at the full Council on 26 July, where it was resolved to retain the Leader and Cabinet model of governance in Medway with a four term of office for the Leader.

2.2 This Committee agreed it would be timely to review the Council's Overview and Scrutiny function in light of the Council's decision on future governance arrangements and to also review the accessibility of the Council's e-petition facility.

2.3 The following report covers both issues and Members are invited to identify any further work to be done, particularly in relation to Overview and Scrutiny arrangements, having considered the suggested areas for further development as set out in paragraph 6 of the report.

3. Overview and Scrutiny – legislative framework and current landscape

3.1 Under the Localism Act 2011 local authorities operating a Leader and Cabinet model of governance **must** make provision for the appointment of at least one (politically balanced) Overview and Scrutiny Committee with power to review, scrutinise and make recommendations on any function of the local authority or any matter affecting the area or inhabitants of the area.

3.2 Overview and Scrutiny Committees must also be able to call-in executive decisions before they are implemented with the option of asking the decision-maker to reconsider the matter.

3.3 In addition one officer of the authority has to be the designated “scrutiny officer” with responsibility for promoting and supporting Overview and Scrutiny Committees. In Medway the Assistant Director, Customer First, Leisure, Culture, Democracy and Governance fulfils this role.

3.4 The other features required by law in Overview and Scrutiny arrangements in Medway are set out in full in the Council's Constitution and must include:

- (i) power to appoint co opted members (who are not Councillors) to the membership of the Committees and a requirement to include voting co-optees on any Committee covering education matters to represent parent-governors and the Roman Catholic Church and Church of England dioceses in Medway
- (ii) provision for Overview and Scrutiny Committees to require information and attendance at meetings by various people including officers and Cabinet members and some partner organisations
- (iii) a facility for any member of the Council to add an item to an agenda for an Overview and Scrutiny Committee as long as it is relevant to the functions of the Committee
- (iv) designation of one Committee to be responsible for scrutiny of crime and disorder matters with scrutiny of the Community Safety Partnership at least once a year
- (v) provision for the Councillor Call for Action for Crime and Disorder matters
- (vi) provision for scrutiny of flood risk management and coastal erosion functions

(vii) arrangements for health scrutiny and a right of referral to the Secretary of State where the relevant Overview and Scrutiny Committee wishes to contest a major NHS service reconfiguration.

3.5 Local authority Overview and Scrutiny arrangements have been subject to continuous review and evolution in the light of new legislation over the last ten years. In addition to the Localism Act, during 2012 there have been significant developments in the areas of policing and health.

3.6 The Kent and Medway Police and Crime Panel (PCP) came into existence in November 2012 to hold the new Police and Crime Commissioner to account and it will be important to consider how the work of the PCP will align with the role of the RCC Overview and Scrutiny Committee which is the designated Crime and Disorder Committee in Medway.

3.7 In addition new regulations will be laid in Parliament in early 2013 replacing the existing health scrutiny regulations. These are expected to widen the Council's health scrutiny powers to include Clinical Commissioning Groups and other health bodies. In parallel the Health and Wellbeing Board will come into existence as a Committee of the Council and is expected to be subject to overview and scrutiny.

3.8 The main key roles of scrutiny continue to be:

Role	In Medway this is done via:
Holding the Cabinet to account	Portfolio holders attending O and S Committees at least annually, call-ins, Members' items, consideration of petitions
Policy Development and Review	In-depth reviews by fixed life Task Groups, pre-decision scrutiny, involvement of non-executive members in Cabinet Advisory Groups and Overview and Scrutiny input in advance of policy framework and budget decisions at full Council
External scrutiny, including scrutiny of the NHS, the Community Safety Partnership, Medway Safeguarding Children's Board and wider issues affecting the wider community	The work of the Health and Adult Social Care, Children and Young People and Regeneration, Community and Culture O and S Committees, Members items, consideration of petitions, the facility for Cllr Call for Action on crime and disorder issues. In addition there is a new system for nominating topics for in-depth review taking into account whether topics have been raised as a matter of concern by residents
Performance and Budget review and monitoring	Regular review of quarterly Council Plan and Budget Monitoring reports

- 3.9 Any review of the effectiveness of Overview and Scrutiny arrangements should also take into account the four principles of effective scrutiny identified by the Centre for Public Scrutiny (CfPS) which propose that good scrutiny:
- (i) provides “critical friend” challenge to executive policy-makers and decision-makers
 - (ii) enables the voice and concerns of the public and its communities to be heard
 - (iii) is carried out by “independent minded governors” who lead and own the scrutiny process
 - (iv) drives improvement in public services.

4. Development of the Overview and Scrutiny function in Medway

- 4.1 Overview and Scrutiny Committees have been operational in Medway since the introduction of the Leader and Cabinet model of governance in October 2001. Since then the structure and arrangements for Overview and Scrutiny have been the subject of ongoing review and development. In common with most local authorities, Medway has always had more than one Overview and Scrutiny Committee with time limited cross-party Task Groups to undertake in-depth reviews. Currently there are four Committees with terms of reference aligned to Directorate structures as agreed by the Council in 2005/06; these are Business Support, Children and Young People, Health and Adult Social Care and Regeneration, Community and Culture. There is also a Joint Medway/KCC Health Scrutiny Committee to meet legislative requirements for joint scrutiny of major NHS service reconfigurations affecting both local authority areas.
- 4.2 As a consequence of feedback from the Audit Commission via Medway's Comprehensive Performance Assessments, the outcome of a review of Medway's Overview and Scrutiny function undertaken by the Improvement and Development Agency in 2004, new legislation and ongoing consideration of developing best practice the following changes and improvements have been made to the Council's Overview and Scrutiny arrangements since 2001:
- (i) Alignment of the O and S Committee structure with Directorate structures
 - (ii) Strengthening of the co-ordinating role of the Business Support Overview and Scrutiny Committee
 - (iii) Ongoing Member development and training to ensure Members are up to date on emerging best practice in Overview and Scrutiny
 - (iv) Active involvement in the Kent and Medway and South East Employer's Overview and Scrutiny networks plus the regional health scrutiny forums.
 - (v) Use of Members briefing sessions and Member briefing notes to eliminate time spent in Committee on information reports
 - (vi) Introduction of health scrutiny with the subsequent integration of the scrutiny of health and social care, development of a health scrutiny tool kit for members, protocols for dealing with substantial NHS service reconfigurations and for working together with the LINK

- (vii) Introduction of Councillor Call for Action
- (viii) Introduction of a scheme for handling petitions with recognition of Medway by the Government as an expert practitioner in this area and an invitation to participate in pre-legislative discussion
- (ix) Designation of the Assistant Director, Customer First, Leisure, Culture, Democracy and Governance as the Council's Scrutiny Officer
- (x) Designation of the RCC Overview and Scrutiny Committee as the Committee responsible for scrutiny of crime and disorder and flood risk management
- (xi) Use of themed meetings for some in –depth review work, which has attracted interest from other Councils. Southend-on Sea Overview and Scrutiny members visited Medway to attend a themed meeting on countering bullying in March 2011 with positive feedback.
- (xii) Adoption in 2011 of a more systematic approach to identifying and prioritising topics for in depth- review by time limited Task Groups with an established 18 month programme of reviews now underway. (This was in the context of a reduction in dedicated scrutiny support within Democratic Services from 1 April 2011 and a consequential Council decision to reduce the level of in-depth scrutiny review work across all Overview and Scrutiny Committees to no more than three Task Groups and/or themed meetings in total per year).

4.3 The current programme of in-depth reviews with indicative timescales is as follows:

Children and Young People	Effective challenge to address under performance in schools	November 2011 - March 2012. (Reported March 2012).
Business Support	Fair Access to Credit Task Group	March - June 2012 (Reported September 2012)
Regeneration, Community and Culture	Supported Accommodation	Late September to December 2012
Regeneration, Community and Culture	De-cluttering of town centres and main roads in Medway	January - March 2013
Health and Adult Social Care	Mental Health	April - June 2013

5. Overview and Scrutiny – the bigger picture and how Medway compares

5.1 Every year since 2003 the Centre for Public Scrutiny has conducted an Annual Survey with the aim of drawing together a comprehensive and authoritative picture of overview and scrutiny in local government. In February 2012 the CfPS published a useful analysis of eight years of CfPS survey findings and in October the 2011/12 CfPS survey results were published. This information, together with the outcome of participation by Medway in the CIPFA benchmarking club for Democratic Services, has been used to produce the information at Appendix A to this report. This provides a broad

overview of how Medway compares with other local authorities as requested by this Committee.

5.2 Some of the key headlines from the most recent 2011/12 CfPS survey report identify that nationally:

- (i) discretionary budgets for the scrutiny function have been declining year on year and the number of in-depth reviews has fallen by 31.2% to an average of four in 2011/12 compared to 6 in 2010/11.
- (ii) finance and pre-decision scrutiny are the areas where scrutiny practitioners feel they are least effective
- (iii) health scrutiny and policy review are regarded as the areas where scrutiny is most effective.
- (iv) The area cited as the one where scrutiny most needs to improve is engagement with local communities.
- (v) Numbers of recommendations from scrutiny implemented by executives rose from 61% in 2010/11 to 86% in 2011/12.
- (vi) On average there are 2.7 FTE support officers for scrutiny, which is a reduction from the last two years and almost at the lowest number seen in 2005.

5.3 During 2012 the Centre for Public Scrutiny has produced guidance to assist local authorities to assess local arrangements for effective internal review and challenge and to measure the return on investment of overview and scrutiny. This is in response to the Government's reduction in central review and monitoring of Councils and the shift to a new self- regulation culture.

6. Overview and Scrutiny – areas for further review and development

6.1 A review of Medway's Overview and Scrutiny arrangements was undertaken by the IDEA in 2004 and in 2011 the Committees drew on independent expert advice in determining the new criteria - based arrangements for selecting topics for in-depth review. The option of commissioning further independent expertise in the assessment of the Medway Overview and Scrutiny function is open to Members and could provide an opportunity to take views from a wide range of stakeholders. Another alternative would be to commission external support to explore and make use of the range of self-assessment tools available (as mentioned in paragraph 5.3 of this report).

6.2 In preparing this report the Head of Democratic Services has undertaken desk- top research into Overview and Scrutiny arrangements elsewhere including a review of the findings of Professor Steve Leach of De Montfort University and the CfPS who have each been commissioned to review and make recommendations on areas for improvement in Overview and Scrutiny arrangements in a number of London Boroughs over recent years. This work, together with the survey work undertaken by CfPS and participation in the CIPFA benchmarking club for Democratic Services, has provided assurance that the Council's Overview and Scrutiny arrangements are mainly operating in line with best practice. The areas with potential for improvement identified in this report are broadly in line with aspects of scrutiny found to be most challenging in national survey and benchmarking results.

- 6.3 The volume of business at Overview and Scrutiny Committee continues to require rigorous management following a reduction in the number of meetings and there is a recommendation later in the report to consider the meetings timetable and programming of business. At this stage a review of Overview and Scrutiny Committee structures is not recommended given that Medway is operating on the basis of multiple cross-party committees with fixed life Task Groups and this is the structure adopted by the majority of local authorities. The Medway structure is much less elaborate than many of the models in other local authorities but does provide scope for a balanced range of activity across the four main scrutiny roles. If there is a future review of structures it will be essential to assess the likely impact of change on scrutiny outcomes and associated costs.
- 6.4 There is one suggestion for a change to the Terms of Reference of Overview and Scrutiny Committees. This relates to the scrutiny of children's health. The Council has accepted the principle of aligning the scrutiny of health and social care in recognition of the importance of integrated service provision. However it is recommended, in the light of experience, to move scrutiny of children's health from the Children and Young People's (CYP) Overview and Scrutiny Committee to the Health and Adult Social Care Overview and Scrutiny Committee. Whilst the CYP Overview and Scrutiny Committee has reviewed a number of important issues relating to children's health this has largely been on a reactive basis as the Committee has such a wide remit and often NHS scrutiny straddles services for adults and children. The views of the Committee are invited on this suggestion, which may give a sharper focus to issues affecting children's health. If agreed it would be important to involve the members of the CYP O and S Committee (and, in particular Youth Parliament representatives) in any briefings on issues relating to children's health and to ensure that members of the Committee are notified and invited to attend HASC O and S Committee meetings when children's health is on the agenda. It may also be possible for Group Whips to achieve some duality of membership of both Committees.
- 6.5 The following table highlights areas for possible action and further development with reference to the four principles of effective scrutiny developed by the CfPS.

CfPS - Principles of good scrutiny	Possible areas for further development in Medway
1. Provides "critical friend" challenge to executive policy-makers and decision-makers	(i) Further Member development in performance monitoring to enhance the role of "holding to account". It has been suggested this could include reviewing the role of scrutiny in relation to the Councils role in promoting high standards in schools. (ii) Further member development in scrutiny of partners, in recognition of the forthcoming widening of the scope of health scrutiny and the relatively undeveloped level of activity in this arena in relation to other partners who are under an obligation to consider and respond to recommendations from

CfPS - Principles of good scrutiny	Possible areas for further development in Medway
	<p>scrutiny.</p> <p>(iii) Completion of the exercise to review the current protocol regulating the relationship between the NHS and Overview and Scrutiny in the context of major service reconfigurations and taking on board scope to scrutinise the Health and Wellbeing Board once it becomes a Council Committee in 2013.</p>
<p>2. Enables the voice and concerns of the public and its communities to be heard</p>	<p>(i) Review of public engagement by Overview and Scrutiny. Experience here and elsewhere suggests it is difficult to get high levels of interest in O and S Committee meetings generally. In common with other Councils Medway has experienced a high level of public interest in a range of single issues considered by O and S Committees over the years. However Medway could consider how to involve the public when selecting topics for in-depth review and how best to involve the public and service users in Task Group work. The Committee may also wish to explore how scrutiny could make better use of the media and social media to promote its role to the public and invite engagement.</p>
<p>3. Is carried out by “independent minded governors” who lead and own the scrutiny process</p>	<p>(i) Survey of all Councillors, Directors and organisations represented by co-optees on our Overview and Scrutiny Committees to test local opinion on the effectiveness of scrutiny in Medway.</p> <p>(ii) Further Member development on use of performance monitoring information to influence work programming and selection of topics for in-depth review.</p> <p>(iii) Review of the project management methodology available for managing in-depth reviews as this is currently undeveloped and variable in Medway.</p> <p>(iv) Further development for Members and Democratic Services staff on preparing to take evidence from experts and stakeholders – currently there is variable practice across Committees and much could be learnt from best practice elsewhere.</p> <p>(v) Regular review by Business Support O and S and the other Committees of the balance of activity and impact/ outcomes to ensure best use of member and officer time – see Appendix B.</p> <p>(vi) Review of the number and frequency of O and S Committee meetings to evaluate whether there is scope to re-programme the timetable to create scope for more meetings of the “busiest” Committees and/or additional capacity for in-depth review work.</p> <p>(vii) Consideration of scope to engage with Universities in Medway with a view to adding capacity for scrutiny</p>

CfPS - Principles of good scrutiny	Possible areas for further development in Medway
	research – this is already being explored by the Assistant Director Legal and Corporate Services in the context of other major Council projects.
4. Drives improvement in public services	(i) Introduction of a systematic review of what went well and learning points after every Task Group or themed meeting (ii) Consideration to be given to likely service improvements at the point of selecting in-depth review topics

6.6 The Committee is invited to consider the information provided in this report and identify any areas of further work to ensure continuing improvement of Overview and Scrutiny arrangements in Medway.

7. E-petitions

7.1 On 21 June this Committee asked for a report back on the operation of the Council's e-petition facility as some Members of the Council had raised concerns about the accessibility of the e-petition web pages and the ease of setting up and signing an e-petition.

7.2 The legal obligation on local authorities to have a scheme for handling petitions and to host a facility for e-petitions has now been repealed. However the Council continues to operate a Petition Scheme and to offer the e-petition facility that originally went live on 15 December 2010. The scheme is set out in the Council's Constitution with explanatory and supporting information available to the public on the Medway website.

7.3 Since November 2010 there have been seven e-petitions set up on the Council's web pages as shown in the table below. In the same period 54 paper petitions have been submitted and dealt with under the Council's Petition Scheme.

Subject of e- petition	Date	Number of signatures
Save Nelson Court	23 November 2011 to 10 January 2012	60
Safeguard Care Services	3 December 2011 to 14 January 2012	44
Kent Freedom Pass for Medway	5 January 2012 to 5 May 2012	662
Dickens Statue	10 January 2012 to 21 February 2012	8
Closure threat – Marlowe Park Medical Centre	21 February 2012 to 10 March 2012	157
Prevent the closure of the Green Street Adult Education pre-school in Gillingham	20 March 2012 to 1 May 2012	40
Stop making the entrance to Chipstead Road difficult	3 October 2012 to 27 October 2012	1

- 7.4 Medway is using the e-petition facility offered by modern.gov, which is in use widely across local authorities using modern.gov as their committee management system. After some initial teething problems, which were resolved within 48 hours of being reported, there have been no further complaints to Democratic Services from people trying to use the e-petition facility. Without specific examples it has been difficult to investigate the general concerns raised by Members.
- 7.5 However the Democratic Services Team has undertaken an exercise to rigorously test the facility. On two separate dates every member of the team logged on to Medway's website from home and attempted to set up an e-petition and then to sign a test petition set up for the purpose of the exercise. There were no technical difficulties.
- 7.6 In response to Member concern about the accessibility of the e-petition web pages it is now possible to access the pages by clicking on the A-Z on the home page of the Council's web site or via the option "I want to...". This means it is now possible to access the petitions web pages in two clicks from the home page.
- 7.7 The Committee also asked about consideration of e-petitions generated or hosted by others. This has not been an issue to date but the Council would accept an e-petition submitted by email or in hard copy by another organisation or individual as long it was possible to see valid email addresses, postal addresses and postcodes which is the standard applied under the Council's own Petition Scheme.

8. Risk management

- 8.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk
The Council revises structures for Overview and Scrutiny without a full evaluation of impact and cost	It is difficult to assess the cost and scope for improved impact of different Overview and Scrutiny arrangements. This would be essential in the current financial climate	The Committee is advised to commission a full review of options for structures and associated costs/impact before changing current arrangements

9. Financial and legal implications

- 9.1 CIPFA benchmarking club information for Democratic Services in 2012/13 shows that, Medway's expenditure on direct staffing support and the budget for discretionary scrutiny activity within Democratic Services are significantly lower than average costs in the other 47 participating Unitary Councils. Expenditure on staffing support is considerably below the average for other

Unitary Councils at £0.32 per 1000 population against £0.46 elsewhere. The budget for discretionary scrutiny activity in Medway is also well below the average at £0.02 per 1000 compared to £0.06 per 1000 in other Unitary areas.

- 9.2 More detailed work would be required to attach a cost to the support provided for Overview and Scrutiny within each Directorate, principally at Director, Assistant Director and Service Manager level. This mainly involves support for meetings of the main Committees and expert advice and support for in-depth reviews.
- 9.3 Special Responsibility Allowances payable to Chairmen, Vice-Chairmen and the nominated spokespersons from qualifying Opposition Groups (with a membership equating to at least 20% of the overall size of the Council) is currently £73, 265.
- 9.4 Any increase in Overview and Scrutiny activity should only be contemplated in the context of associated costs, organisational capacity and confidence that change will generate improved scrutiny impact.
- 9.5 If the Committee wished to commission an external expert to undertake a review of Medway's Overview and Scrutiny arrangements, or assist in a self assessment exercise, the cost would need to be met from within the budget of £5,100 in 2012/13 for discretionary scrutiny activity. Any additional member development activity will need to be phased to ensure costs can be met from within the 2012/13 and 2013/14 budget for member development. This would need to be considered by the Member Development Advisory Group
- 9.6 The legislative framework for Overview and Scrutiny is set out in full in paragraph 3 of this report.

10. Recommendations

- 10.1 To consider the action recommended in paragraphs 6.1 to 6.5 to ensure continuous improvement of the Council's Overview and Scrutiny function and to ask the Head of Democratic Services to work with the Chairman and Spokespersons of this Committee to programme this work and any other action requested by Members, in the context of current staffing capacity and other priorities set by Overview and Scrutiny Committees.
- 10.2 To agree not to review Committee structures at this stage and to note advice that should this be taken forward in future it will be important to evaluate the cost and scope for improved scrutiny impact of any alternative models
- 10.3 To decide whether to recommend the Council to transfer responsibility for the scrutiny of children's health to the Health and Adult Social Care Overview and Scrutiny Committee as suggested in paragraph 6.4 of the report, subject to agreement by the Children and Young Peoples Overview and Scrutiny Committee and the Health and Adult Social Care Overview and Scrutiny Committee.

10.4 To note the action taken to test the Council's e-petition facility and improve access for the public from the home page of the Council's website.

Lead officer contact

Julie Keith, Head of Democratic Services

Tel: 01634 332760 email: julie.keith@medway.gov.uk

Background papers

Report to Business Support Overview and Scrutiny Committee on Topics for in-depth reviews – 20 September 2011

Joining up the dots – Overview and Scrutiny in local government: an analysis of eight years of CfPS survey findings - published by Centre for Public Scrutiny in February 2012

Pulling it together – a guide to legislation covering overview and scrutiny in English local government – published by Centre for Public Scrutiny in May 2012

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HOW OVERVIEW AND SCRUTINY WORKS

SUMMARY OF KEY FINDINGS OF CENTRE FOR PUBLIC SCRUTINY (CFPS) SURVEY 2011-12

CFPS Findings	National Picture	Medway
<p>1. Committees, reviews and public engagement</p>	<p>Committees - most Councils (around 52%) have more than one Overview and Scrutiny Committee; the average being 4.9 in Unitary Councils participating in the survey. A membership of between 6-10 is the most frequent range of members of O and S Committees.</p> <p>Reviews - the 2011/12 CfPS survey shows the average number of in-depth scrutiny reviews undertaken annually has declined across all participating local authorities from an average of 6 in 2010/11 to an average of 4 in 2011/12.</p>	<p>Medway has a relatively streamlined Overview and Scrutiny structure in comparison to some of the more elaborate arrangements in place in other Councils. Committee membership in Medway ranges from 13 to 15 Councillors (excluding co-optees).</p> <p>Those Councils with only one Overview and Scrutiny Committee often have a complicated range of sub-structures most typically focussed on in-depth review work. This can constrain capacity for O and S to achieve a balance of activity and effectively fulfil the other key roles described in paragraph 3.3 of the covering report.</p> <p>47 Unitary Councils participated in this years CIPFA Benchmarking survey for Democratic Services. On average nine in-depth reviews were undertaken in these Unitary Authorities during 2011/12. In Medway one in-depth review was completed in 2011/12. This was attributable to the new process for selecting topics after the local elections and the consequential delay in getting the programme of reviews underway. The programme of in-depth</p>

CFPS Findings	National Picture	Medway
	<p>Public engagement -The majority (52%) of Councils participating in the latest CfPS survey said they either did not receive or take up any suggestions from the public when selecting topics for in depth review. The CfPS says this is consistent with previous years and is a troubling finding. The CfPS survey also establishes a large range for the number of external witnesses attending O and S meetings including Task Groups (anything between 0-296 with an average of 28.5). The majority of respondents claim between 0 –50 witnesses attend their meetings</p>	<p>reviews in Medway envisages three reviews being completed in 2012/13. (The Council has agreed no more than three in-depth reviews or themed meetings can be supported each year as a consequence of reduced capacity in Democratic Services. See below for commentary on staffing support for scrutiny).</p> <p>This is an area recommended for further development in Medway.</p>

CFPS Findings	National Picture	Medway
<p>2. Support for Scrutiny</p>	<p>CfPS use three descriptions:</p> <ol style="list-style-type: none"> 1. specialist officers providing dedicated specialist support 2. committee officers who provide administrative support 3. integrated officers from services being scrutinised who provide either policy or administrative support <p>Integrated support is only used in a small number of Councils. Scrutiny support is more typically located within Democratic Services and in many instances the staffing structure will include a number of Democratic Services Officers providing dedicated specialist policy support for Overview and Scrutiny.</p> <p>CfPS found an average of 2.7 (FTE) officers supporting Overview and Scrutiny in 2011/12 , a decline from the last two years and almost at the lowest level since 2005.</p>	<p>In Medway there are no officers with a policy background providing dedicated support to Overview and Scrutiny. From 2001 to 2008 there were four full-time Overview and Scrutiny Co-ordinators in Democratic Services working exclusively to support the Councils Overview and Scrutiny Committees undertaking committee administration and support for in-depth review work via cross-party Task Groups. This number reduced to 3 full –time posts in 2008.</p> <p>Since 2011, following the loss of a further post in Democratic Services, support for Scrutiny has been provided by officers on generic job descriptions who undertake Committee administration across a range of meetings. These Officers also support in-depth reviews. The relevant Directorate usually nominates a lead officer to support each in-depth review working alongside the Democratic Services Officer.</p> <p>The latest 2012/13 CIPFA benchmarking club information for the 47 participating Unitary Councils shows an average of 2.5 staff (FTE) working in support of Overview and Scrutiny with 1.6 of these (FTE)</p>

CFPS Findings	National Picture	Medway								
		<p>providing dedicated scrutiny support. In Medway the figure is 1.6 staff (FTE) in total with no dedicated scrutiny officers.</p>								
<p>3. Budgeting</p>	<p>Between 2005 and 2010 the national average annual discretionary budget allocated to scrutiny reduced from £18,141 to £8,261. The 2011/12 CfPS survey shows a further decline in the average amount of money to support scrutiny, the average for this year being £5,979 – a decrease of £2,282 from the previous year. Whilst acknowledging that scrutiny members and officers are doing more with less, CfPS have demonstrated in previous research a direct correlation between the resources available to support scrutiny and its effectiveness (in terms of making recommendations which then go on to be implemented)</p>	<p>In Medway the 2012/13 discretionary budget for Overview and Scrutiny Activity is £5,100 as follows:</p> <table border="1" data-bbox="1458 488 2085 643"> <tr> <td>Business Support</td> <td>£ 1,201</td> </tr> <tr> <td>CYP</td> <td>£ 1,404</td> </tr> <tr> <td>HASC</td> <td>£ 1,404</td> </tr> <tr> <td>RCC</td> <td>£ 1,201</td> </tr> </table> <p>This is significantly lower than the average figure for the 47 Unitary Councils participating in the 2012/13 CIPFA benchmarking survey. The cost of discretionary spend by Overview and Scrutiny in Medway in 2012/13 is budgeted at £0.02 per 1000 population compared to an average figure of £0.06 per 1000 in other Unitary areas.</p>	Business Support	£ 1,201	CYP	£ 1,404	HASC	£ 1,404	RCC	£ 1,201
Business Support	£ 1,201									
CYP	£ 1,404									
HASC	£ 1,404									
RCC	£ 1,201									
<p>4. Roles undertaken by Scrutiny functions and Councillor involvement</p>	<p>The 2011/12 CfPS survey found that policy review, finance scrutiny, performance monitoring, policy development and scrutiny of partners and partnerships are consistently high on the agenda of scrutiny functions, in that order.</p> <p>The least frequent activity was found to be pre-decision scrutiny.</p>	<p>Appendix B shows a breakdown of the activity across each of Medway's Overview and Scrutiny Committees in 2011/12. The top three scrutiny activities in Medway in 2011/12 were as follows:</p> <ul style="list-style-type: none"> • Scrutiny of performance and budget • Service Information • Pre-decision scrutiny 								

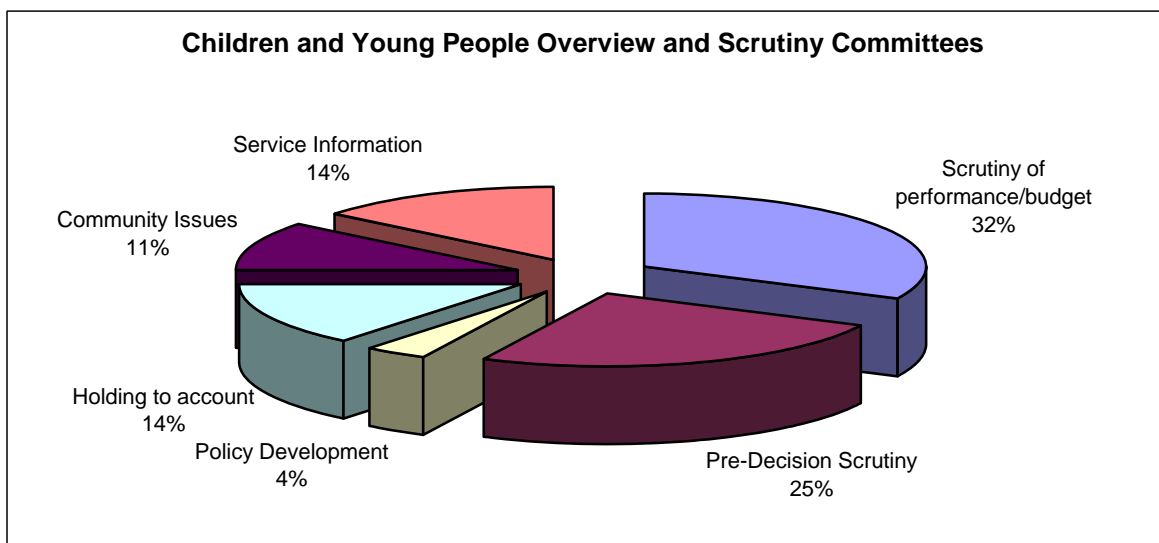
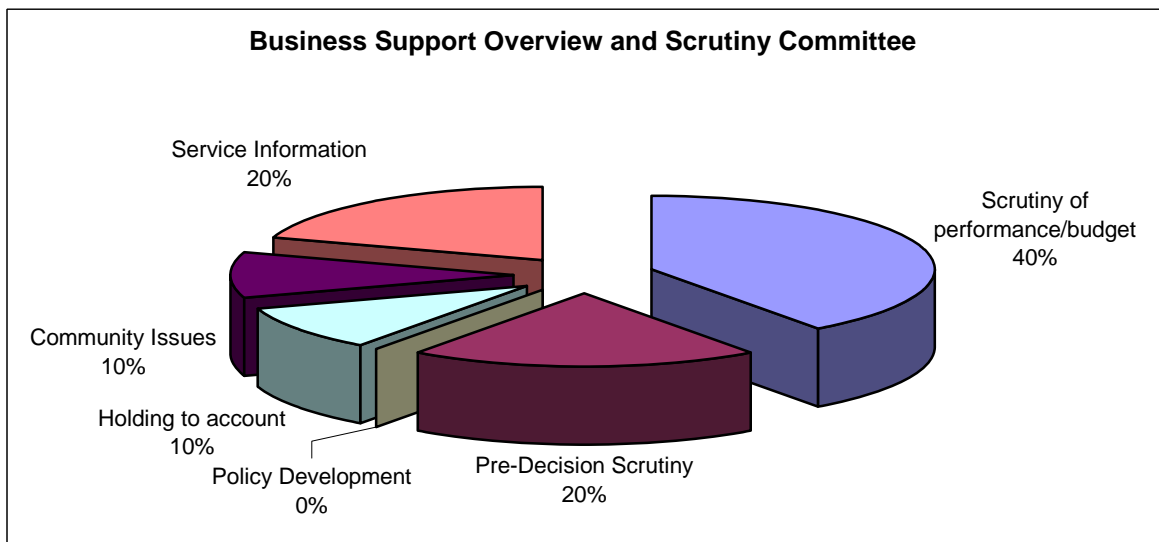
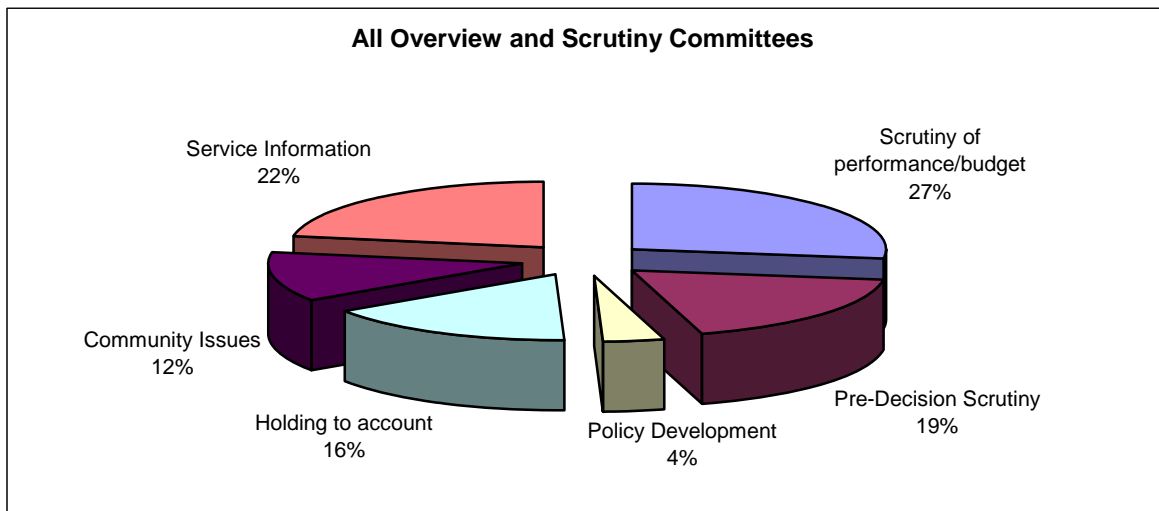
CFPS Findings	National Picture	Medway
	<p data-bbox="801 233 1433 336">Scrutiny roles consistently regarded as most effective were health scrutiny and policy review.</p> <p data-bbox="801 823 1417 927">Financial scrutiny and pre-decision scrutiny are viewed as the least effective scrutiny roles.</p> <p data-bbox="801 1046 1417 1262">CfPS has found the most frequently occurring role taken on by members in the scrutiny process to be “critically challenging decision-makers” closely followed by “monitoring outcomes” and “presenting recommendations”.</p> <p data-bbox="801 1302 1323 1374">Writing reports is the least frequently occurring role for members.</p>	<p data-bbox="1456 201 2089 264">Most policy development work in Medway is done in cross-party Task Groups.</p> <p data-bbox="1456 304 2051 488">Medway has achieved a healthy balance between pre-decision scrutiny of Cabinet decisions and in-depth review work; both areas of activity with potential to influence policy development.</p> <p data-bbox="1456 568 2085 743">There is a recommendation in the covering report to review the balance of activity across all the Medway O and S Committees with a view to minimising time spent in Committee on service information.</p> <p data-bbox="1456 823 2074 999">In any evaluation of the effectiveness of scrutiny of finance locally it would be important to factor in the significant role played by the Council’s Audit Committee in this area.</p> <p data-bbox="1456 1302 2063 1406">This reflects the position in Medway where Democratic Services Officers and Directorate Lead Officers pull together the</p>

CFPS Findings	National Picture	Medway
	<p>The CfPS concluded in 2010 that there has been a marked increase in Councillors taking responsibility for proposing scrutiny topics, monitoring outcomes of previous work and presenting an annual report indicating that the O and S function is maturing and allowing more opportunities to reflect on previous work, increased confidence and leadership from councillors about areas for scrutiny and the embedding of feedback from scrutiny into work programmes.</p>	<p>conclusions and recommendations for Task Group approval at the end of each in-depth review</p> <p>Medway has now introduced a systematic, member- led process for determining the programme of in-depth scrutiny reviews with an enhanced co-ordinating role for the Business Support O and S Committee. This requires completion of a template to test the suggested topics against a range of criteria including potential impact, added value, whether the issue is one of concern corporately or for partners, timeliness and resources and potential to duplicate other work.</p>
<p>5. Effectiveness, impact and influence</p>	<p>CfPS recognises that “successful” scrutiny is difficult to measure. In 2011/12 the average percentage of recommendations being accepted as a result of scrutiny remained constant at 85%. The average percentage of recommendations being implemented was 86% (although this had dipped to 61% in 2010).</p> <p>Councils are increasingly recognising the importance of monitoring and examining the effectiveness of the implementation of review recommendations.</p>	<p>In Medway 100% of scrutiny recommendations were accepted by the Cabinet in 2011/12 compared to an average of 78% in the Unitary Councils participating in CIPFA benchmarking. The Medway figure for recommendations implemented in 12 months was 81% compared to an average of 60% reported by CiPFA.</p> <p>There is an established practice in Medway of reviewing progress in implementation of Task Group recommendations 6 months after they have been considered by the Cabinet.</p>

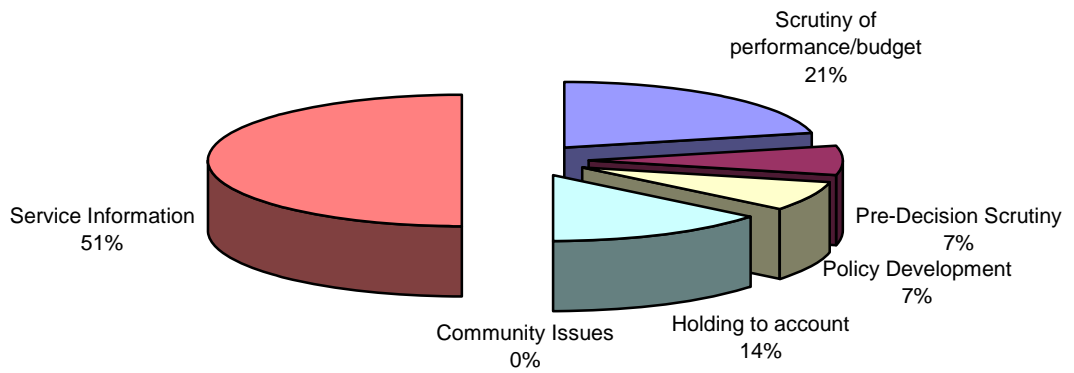
CFPS Findings	National Picture	Medway
	<p>When asked which area of their overview and scrutiny role was most effective the largest number of participating authorities (34%) said “health scrutiny”. 25% described pre-decision scrutiny as the least effective part of the function. 49% thought that scrutiny was effective at holding the executive to account.</p> <p>The survey results suggest that generally those being held to account are co-operative</p>	<p>Opinions on this have not been tested in Medway.</p>
<p>6. Impact of cuts and savings</p>	<p>The 2011/12 CfPS survey asked for the first time what impact local overview and scrutiny practitioners and members felt that changes to local government funding has had on scrutiny in their local authority. 37% said there had been a significant positive impact, 35% said the impact had not been that significant and 26% there had been a significant negative impact. CfPS will analyse these findings further but speculate that in Councils reporting a positive impact scrutiny may have found a role for itself as a means to investigate and recommend changes to Council savings programmes. The survey has shown the most common changes arising from reduced local authority funding have been a reduction in the number of reviews undertaken, a reduction in the number of Committees and a renewed focus on priority issues.</p>	<p>In Medway there is reduced capacity for scrutiny work but this has been accompanied by a new more systematic approach to the selection of in-depth review topics to ensure a focus on priority issues. This review will enable further work to ensure that scrutiny activity is balanced to maximise impact.</p>

CFPS Findings	National Picture	Medway
<p>7. The future of Overview and Scrutiny</p>	<p>CfPS report a picture of “guarded optimism” about the future of scrutiny. 54% of respondents thought that scrutiny would be more partnership focused in ten years time, reflecting different approaches to the delivery of public services and tying together an atomised public sector. The areas respondents felt would need the most assistance to tackle potential improvements were “involving the public in decision making” and “relationship building with partners”. Engagement with local communities came out as the area respondents felt that scrutiny most needed to improve.</p>	<p>These are areas recommended for further work in the covering report</p>

Municipal Year May 2011 – April 2012



Health and Adult Social Care Overview and Scrutiny Committee



Regeneration, Community and Culture Overview and Scrutiny

