

MUNICIPAL YEAR 2011/2012 REPORT NO. 2

MEETING TITLE AND DATE:
Council 4th May 2011

REPORT OF:
Director of Finance and
Corporate Resources
Contact officer and telephone number:
Mike Ahuja Head of Corporate Scrutiny

Agenda – Part:

Item: 12.1

Subject:
**Re-alignment of Scrutiny Panel remits and
extending the role of the Chair of
Overview and Scrutiny Committee**

Cabinet Member consulted:
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1. EXECUTIVE SUMMARY

- 1.1 This report details the outcome of a review undertaken covering the remits of the existing Scrutiny Panels within Enfield, designed to see how the function could best reflect the Council's new vision and aims in a way that would also allow the public to identify those roles.
- 1.2 As a result of the review this report proposes that during the next municipal year the number of Scrutiny Panels is reduced from seven to six, with the Overview & Scrutiny Committee (OSC) retained as a management body.
- 1.3 It is also proposed that the remits of the Panels are extended to incorporate both a thematic and functional approach, and to reflect the Council's vision, aims and values, with the titles also adjusted accordingly.
- 1.4 As a further proposal it is also recommended that in order to strengthen and enhance the independent minded governance role of the Overview & Scrutiny Chairman, that individual will no longer chair a Scrutiny Panel but will instead, in addition to the Overview & Scrutiny chairmanship, co-ordinate the political management arrangements and the agenda for democratic renewal in Enfield by Chairing the Governance Review Group

2. RECOMMENDATIONS

Following consideration by the Governance Review Group, it is recommended, as detailed within the report, that Council approves the necessary changes to the constitution to reflect:

- the new Scrutiny Panel titles and their remits
- the proposal that the Chairman of OSC also chairs the Governance Review Group

3. BACKGROUND

- 3.1 The Council is committed to fairness for all, growth and sustainability and strong communities. There is a further commitment to tackling the inequalities present in the borough and to providing high quality services for all.
- 3.2 The role of scrutiny and the opportunity it offers for development and member engagement is key to the Council vision and strategy.
- 3.3 It is, however, important that the scrutiny panels as part of the political management process of the Council reflect the above vision and aims in their titles and remit to reflect the role scrutiny plays and allow the public to identify with those roles.
- 3.4 The review has also provided an opportunity to consider the role of the Chairman of Overview and Scrutiny Committee (OSC). Currently the Chairman of OSC is drawn from the chairmen of the scrutiny panels. However, the proposed reduction in the number of scrutiny panels has enabled a wider role to be considered for this position, with the chairman having greater oversight of the political management process.

4. Overview and Scrutiny Committee and Governance

- 4.1 The Overview & Scrutiny Committee provides the independent leadership role and management function for Scrutiny to discharge the functions of the Local Government Act 2000 and to hold decision makers to account.
- 4.2 The OSC oversees and co-ordinates the arrangements and proceedings dealing with issues from individual panels, Call-ins, Councillor Call for Action, petitions, referrals from Scrutiny to Cabinet and members development and training within the Scrutiny role. Within these current arrangements the Chairman of OSC also chairs one of the scrutiny panels.
- 4.3 In order to strengthen and enhance the independent minded Governance role of the OSC Chairman, it is proposed that they will no longer chair a scrutiny panel but will instead, in addition to the Overview & Scrutiny chairmanship, oversee and co-ordinate the political management arrangements and the agenda for democratic renewal in Enfield by Chairing the Governance Review Group (GRG).
- 4.4 It should be noted that the GRG is not a decision making body but rather one that scrutinises proposals and makes recommendations for decisions by Council. The GRG further considers proposals in relation to all aspects of member support including:
 - Administrative support

- Research and Members enquiries
- Support to Cabinet and Scrutiny Committees
- Accommodation
- Training and Development
- Members allowances

5. Proposals for revised Scrutiny Panels

- 5.1 In the next municipal year it is proposed that the number of scrutiny panels should be reduced from seven to six. Overview & Scrutiny Committee will remain.

This report proposes new titles for the Council's scrutiny panels, incorporating both a thematic and functional approach, and a revision to their remits to reflect the Council's vision, aims and values.

The names of the proposed scrutiny panels are shown below:

- Overview and Scrutiny Committee (no change)
- Older People and Vulnerable Adults Scrutiny Panel
- Children and Young People Scrutiny Panel
- Crime and Safety and Strong Communities Scrutiny Panel
- Sustainability and Environment Scrutiny Panel
- Health and Wellbeing Scrutiny Panel
- Housing, Growth and Regeneration Scrutiny Panel

Table 1 provides a more in depth view including the remits of the panels.

- 5.2 As part of the process for setting the annual programme of work for Scrutiny, co-ordinated by OSC, it is also proposed that a single theme should be identified at the start of each year, for integration across each of the Panel work programmes. The theme will directly relate to the Council's priorities, with potential issues to be considered and identified at the annual Scrutiny Member induction and work programme planning session.

Table 1

Scrutiny Panel	Remit	Comment
<p>Overview and Scrutiny Committee</p> <p>The Council appoints an Overview and Scrutiny Committee (OSC) plus Scrutiny Panels to discharge the functions conferred by section 21 of the Local Government Act 2000</p> <p>The OSC shall include in its membership 5 education Statutory Co-optees to consider matters relating to schools and pupils</p>	<p>Management of Scrutiny function, Councillor call for Action (CCfA), Call-in, Scrutiny work programme Performance management Strategic & Corporate Policies Budget Consultation Customer focused Services Corporate Governance Human Resources Communications Procurement Enfield Strategic Partnership Petitions</p>	<p><i>Vision, aims and priorities:</i> <i>Strong Communities;</i> <i>Fairness for all;</i> <i>Growth & sustainability;</i> This committee is made up of the Chairmen of the individual scrutiny panels. It is the visible face of holding to account through call-in and CCfA and manages the scrutiny function</p>
<p>Older People and Vulnerable Adults Scrutiny Panel</p> <p>The panel considers adult social care provided by the Council and partners (such as the NHS), implementation of national policy and local issues which might affect service users.</p>	<p>Older peoples access to public services Safeguarding of Adults Home Support Residential Care Mental Health Learning Disability Physical Disability Sensory Impairment Carers Supporting People</p>	<p><i>Vision, aims and priorities:</i> <i>Fairness for all;</i> <i>Strong Communities;</i> This panel scrutinises the single biggest spend of Council Services (in excess of £100m) and the current transformation of services through personalisation. It allows a variety of community groups to engage in the decision and policies regarding adults, including service users and carers</p>

<p>Children and Young People Scrutiny Panel This panel deals with the scrutiny of the full range of children services and has primary Head and Secondary Head representation. The panel is also responsible for dealing with education matters and shall include in its membership 5 Education Statutory co-opted voting representatives.</p>	<p>Children's and Young Peoples access to public services Safeguarding Special Educational Needs Educational Psychologists Education, Early Years ,CAMHS, Youth Services, Play Development Education Welfare School Improvement Behaviour Support Admissions Children in Need Early Intervention Teenage Pregnancy Community Education Student Support Looked after Children Children with Disabilities Fostering and Adoption The Third Sector dealing with Children</p>	<p><i>Vision, aims and priorities:</i> Fairness for all; Strong Communities; This panel deals with the issues of Children services and the challenge scrutiny provide has been seen as important both by service providers schools and OFSTED.</p>
<p>Crime and Safety and Strong Communities Scrutiny Panel The Council has a Crime and Safety Scrutiny panel to discharge the scrutiny function conferred by The Police and Justice Act 2006 which require Councils to form a Committee that focuses scrutiny in the area of reducing</p>	<p>Social cohesion Anti-Social behaviour Community Safety Crime reduction Youth Offending Safer Neighbourhoods Street Crime, Violent crime & Burglary</p>	<p><i>Vision, aims and priorities:</i> Strong Communities; Statutory function that has a community member co-opted. This panel focuses on the work of the Safer and Stronger Communities Board. It scrutinises all aspects of</p>

<p>Crime and Improving Community Safety.</p> <p>The proposal adds the Stronger communities element of the Councils Strategic Aim to this panel's remit</p>	<p>Diverting young people from crime Drug misuse & Alcohol related crime Fear of crime Emergency Planning Monitoring Performance of the Safer Stronger Communities Board Probation</p>	<p>community safety including probation, youth offending and CCTV.</p>
<p>Sustainability and Environment Scrutiny Panel</p> <p>The panel will scrutinise the main functions of the Councils environment department as well as looking at wider environmental issues such as climate change, and parking policy</p>	<p>Urban Environment; Rural Environment Street Scene Highways, Street Cleansing, Street Lighting Waste, recycling Parks and Open Spaces Leisure, Libraries Wider Environment rivers woodlands Traffic and Parking Enforcement Activities including trading standards Environmental Health Climate Change, Carbon Reduction, Sustainable development</p>	<p><i>Vision, aims and priorities:</i> Growth & sustainability; This panel focuses on Environment services and the wider environmental issue in particular sustainability, green energy and carbon reduction. This covers an area of high public interest and concern.</p>
<p>Health and Wellbeing Scrutiny Panel</p> <p>Provision is made within the Council Constitution to appoint a Health Scrutiny Panel. This will discharge the scrutiny functions conferred by the Health and Social Care Act 2001 implemented in January 2003.</p> <p>It should be noted that there is a current government white paper on health which</p>	<p>All Health Services provided, including: NHS North Central London NHS Enfield (subject to national developments) Local Hospital Trusts Provision of Primary, Community and Tertiary healthcare London Ambulance Service Mental Health Services</p>	<p><i>Vision, aims and priorities:</i> Fairness for all; This is a high profile panel, which focuses work on the wider issue of public health and the provision of primary (community health) care, acute (hospital) care and mental health. It also discharges the cross borough functions on scrutiny of</p>

<p>seeking to re-shape how Health Service and scrutiny in this area are delivered we are awaiting the outcome of the consultation.</p>	<p>Joint Borough Commissions Drug & Alcohol Misuse Public Health Any service provider funded by the NHS GP Consortia and Health and Well Being Board (New)</p>	<p>health issues affecting more than one borough. The panel has powers to refer items to local health providers and the Secretary of State.</p>
<p>Housing, Growth and Regeneration Scrutiny Panel This Panel is responsible for the Scrutiny of Housing Strategy, Operations, Technical, Property Services, Enfield Homes, local people's homes and environment affecting housing in the borough. The remit will now include regeneration, employment/unemployment and the Local Development Framework.</p>	<p>Enfield HOMES Repairs & Maintenance Housing Needs Assessments Homelessness Temporary Accommodation Private Sector Housing Sheltered Accommodation Estates Management Disabled facilities Grant Revenues & Benefits Inspection Process Registered Social Landlords Local Development Framework Economic Development Employment/Unemployment and Inward investment Business Development Master Planning</p>	<p><i>Vision, aims and priorities:</i> <i>Strong Communities;</i> <i>Fairness for all;</i> <i>Growth & sustainability;</i> This scrutiny panel focuses on Council and Registered Social Landlords responsibilities with regard to Social Housing. It also deals with the private sector Housing. Housing is a key service for residents. The government spending cuts on Social Housing and capping of Housing benefit will create additional pressures that may well raise the profile of this panel. The focus on regeneration will include inward investment, Job creation and monitoring the Local Development Framework.</p>

6. REASONS FOR RECOMMENDATIONS

- 6.1 To reflect the outcome of a review designed to look at how best the scrutiny function can reflect the Council's new vision and aims in a way that also allows the public to identify with these roles.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 Continue with the current titles, remits and numbers.

8. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

8.1 Financial Implications

Any variations to the cost of this service relating to the proposals in this report will need to comply with the Corporate Governance medium term financial plan.

8.2 Legal Implications

8.2.1 Under section 21 of the Local Government Act 2000, in operating executive arrangements every local authority is to have at least one Overview and Scrutiny Committee. Such Overview and Scrutiny Committee may appoint one or more sub-committees and may arrange for the discharge of any of its functions by any sub-committee.

8.2.2 In considering the proposal that the Chairman of the OSC also chairs the GRG, the GRG and OSC must take account of, and appropriately manage, any potential conflicts of interest that may arise to ensure the independence of the Overview and Scrutiny Committee and Scrutiny Panels.

8.3. Property Implications

None

8.4 HR Implications

None

9. KEY RISKS

- 9.1 The scrutiny process provides an opportunity for members of the local community to actively contribute towards reviewing the delivery, performance and development of public services provided by the Council and its partners. The Scrutiny function is a key part of the political management arrangements. Effective Scrutiny allows engagement of a wide range of non-executive Members in policy and strategy development, and further provides challenge through a 'critical

friend' approach. The prime aim of Scrutiny is to examine and analyse service provision, and seeks to deliver improved performance and outcomes for the community. Effective officer support to non-executive Members is crucial to delivery of this function

10. IMPACT ON COUNCIL PRIORITIES

10.1 Fairness for All

By closely scrutinising and challenging council services and governance arrangements we can ensure that inequalities across the borough are reduced and service standards are raised in order to provide fairness for all.

10.2 Growth and Sustainability

The Scrutiny Panels ensure the Council addresses the key priorities by offering challenge to services. This ensures that Enfield reaches its full economic potential and supports the vision of a strong and sustainable future for our residents, environment and economy.

10.3 Strong Communities

The Scrutiny Panels provide the opportunity for residents to engage and scrutinise Council Services and be involved in local decision making. This process helps support the council's commitment to ensuring our communities are strong, cohesive and well informed.

11. PERFORMANCE MANAGEMENT IMPLICATIONS

The proposed new Scrutiny Panels clearly reflect the Council's vision, aims and values. The prime aim of Scrutiny is to examine and analyse service provision, and seeks to deliver improved performance and outcomes for the community.

Background Papers

Working papers held by the Head of Corporate Scrutiny