

ANNUAL ASSEMBLY

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Title: Overview and Scrutiny Annual Report 2012/13	
Report of the Statutory Scrutiny Officer	
Open	For Information
Wards Affected: None	Key Decision: No
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Summary: <p>The attached report is a showcase for scrutiny undertaken by the Council's five themed select committees in the 2012/13 municipal year. The report shows the contribution the scrutiny function has made to improving local public services, holding decision-makers to account, and promoting accountability and transparency within the organisation.</p>	
Recommendation(s) <p>Assembly is asked to note the summaries of work of the five select committees over the past municipal year.</p>	
Acknowledgements <p>The Scrutiny Team would like to thank all elected members who served on the Select Committees in 2012/13 and everyone who participated in the scrutiny process by preparing evidence, attending meetings, or engaging with scrutiny through consultation exercises.</p>	

OVERVIEW AND SCRUTINY



Annual Report 2012/13

1. INTRODUCTION

- 1.1. Scrutiny is a Member-led statutory function in the Council, responsible for holding decision-makers to account, reviewing performance, and making a positive impact on public services through investigations and policy development. Scrutiny contributes towards the good governance of the Council and acts as a champion for transparency and accountability within the authority and its partners. Scrutiny is an outward looking function of the Council and seeks to promote effective partnership working between public bodies providing services in Barking and Dagenham.
- 1.2. The London Borough of Barking and Dagenham (LBBD) has four themed Select Committees namely Children's Services, Health and Adult Services, Living and Working and Safer and Stronger Community, plus a Public Accounts and Audit Committee finance that carry out the role described above. This report takes a look back at the scrutiny work undertaken by the Select Committees in 2012/13, highlighting some of the key achievements and issues investigated by Members.

2. HOLDING THE CABINET TO ACCOUNT

- 2.1. The primary role of Scrutiny is to act as a check and balance to the Cabinet ensuring that it discharges its powers correctly, and challenging the Cabinet on weak performance to ensure that Barking and Dagenham is a well-performing local authority.
- 2.2. In 2012/2013, Scrutiny has held the Cabinet to account in the following ways:
 - 2.2.1. *Performance monitoring*

The Scrutiny function, through regular reporting to the select committees, maintains oversight of the Council's performance in all areas in order to understand the reasons behind poor performance and to see that corrective action is being taken to address such issues.
 - 2.2.2. *Call-in*

Under the provisions of the Local Government Act 2000, all non-executive Members have the right to challenge the decisions taken by the Cabinet before they are

implemented. A decision can be called in where there is a failure in the decision-making process, deviation from the Council's budgetary and policy framework, or sufficient controversy among local people.

In 2012/13 one Cabinet decision was challenged and referred to the PAASC for further examination: *Budget Strategy 2013/14 to 2015/16 – Reduction in Youth Service*.

As part of the budget-setting process for 2013/14, a proposal to reduce the youth service to statutory provision only was called in. Members were concerned that when the Cabinet considered the proposal it was in the absence of an Equalities Impact Assessment (EIA), a prerequisite of the Council's budget saving process. The Members calling in the decision also felt that the proposed saving would lead to a reduction in the number of youth sessions provided across the borough to vulnerable young people, and reconfiguration or closure of the Vibe Youth Centre.

The Budget Strategy 2013/14 report did not, in the opinion of Members, make it clear what level of statutory youth service would remain after the reduction of £600,000 by 2014/15; that overall young people and their parents were not aware of the proposed cuts in service; and that their voices had not been properly heard.

After receiving the call in, PAASC considered evidence submitted by the Cabinet Members for Children's Services and Finance in support of the budget saving. PAASC acknowledged the concerns of the call in and recognised that although a full EIA had been produced in support of the budget saving proposal it had been omitted in error from the budget papers considered by the Cabinet.

Whilst recognising the significant impact the cuts would have on young people, PAASC accepted that, whilst the reduction in service provision was regrettable, there was a clear achievable strategy in place for mitigating the main impacts whilst maintaining a high quality, well publicised, accessible and responsive service to young people across the Borough. On that basis the call in was rejected.

3. BUDGET SCRUTINY

- 3.1. A major area of work for scrutiny in the last municipal year was the public examination of Cabinet's budget proposals. As in the previous three years, scrutiny played a major role in subjecting the plans to a public analysis, and suggesting changes were appropriate.
- 3.2. During their November 2012 meetings, scrutiny recommended that Cabinet reviewed the following budget savings proposals:
 - *Voluntary Sector Grants and Commissioning* – Reduce the proposed saving on the basis that the Council will see a reduction in payments to London Councils
 - *Closure of the Broadway Theatre* – Reconsider the proposal to remove the grant and instead look to alternative ways to fund the operation of the Theatre
 - *Anti-Social Behaviour Team* – Delay the implementation of deleting the team until 2014/15 to provide an opportunity to review funding

- *CCTV team* – Reconsider the decision to stop surveillance and active monitoring of the borough’s CCTV
- *Sheltered Housing* – Defer withdrawal of the warden service for one year to allow for alternative proposals to be drawn up and consulted upon with tenants of sheltered homes
- *Ceasing Green garden waste* – Restructure the service to allow for monthly collections
- *Charging for bulky waste collections* – Reduce the proposed increase in charges for bulky waste collections to help minimise the impact on household incomes
- *Reduction in employee costs and increased income target for Legal and Democratic Services* – Reconsider proposal to cut one post of scrutiny officer to allow the effectiveness of members to hold the Cabinet to account
- *Assets and Facilities Management* – Reconsider that element of the restructure relating to facilities staff

4. CABINET REFERRALS

- 4.1. As well as holding the Cabinet to account for the decisions it takes, Scrutiny is able to work collaboratively with the Cabinet. One of the main ways it does this is by receiving direct requests from Cabinet to undertake scrutiny, often into issues that Cabinet does not have the time to fully investigate. Of course, it is the decision of Scrutiny to accept the referral or not, but doing so this year has proved that the two bodies can work closely together for the benefit of residents.
- 4.2. This year, the main example of scrutiny referred from Cabinet is the examination of the Elevate East London joint venture.
- 4.3. Concerned with reports from fellow Members that residents visiting Elevate-provided One Stop Shops were experiencing long waiting times, Cabinet asked the Public Account and Audit Select Committee to investigate further.
- 4.4. As a result, PAASC undertook a nine month scrutiny project, looking at the customer service elements of the joint venture. The Lead Member carried out three visits to the Council’s One Stop Shops; a Member briefing session was held on Monday, 25 March; and a formal evidence gathering session was held the following day.
- 4.5. Members questioned representatives from Elevate, the Council’s client management team, and Agilisys at length, to get a grasp of the issues of providing such a service – and how that related to the experience of their residents on the ground. Members also identified some possible recommendations, which will now be developed into a formal review report, and presented to Members at their June meeting.

5. HOLDING PARTNERS TO ACCOUNT

5.1. Under the provisions of the Health and Social Care Act 2001 and the Police and Justice Act 2006, the Council, through its scrutiny function, is required to scrutinise the work and performance of key partner organisations. Examples of holding the NHS and Police to account in 2012/13 include:

5.1.1. Care Quality Commission report of an Inspection of BHRU Hospitals NHS Trust
This report highlighted the main findings from the inspection of both BHRUT's accident and emergency and maternity departments, which was particularly timely given the publication of the Francis report into the Mid Staffordshire scandal. The report on A&E services was overall negative as a consequence of which a trust official attended a subsequent meeting of HASSC in March 2013 to answer questions and give a full response to the CQC inspection report.

5.1.2. Borough Commander presentation to Safer Stronger Communities Select Committee
Having received the presentation from the Borough Commander, Members focused on police response times and the criticism from residents about responses to emergency calls. The Borough Commander felt the introduction of the 101 number was a positive step as this allowed for clear emergencies to be upgraded to 999 status and dealt with appropriately.

The committee felt the increased partnership working was having a positive impact on tackling crime and anti social behaviour. Members sought clarification over the future of Dagenham Police Station. The Borough Commander responded that despite the financial pressure on the Met, he felt there was a strong strategic case to retain the site and that appropriate representations would be made to the Metropolitan Police Commissioner.

The financial challenges facing the Police were discussed, including the need to think creatively to minimise the impact of cuts on the front line. The Borough Commander outlined the strategies and actions being taken both locally and regionally to improve public confidence in and perception of the Police, highlighting some key statistics around arrests as well as support given to the repeat victims of crime. Finally Members pressed the Borough Commander about the monitoring of performance and satisfaction levels and about learning from individual's personal experiences. In that respect it was noted that all intelligence gathered is fed back to the front line and operations/deployment amended accordingly.

6. CONSULTATION

6.1. Scrutiny provides a platform for internal and external consultation, as well as informing views about emerging legislation. This year, health has been the particular focus with a list of the consultations that have taken place at HASSC as follows:

- Healthwatch- new ways of involving the public and service users in health and social care services
- Development of Primary Care Improvement Plan
- South West Essex Community Services
- Remodelling of Learning Disability Day Services
- Draft Health and Wellbeing Strategy

- Social Care and Care and Support Bill
- Urgent Care Strategy including the NHS 111 service
- Health and Social Care Act 2012 including health scrutiny provisions
- Walk-in Centres in B&D

7. SCRUTINY REVIEWS

7.1. Further to the powers to hold decision makers to account, the Local Government Act 2000 also gave Scrutiny the mandate to review, as it so wishes, any area of Council activity or matters of wider local concern. The purpose of scrutiny reviews is to suggest to commissioners and providers of services ways in which the customer's experience can be improved.

7.2. Review work this year has again formed a significant part of the Select Committees' work programmes, with several large scale and mini reviews being completed in 2012/13. The reviews carried out this year include:

7.2.1. *Diabetes*

HAASC carried out an in-depth scrutiny review of diabetes services and support for diabetics in Barking and Dagenham. The review focussed on type 2 diabetes and how type 2 diabetics could be helped to manage their condition more effectively.

7.2.2. *Anti-Social Behaviour: Housing and Neighbourhoods*

SSCSC carried out an in-depth scrutiny review into antisocial behaviour, continuing a theme that it had been examining for two years. This time, it focussed on the ASB experienced by tenants, how housing and neighbourhood management could influence ASB, and how the Council could make positive changes to reduce its impact.

7.2.3. *The Living Wage*

Following the Council uplifting staff to £9 per hour, becoming the highest paying Living Wage authority in England, the LWSC explored the implications of becoming fully Living Wage accredited. The LWSC heard from the Living Wage Foundation and Councillors from Islington and Hackney about the implications of extending the Living Wage to employees of contractors who provide council services.

7.2.4. *Educational Maintenance Allowance*

Following the government scrapping EMA, the LWSC was concerned that young people living in the borough lacked the financial support to continue in further education. The LWSC investigated the impact of EMA on post-16 education retention and looked at Tower Hamlets' Mayor's Education Award, a council funded scheme to replace EMA payments. The LWSC developed a business case for developing a similar discretionary award scheme and presented this to Cabinet.

7.2.5. *Student Voice*

The representatives of the Barking and Dagenham Youth Forum raised a concern regarding how school management respond to the Student Voice groups within the schools, noting that they are often told their concerns are being "considered" and then never acted upon. They enquired whether the Local Authority could do more to support Student Voice groups, and use its position to encourage a consistent approach across the borough's schools. The matter is being examined by CSSC.

7.2.6. School lunch provision

CSSC undertook an in-depth review into the lunches served to children in the borough's schools, examining take-up, choice, nutrition and financial viability. CSSC gathered the views of the Council's catering service and students, and undertook a site visit to Dagenham Park Community School.

7.2.7. Troubled families

In December 2011, the Government launched its programme to turn around the lives of the country's 120,000 most troubled families: those experiencing multiple problems and disadvantages such as unemployment, truancy, drug and alcohol addiction and causing problems such as crime and anti-social behaviour. SSCSC received evidence about the number of such families in Barking and Dagenham, and considered whether Council policies needed to be amended to reflect the new programme.

8. POLICY DEVELOPMENT

8.1. As scrutiny is non-political and non-adversarial, the scrutiny forum is a good place to develop new and existing Council policies. Scrutiny's feedback to Cabinet on forthcoming strategies and policy documents is greatly valued by portfolio holders and Chief Officers. Examples from the 2012/2013 municipal year include:

- Draft Heritage Strategy
- Anti Social Behaviour Strategy
- Community Cohesion Strategy
- Domestic and Sexual Violence Strategy and Delivery Plan 2012/15

9. PRE-DECISION SCRUTINY

9.1. A key tool to assist Scrutiny Committees with identifying and scrutinising decisions before they are made by Cabinet Members is the Council's Forward Plan, which carries notice of issues to be considered for Cabinet decision.

9.2. Through using the Forward Plan, Members are able to support the decision-making process by scrutinising decisions before they are taken. Examples of effective pre-decision from 2012/13 include PAASC's consideration of the draft Corporate Plan and Corporate Strategy. Some examples of pre-decision scrutiny from this municipal year include:

- Review of Management of BASS Accommodation in LBBD
- New Leisure Centre in Barking
- Draft Community Cohesion Strategy
- Draft Domestic & Sexual Violence Strategy

10. ONE OFF REPORTING

10.1. During the course of their activities, Select Committees often request one-off briefings or short reports on single-issue topics. This year, those briefings include:

- A presentation by CI Goodwin on the work of the Estate Police team
- A presentation by the Divisional Director of Environment providing an overview on noise nuisance issues
- A presentation by the Corporate director of Housing and Environment on the role of Environmental Health Officers in tackling anti- social behaviour
- Cultural Olympiad
- B&D LINK Manager report on findings and recommendations of an “Enter and View” visit to Chase View Care Home
- Feedback from Corporate Director of Adult and Community Services into the Safeguarding and Looked after Children Ofstead Inspection of which the Department overall received a positive rating
- Report from the Corporate Director of Children’s Services on the details of Project Sure 2012 which centred on the areas of supervision, understanding of the importance of informed assessments in all agencies, improving the quality of recording to show analysis and evidence, give families and children a voice, and ensuring effectiveness and value for money
- Bus training at Trinity School to reduce student reliance on private car and taxi journeys to school and to support their independence
- Respite Care provision for young people once they have turned 17
- Presentation from Divisional Director for Complex Needs on Corporate Parenting including the role of the Members' Corporate Parenting Group
- Update from the Corporate Director of Children’s Services on progress in meeting the various recommendations arising from a previous scrutiny review looking at SEN in Barking and Dagenham
- A report from the Lead Member of CSSSC looking at the provision of local democracy education in B&D
- Presentation from Divisional Director of Environmental Services looking at the Council programme of maintaining roads and pavements in the Borough, focusing on issues of levels of investment, funding streams and priorities
- Barking Riverside visit and feedback
- Update on the proposals to build a new Leisure Centre in Barking
- Presentation from GM Housing and Environmental Services on Olympic readiness
- Bottle Bank Refund Scheme
- Estate Renewal update from the Divisional Director of Regeneration
- Decent Homes update from the Divisional Director of Housing
- Corporate Complaints update including Members’ Casework
- Presentation from Elevate about Risk Based Verification for Benefit Claims and a follow up report on the Benefit Service

11. AUDIT ACTIVITY

11.1. As well as undertaking scrutiny work, PAASC is also the body which delivers the Council's Audit Committee function. Throughout the course of the year it has received reports from the Council's internal audit, finance team, and the Audit Commission, and KPMG, the Council's external auditor. The range of items considered over the year included:

- Draft Statement of Accounts (Finance) and Annual Governance Statement (Internal Audit)
- Final Statement of Accounts incorporating the Annual Governance Statement (Finance)
- Formal Response to questions raised by the Audit Commission
- Review of Audit, Risk, and Insurance Policies
- Audit Plan (Internal Audit)
- Quarterly Composite Audit Reports – covering audits undertaken, blue badge fraud, RIPA changes, and general updates and superlatives.
- Quarterly Risk Management Reports (coupled with six-monthly Insurance Update reports)
- Six-monthly Performance House monitoring
- Six-monthly Debt Management monitoring
- Annual Governance Report (Audit Commission)
- Progress with Oracle R12 project
- Contract work to local businesses
- Information Governance
- Certification of Grants Report (KPMG)
- Audit Letter (KPMG)
- Audit Plan (KPMG)
- Progress Report (KPMG)

11.2. PAASC, in its audit role, continues to be satisfied that, despite staff reductions brought about by budget cuts, the finance team is still operating strongly, as evidenced by the on-time and accurate Statement of Accounts and Governance Statement.

11.3. The Committee, however, did raise concerns about the capacity of senior staff and their ever widening portfolios of responsibility in the light of the budget reductions. While the Committee has been reassured by the Chief Executive about the present arrangements, it intends to keep a strong focus on this topic due to the potential risks involved.

11.4. PAASC this year concurred with the Head of Internal Audit's opinion that – broadly speaking – the Council is strategically compliant and complies with its aim of being a “well run organisation”. However, compliance with Council policies remains a concern for PAASC and will be the focus of a future in-depth scrutiny review in the coming municipal year.

11.5. Finally, the Committee were pleased to appoint Dr Ian Fifield, the new Independent Adviser to ensure that Members can continue to receive independent audit advice.

12. Background Papers Used in the Preparation of the Report:

- Agendas and Minutes, Children's Services Select Committee (2012/13)
- Agendas and Minutes, Health and Adult Services Select Committee (2012/13)
- Agendas and Minutes, Living and Working Select Committee (2012/13)
- Agendas and Minutes, Public Accounts and Audit Select Committee (2012/13)
- Agendas and Minutes, Safer and Stronger Community Select Committee (2012/13)

13. List of appendices:

- Appendix A: Members and Officers for 2012/13