

OVERVIEW AND SCRUTINY ANNUAL REPORT 2010/11

LEAD MEMBERS Councillors Y R T Clarkson & G Garrity
LEAD OFFICER: M Jepson
REPORT AUTHORS: D James

Summary:	To consider the annual report for Overview and Scrutiny 2010/11
Recommendation:	That the Overview and Scrutiny Annual Report be Noted

List of Background Documents **None**

List of Consultees:

Overview and Scrutiny Annual Report

2010-2011



Full Council - 22 March 2011

Forward from the Overview and Scrutiny Committee Chairs

We are pleased to present this Annual Report to Full Council, the first since 2004.

First and foremost we would like to thank the members and officers who have attended and supported Overview and Scrutiny (O&S) during the past months.

In addition we extend our gratitude to many others who have attended as witnesses. Many people have given their time and commitment to support and advise both committees. Their contribution is greatly appreciated and without it, O&S could not fulfil its remit.

In April 2010 following a comprehensive review of the O&S function which involved all Members, the Council agreed a new structure, reducing the number of committees from four to two – an internally focused committee – the Internal OSC, and an outward facing committee – the External OSC.

The new committees were given new, clear terms of reference while recognising that flexibility between the two was of upmost importance and would allow them to support each other. An informal co-ordinating board – made up of the Chairs and Deputy Chairs – was put in place to oversee this.

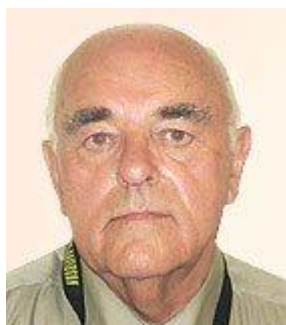
A set of O&S Protocols were adopted for the first time, giving the committees guidelines and a clear framework in their approach.

The first year of working with this structure is almost behind us. This has been a challenging twelve months for O&S at the Council while Members and Officers have adapted to the new ways of working.

This report seeks to present an overview of the work O&S has been involved in since its Work Programme commenced in August 2010. However it will also address the challenges and areas where improvement is needed in the coming months and how these improvements will be achieved.

O&S will seek to continue to develop and improve continuously to fulfil its important democratic function and bring benefits to the Council and more importantly, Copeland's residents and communities.

For further information about O&S, or about any of the report content, please contact either of us or Jessica Hall, Overview and Scrutiny Support Officer on 01946 598496 or email Jessica.hall@copeland.gov.uk. We want to hear from you, and look forward to doing so.



Councillor Geoff Garrity
Chair of the External OSC



Councillor Yvonne Clarkson
Chair of the Internal OSC

Overview and Scrutiny Committees – Remit and Membership

Internal OSC

The Internal OSC normally scrutinises services delivered by the Council. It is also responsible for scrutinising the budget process, development of key strategies, holding the executive to account through review of the Forward Plan and decisions, scrutinising performance issues and the results and issues arising from external inspections.

Meets: Bi-monthly

Membership

Councillor Y Clarkson (Chair) (Con)
Councillor J Kane (Deputy Chair) (Lab)
Councillor B Dixon (Ind)
Councillor M Docherty (Lab)
Councillor A Faichney (Lab)
Councillor A Mossop (Con)
Councillor J Park (Lab)
Councillor R Salkeld (Con)
Councillor J Williams (Lab)

External OSC

The External OSC normally scrutinises services delivered by the Council in partnership with another body. It has a remit to overview and scrutinise locality working and partnership working arrangements. In addition, it is responsible for scrutinising other decision makers where their decisions affect the Borough. This committee also contributes to statutory obligations in relation to scrutiny of health issues and acts as the Crime and Disorder Committee.

Meets: Bi-monthly

Membership

Councillor G Garrity (Chair) (Lab)
Councillor K Hitchen (Deputy Chair) (Con)
Councillor D Banks (Lab)
Councillor E Eastwood (Con)
Councillor S Meteer (Ind)
Councillor P Tyson (Lab)
Councillor C Whiteside (Con)
Councillor M Woodburn (Lab)
Councillor H Wormstrup (Lab)

Co-ordinating Board (Informal)

This plays an important communicative role between the committees. It provides a forum for discussion between the OSC Chairs, the Executive and Corporate Leadership Team. It also oversees the Work Programme and priorities in order to avoid duplication and ensure efficient running of business. The board reports to the committees when it has met.

Meets: As and when

Membership

Councillor Y Clarkson (Chair)
Councillor J Kane (Deputy Chair)
Councillor G Garrity (Chair)
Councillor K Hitchen (Deputy Chair)

Attendance is reported at Appendix 1.

Key Summary

In summary, O&S has been involved in the following;

- The development of robust new O&S protocols
- Supporting the Council's new Petition Scheme
- Supporting the Council in its quest to meet 'Achieving Status' of the Equality Framework for Local Government
- Opposing the closure of Whitehaven Magistrates Court and Whitehaven County Court
- Reviewing Polling Stations in the Borough to increase accessibility
- Reviewing guidelines for Members on outside bodies and reporting back procedures for Members on outside bodies
- Leading on scrutiny of the West Cumbria Community Safety Partnership
- Leading and participating in joint scrutiny across the county

New Protocols

Eleven new O&S Protocols were developed during the course of the 2009/10 review.

They were agreed in June 2010, are embedded in the Council's Constitution and have proven to be successful. Experience has demonstrated that these guiding principles have been able to provide focus and support to both committees. These will continue to be a constant source of reference for the committees, the Overview and Scrutiny Support Officer and other officers who support the function in any way.

Key Projects during 2010/11

As a result of the restructure, both committees started their Work Programmes in August 2010, relatively late in the civic year. Members were conscious that this was an added pressure in terms of the volume of work they could cover.

Despite this both committees hit the ground running and have spent the last few months working on a number of areas in formal committee and/or Improvement Groups.

These are:

The Petition Scheme

Both OSCs have been able to support the Council's new Petition Scheme.

In September 2010, the Internal OSC met with pupils from Bransty School who had submitted a petition to the Council. Members discussed the concerns children had about dog fouling and congratulated them for organising the petition. Members were able to secure an additional dog bin in the area around the school. Officers from the Council's Enforcement Unit continue to work with pupils not only at Bransty but around the Borough.

In February 2011, the External OSC facilitated a discussion following a petition from a number of Kells residents seeking lighting in the back lanes behind their homes, supported by their ward Councillors. Whilst Members were not able to recommend such a scheme at the time due to budget constraints, they were able to recommend the residents establish their own group to explore alternative sources of funding for such a scheme. The OSC was able to refer the residents to the Council's Locality Team for further support with this community venture.

Supporting 'Achieving Status': The Equality Framework for Local Government

Both committees gave their support and commitment to supporting the Council in its quest to secure 'achieving' status from the outset of their annual Work Programmes. O&S has recognised the need to embed an approach to Equality and Diversity issues and the impact any of its work may have on this area and on various groups and communities.

In addition, the Internal OSC identified a Equality and Diversity 'Champion' at its first meeting in August 2010, with Councillor Jeanette Williams fulfilling this role and acting as an advocate for equality and diversity issues for the O&S function.

External OSC have also spent time in committee discussing the Government Equality Office Consultation on the new Public Sector Duty. Arising from that was an agreement that a recommendation would be made to the Executive before 1 April 2011 that the community impact of all decisions and policies is measured.

Whitehaven Magistrates and County Courts

Members were disappointed to hear about proposals to close local courts in June 2010, restricting access to justice and the courts service in the Borough by relocating courts to Workington.

External OSC responded to the proposals in September 2010 on behalf of Full Council, voicing strong opposition. During the course of putting the Council's response together, committee members met with the Chair and Deputy Chair of the Whitehaven Magistrates Bench, representatives of the West Cumberland Law Society and consulted widely with local groups, communities and partners. They also paid a site visit to both local courts and met with the Regional Director of HMCS and her support staff to express their concerns.

Members have since heard that the courts are to close and have written to the Secretary of State for Justice highlighting their disappointment at the way in which the consultation was conducted and HMCS' own Equality Impact Assessment which Members felt did not address or appreciate the accessibility issues faced by residents of Copeland.

Whitehaven Fire Station

In August 2010 Full Council ask O&S to investigate suggestions published in the local media that there were proposals to reduce cover at Whitehaven Fire Station as part of County Council budget cuts. Members were concerned that such developments would have a negative impact across Copeland where much cover is provided by a retained service.

The External OSC established an Improvement Group, led by Cllr Chris Whiteside, to oversee any developments in this area.

The IG kept a 'watching brief' on this and the wider OSC – with all Members invited - met with Nick O'Key, Locality Manager at Cumbria Fire and Rescue Service on 3 February 2011 to hear how budget cuts would impact on fire and rescue services in Copeland. They were satisfied to hear that proposals to reduce full time cover at Whitehaven were no longer on the table and made representations urging the service to consider savings at managerial and back office level while avoiding cuts to the frontline.

Polling Station Review

Between October 2010 and January 2011, Internal OSC led a review of Polling Station accessibility following calls from the Electoral Commission for all local authorities running elections to do so.

The review, led by Councillor Brian Dixon, saw the group work closely with the Copeland Disability Forum and the South Copeland Disability Group and members were able to make a number of recommendations including a move away from private home based stations and alternative facilities where necessary.

Concurrent Service Scheme

The Internal OSC also set up an Improvement Group at the request of CALC (the Copeland Association of Local Councils) to review the Concurrent Service Scheme which had not been functioning over recent months. This was led by Councillor A Mossop.

Chris Shaw, CALC District Officer was co-opted onto the Improvement Group. During the review of the service it emerged that the Concurrent Service Scheme was a generous and valued one and staff changes had caused a delay. However it was also noted that Parish and Town Councils also needed to be clearer about what the scheme entailed and a communication session would be useful. Officers have reviewed how the Concurrent Service Scheme is communicated and have sent a number of communications to Parish and Town Councils since.

Outside Bodies and Reporting Back Procedures

Following a review of the role of Members on the board of Whitehaven Rugby League Football Club, the Internal OSC instigated a review of reporting back procedures for Members on Outside Bodies. These had not been reviewed since April 2004. It was recognised that many Councils do not have these procedures formally in place. Members were able to make timely and robust recommendations to the Chief Executive in advance of the Council's wider review of Outside Bodies. All of these recommendations were taken on board.

At the same time, the committee also reviewed the guidelines for Members on Outside Bodies and a new updated set are to be implemented.

Budget Scrutiny

Internal OSC led on budget scrutiny during November and January overseeing the budget process. Overview and Scrutiny will commence its budget scrutiny role earlier in 2011 -2012.

Opportunities for Joint Scrutiny – working in partnership with colleagues across the County

Crime and Disorder – West Cumbria Community Safety Partnership (CSP)

O&S has a statutory obligation to scrutinise the West Cumbria CSP under Part 3 of the Police and Justice Act 2006.

In October 2010, the Council's External OSC approached members at Allerdale Borough Council inviting the opportunity of a joint scrutiny meeting of the CSP which was accepted. Links have been re-established between the scrutiny functions of both Councils and the CSP.

The benefits of scrutinising the CSP include determining whether the partnership is making a difference to community safety and is focused on areas that are of greatest local concern.

A meeting held in December 2010 at Distington Community Centre was well attended with partners updating Copeland and Allerdale O&S members. There was an agreement that the joint meeting would reconvene after local elections to monitor how the CSP was performing and delivering against its strategic assessment. Draft Terms of Reference are also under development. Subject to member agreement at the next meeting these will form the basis of establishing a formal joint committee to undertake this important scrutiny function.

O&S recognises that members as community leaders are in the best position to make sure that the CSP is responding to community safety issues and this joint scrutiny function will be seeking to engage all members on the scrutiny process as it develops.

Cumbria Joint Scrutiny Committee

In addition to joint scrutiny of the CSP, there have been other joint working opportunities with other Districts and the County Council through the Cumbria Joint Scrutiny Committee. The joint committee was established in 2009 to scrutinise and monitor the Local Area Agreement.

Both O&S Chairs represent Copeland on this Joint Scrutiny Committee and join colleagues from across Cumbria on a quarterly basis.

A review of the Joint Scrutiny Committee was undertaken in autumn 2010. Copeland's OSCs recommended that at a time when resources were tight it would be more appropriate to maintain an informal joint scrutiny function, led by support officers and which responds to issues on an 'as and when' basis according to priorities and resources.

The Joint Scrutiny Committee will be disbanded at the end of March.

Cumbria Health and Wellbeing Scrutiny Committee

Councillor Geoff Garrity represents Copeland on this partnership scrutiny committee which is led by Cumbria County Council, the responsible authority for health scrutiny. Over the last year the committee has considered breast screening and services, patient transport

services, fuel poverty, minimum pricing of alcohol and many other issues important to local people.

Councillor Garrity and Councillor Clarkson also sit on the **West Cumberland Hospital Task Group**. This was established to monitor the new West Cumberland hospital build and members will continue to play a vital role in this group over the coming months. Recently the group has questioned the North Cumbria Trust about the future of services for communities in West Cumbria and what GP Commissioning will mean for local people.

Overview and Scrutiny Mechanisms

Call In

Call In is a mechanism whereby Members can request that an Executive decision is reviewed. In autumn 2010 Members considered reviewing the Call In criteria. However, following detailed discussion the OSC Co-ordinating Board were minded to leave it as it was.

Call In has not been used during 2010-11.

Councillor Call for Action (CCFA)

The CCFA enables ward members to resolve local issues. While supported by O&S, members are expected to have exhausted all other avenues to resolve a problem before instigating a CCFA. The Council has a clear protocol on this mechanism.

Councillor Call for Action has not been used during 2010-11.

Overview and Scrutiny Member Development

Following local elections on 5 May 2011, the Council's Member Induction Programme will include a comprehensive session on O&S and there will be on-going support for both current and new Members.

Chapter 5, Rule 6 of the Council's Constitution states that no member can participate on an OSC unless they have made a commitment to undertake training and personal development of 5 hours per year to fulfil their role. Attendance is reported at Appendix 2.

In 2010-11 a number of O&S Members have participated in O&S specific training, development and awareness sessions including:

- Scrutiny Solutions Programme (supported by North West Improvement Partnership) – 2 day course attended by the Chairs and Deputy Chairs
- Facilitating Improvement Groups
- Workshop on the new Overview and Scrutiny Protocols and Developing the 2010-11 Work Programme
- Bite sized refresher training on the role of Overview and Scrutiny at Copeland Borough Council
- Information session on the role of Overview and Scrutiny in the budget process

What next for Overview and Scrutiny during 2011-2012

While O&S has made considerable progress since the implementation of the new structure, it is recognised that the new ways of working have involved a steep learning curve. O&S can make a number of improvements over the course of the next year so that it can demonstrate outcomes and achievements for both the Council and local people.

The Work Programme

The annual Work Programme determines the committees' workload and is vital to ensuring O&S is fulfilling its role and dealing with what really matters to the Council and residents. It is also an important tool for engaging other members, partners and the public in O&S.

Development of the 2011-12 Work Programme is underway. Widespread consultation is taking place with partners, community groups and the general public. The committees Work Programmes will be developed according to the Work Programme Prioritisation Protocol.

Already a number of areas for investigation have been agreed including a review of Concessionary Travel (discretionary element) and a review of parking fees and charges.

The committees recognise further work is required on other key areas including addressing health inequalities and monitoring of under performance in the Revenues and Benefits Shared Service.

The Work Programmes will then be drafted for the new committees to consider and agree in June 2011.

Holding the Executive to Account

There is a need for both committees to align more of their work to the Executive Forward Plan. The Forward Plan is a standing agenda item for both committees and there is scope to feed into key strategies - before decision-making - more regularly than is currently done so.

Similarly it is recognised that portfolio holder attendance at O&S meetings as 'witnesses' can be extremely beneficial to O&S reviews and investigations. More opportunities to request the attendance of Executive members will be taken.

Joint Working

Whilst the Joint Scrutiny Committee is to be disbanded, other opportunities for joint scrutiny remain. Members at Copeland will continue to lead and fully participate wherever feasible and according to priorities.

National Policy Developments

The Coalition Government's emphasis on transparency and accountability presents many opportunities for O&S. At the same time there is a role for O&S to be providing a 'voice' for the Council and residents on various consultations and proposed policies at a central and regional level. The O&S function will fulfil these opportunities according to the priorities of the Council and residents.

Engagement with other parts of the Council

Lines of communication with other parts of the Council will continue to be developed and improved. Under the new Corporate Team, Jo Wagstaffe is named Corporate Director for the O&S function. The Chairs have also started having regular quarterly meetings with the Chief Executive.

In the new civic year, quarterly communication meetings with the Executive will also recommence.

Wider Engagement and communication

O&S will continue to encourage wider member involvement in the O&S process by seeking their views, input and participation in meetings and reviews. Improvement Groups (formerly Task and Finish Groups) are also open to all non-Executive Members.

A dedicated O&S intranet page for all Members will also be developed in the spring. This will ensure all members have easy access to the latest news and work O&S members have undertaken.

At the same time a dedicated section of the website will be developed for members of the public wanting more information on O&S at Copeland and how to get involved.

Improvement Groups (IGs)

IGs are regarded as important forums for carrying out detailed review work in an informal setting by a small group of members in a set timeframe. Both committees have valued the work IGs have been able to carry out during the course of the 2010-11 Work Programme. They are also a positive way of encouraging wider member involvement by opening them up to members who do not sit on O&S committees.

Improvement Groups have had varying levels of success and both committees have been able to learn lessons from this.

Lessons learnt include:

- the need for clearer scoping/purpose at the scoping stage
- whether the groups should consider the participation of co-optees more often
- depending on the level of detail required, whether some issues are more appropriately dealt with in committee or can be resolved elsewhere.

General processes

There are processes which can be improved in order to ensure O&S remains member led and well organised and prepared.

Pre-agenda scoping meetings

In the new civic year, there will be pre scheduled pre-agenda scoping meetings in advance of all formal O&S committee meetings. This will ensure the process can remain member led and that formal committee meetings can be well prepared and achieve outcomes.

Informal Co-ordinating Group

This is an important communicating body. Throughout this year it has met on an 'as and when' basis. In the interest of member led O&S and well managed work programmes in the new civic year it will meet on a monthly basis.

Conclusion

O&S has been able to make progress in a number of areas since its restructure in 2010.

The report also highlights how O&S can continue to develop into a robust function, working to support the Council and deliver outcomes for residents.

O&S is ready to meet the challenges ahead and will continue to strive for on-going improvement.

Appendix 1

Committee Member Attendance at OSC Internal (**formal committee meetings**) up to 11 March 2011

Member	Number of meetings attended
Cllr Y Clarkson (Chair)	6 of 6
Cllr J Kane (Deputy Chair)	5 of 6
Cllr B Dixon	3 of 6
Cllr M Docherty*	1 of 4*
Cllr M Faichney	4 of 6
Cllr A Mossop	5 of 6
Cllr J Park	4 of 6
Cllr R Salkeld	4 of 6
Cllr J Williams	6 of 6

*appointed to committee 12 October 2011

Committee Member Attendance at OSC External (formal committee meetings and site visit) up to 11 March 2011

Member	Number of meetings attended
Cllr G Garrity (Chair)	5 of 5
Cllr K Hitchen (Deputy Chair)	5 of 5
Cllr D Banks	5 of 5
Cllr E Eastwood	5 of 5
Cllr S Meteer	2 of 5
Cllr P Tyson*	3 of 3*
Cllr C Whiteside	4 of 5 (also attended all Internal OSCs)
Cllr M Woodburn	4 of 5
Cllr H Wormstrup	3 of 5

*appointed to committee 12 October 2011

Other Members attending OSCs this year have included:

Cllr E Woodburn, Cllr D Moore, Cllr J Bowman, Cllr G Clements, Cllr A Holliday, Cllr A Norwood, Cllr N Williams

For further information please contact Jessica Hall, Overview and Scrutiny Support Officer.

Appendix 2

Committee Member Attendance at Training

Scrutiny Solutions Programme (Local Government Centre, University of Warwick and supported by North West Improvement Partnership via the Member Development Gateway)

6 & 7 July 2010

Attended by all Chairs and Deputy Chairs

O&S Protocols/Work Programme Prioritisation Exercise

25 June 2010

Internal	External
Y Clarkson	G Garrity
J Kane	K Hitchen
B Salkeld	E Eastwood
R Pitt	C Whiteside
J Park	M Woodburn
J Williams	
A Faichney	

Facilitating Improvement Groups (Led by Arnie Skelton) A (Afternoon) E (Evening)

5 August 2010

Internal	External
Y Clarkson (A)	G Garrity (A)
J Kane (A)	K Hitchen (E)
B Salkeld (A)	M Woodburn (A)
J Williams (E)	C Whiteside (A)
E Eastwood (A)	
A Mossop (E)	

Role of Overview and Scrutiny (all Members invited)

14 October 2010

Internal	External
Y Clarkson	G Garrity
M Docherty	K Hitchen
	P Tyson
	E Eastwood
	D Banks

Non OSC Members	
J Jackson	