

## MUNICIPAL YEAR 2011/2012 REPORT NO. 74

### MEETING TITLE AND DATE:

CMB  
- 9th August 2011  
Cabinet  
- 14<sup>th</sup> September 2011  
Council  
- 21st September 2011

### REPORT OF:

Overview & Scrutiny Committee

<b>Agenda - Part:</b> 1	<b>Item:</b> 6.1
<b>Subject:</b>  SCRUTINY ANNUAL WORK PROGRAMME 2011/12  WARDS: None Specific	
Cabinet Members consulted: N/A Other Members consulted – Overview & Scrutiny Committee	

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## 1. EXECUTIVE SUMMARY

- 1.1 This report and Appendix 1 sets out the annual work programme for the Council's Scrutiny Panels and Overview & Scrutiny Committee (OSC).
- 1.2 The Council's Constitution requires that the combined work programmes proposed by each Panel are adopted by Council (as an annual scrutiny work programme), on the recommendation of the Overview & Scrutiny Committee, following consultation with the Cabinet and Corporate Management Board (CMB).
- 1.3 Cabinet are being invited to comment on the Scrutiny Annual work programme recommended by OSC, prior to its consideration by Council.

## 2. RECOMMENDATIONS

- 2.1 CMB & Cabinet are requested to consider and comment on the combined Scrutiny Panel Work Programmes.
- 2.2 That Council formally adopt the annual Scrutiny Work Programme 2011/12 (as detailed in Appendix 1) having considered any comments from CMB & Cabinet.

### 3. BACKGROUND

- 3.1 Enfield Council has a successful scrutiny function with examples of strong community engagement and tangible challenges to the Council's Executive. This continues to be recognised nationally. Enfield won a Centre for Public Scrutiny award for its work around community engagement on the Young Peoples Life Opportunities Commission and was also shortlisted for a national Municipal Journal achievement award for its response to Councillor Call for Action.
- 3.2 In the absence of any national indicators, Enfield has developed its own scrutiny evaluation framework and tracking system to monitor progress being made against the implementation of scrutiny recommendations. The results from both of these systems are reported to OSC annually for monitoring purposes and to assist members in the ongoing organisation and development of the scrutiny function.
- 3.3 Enfield has adopted a mixed thematic & functional scrutiny structure with an Overview & Scrutiny Committee (OSC) established to manage the overall function and Scrutiny Panels. The structure and remits of the Panels have changed this year, to better reflect the Council's aims and vision. The areas covered by each of the Council's Scrutiny Panels are as follows:

<b>Scrutiny Panel</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
Overview and Scrutiny	Councillor Simon	Councillor Sitkin
Older People & Vulnerable Adults	Councillor G Savva	Councillor Joannides
Children & Young People	Councillor Simbodyal	Councillor Kaye
Crime & Safety & Strong Communities	Councillor Rye	Councillor Cranfield
Sustainability & the Living Environment	Councillor Sitkin	Councillor Laban
Health & Wellbeing	Councillor Cazimoglu	Councillor Pearce
Housing Growth & Regeneration	Councillor Smith	Councillor Uzoanya

- 3.4. In the last few years scrutiny has been given more power to hold a wider range of the Council's key external strategic partners to account: These include:
- The Councillor Call for Action, providing members with an opportunity to raise local issues via scrutiny when other methods of resolution have been exhausted.
  - A new petition scheme introduced by the Council (as a result of the Local Democracy, Economic Development & Construction Act 2009), which includes, as an option, the ability for scrutiny to review issues raised through petitions, hold officers to account as well as acting as an appeals mechanism.
  - The appointment (under the same Act) of a Statutory Officer for Scrutiny, which in Enfield has been designated as the Head of Corporate Scrutiny.

3.5 The main role of OSC, alongside dealing with call-in and CCfAs, is to provide leadership and co-ordination of the Council's scrutiny function. A key function is to review the combined annual work programmes produced by each panel in order to:

- ensure that the Council's scrutiny function is achieving its overall purpose and each Panel's time is being efficiently and effectively used;
- ensure that the overall work programme is realistic, focussed and well balanced;
- effectively co-ordinate and manage the allocation of resources between Panels to support the scrutiny function and individual reviews;
- identify and address any gaps or overlaps between the individual Panel work programmes and any potential for joint working; and
- approve for adoption by Council, following consultation with CMB & Cabinet, an overall annual scrutiny work programme;

3.6 The annual scrutiny work programme has, as in previous years, been based on a combination of the individual work programmes produced by OSC and each Panel for 2011/12. The individual Panel work programmes have been collated and attached as Appendix 1. In order to enhance the planning and development of scrutiny work programmes:

- an induction event was held in June 2011 for all scrutiny members, to provide an outline of the key issues and criteria needing to be taken into account when planning and setting scrutiny work programmes. This event was very well attended, which OSC felt reflected the commitment and interest, in playing an active role in scrutiny;
- Each Panel then held a work programme planning workshop to formulate their programmes for 2011/12;

In addition CMB, Cabinet and Council are asked to note that:

- a. In order to ensure the most effective use of officer support and member time each Panel will again be looking to limit the number of detailed reviews being undertaken at any one time to two;
- b. Each of the work programmes will need to be treated with a degree of flexibility as Panels may amend some of the work they have initially identified as their work programmes develop and scopes for each review are finalised;
- c. The individual work programmes will be subject to ongoing development and continuous review by each Scrutiny Panel.

#### **4. REVIEW OF PANEL WORK PROGRAMMES**

4.1 OSC (25th July 2011) undertook a review of the combined Panel work programmes and agreed to recommend these as the basis of the 2011/12 annual scrutiny work programme to Council.

4.2 Key issues which OSC focussed upon, as part of their work programme review, included:

- a. the overall size and number of items on the Panel work programmes;
- b. areas of duplication and potential for joint working between Panels;

- c. the attempts being made to prioritise individual work programmes to ensure that they remained realistic and manageable in terms of the resources available to support them.

4.3 In reviewing the work programmes for 2011/12, OSC noted:

- a. All work programmes for Scrutiny Panels agreed thus far.
- b. That the Head of Corporate Scrutiny & Outreach would provide a briefing paper to Members on the options for a Fairness Commission.;
- c. That the Director of Schools & Children's Services provides a briefing paper to Overview & Scrutiny Committee on incorporating the issue of Child Prosperity Partnerships into the Panel work programmes.
- d. The work programmes are to be updated each time the Scrutiny Panels meet..

4.4 There are currently two pieces of legislation progressing through Parliament.

**Health and Social care Bill**

- a) The Health and Social care Bill -: This bill has been subject to a number of consultations and included a pause in the process the results of this were fed through the NHS Future Forum. The proposal to set up statutory Health and Well Being Boards (HWBs) will continue.

HWBs will be subject to scrutiny by the existing statutory structures for the overview and scrutiny of local authority executive functions. The existing statutory powers of local authority scrutiny functions will continue to apply In addition the bill currently provides for scrutiny of any service being provided that is funded by the NHS (this is a new power).

Local authorities will still be able to challenge any proposals for the substantial reconfiguration of services, and we will retain the Government's four tests for assessing service reconfigurations. This retains the power of referral to the Secretary of State by scrutiny.

**Localism Bill**

- b) Reform of the petition system to allow more local choice. The governance division is examining the implications form this Bill at present.

4.5 As part of its management and co-ordination role OSC has recognised the need for each Panel to continue monitoring & prioritising their work to ensure that the members and officers involved in supporting each review have the capacity to undertake effective scrutiny. In addition OSC will continue to encourage Panels, where practical, to consider cross working on areas of potential overlap.

**5. COMMENTS FROM CORPORATE MANAGEMENT BOARD & CABINET**

5.1 CMB considered the combined Panel work programmes at its meeting on 9th August 2011, prior to consideration by Cabinet (14th September 2011). The comments form CMB are shown below:

- CMB noted the Scrutiny Panel Work Programmes and were pleased to note the inclusion of Child Prosperity.

5.2 Cabinet is being invited to comment on the combined Panel Work Programmes recommended by OSC, prior to their consideration by Council as the basis of the Annual Scrutiny Work Programme for 2011/12. Any comments made by CMB & Cabinet will be reported to Council for consideration on 21st September 2011.

## **6. REASONS FOR RECOMMENDATION**

To comply with the requirements of the Council's Constitution.

## **7. ALTERNATIVE OPTIONS CONSIDERED**

No other options have been considered as the Overview & Scrutiny Committee is required, under the Council's Constitution, to present an annual scrutiny work programme to Council for adoption.

## **8. DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES COMMENTS**

### **8.1 Finance**

Any cost implications of undertaking the Scrutiny Panel work programmes, that cannot be met from within the budget allocated to scrutiny, will need to be addressed through the financial monitoring process and review of the medium term financial plan.

### **8.2 Legal**

8.2.1 Section 21 of the Local Government Act 2000 requires principal local authorities to have at least one overview and scrutiny committee. Its functions are to:

- review or scrutinise decisions or actions taken by the cabinet or any non-executive part of the council;
- make reports or recommendations to the Council or the Cabinet on any issue to do with the Council's functions; and
- recommend that any decision be re-considered

8.2.2 The Council's Constitution requires the reporting of the Annual Work Programme for approval.

### **8.3 Key Risks**

Any risks relating to individual scrutiny reviews will be identified and assessed through the scrutiny review scoping process.

## **9. IMPACT ON COUNCIL PRIORITIES**

### **9.1 Fairness for All**

The role of scrutiny in Enfield includes ensuring, as part of any review, that services are being provided on a fair and equitable basis for all members of our communities. Relevant studies will include reviews around the provision of primary care, housing allocations, primary pupil places & getting people into work.

### **9.2 Growth & Sustainability**

Growth and Sustainability are now within the remit of the Housing, Growth & Regeneration Scrutiny Panel. As part of the approach towards scrutiny in Enfield all Panels are being encouraged to consider issues relating to sustainability and the support that can be provided to secure further inward investment in the borough.

### **9.3 Strong Communities**

The scrutiny process provides an opportunity for elected members of scrutiny panels, and members of the local community, to actively contribute towards reviewing the delivery, performance and development of public services provided to all residents of Enfield by the Council and its partners. Community engagement has been recognised as a particular strength of scrutiny in Enfield and its intended to continue encouraging this approach over the coming year, particularly for example, in relation to the review of gangs, young people and knife enabled crime and personalisation of care

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

10.1 The key aims for the Council's scrutiny function include:

- to review & assess the delivery and performance of services provided by the Council (along with the Health Service and Safer Stronger Communities Board);
- to assist in the monitoring & development of Council policies and strategies;

10.2 The work programmes produced by each Panel are designed to reflect these aims and as such the work undertaken by the Council's scrutiny function has a significant role to play in the Council's performance management framework.

Background Papers:

Report to Overview & Scrutiny Committee – 25 July 2011: Review of Scrutiny Panel Work Programmes 2011/12