



Scrutiny Programme Board

Date:	Thursday, 3 June 2010
Time:	6.15 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST/PARTY WHIP

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they are.

Members are reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they are subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

2. MINUTES (Pages 1 - 6)

To receive the minutes of the meeting held on 4 March 2010.

3. APPOINTMENT OF VICE-CHAIR

The Committee is invited to appoint a Vice-Chair for the ensuing municipal year.

4. ALLOCATION OF CALL-IN NOTICES (Pages 7 - 10)

Briefing Note from the Director of Law, HR and Asset Management

5. IMPLEMENTATION OF THE PETITION SCHEME IN WIRRAL (Pages 11 - 20)

6. ANNUAL SCRUTINY QUESTIONNAIRE

Verbal Report

7. SCRUTINY TRAINING

Verbal Report

8. ANNUAL SCRUTINY REPORT 2009/2010 (Pages 21 - 46)

9. THE FUTURE OF SCRUTINY - LGA CONFERENCE REPORT (Pages 47 - 52)

10. THE 2009 ANNUAL SURVEY OF OVERVIEW AND SCRUTINY IN LOCAL GOVERNMENT CONDUCTED BY THE CENTRE FOR PUBLIC SCRUTINY (Pages 53 - 74)

11. REVIEW OF CURRENT ISSUES ON THE FORWARD PLAN

At the last meeting of the Scrutiny Programme Board (minute 49 (4 March 2010) refers), Members considered the following decision of the Cabinet (minute 298 – 4 February 2010) in relation to the Forward Plan and the Scrutiny Function –

- (1) That officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.
- (2) That Cabinet notes that Overview and Scrutiny Committees set their own agenda and can call on officers to present additional reports to meet their requirements.

The Board noted the decision of the Cabinet and requested that Chief Officers ensure that all new items to be included within the Forward Plan include an informative narrative of the key decisions to be taken, together with more accurate timescales for decisions to be taken.

The Forward Plan for the period June to September 2010 has now been published on the Council's intranet/website and Members are invited to review the Plan prior to the meeting in order for the Scrutiny Programme Board to consider, having regard to the Committee's work programme, whether scrutiny should take place of any items contained within the Plan and, if so, how it could be done within relevant timescales and resources.

12. ALCOHOL SCRUTINY REVIEW - PROGRESS REPORT (Pages 75 - 82)

13. ONE COUNCIL SCRUTINY REVIEW - PROGRESS REPORT (Pages 83 - 88)

- 14. REVIEW OF SCRUTINY PROGRAMME BOARD WORK PROGRAMME (Pages 89 - 102)**
- 15. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

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SCRUTINY PROGRAMME BOARD

Thursday, 4 March 2010

Present: Councillor D Mitchell (Chair)

Councillors	J Hale	D Knowles
	C Meaden	AER Jones
	S Clarke	H Smith
	J Keeley	P Southwood

Deputies: Councillors R Wilkins (In place of A Bridson)

40 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST/PARTY WHIP

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

No such declarations were made.

41 MINUTES

Resolved – That the minutes of the meeting held on 14 January 2010 be approved.

42 ALLOCATION OF CALL-IN NOTICES

Further to minute 30 (14 January 2010), the Director of Law, HR and Asset Management apologised to the Committee for not circulating a briefing note to Members in advance of the Committee, as had been requested. He referred to the Terms of Reference for the Scrutiny Programme Board and, in particular, to part (iv), which covered the allocation of Call-in Notices. He confirmed that the original Terms of Reference remained unchanged, as a proposed amendment to them, having been considered by the Cabinet (minute 163 (15 October 2009) refers), had not been approved by the Council. Nevertheless, the Director commented that the Terms of Reference allowed the Board itself to hear call-ins which affected more than one Committee and, furthermore, they did not preclude hearings by more than one Committee, where the Board considered it to be appropriate.

However, there was a practical consideration in relation to the time limits specified by Standing Order 35 (Calling in of Decisions) and set out within the Overview and Scrutiny (O&S) Procedure Rules. He proposed that a pragmatic approach for dealing with a call-in which fell within the remit of more than one O&S Committee would be for the Chair and spokespersons to initially consider the most appropriate Committee for it to be referred to and for a meeting of that Committee to be arranged, so as to

be convened to follow the formal allocation of the call-in by the Scrutiny Programme Board.

A Member expressed the view that it would be more appropriate for the most relevant themed O&S Committee to hear call-in notices, rather than the Scrutiny Programme Board, as the Members of the themed Committee would likely be more familiar with the issues contained within the call-in. Alternatively, a special meeting could be called of the appropriate themed overview and scrutiny Committee.

Having regard to the need for legal advice at Committees, the Chair sought the views of Members as to whether they wished for a solicitor to be in attendance at future meetings of the Board. Members commented that any contentious or legal issues would normally be identified prior to meetings and it could usually be determined in advance whether a solicitor would be required.

Resolved –

- (1) That the guidance of the Director of Law, HR and Asset Management in relation to the allocation of call-in notices be endorsed.**
- (2) That a briefing note be circulated to Members as previously requested.**
- (3) That the Director of Law, HR and Asset Management be requested to ensure that a solicitor will be available to attend future meetings of the Board, if required to give legal advice to Members.**

43 **EQUALITY AND DIVERSITY - COUNCIL PROGRESS**

The Deputy Chief Executive/Director of Corporate Services provided an overview of the Council's achievements, which led to the award, in November 2009, of Level 3 of the Equality Standard for Local Government. He commented that achieving Level 3 was a major milestone for the Council and he indicated that the Improvement and Development Agency assessors stated it to be a 'good and solid level 3'. He provided details of a number of appointments, which had significantly improved the Council's capacity to provide the necessary leadership and expertise to ensure that equality and diversity issues were embedded across the organisation and he set out examples of the ways in which the Council had led the way in Wirral in relation to the equality agenda.

The Director reported also that the Improvement and Development Agency (IDeA) had developed a new Equality Framework for Local Government, which had now replaced the original Equality Standard. Instead of reaching Levels 1 to 5, Councils would now work towards three levels:

- Developing
- Achieving
- Excellent

The Council had automatically migrated to 'Achieving' status of the new Framework and would need to be assessed for 'Excellent' status by November 2011 or risk having 'Achieving' status removed. Therefore, an action plan for reaching 'Excellent' status was currently being developed by the Corporate Equality and Diversity team. He set out also a number of areas, highlighted by the new Equality Framework for

Local Government, as being in need of effective scrutiny in order for the Council to reach 'Excellent' status by November 2011.

The Chair of the Council Excellence Overview and Scrutiny Committee indicated that Equality and Diversity had been a major focus of that Committee and she referred to the work that had been undertaken to achieve Level 3 of the original Equality Standard.

Resolved –

- (1) That the progress made to date be noted.**
- (2) That the Council Excellence Overview and Scrutiny Committee be requested to further develop the scrutiny function to incorporate the criteria of the Equality Framework for Local Government.**
- (3) That the thanks of the Board be accorded to the Equality and Diversity Co-ordinator and her team for their work in securing Level 3 status and for ongoing work to achieve 'Excellent' status by November 2011.**

44 'ONE COUNCIL' SCRUTINY REVIEW - PROGRESS REPORT

The Chair presented the report of the 'One Council' Members' Working Group, which provided an update on progress for the 'One Council' Scrutiny Review, following a scoping meeting held on 12 February 2010. He outlined the scope of the review, and referred specifically a previous investigation into the operation of the Call Centre, identified at section 10 of the draft Scope document. Although some work in this area had already been undertaken by the former Community and Customer Engagement O&S Committee during 2007/2008, it was proposed by the Working Group that the Call Centre and One Stop Shops would form the basis of the initial 'One Council' review.

Resolved –

- (1) That the the Scope for the 'One Council' Scrutiny Review, as detailed in Appendix 1 to the report now submitted, be approved.**
- (2) That the plans for the 'One Council' Scrutiny review be considered further at the first meeting of the Board in the 2010/2011 municipal year.**

45 MEMBERS TRAINING AND DEVELOPMENT

Further to minute 31 (14 January 2010), the Director of Law, HR and Asset Management provided an update in relation to matters discussed at meetings of the Member Training Steering Group held on 8 February and 1 March 2010. The Group had reached agreement on the way forward in relation to training requests and had also agreed a number of revisions to its terms of reference.

Resolved – That the update be noted.

46 SCRUTINY LEAFLET

Further to minute 32 (14 January 2010), the Director of Law, HR and Asset Management presented for Members consideration a draft Scrutiny Leaflet – 'A

Guide for Wirral Residents'. The leaflet was intended to provide information on the scrutiny function and invite comments from members of the public on which aspects of Council business they believed should be reviewed. It was proposed that the leaflet would be made available in One Stop Shops, libraries etc. and Members were invited to comment upon it or to suggest changes prior to its distribution.

A Member indicated that suggestions for review should 'not normally' be issues that had been considered by an overview and scrutiny committee during the last 12 months and he requested that the leaflet be amended accordingly. Members also requested that versions be made available in larger print and in different languages and that it be reviewed to ensure its compatibility for use by disability groups.

Resolved – That, subject to the incorporation of those amendments now proposed and to subsequent suggested improvements, the draft Scrutiny Leaflet be approved.

47 **WORK PROGRAMMES OF OVERVIEW AND SCRUTINY COMMITTEES**

Members received reports outlining the work programmes of the following overview and scrutiny committees, which included indications of how each scrutiny topic was being dealt with, comments on progress and estimated timescales for work to be completed. –

- (a) Children and Young People
- (b) Council Excellence
- (c) Economy and Regeneration
- (d) Health and Well Being
- (e) Sustainable Communities

Resolved – That the reports be noted.

48 **REVIEW OF SCRUTINY WORK PROGRAMME**

The Chair presented an updated Monitoring Report on the Committees Work Programme, in order to give Members the opportunity to review it and to ask for new items to be added.

Resolved – That the report be noted.

49 **THE FORWARD PLAN AND THE SCRUTINY FUNCTION**

The Director of Law, HR and Asset Management reported that at its meeting on 4 February 2010 (minute 298 refers), the Cabinet considered the referral from the last meeting of the Board (minute 37 (14 January 2010) refers) in relation to the operation of the Forward Plan, which requested the Cabinet to agree to the following –

- (a) That officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.
- (b) That, for a short trial period, Chief Officers be required to submit to the next appropriate Overview and Scrutiny Committee a brief explanation of new items included in the Forward Plan.

He reported that the Cabinet (minute 298) resolved –

- (1) That officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.
- (2) Cabinet notes that Overview and Scrutiny Committees set their own agenda and can call on officers to present additional reports to meet their requirements.

For information, the Director presented a list of new items that had been included in the Forward Plan for the period 1 April to 31 July 2010.

Resolved –

- (1) **That the decision of the Cabinet be noted.**
- (2) **That Chief Officers ensure that all new items to be included within the Forward Plan include an informative narrative of the key decisions to be taken, together with more accurate timescales for decisions to be taken.**

50 **DRAFT PROTOCOL - SCRUTINY OF THE CRIME AND DISORDER REDUCTION PARTNERSHIP**

The Director of Law, HR and Asset Management reported that provisions contained within sections 19 – 21 of the Police and Justice Act 2006 extended the remit of local authorities to scrutinise the functioning of the local Crime and Disorder Reduction Partnership (CDRP). The requirements were enacted by the Crime and Disorder (Overview and Scrutiny) Regulations 2009 that came into force for local authorities in England on 30 April 2009 and their implementation was covered by Home Office Guidance for the Scrutiny of Crime and Disorder Matters – England.

The Director reported that, in Wirral, the scrutiny of the CDRP was to be undertaken by the Sustainable Communities Overview and Scrutiny Committee, which had been designated the “Crime and Disorder Committee” under Paragraph 1, Section 19 of Part 3 of the Act. The members of CDRPs were required to take part in scrutiny locally and this included the main partners (‘responsible authorities’): local authorities, fire and rescue authorities, police authorities, the police, primary care trusts in England; plus the ‘co-operating bodies’: probation, NHS trusts, proprietors of independent schools and further education institutions.

The new powers of the Sustainable Communities Overview and Scrutiny Committee, arising from The Police and Justice Act (2006) were to:

- (a) review or scrutinise the decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions; and
- (b) make reports or recommendations to the local authority with respect to the discharge of those functions.

The Director presented for consideration a draft protocol to define the manner in which the Sustainable Communities O&S Committee may scrutinise the CDRP and he indicated that it was intended to set out the mutual expectations of both scrutiny members and CDRP partners to ensure that scrutiny was constructive and that the power was used effectively alongside the other powers of Council overview and scrutiny.

He proposed that the Protocol would be considered by the CDRP and by the Sustainable Communities O&S Committee, prior to its consideration/adoption by the Cabinet/Council. The Chair of the Children and Young People O&S Committee requested that the protocol be referred also to that Committee for consideration.

Resolved –

- (1) That the draft Scrutiny Protocol for the scrutiny of the Crime and Disorder Reduction Partnership (CDRP) be endorsed and referred to the Sustainable Communities Overview and Scrutiny Committee, the CDRP, the Children and Young People Overview and Scrutiny Committee and the Cabinet for consideration.**
- (2) That subject to the Protocol being revised in the light of any comments received, it be presented to the Council for adoption as a clarification of Scrutiny's relationship with the CDRP.**

51 ANNUAL SCRUTINY QUESTIONNAIRE

The Director of Law, HR and Asset Management presented for consideration the second annual Members' Overview and Scrutiny Survey which, he intended would be sent out to all Members in order to assess the continuous improvement of the scrutiny process. Its aim was to assess perceptions about the effectiveness, added value and achievements of Overview and Scrutiny and identify where improvements could be made.

It was also proposed to send the questionnaire to co-opted members and to Directors whose service area was subject to scrutiny. The findings of the survey and any emerging trends from its analysis would form the basis of a report to a future meeting of the Board.

Resolved –

- (1) That, subject to minor amendment in relation to the standardisation of response choices, the Annual Overview and Scrutiny Survey 2010, be approved.**
- (2) That a report and analysis of the findings of the Survey be presented to a future meeting of the Board.**

Scrutiny Programme Board – Allocation of Call-in Notices

The Call-in procedure is set out in Rule 16 of the Overview and Scrutiny Procedure Rules. A copy of this Rule is in Appendix 1. All Cabinet decisions (other than those referred to the Council for decision or certified urgent by the Cabinet) may be called-in. A call-in must be made within five days of the publication of the Cabinet decision. The called-in matter then needs to be referred to Overview and Scrutiny within 15 working days of the receipt of that notice.

Paragraph (iv) of the Scrutiny Programme Board's Terms of Reference (as amended in 2009) provides that the Board has the power to:

(iv) consider any call-in notices in relation to any executive functions and determine such notices or allocate them to one or more of the five themed overview and scrutiny committees as it considers most appropriate.

Therefore, all Call-in Notices are referred to the Scrutiny Programme Board. It is entirely a matter for the Board whether they choose to consider the Call-in Notice themselves, or to refer it to one or more of the themed Overview and Scrutiny Committees. Members of the Scrutiny Programme Board have previously pointed out that if all Call-in Notices have to be considered by the Board, if they are then referred to a themed Overview and Scrutiny Committee, it will be difficult logistically to deal with the matter within the prescribed 15 working days from receipt of the original Call-in Notice. This issue was one reason why the Board asked Council to consider revising its Terms of Reference. However, as Members will know, that request was not supported by Cabinet and was not accepted by Council. Therefore, the Terms of Reference of the Board remain those set out in Appendix 2 (including Paragraph (iv), as set out above).

In the event that any Members of the Scrutiny Programme Board consider that a Call-in Notice should be referred to one or more of the themed Scrutiny Committees, I suggest that the matter is discussed with the Chair and Spokespersons on the Board. If it is clear from those discussions that the proposed referral is likely to command majority support at the Board, I suggest that the Chair/s of the relevant themed Scrutiny Committee/s contact Committee Services and ask that meetings of the relevant themed Scrutiny Committee/s are called in anticipation of the Board allocating the Call-in Notice in that manner.

Bill Norman

Director of Law, HR and Asset Management

9 March 2010

Overview and Scrutiny Procedure Rules – Rule 16 – Call-in

- (a) When a decision is taken by Cabinet, committee of the Cabinet or individual Cabinet member (other than one referred to the Council or which is certified urgent by a unanimous decision of the Cabinet – see paragraph 17 below) and notified to all members of the Council (by electronic and/or other means) any Leader or Deputy Leader of a political group or any five members of the Council may by notice in writing submitted to the Director of Law, HR and Asset Management within five working days of such notification require that the decision be not implemented and be referred to the relevant Overview and Scrutiny Committee for scrutiny within a further fifteen working days from receipt of the notice. Any such notice must specify the decision in question, the reason for call-in and be signed by the members concerned. The relevant Chief Officer and all members will be notified of a call-in immediately and no action will be taken to implement the decision until the call-in procedure has been completed. Any meeting to consider a call-in which is adjourned must be reconvened and completed within ten working days, where practically possible. A decision of Cabinet, committee of the Cabinet or individual Cabinet member may be ‘called in’ only once.
- (b) When a matter is referred to an Overview and Scrutiny Committee the Chair of that committee may require the presence of the relevant Cabinet member and any Council officer to answer questions on that matter and may require the production of appropriate documents or reports in the custody of the Council or may call for additional reports.
- (c) If the Overview and Scrutiny Committee disagrees with the decision it may either ask Cabinet to reconsider the decision or refer it to full Council for consideration if it considers that the decision is contrary to the policy framework or not in accordance with the budget. The Chair of the Overview and Scrutiny Committee shall have the opportunity to explain the Committee’s views to the Cabinet or Council as appropriate.
- (d) If the Overview and Scrutiny Committee agrees with the decision the relevant Chief Officer may implement it. In the event of any political group not agreeing with the majority decision of the Overview and Scrutiny Committee it may prepare a written minority report for consideration by Council when the minutes of the Overview and Scrutiny Committee are considered. Any such report must be handed to the Director of Law, HR and Asset Management in accordance with Standing Order 12(2). The Leader of the relevant group or his/her representative will have an opportunity to explain the minority report to the Council and Council may discuss and vote for or against such a report without prejudice to any decision already implemented.
- (e) In considering any matter called in the Overview and Scrutiny Committee shall have regard to the call-in Guidelines at Appendix 2 to the Constitution.

Appendix 2

Scrutiny Programme Board – Terms of Reference

The Scrutiny Programme Board will:

- (i) approve and co-ordinate the work programme for the five themed overview and scrutiny committees including resolving any conflict between such committees;
- (ii) allocate work to (or remove work from) any of the five overview and scrutiny Committees
- (iii) review or scrutinise decisions made or other actions taken in relation to any executive functions, particularly (but not exclusively) in relation to crosscutting issues or matters not within the terms of reference of any of the five themed overview and scrutiny committees.
- (iv) consider any call-in notices in relation to any executive functions and determine such notices or allocate them to one or more of the five themed overview and scrutiny committees as it considers most appropriate.
- (v) be responsible for the development and monitoring of an annual scrutiny work programme;
- (vi) undertake scrutiny in its own right with regard to cross-cutting or strategic issues not covered by other overview and scrutiny committees;
- (vii) identify and share good scrutiny practice across all overview and scrutiny committees.

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WIRRAL COUNCIL

SCRUTINY PROGRAMME BOARD - 3 JUNE 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

IMPLEMENTATION OF THE PETITION SCHEME IN WIRRAL

EXECUTIVE SUMMARY

The Council at its meeting on 19 April 2010 approved a Petition Scheme in accordance with the requirement of the Local Democracy, Economic Development and Construction Act 2009. This Scheme has now been attached as an addendum to the Council's Constitution and is also attached as an **Annex** to this report. This report sets out the role for Overview and Scrutiny Committees and the Scrutiny Programme Board in this new Scheme and informs of arrangements being made for the Council to receive petitions electronically.

1. Background

- 1.1 The Local Democracy, Economic Development and Construction Act 2009 Commencement Order No.3 was issued on 19 March 2010, bringing into force the requirement for the Council to have a Scheme for Petitions in place by 15 June 2010 and a facility for making petitions in electronic form to the Council by 15 December 2010.
- 1.2 Signing a petition is one way for citizens to express their concerns and priorities to the Council. The Citizenship Survey (2007-2008) showed that petitions were the most popular and recognised form of civic action. Some councils already had well developed processes for responding to petitions and approached them as an opportunity to listen to the community and demonstrate local leadership.
- 1.3 The Department for Communities and Local Government examined all local authority websites in April 2008, and found that only one in five councils made details about how to submit a petition publicly available. In a climate where only 39% of people felt they could influence decisions in their local area and in some areas 48% felt that their council kept them well informed about the services it provided it was considered essential that people could easily find out how to send their views about public services to local decision makers. The 2009 Act makes significant steps towards addressing this.

2. Issues

- 2.1 The Scheme for Petitions applies to petitions which:
 - (a) request the Council to take, or cease to take action described in the petition;
 - (b) are signed by a requisite number of people living, working or studying in the Borough (see paragraph 2.2 below);
 - (c) are not a requirement of other legislation, for example a petition for an Elected Mayor; and
 - (d) are submitted using the Council's e-petition facility which must be available by 15 December 2010 (see paragraph 6.1 below).
- 2.2 The Scheme sets no threshold on the number of signatures required to request the Council to take action, so making it responsive to local issues, as well as bigger issues

affecting the whole Borough. The Scheme provides for petitions with 1500 or more signatures to trigger a debate by the Council. 750 signatures are required to mandate a senior officer to give evidence at a public meeting of an Overview and Scrutiny Committee or the Scrutiny Programme Board.

- 2.3 The statutory instrument makes it clear that planning and licensing decisions are to be excluded, as are matters where there is another appeal (e.g. Council tax banding). However these matters will not be excluded if the petition relates to a systematic failure in service provision. The Council may receive petitions in relation to planning and licensing and set out how these will be dealt with outside of the requirements of the new duty.
- 2.4 The consideration of petitions may also be refused if the issue is the subject of legal proceedings; relates to individual members of the community or are excluded matters. Excluded matters are set out in The Local Authorities (Petitions) (England) Order 2010 as:-
- Any matter relating to a planning decision;
 - Any matter relating to a licensing decision;
 - Any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment.
- 2.5 Petitions that are specifically covered in other legislation are also excluded from the duty and the Council's scheme. Such petitions will continue to be dealt with under the provisions of the appropriate legislation.
- 2.6 In responding to petitions, the Council will be required to be proportionate to the seriousness of the issue raised.
- 2.7 Should a petition call for an action that is contrary to Council policy, then it will be sufficient to refuse the request providing that an explanation is given. Vexatious petitions may be refused under the Scheme. It is recommended that the same criteria be used as that in guidance for dealing with freedom of information requests.

3.0 Actions to be taken when a Petition is Received

- 3.1 When a petition is received, the scheme provides for:-
- Attendance by the officer at the relevant Overview and Scrutiny Committee or the Scrutiny Programme Board to ask questions and
 - The petitioner to receive any report/recommendations made by the relevant Overview and Scrutiny Committee or the Scrutiny Programme Board.
- 3.2 Among the possible steps which the Council may choose to take in response to a petition are the following:-
- Taking the action requested
 - Considering the petition at Council
 - Holding an enquiry
 - Holding a public meeting
 - Commissioning research
 - A written response setting out the Council's view on the issue

- Referring the matter to the relevant Overview and Scrutiny Committee or the Scrutiny Programme Board

4.0 Review by Overview and Scrutiny

- 4.1 Petition organisers who are dissatisfied with the Council's response can ask for a review to an Overview and Scrutiny Committee or the Scrutiny Programme Board, which will be required to determine whether the action agreed by the Council in response to the petition is adequate.
- 4.2 The Overview and Scrutiny meeting will be held in public and the organiser of the petition must be invited unless confidential information would be revealed. Notification of the meeting and any report or recommendations arising from it must be communicated to the organiser and placed on the Council's website.
- 4.3 If the relevant Overview and Scrutiny Committee or the Scrutiny Programme Board is of the view that the Council's response is inadequate, having regard to the possible responses and matters of proportionality, it may use its existing powers to conduct its own review of the issue under the Local Government Act 2000.
- 4.4 If the relevant Overview and Scrutiny Committee or the Scrutiny Programme Board is of the opinion that the Council has seriously neglected its responsibility to listen to the local community in its response to the petition, it may refer the matter to full Council to review. The outcome of that review will be communicated to the petition organiser and appear on the Council's website.

5.0 Implications

- 5.1 Procedurally, the Council will need to make a number of changes to its Constitution. The Council Procedural Rules - Standing Orders will need to be amended to comply with the duty. Amendments will also be required to Overview and Scrutiny Procedure Rules.
- 5.2 One of the potential responses to any petition received is for the Council or Cabinet to refer it for consideration by the Overview and Scrutiny process. As the Council will have a duty to respond to the concerns expressed by the petition, an Overview and Scrutiny Committee or the Scrutiny Programme Board will have little option but to consider it, which could have significant workload implications and be detrimental to planned work programmes.

6.0 E-Petitions

- 6.1 To facilitate the Council's requirement to accept e-petitions it will use its existing Modern.gov system to receive petitions in electronic form. This is part of the Modern.gov system's functionality and consequently there will be no additional cost to the Council for the e-petition facility. A demonstration and appropriate training will be provided for Committee Officers in the summer and it is intended that the mechanism to accept e-petitions will be live, in advance of the requirement coming into force 15 December 2010.
- 6.2 The Scheme for Petitions allows all residents of the Borough to submit a petition, requiring the Council to consider and take appropriate action on the request, whether in paper or electronic form. As 'paper' petitions are still acceptable, persons without

access to the internet are not precluded from organising, signing, or submitting a petition.

7.0 Conclusion

7.1 There are no direct financial implications identified at this stage with the implementation of the Scheme. It is unlikely that there will be significant costs associated with the introduction of e-petitioning as the current Council web-site is capable of hosting this facility. Costs may arise from administration of the Scheme, but this will be dependant on the volume of new administration generated by the duty and scheme.

8.0 Recommendations: That

- (1) the implications of the Petition Scheme to the Overview and Scrutiny function be noted; and
- (2) Council be recommended to amend its Constitution to ensure the implementation and smooth running of the Scheme.

WIRRAL BOROUGH COUNCIL - PETITION SCHEME

INTRODUCTION

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:

The Director of Law, HR and Asset Management, Town Hall, Brighton Street, Wallasey, Wirral, Merseyside. CH44 8ED

Or be created, signed and submitted on line (when this facility is available).

Petitions can also be presented to a meeting of the Council. These meetings are all scheduled at the beginning of the Municipal Year in May. Dates and times can be found at www.wirral.gov.uk/my-services/council-and-democracy

If you would like to present your petition to the Council, or would like your Councillor to present it on your behalf, please contact the Council's Democratic Services Manager, Shirley Hudspeth (Tel no. 0151 691 8559 email: shirleyhudspeth@wirral.gov.uk) at least five clear working days before the meeting and she will talk you through the process.

WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?

Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners would like the Council to take.
- The name, address and signature of any person supporting the petition. Petitions should be accompanied by contact details, including an address for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the Council's website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case we will write to you to explain the reasons.

WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

We will send an acknowledgement to the petition organiser within 10 working days of receiving the petition. It will let him/her know what we plan to do with the petition and when he/she can expect to hear from us again. It will also be published on our website. If the Council can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgement will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal such as Council Tax banding and non domestic rates, other procedures apply. If you require information on any of these matters you should in the first instance contact Shirley Hudspeth (Tel no. 0151 691 8559 email: shirleyhudspeth@wirral.gov.uk).

We will not take any action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (with personal details removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed unless you request it.

HOW WILL THE COUNCIL RESPOND TO PETITIONS?

Our response to a petition will depend on what a petition asks for and how many people have signed it but may include one or more of the following:-

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Holding an enquiry into the matter
- Undertaking research into the matter
- Holding a public meeting
- Holding a consultation
- Holding a meeting with petitioners
- Referring the petition for consideration by the relevant Council * Overview and Scrutiny Committee or the **Scrutiny Programme Board
- Writing to the petition organiser setting out our views about the request in question

* Overview and Scrutiny Committees are Committees of Councillors who are responsible for scrutinising the work of the Council – in other words they have the power to hold the Council's decision makers to account.

** The Scrutiny Programme Board is made up of Councillors including the Chairs of all the Overview and Scrutiny Committees. They have the power to hold Council decision makers

to account where the issue is within the remit of more than one Overview and Scrutiny Committee.

In addition to these steps the Council will consider other specific actions it may be able to take on the issues highlighted in a petition. If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will aim to make representations on behalf of the community to the relevant body. The Council works with a large number of local partners www.wirral-lsp.org and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this for you. You can find more information on the services for which the Council is responsible here www.wirral.gov.uk/my-services

If your petition is about something that another Council is responsible for, we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event we will always notify you of the action we have taken.

FULL COUNCIL DEBATES

If a petition contains more than 1,500 signatures it will be debated by the full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. The Council may decide to take the action the petition requests, or not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Committee. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

OFFICER EVIDENCE

Your petition may ask for a senior Council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example your petition may ask a senior Council officer to explain progress on an issue or to explain the advice given to elected Members to enable them to make a particular decision.

If your petition contains at least 750 signatures the relevant senior officer will give evidence at a public meeting of the relevant Overview and Scrutiny Committee. If the subject matter of the petition falls within the remit of more than one Overview and Scrutiny Committee, the senior officer will give evidence at a public meeting of the Council's Scrutiny Programme Board. A list of the senior staff that can be called to give evidence can be found here

www.wirralexecutiverecruitment.com/sections/about_the_council/organisational_structure_mme.

You should be aware that the Overview and Scrutiny Committee or the Scrutiny Board may decide that it would be more appropriate for another officer on that list to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. Committee Members will ask the questions at this meeting but you will be able to suggest questions to the Chair of the Overview and Scrutiny Committee/Scrutiny

Programme Board by contacting Committee Services committeeservices@wirral.gov.uk up to five clear working days before the meeting.

E-PETITIONS

The Council welcomes e-petitions which are created and submitted through our website (when the on-line facility is implemented). E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide us with their name, postal address, post code and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

When you create an e-petition, it may take 10 working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. However, we will make every effort to ensure that your petition is published as soon as possible. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain why. You will be able to change and re-submit your petition if you wish. If you do not do this within 14 days, a summary of the petition and the reason why it has not been accepted will be published under the "Rejected Petitions" section of the website.

When an e-petition has closed for signature, it will automatically be submitted to the Democratic Services Manager. In the same way as a paper petition you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the Council please contact the Democratic Services Manager (details above) within five days of the petition closing. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgement and response will also be published on this website.

HOW DO I SIGN AN E-PETITION?

You can see all the e-petitions currently available for signature (when implemented). When you sign an e-petition you will be asked to provide your name, address, post code and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your "signature" will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

WHAT CAN I DO IF I FEEL MY PETITION HAS NOT BEEN DEALT WITH PROPERLY?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's relevant Overview and Scrutiny Committee/Scrutiny Programme Board review the steps that the Council has taken in response to your petition. The Overview and Scrutiny Committee/Scrutiny Programme Board will consider your request within 30 days of receiving it. Should the Overview and Scrutiny Committee/Scrutiny Programme Board determine we have not dealt with your petition

adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendation to the Council and Cabinet and/or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered, the petition organiser will be informed of the results within five working days. The results of the review will also be published on our website.

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WIRRAL BOROUGH COUNCIL

SCRUTINY PROGRAMME BOARD – 3rd JUNE 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

ANNUAL SCRUTINY REPORT 2009 / 10

EXECUTIVE SUMMARY

This report updates members on the proposal to produce an Annual Scrutiny Report for the municipal year of 2009 / 10. The production of the Annual Scrutiny Report should be member-led. Therefore, members have the opportunity to make suggestions regarding the format and content of the report which has yet to be produced.

1. Background

- 1.1 An Annual Scrutiny report should be produced by every local authority for each municipal year. The report will provide an overview of the work carried out and the achievements recorded by the Scrutiny Programme Board and the five Overview and Scrutiny Committees. The report also gives an opportunity to highlight the positive aspects that scrutiny has brought to the authority during the 2009 /10 municipal year.

2. Proposal for the 2009 / 10 report

- 2.1 It is proposed that the Annual Report for 2009 / 10 will be produced during the summer period. The report will cover the period from May 2009 until April 2010.
- 2.2 The equivalent report that was produced for the municipal year 2008 / 9 is attached as Appendix 1. Members are requested to comment on whether the format and content for the 2009 / 10 report should be similar to previous versions or whether they would like to suggest an alternative approach.
- 2.3 During the production of the previous Annual Scrutiny Reports, the Committee Chairs have been responsible for agreeing the content of the section for the respective Scrutiny Committee. Members are requested to comment on whether they support a similar process this year.
- 2.4 A draft version of the report will be presented to a meeting of the Scrutiny Programme Board later in the year.

3 Financial implications

None

4 Staffing implications

None

5 Equal Opportunities implications

None

- 6 Community Safety implications**
None
- 7 Local Agenda 21 implications**
None
- 8 Planning implications**
None
- 9 Anti-poverty implications**
None
- 10 Human Rights implications**
None
- 11 Social Inclusion implications**
None
- 12 Local Member Support implications**
None
- 13 Background Papers**
None

RECOMMENDATIONS

- (1) That the Scrutiny Programme Board comment on the format and content of the proposed Annual Scrutiny Report for the municipal year of 2009 / 10.

ANNUAL SCRUTINY REPORT

2008 - 2009



**A SUMMARY OF THE ACHIEVEMENTS OF WIRRAL BOROUGH
COUNCIL'S SCRUTINY COMMITTEES DURING THE MUNICIPAL YEAR
OF 2008 - 2009**

WIRRAL BOROUGH COUNCIL
ANNUAL SCRUTINY REPORT 2008 – 2009

FINAL REPORT

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INTRODUCTION AND OVERVIEW OF PROGRESS

THE YEAR OF 2008 - 2009.....

This report provides an overview of the work carried out and the achievements recorded by the ten Overview and Scrutiny Committees that were in place during the municipal year 2008-9. The report covers the period from May 2008 until April 2009. The following pages contain a section for each of those committees to explain their activities in more detail. As can be seen later in the report, all committees set a work programme, whilst retaining the flexibility to be able to react to the 'unexpected events' during the year.

In addition, the ten Committees were supported by an informal group of the ten Committee chairs – the Scrutiny Chairs' Group - who undertook activities to improve the scrutiny processes across the Council. This Chairs' Group was able to champion a number of issues during the municipal year that would enhance scrutiny arrangements in Wirral:

- The production and adoption of the Scrutiny Handbook and Toolkit were approved by Cabinet in October 2008. These documents have provided a model around which scrutiny work can be developed;
- The implementation of Call-In guidelines has provided a more stable framework around which Call-in meetings can be organised and managed;
- A new process was developed to enable all of the Overview and Scrutiny Committees to more easily manage and monitor their work programmes;
- The first members' questionnaire on scrutiny was conducted in April 2009. The findings and conclusions drawn from the questionnaire have since provided input into the work programme of the new Scrutiny Programme Board;
- A visit to a neighbouring Authority, Warrington, by the Scrutiny Chairs Group enabled members to witness scrutiny arrangements in another Council and to discuss relevant issues with members from another Authority.

It is good to report that the overall impact of scrutiny improved during the year. This can be exemplified by the in-depth reviews that have been undertaken by different committees, involving a larger number of members.

PREPARATIONS FOR 2009 ONWARDS.....

In April 2009, Council agreed to a proposal that the number of Overview and Scrutiny Committees should be reduced from ten to five plus a Scrutiny Programme Board. The reduction in the committee structure will hopefully decrease the number of formal meetings and enable more members to take part in in-depth scrutiny reviews organised by working groups created by the parent Scrutiny Committees.

The role of the Scrutiny Programme Board will be to:

- Monitor the work programmes of the other five Overview and Scrutiny Committees;
- Identify and share good scrutiny practice across all Overview and Scrutiny Committees;
- Undertake scrutiny reviews into issues of a cross-cutting nature, which overlap the remit of two or more of the other five Overview and Scrutiny Committees.

The remit of the remaining five committees mirror the five Strategic Objectives of the Corporate Plan. It is hoped that this organisation will help to focus the priorities of the Overview and Scrutiny Committees on the major priorities of the Council. These five Committees are:

- Children and Young People
- Council Excellence
- Economy and Regeneration
- Health and Wellbeing
- Sustainable Communities

As the number of Committees has been reduced, the number of councillors serving on each Committee increased from seven to ten. This will hopefully enlarge the pool of councillors available to involve themselves in Working Groups undertaking in-depth reviews on specific topics.

CHILDREN'S SERVICES AND LIFELONG LEARNING OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Children's Services and Lifelong Learning.

MAJOR ACTIONS DURING THE YEAR

There were two scrutiny panel reviews for the municipal year 2008/2009.

The first of these in-depth panel reviews (scoping for which took place in the municipal year 2007/2008) was to review the Council's Youth Outreach Services and explore partnership arrangements which were in place, both internally and externally. The work of both the Youth Outreach team and the Community Safety (Anti-Social Behaviour) team were part of the review. Evidence was gathered through interviews with key officers as well as several visits onto the streets with the outreach workers. In addition, visits were made to youth clubs and a voluntary organisation which offered outreach work to young people. The final report was presented and agreed by the committee in November 2008 and recommendations taken to December 2008 Cabinet. An ongoing "update" of progress made on the recommendations contained within the report, will continue throughout 2009/10 municipal year.

The second scrutiny panel review, which was scoped in November 2008, was titled 'Literacy Levels at Key Stage 2'. It was recognised that the 2008 Key Stage 2 SAT results for English (including Reading and Writing) in Wirral were above the national average. There were many examples of good practice in Wirral, which contributed to the attainment of these results. However, there remained a consistent number of children (approx 20%) who do not achieve the "expected" minimum national standard of Level 4 in reading and writing. The review gathered evidence to understand the reasons behind this statistic and identify recommendations to inform future policy development. This extensive review will continue during the 2009/10 municipal year.

Committee members re-launched the scheme of elected member visits to all Local Authority Children's Homes within this municipal year.

In addition to performance, financial and complaints reports, the committee requested and received further reports from officers including the following:

- Informal adult learning;
- Evaluation report on a review, carried out by Lancaster University, on the contact and referral taking process at the Central Advice and Duty Team (CADT);
- Young people not in education, employment or training (NEET) rates;
- Behavioural issues and exclusions;
- Developments in provision for pupils with learning difficulties;
- Provision and support for pupils with behavioural difficulties;
- Wirral Fostering Services;
- Wirral Adoption Services;
- Local Safeguarding.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- The ‘in-depth’ panel reviews have been carried out in a non-party consensual environment.
- The re-launch of members’ visits to the Local Authority Children’s Homes enhances the responsibility of elected members as “Corporate Parents”.
- A number of the recommendations in the Youth Outreach report have subsequently been implemented. One of these recommendations resulted in a change to organisational structure that enabled more efficient use of resources and, consequently, a more effective service.
- The Youth Outreach review illustrated a good example of public participation in scrutiny as the panel members engaged with many young people both on the streets and during visits to youth clubs.
- A Committee debate on the ‘Provision for Pupils with Learning Difficulties and / or Disabilities’ in the Borough provided a good example of public participation in scrutiny. A chair of governors plus two parents (from different schools) played an important role during the debate. The three contributors gave a personal perspective which was reflected in the motion approved by members.
- A young lady who had recent experience of the Complaints system addressed the meeting (accompanied by an officer) to give members a view of the system from her personal perspective. This demonstrated the Committee’s ability to involve service users in their proceedings.



**Councillor Sheila Clarke
Committee Chair
2008-9**

COMMUNITY AND CUSTOMER ENGAGEMENT OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Community and Customer Engagement.

MAJOR ACTIONS DURING THE YEAR

A major strand of the work of this Committee throughout the year was the scrutiny of Wirral Council's attempt to achieve level 3 of the 'Equality Standard for Local Government' (ESLG)

Committee has received other reports including the following:

- Presentation by representatives of the Post Office to explain closure criteria for post office branches
- Housing Benefit and Council Tax Benefit Annual Report
- Customer Services Annual Report for 2007
- The Council's Web Strategy
- Report from the Members' visits to Call Centres
- The work of the One Stop Shops with our Health Partners
- Customer Access Strategy Report
- Scrutiny of proposed budget savings within the remit of the Committee
- Audit commission report on 'Access to Services'
- Freedom of Information (FoI) requests

CONTRIBUTIONS TO IMPROVED SCRUTINY

- The visits to other Customer Call Centres (one operated by another local authority and a second in the private sector) enabled the Committee to establish some valuable benchmarking criteria and learn from the experiences of other organisations.
- By requesting representatives of the Post Office to attend a meeting to explain their criteria for branch closures and explore ideas for closer working in the future, the Committee demonstrated a desire to engage with an important partner organisation and also to fulfil its role in acting “as the voice of residents”.
- In leading the scrutiny work on the ‘Equality Standard for Local Government’ the Committee was able to encourage greater member participation in Wirral’s Equality and Diversity agenda. This was achieved over a series of meetings, workshops and a training session. This scrutiny work has helped the Council to subsequently achieve Level 3 status for the ‘Equality Standard for Local Government’.



**Councillor Chris Meaden
Committee Chair
2008-9**

CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Corporate Services.

MAJOR ACTIONS DURING THE YEAR

The committee agreed the following be added to the work programme for 2008-9:

- Human Resources, to include recruitment, retention and early retirements;
- Progress update on the previously reported new methodologies of reporting sickness and the trial of the employee assistance plan;
- Asset management review submitted to each committee meeting with a list of assets sold month by month;
- Planned maintenance; and
- Emergency planning and resilience.

In addition the committee received presentations and reports on:

- Liscard Hall;
- Managing workforce change;
- Update on Coroner's Budgets;
- Funding of the council's legal service;
- Office accommodation costs (Asset management)

Two extra meetings were called regarding The Strategic Asset Review. Also a further extra meeting was held specifically to consider 2 issues:

- The Regulation of Investigatory Powers Act; and
- Buildings maintenance.

There were two "call-in" meetings held in 2008/09 to deal with:

- the land at The Warrens and its proposed future use; and
- Asset Management

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee. This work included the scrutiny of proposed budget savings.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- Public consultation was carried out on those issues which have been raised by members of the public on issues within the remit of the Committee.



**Councillor Leah Fraser
Committee Chair
2008-9**

CULTURE, TOURISM AND LEISURE OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Culture, Tourism and Leisure.

MAJOR ACTIONS DURING THE YEAR

Cultural Services in Wirral underpin all strategic objectives of the Council. There are high levels of customer satisfaction which the Council provide, however there is a continuing deterioration of buildings in which the services are provided. It is the committee's wish to maintain and if possible improve services provided. The Chair requested that the committee members were kept informed of all tourism and leisure events across Wirral.

The following items were added to the work programme for 2008-09:

- Maintenance of children's play areas;
- Allotments;
- Charging policy for sporting facilities;
- A review Dog Control Orders (especially regarding beaches during summer months);
- Progress reports on the tourism element of the Destination Marketing Office;
- Warrens Nursery Site;
- Progress of Floral Pavilion scheme.

A petition was received, regarding cyclists travelling at excessive speeds along the Wirral Way. Members noted the difficulties in enforcing the code of conduct and it was considered that education of the potential risk to all users was the preferred option in response to competing demands of walkers and a small minority of inconsiderate cyclists.

A major report, the "Strategic Development Plan for Leisure and Culture Services" together with the report of the Chief Executive "Delivering the Strategic Asset Review" was the subject of a special meeting held in December 2008 and a further special meeting in February 2009. The Committee noted that this important issue would need a period of consultation. The Committee urged members of the public to take full advantage of this period to express their views.

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- Public consultation was carried out on those issues which have been raised by members of the public through the production of petitions on issues within the remit of the Committee.



**Councillor John Hale
Committee Chair
2008-9**

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Environment.

MAJOR ACTIONS DURING THE YEAR

Committee has received reports including the following:

- Review of the draft policy on the use of plastic bags in Wirral
- Presentations from Wirral's Annual Children's Parliament on the Environment
- Progress reports on reducing the Council's carbon footprint
- Scrutiny of proposed budget savings within the remit of the Committee
- Disposal of Clinical Waste – An update on the proposed Sharps Waste Collection in Wirral
- Community Engagement towards Waste and Recycling Policies
- Tackling dog fouling
- Second annual review of the environmental streetscene services contract
- Recycling and Waste Minimisation Action Plan
- Energy Awareness Raising Programme
- Wirral Healthier Takeaway project
- Prevention of the sale of age restricted products
- Wirral Waste water treatment works
- Fly tipping and enforcement
- Health and Safety Enforcement Activity
- The role of trading standards in supporting the national enforcement priority of Fair Trading

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee. This work included the scrutiny of proposed budget savings.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- The Committee focused repeatedly on the related issues of recycling, waste minimisation and carbon footprint throughout the municipal year. The scrutiny of these issues, some of which were pre-decision, enabled wider understanding and support for policies.
- The proposed draft policy on the use of plastic bags in Wirral was debated prior to a Cabinet decision. This was a good example of pre-determination scrutiny.

- The presentations from the Annual Children's Parliament on the Environment involved local primary and secondary schools with the Overview and Scrutiny Committee. The presentations, which focused on the relative merits of Fair Trade and food miles provided a good example of scrutiny engaging positively with the community.
- The investigation of Wirral's Waste Water Treatment illustrates the Committee's willingness to engage with partner organisations; in this case, United Utilities who agreed to attend a meeting to discuss issues arising from odour problems experienced by residents.



Councillor Denise Roberts
Committee Chair
2008-9

FINANCE AND BEST VALUE OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Finance and Best Value.

MAJOR ACTIONS DURING THE YEAR

At the outset of the municipal year, the members determined that the Committee's Work Programme for 2008/9 would relate to:

1. Monitoring the current position of the Authority revenue accounts and General Fund balances by way of a regular spreadsheet;
2. Consideration of reports and action plans to improve the Authority's CPA score and Use of Resources Assessment;
3. Consideration of reports in relation to any areas of the budget that are causing concern or any other matters that may have an adverse effect on the Council's budget;
4. Consideration of reports in relation to the achievement of savings targets.

Committee has received reports including the following:

- Regular updates of the Financial Monitoring Statement
- Projected Budgets 2009-11
- Corporate Risk and Insurance Management
- CPA 2008 – Use of Resources
- Housing and Council Tax Benefits - Annual Report
- Transforming Adult Social Services – Achieving a Stabilised and Sustainable Budget
- Updates on progress on the Use of Resources Action Plan
- Consistent Monitoring of the Change Programme 2008-9
- Update on the Medium-term Financial Strategy
- Update on the Information and Communication Technologies (ICT) Strategy for 2008-11
- Scrutiny of proposed budget savings within the remit of the Committee
- Corporate Procurement Strategy 2008-11
- Comprehensive Area Assessment (CAA) - Use of resources 2009
- Strategic Asset Review – special meeting

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee.

The Committee also held special meetings to study the assumptions underpinning the proposed Strategic Asset Review. The Committee sought specific answers on the costings and the savings put forward. Questions were raised on the treatment of capital and maintenance expenditure. Alternative suggestions on the use of capital investment were put forward for further consideration by Cabinet.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- The Committee undertook detailed scrutiny of ‘Transformation of Adult Social Services’ and a projected overspend in the budget of Adult Social Services over several meetings throughout the municipal year. The Committee sought assurances regarding budget monitoring in Adult Social Services, the achievement of predicted savings and the managerial and systems capacity to deliver those savings. By selecting this one important area to persistently scrutinise, the Committee demonstrated independence and delivered all-party scrutiny.



**Councillor Phil Gilchrist
Committee Chair
2008-9**

HOUSING AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Housing and Community Safety.

MAJOR ACTIONS DURING THE YEAR

Committee has received reports including the following:

- Review of Stock Transfer Monitoring Reports
- Operation of the Council's CCTV Control Room
- Review of Section 17 of the Crime and Disorder Act 1998 and the impact on Development Control. The introduction of Crime Impact statements was endorsed.
- Progress reviews on the Housing Market Renewal Initiative (HMRI)
- Update on the use of Section 30 Dispersal Orders, Closure Orders and Anti-Social Behaviour Watch Schemes in Wirral
- Policing in Wirral – A presentation by Wirral Area Commander, Chief superintendent Jon Ward
- Wirral Family Intervention Project – 'One Year On' Update
- Scrutiny of proposed budget savings
- Monitoring of the Empty Property Strategy
- Review of Wirral Partnership Homes Advertising and Allocations Policy
- Scrutiny of plans developed by Wirral Partnership Homes for Sheltered Accommodation and Tower Blocks
- Update on Rough sleepers and street drinkers in Wirral

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee.

The Committee reviewed the "Proposed amendments to the Constitution of Wirral Partnership Homes" following the Call-In of the Cabinet decision in September 2008. The original Cabinet decision was supported.

A joint meeting of Housing & Community Safety and Regeneration & Planning Strategy Overview and Scrutiny Committees was held in November 2008 to review the interaction of planning and housing policies in the borough. In particular, the meeting scrutinised Section 106 policy, the Housing Restraint Policy and provision of affordable housing. The meeting agreed that the use of Section 106 agreements in the short-term was limited due to the economic downturn. However, it was agreed to review the issue again in the future.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- “A community voice” is heard by ensuring that two representatives of Wirral Federation of Tenants and Residents Associations are members of this Scrutiny Committee.
- The joint scrutiny of the interaction of planning and housing policies in the borough undertaken with the Regeneration & Planning Strategy Overview & Scrutiny Committee demonstrated a willingness of two different committees to work together on an issue of joint interest. This work helped to ensure that a Section 106 officer was appointed in order that the Council can maximise planning opportunities in the future.
- The attendance of senior managers from Wirral Partnership Homes to discuss proposals for the Tower Blocks and Sheltered Accommodation in the borough is a good example of partner scrutiny; in this case, a key social landlord in the borough.
- The review of Section 17 of the Crime and Disorder Act 1998 by the Scrutiny Committee resulted in a process being implemented to ensure that all planning applications are subject to Section 17 legislation.



**Councillor Alan Taylor
Committee Chair
2008-9**

REGENERATION AND PLANNING STRATEGY OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Regeneration and Planning Strategy.

MAJOR ACTIONS DURING THE YEAR

The Committee resolved that the following topics be included on the work programme for 2008/09 municipal year:

- Working Neighbourhoods Funds – in order to ascertain how the Council could ensure that economic and employment benefits were achieved from the Working Wirral Initiative.
- “aftercare” of companies within the area;
- Consideration of the most appropriate location for Development Control within the Council’s management structure; and
- That performance monitoring reports be considered on a quarterly basis.

The committee reviewed the commissioning process for the appointment of consultants to provide evidence bases for the following:

- Biodiversity Audit, Local sites selection criteria and guidelines;
- Strategy for Town Centres, Retail and Commercial Leisure;
- Landscape Assessment and visual Appraisal.

The findings of these evidence base studies would be used to inform the preparation of the Core Strategy Development Plan, as part of the emerging Local Development Framework.

In November 2008 the Chair invited The Housing and Community Safety OSC to a Housing Policy presentation item in order that an examination of issues relating to affordable housing and the potential use of Section 106 Legal Agreements be discussed. The presentations were structured to provide members with information on current government planning and housing policies, the implications for Wirral, and actions to address these changes.

The Committee also heard how the Invest Wirral team was developing a cluster based approach to all its activities. A request was agreed that issues arising from the cluster group meetings be presented to the committee on an ongoing basis.

The economic downturn and its impact on Wirral were considered in depth and therefore the Committee agreed that this important issue be a standing item on future agendas.

Other issues presented and discussed included:

- An endorsement request from The Church of England on an amalgamation of two parishes, with a disposal of a parish church to the Roman Catholic Church;

- Conservation area appraisals and management plans.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- The Committee provides a “sounding board” for major proposed developments within the Regeneration portfolio.
- The joint scrutiny of the interaction of planning and housing policies in the borough undertaken with the Housing & Community Safety Overview & Scrutiny Committee demonstrated a willingness of two different committees to work together on an issue of joint interest.



**Councillor Simon Mountney
Committee Chair
2008-9**

SOCIAL CARE, HEALTH AND INCLUSION OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Social Care Health and Inclusion. The local health services and the NHS are also scrutinised by this committee.

MAJOR ACTIONS DURING THE YEAR

The final report of the Hospital Discharge Scrutiny Review Panel was approved by the Committee in March 2009. The panel consisted of three councillors plus a representative of Wirral Older People's Parliament. The review had focussed on an assessment of the 'patient experience' of people aged sixty and over. Evidence was gathered from a variety of sources including:

- Three Focus groups of patients, which were organised by an independent social research company and funded by the PCT;
- 'Interviews' with individual officers from Wirral NHS (PCT), Wirral University Teaching Hospital and the Department of Adult Social Services at Wirral Council;
- Results of a survey undertaken by Wirral Older People's Parliament;
- Visits to Arrowe Park Hospital, including the Discharge Lounge and a Rehabilitation ward;
- Meetings with representatives of four different groups in the voluntary sector;

The report contained fifteen recommendations, to which a joint response from Wirral University Teaching Hospital, Wirral NHS (PCT) and the Department of Adult Social Services has been made to the committee. Subsequent reports to the Committee continue to monitor the implementation of the recommendation through the Wirral NHS Hospital Discharge Action Plan.

A series of reports throughout the municipal year have monitored progress of the 'Transformation' agenda for Adult Social Care in Wirral. The aim is to provide a personalised, integrated and localised service. The role of the Scrutiny Committee has been to challenge the proposals on behalf of residents.

In addition, Committee has received reports including the following:

- Year-end Performance Monitoring Report April 2007 – March 2008
- Annual Complaints report
- Presentation on re-admissions to hospital by Wirral University Teaching Hospital
- Update on Local Involvement Networks (LINKS)
- Wirral Respond and Convey Pilot Mid-project review report by North West Ambulance Service
- Occupational Therapy
- Safeguarding Adults Annual report
- IDEa Healthy Communities Peer Review
- Individual Budgets and Personal Budgets
- Dementia Services in Wirral
- MRSA – by the Chief Executive of Wirral University Teaching Hospital
- Access to healthcare for people with learning disabilities
- Review of meals on wheels contract

- ‘Safe Sensible Social’ – Consultation on the national alcohol strategy
- Progress on the Health Inequalities agenda in Wirral
- Transition from Children to Adult Social Services
- Annual Performance Assessment of the Commission for Social Care Inspection
- A Joint response to extreme winter pressures on Wirral Social Care and Health economy
- Annual Health Check 2008/9
- A series of consultations regarding proposals from Wirral NHS including:
 - Proposed modernisation and development of primary care facilities in Wirral
 - Outcomes of the proposal to relocate Cavendish Medical Centre and Miriam Medical Centre
 - A Primary Care Access Centre for Wirral based at Arrowe Park
 - Improvements in Cancer Services in Cheshire and Merseyside through the development of new radiotherapy services
 - Dental Services in Bromborough
 - GP premises in Heswall
 - Redevelopment of St Catherine’s hospital site to include the relocation of Devaney Medical centre and Victoria Park Health Centre

The Committee reviewed the “Progress towards the Transformation of Adult Social Services” following the Call-In of the Cabinet decision in December 2008. The Committee also reviewed the “Fees for residential and Nursing Homes” following the Call-In of the Cabinet decision in April 2009.

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee.

An extremely helpful workshop for members was arranged as part of the Health Scrutiny Support Programme operated by the Centre for Public Scrutiny (cps). This half-day training session had the theme of ‘making informed and influential recommendations’ and used the Hospital Discharge scrutiny review as a template to illustrate general concepts.

During the year, a member of the Overview and Scrutiny Committee was appointed as Wirral’s first Carers’ Champion, enhancing the relationship with the community.

Six members of Wirral Council are also members of the Cheshire and Wirral Councils’ Joint Scrutiny Committee which scrutinises the mental health services delivered across the area by the Cheshire and Wirral Partnership NHS Foundation Trust.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- Scrutiny of partners has been embraced through the constructive work undertaken with Wirral NHS (PCT) and Wirral University Hospital Trust, many examples of which exist, not least, the response by the partners to the Hospital Discharge Scrutiny review. A further example includes the joint response to extreme winter pressures on the Wirral Social Care and Health economy, which again demonstrates excellent joint working between the health and social care partners including the Scrutiny Committee.
- The contribution to the scrutiny process by the Committee has been widened by including a representative from the Older Peoples Parliament as a co-opted member of the Committee and as a member of the Hospital Discharge Scrutiny Panel.

- The Hospital Discharge review encouraged the direct involvement of the public as the panel researched views of “the patient’s experience” of the service. This was achieved through the focus groups and survey, as well as through contact with voluntary groups in Wirral.
- As part of the developing relationship between the Scrutiny Committee and Wirral LINKS, a member of Wirral LINKS was also invited to be a co-opted member of the Overview and Scrutiny Committee. The Chair of Wirral LINK subsequently took up this role.
- An interesting debate on Individual Budgets was led by a member of the public who is Chair of the local Individual Budgets User Group, demonstrating the Committee’s ability to involve service users in their proceedings.



Councillor Ann Bridson
Committee Chair
2008-9

STREETSCENE AND TRANSPORT SERVICES OVERVIEW AND SCRUTINY COMMITTEE

THE WORK OF THE COMMITTEE:

The Committee reviews the areas of responsibility of the Cabinet Member for Streetscene and Transport Services.

MAJOR ACTIONS DURING THE YEAR

Committee has received reports including the following:

- Consultation on several proposed traffic calming schemes and local safety schemes
- Merseyside Pedestrian Strategy and the associated Action Plan
- Review of Local Transport Capital Programme 2008-9 and 2009-10
- Consider the response to petitions regarding highways and road safety issues
- Response to the Council Notice of Motion: 'Involving people in Making Streets Safer'
- Review of the Highway Structural Maintenance programme 2008-9
- Annual Review of Wirral Council Travel Plan
- Public consultation on proposed gating orders in a variety of locations
- Scrutiny of proposed budget savings within the remit of the Committee
- Review of 2008 Progress Report regarding the Merseyside Local Transport Plan
- Annual Review of Wirral Hospital's Travel Plan
- Flooding – Implications of the Pitt report for Wirral
- Progress report on school travel planning

Performance and Financial Monitoring has been undertaken into those areas within the remit of the Committee.

CONTRIBUTIONS TO IMPROVED SCRUTINY

- Effective public consultation has been ensured regarding a number of specific local issues.
- The Committee, by creating an active officer and member task group to oversee the work on flooding, has ensured that the management of this high-profile issue has member involvement.



**Councillor Harry Smith
Committee Chair
2008-9**

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The future of scrutiny: a conference

Scrutiny practitioners have identified their top priorities for the future development of scrutiny effectiveness. Developing greater awareness and support from executives, managers and partners of the potential role of scrutiny in improving services, and providing more practical support are among the key issues which emerge from this debate. The findings in this report are from The Future of Scrutiny, a conference which took place on 30 October 2009, at the Local Government Association.

The issues highlighted as most important for the future development of scrutiny can be summarised as follows:

Rated as most important (with ten priorities) was the need **to gain greater support and awareness of the potential of scrutiny** from council executives, senior managers, and partner organisations. Examples of the priorities put forward in this area include:

- More buy-in from members and officers – executive and corporate management, and whole organisation
- Building constructive relationships with partners and better understanding of the positive role of scrutiny amongst partners
- Recognition amongst all partners that the challenge of scrutiny can lead to real change

Next in importance (with eight priorities) related to **improved practice in scrutiny**, such as greater focus on outcomes rather than processes, and improved practices by councillors. Examples of the priorities put forward in this area include:

- Demonstrating positive outcomes through scrutiny – getting scrutiny focussed on outcomes rather than processes
- Better skills, knowledge and understanding of the scrutiny powers and processes for officers and members
- Boosting capacity, members and officers, smarter working

After this (with seven priorities) was emphasised the need **to increase resources for scrutiny**, such as more staff, more training and increased budgets. Examples of the priorities put forward in this area include:

- Dedicated scrutiny budget for independent scrutiny team, member development, support for community co-optees and advertising to take on the road
- Dedicated and trained scrutiny officer support
- Accessible support for members, eg succinct guidance, checklists, training, officer support

The last category for change (with five priorities) related to **enhanced powers for scrutiny**, summarised as giving scrutiny 'more teeth'. Examples of the priorities put forward in this area include:

- To give O and S more teeth – refer to higher power (Secretary of State), and power to delay decisions being made
- More statutory backing to need to treat scrutiny seriously
- The idea of community call for action (not councillor call for action) should be brought back

One of the conclusions we can draw from this is that most of the changes the conference delegates wanted, as scrutiny practitioners, are within the control of councils. To enhance the role of scrutiny, council managers and leaders need to have more awareness of its potential to contribute to improvement of the council, and the wider area. At present, people involved in scrutiny do not feel this exists.

Greater attention needs to be given, within the LGA Group and elsewhere, to practical support and skills development for councillors involved in scrutiny. However, there also needs to be emphasis on developing wider engagement with scrutiny from decision-makers within and outside the council. Scrutiny's potential role as an important element of more sector-led arrangements to improvement and innovation needs to be recognised and developed. It would also be helpful to the future of scrutiny for government to help to build awareness among other public services of the role of scrutiny, and ensure their response. This is a more immediate priority than additional legal powers, although these have a role to play too.

Priorities for change

Other issues which were raised in the conference discussion groups give additional information on how to improve and develop local government scrutiny. The views expressed can be summarised as:

“It is most important to improve officer and executive member buy-in.”

Asked what it is most important to improve to make scrutiny more effective, again, officer and executive member understanding of the role of scrutiny is highlighted, alongside some concerns about skills for scrutiny of some elected members and in some cases, the level of commitment of elected members. Also emphasised are work programme issues: choosing the right, most important issues to look at, sometimes expressed as doing less but doing it better.

“Councillors would be more motivated if they could see it making a real difference for people.”

We discussed what would motivate councillors to be more involved in scrutiny. Repeatedly, the view was given that councillors needed to see practical outcomes from scrutiny, and that scrutiny addressed and influenced issues which were of concern to their constituents. Issues were raised here about effective work planning, choosing the right issues, and in particular, seeing impact from recommendations. Taking recommendations from scrutiny seriously emerges as a vital issue to be addressed within councils, if councillors are to be more motivated to engage with scrutiny work.

“We need examples of good practice which could stimulate ideas.”

National organisations (such as the LGA, IDeA, Leadership Centre and Centre for Public Scrutiny) are asked to put their emphasis on practical training. Briefer, succinct information, ‘how to’ guides, examples of good practice were emphasised. Practical skills such as chairing and questioning were mentioned. Raising the awareness of the role scrutiny with executive members, officers and partners was also mentioned as a task for national bodies.

“We need a dedicated scrutiny officer – release her from other duties.”

Resources are always of concern. Delegates considered what would be the top priority if additional resources were available for scrutiny. Additional scrutiny staff, particularly research staff, was most often advocated. The need for better support in district councils was specifically mentioned. In

addition to staffing, there were some issues raised about access to better data, and support for consultation, and some specific activities such as site visits.

“We should be able to compel attendance by wider stakeholders such as utilities.”

Ideas were put forward on the need to enhance legal powers of scrutiny. Most frequently, this concerned extending the requirements on external bodies to co-operate with scrutiny, and this could include organisations which have no current legal requirements to respond to scrutiny such as bus companies, or any organisation spending public money. The importance of a requirement to take part in meetings was mentioned. Having a stronger requirement to respond to recommendations was also advocated.

“I’d like other public services to know we are not there to cause problems but to help improve.”

We also discussed the attitude to council scrutiny which other public services should have. Conference participants emphasised the wish that services should see the potential of scrutiny to add value in the work of improving public services. That scrutiny took a constructive approach and that their input would contribute was frequently emphasised.

About the conference

The joint Local Government Association/Centre for Public Scrutiny conference on the future of scrutiny took place on 30 October 2009. The afternoon of the conference took a participative approach to identifying what changes would be most important to help develop scrutiny and improve its effectiveness. The conference delegates were a mixture of council staff, generally scrutiny staff, councillors, and a few people from organisations which would be scrutinised. The delegates, in ten groups facilitated by scrutiny experts, debated what needed to change to enhance scrutiny effectiveness. Each of ten tables was asked to discuss the future of local government scrutiny and identify their top priorities for change: their three wishes for the future of scrutiny. The information and ideas this generated are summarised above, and listed in greater detail in the appendix. Presentations from the conference are available on the LGA website, under ‘events’.

More information from: Jo Dungey, LGA, jo.dungey@lga.gov.uk, 020 7664 3162

A longer version of this report will be available in January 2010.

APPENDIX: The future of scrutiny

This appendix summarises the ideas and priorities for change put forward by ten discussion groups of scrutiny practitioners at the Future of Scrutiny conference held at the LGA on 30 October 2009.

Top priorities for change

The top three priorities put forward by each the ten groups were as follows:

- Positive experience – constructive outcomes
- Three Ps: prioritised, proportionate, prompt: balanced work programme
- Boosting capacity, members and officers, smarter working

- More buy-in from members and officers – executive and corporate management, and whole organisation
- Dedicated scrutiny budget for independent scrutiny team, member development, support for community co-optees and advertising to take on the road
- To give O and S more teeth – refer to higher power (Secretary of State), and power to delay decisions being made

- Demonstrating positive outcomes through scrutiny – getting scrutiny focussed on outcomes rather than processes
- Building constructive relationships with partners and better understanding of the positive role of scrutiny amongst partners
- Accessible support for members, eg succinct guidance, checklists, training, officer support

- Better skills, knowledge and understanding of the scrutiny powers and processes for officers and members
- Recognition amongst all partners that the challenge of scrutiny can lead to real change
- A higher profile and more teeth (legal) both within the council and externally

- Members should get more training to help them do their job
- The idea of community call for action (not councillor call for action) should be brought back
- Scrutiny needs to be adequately resourced

- More officer support
- Greater value given to scrutiny and recognition of what it can achieve for the council and partners
- More statutory backing to need to treat scrutiny seriously

- Extending the powers – the answer? Goodwill, two tier scrutiny, quality, resources
- Relationship: value added scrutiny, better understanding, profile, training, champions, demonstrating the benefit
- Reducing the burden on effective councillors; scrutiny needs to be effective, career ladder scrutiny; demonstrate it makes a difference, training

- Better understanding of the role of scrutiny, inside and outside the council
- More officers, especially researchers
- Better organisation, understanding of how effective scrutiny of outside bodies works

- Our communities see and understand the value and positive impacts on local service outcomes

- Improve communication between officers, members and the community; scrutiny was seen to make an impact; give scrutiny **more teeth**
- Impact is demonstrated as part of scrutiny's role

- Motivated, non-partisan overview and scrutiny members
- Commitment and engagement of all relevant parties (not political parties) to effective scrutiny
- Dedicated and trained scrutiny officer support

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WIRRAL BOROUGH COUNCIL

SCRUTINY PROGRAMME BOARD – 3rd JUNE 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

THE 2009 ANNUAL SURVEY OF OVERVIEW AND SCRUTINY IN LOCAL GOVERNMENT CONDUCTED BY THE CENTRE FOR PUBLIC SCRUTINY

EXECUTIVE SUMMARY

This report provides an update on the outcomes of the 2009 annual scrutiny survey conducted by the Centre for Public Scrutiny (cfps).

1. Background

- 1.1 The Centre for Public Scrutiny conducts an annual survey of attitudes towards overview and scrutiny in local government. The survey, which has now taken place for seven years, invites participation from those involved in the delivery of scrutiny; both at an officer and a member level.
- 1.2 The 2009 survey was conducted towards the end of last year. In Wirral, the Democratic Services Manager produced an officer response. In addition, the six Chairs of Scrutiny Committees were invited to complete the survey form.
- 1.3 The Centre for Public Scrutiny (cfps) has recently produced a report which details the findings of the 2009 survey. The cfps report, which is attached as Appendix 1, identifies areas which may be considered best practice. Members may like to consider whether there are any examples of good practice in the report which they would like to recommend for use in Wirral.

2. Major findings in the report

- 2.1 Having received at least one response from 75% of all local authorities in England and Wales this year's annual survey of overview and scrutiny is the most representative yet.
- 2.2 The Centre for Public Scrutiny comments that "Given the tough economic climate in local government the headline resource statistics from the survey are likely to be of particular interest to the reader. The picture is very much a mixed one with good news for districts and unitary authorities - who have seen significant rises in discretionary budgets and officer provision – and a concerning if not unanticipated decline in resourcing for other top tier authority types".
- 2.3 The survey asked respondents for views about the perceptions with regard to scrutiny in their local authority. Most scrutineers firmly believe that the scrutiny function adds value in their authority although there is a consensus around the need to build a higher profile with the public. Respondents feel that scrutiny should be free from whipping and receive a ring-fenced budget. There was also agreement that there ought to be a minimum level of training for new scrutiny chairs with the need for more training being a strong theme generally in this year's survey. There has also been a decisive shift towards scrutinising partnerships compared to the previous year.

- 3 Financial implications**
None
- 4 Staffing implications**
None
- 5 Equal Opportunities implications**
None
- 6 Community Safety implications**
None
- 7 Local Agenda 21 implications**
None
- 8 Planning implications**
None
- 9 Anti-poverty implications**
None
- 10 Human Rights implications**
None
- 11 Social Inclusion implications**
None
- 12 Local Member Support implications**
None
- 13 Background Papers**
None

RECOMMENDATIONS

- (1) That the Scrutiny Programme Board note the report

The 2009 annual survey of overview and scrutiny in local government



Introduction

This is a report of the Centre for Public Scrutiny's seventh annual survey of overview and scrutiny in local government. We are very grateful to all the officers and Members who took the time this year to complete the questionnaire.

The scope of the survey has developed since 2003 to provide what is now the most comprehensive national picture of overview and scrutiny available. For some areas of questioning we are now able to provide useful trend information that enables us to chart the development of overview and scrutiny within the context of other changes to the work of local authorities.

We are pleased that this year the rate of responses to the survey has increased to a healthy **75%** of all local authorities in England and Wales. For the second year running we asked respondents to identify whether they are officers or members giving us a much stronger picture of what elected representatives with responsibility for scrutiny are feeling about their role.

In terms of benchmarking information and trends, there have been some modest changes since 2008. The overall average number of scrutiny officer posts per authority has increased slightly, but discretionary budgets for scrutiny have fallen. While not surprising in the financial climate this is of concern given scrutiny's ever-increasing powers and responsibilities.

Our concern is enhanced when this figure is set against other findings from the survey, such as the finding that the two areas of greatest challenge for scrutiny are felt to be scrutiny of partnerships and holding the executive to account, and the fact that public engagement remains an issue, with the number of topics suggested by the public falling. Scrutiny needs to make the case for proper resourcing more strongly, and CfPS will be focusing on this in the coming year to support scrutineers in doing so.

Finally, as with last year we asked for your feedback on the services that CfPS provides. This reinforced the importance that our on-line services such as the library of scrutiny reviews and downloadable publications hold for practitioners, but also a need for us to do more to reach scrutiny elected members who showed much lower awareness of our services. What was really encouraging, however, was the appetite amongst members and officers for training. Scrutineers seem keen to improve their practice and to access development opportunities, and in the coming year we will focus on improving both the reach and quality of the services that we provide.

Report written by Adam Pickering, Research Officer at the Centre for Public Scrutiny

1. Response Rates

The survey was conducted amongst local authorities in England and Wales. Invitations for completion were sent to councillors and officers from local authorities that are registered with the CfPS Scrutiny Champions Network, along with individuals from councils who are directly involved in the scrutiny function and the survey was also available on the CfPS website <http://www.cfps.org.uk/>

A breakdown of the response rate is shown in the table below:

Authority type	Responding authorities # (at least one response)	
County Councils	26 (-1)	
Unitary Authorities	58 (+11)	
Metropolitan Boroughs	21 (-6)	
Welsh Authorities	12 (+2)	
London Boroughs	27 (+7)	
Districts / Boroughs	148 (+4)	
All authorities	293 (+18)	75% (+7%)

The response rate for the 2009 CfPS Annual Survey is 75% of all authorities in England and Wales, which is an improvement of 7% on last year. The absolute number of responses is 630, which represents a fall of 9% on last year's total of 690. This fall in responses could be attributed to the local government reorganisation on April 1st 2009 which saw 35 authorities reorganised into 9 new unitary authorities. As some authorities choose to submit just one response per the total response rate may have suffered as a result of reorganisation.

For the last two years we have asked respondents to our survey to declare their role giving them the choice of "member" or "officer". However, in light of the 2009 Local Democracy, Economic Development and Construction Act which compels top-tier authorities to designate a specific officer who has responsibility for the scrutiny function we felt it would be useful to gain a picture of where professional scrutiny support lies within local authorities.

Role	% of respondents
Councillor	39%
Scrutiny manager / officer	42%
Committee officer	3%
Democratic Services manager / officer	12%
Policy officer	3%
Other (all local authority officers)	2%

2. Committees, meetings and participation

Committees and structure

The average number of committees on an authority is 4 with a range from 1-11. These figures are sustained across most variables. The exception, as might be anticipated, is a low average among district councils (including those which have adopted the “fourth option” for their executive arrangements).

The following table documents the typical committee structures reported to be used for overview and scrutiny over the last four years, showing a gradual trend over time to a less rigid split between “scrutiny” and “overview”.

Committee Structure	2009	2008	2007	2006	2005
Multiple overview and scrutiny committees	69%	64%	65%	54%	59%
One "scrutiny" committee and multiple "overview" ctees	9%	7%	12%	8%	16%
One OSC that commissions time-limited panels	16%	19%	17%	12%	14%
One OSC that does all the work	5%	11%	7%	8%	7%

Number of scrutiny reviews

The average number of scrutiny reviews undertaken, across all authorities, is **5 (5.43)** which is a 5% fall from last year. This slight fall could be attributed to a narrowing in the range of responses from 0-28 in 2008 to **0-22** this year. The table below shows the percentage of councils that told us they had completed a certain number of scrutiny reviews. There is a clear cluster between 2-6 reviews being undertaken by most authorities.

Number of reviews	% authorities	change +/-	Number of reviews	% authorities	change +/-
0	9%	-2%	8	5%	0%
1	6%	1%	9	3%	1%
2	9%	-1%	10	6%	-1%
3	11%	-2%	11	0%	0%
4	12%	3%	12	2%	0%
5	12%	2%	13	2%	2%
6	10%	-4%	14	1%	-1%
7	8%	4%	15	1%	-1%
8	5%	0%	15+	2%	-5%

Committee membership

Across all authorities that responded, the average number of members on an overview and scrutiny committee is **eleven**, which has stayed the same in each of the last 5 CfPS surveys of overview and scrutiny. The numbers ranged from **3-21**, which is narrower than last year.

Non-statutory co-opted members

Across all local authorities each year, the average number of non-statutory co-opted members (i.e. not including parent governor and diocesan representatives in single and upper-tier councils) appointed to overview and scrutiny committees was **2.2**, which is the same figure reported in last year's survey. Over half of all authorities (56%) reported having no non-statutory co-opted members which has also remained relatively stable since last year.

74% of authorities do **not** give these co-opted members of overview and scrutiny committees full voting rights, whilst **26%** of authorities give voting rights to at least some non-statutory co-optees. This is an increase of 6 percentage points on the 2008 results.

Public engagement

The average number of suggestions for scrutiny topics coming from the general public in the last year was **4**, which is the same figure as reported in last year's survey. **45%** of authorities reported having received 0 suggestions for scrutiny which is encouraging when compared with the 55% of authorities who had not received suggestions for scrutiny topics from the public in 2008.

External witnesses

The average number of external witnesses who have attended overview and scrutiny meetings in 2009 was **23**, which is 3 more than in 2008. The range of figures received showed responses from **0** to over **188** which is a significant narrowing from last year which had outliers ranging up to 500. The average value is skewed by a small number of large values meaning that a median of **15** is perhaps more representative. An increased average and a decrease in outlying values points to a consensus that scrutiny should encourage the attendance of external witnesses where necessary but not for the sake of it.

Range	Number of external witnesses
0	7%
1 to 10	38%
11 to 20	23%
21 to 30	15%
31 to 40	2%
41 to 50	7%
51 to 60	1%
60+	7%

As part of the survey, we asked for details of how chair and vice-chair positions were apportioned. Across all authorities, the figures are as follows:

- Authorities giving NO scrutiny chairs to opposition: 44%
- Authorities giving SOME scrutiny chairs to opposition: 37%
- Authorities giving ALL scrutiny chairs to opposition: 19%

There was a general trend this year for executives to distribute fewer chair and vice-chair positions to the opposition with 44% giving no chair positions to the opposition – a rise of 6% on last year.

The table below summarises how chairs are shared according to majority party control.

Chair			
Control	Don't share Chairs	Keep at least one Chair but share others	All Chairs held by other parties
Con	38% (+3)	42% (+2)	20% (-5)
Lab	57% (-13)	29% (+3)	14% (+10)
Lib	37% (+20)	42% (-30)	21% (+10)

Vice Chair			
Control	Don't share VCs	Keep at least one VC but share others	All VCs held by other parties
Con	50% (+5)	32% (-6)	18% (+1)
Lab	38% (-7)	42% (+6)	21% (+3)
Lib	41% (0+/-)	41% (-6)	18% (+6)

There may be a number of reasons why chairing positions are offered or not and accepted or not, so it should be noted that these figures do not necessarily indicate good or bad practice on the part of the controlling group in individual authorities. The principle of sharing chairs according to the political composition of an authority is good practice, and CfPS would encourage controlling groups to offer at least one such position to a minority group. Note that the change from the previous year's figures (2008) is displayed in brackets after the results from 2009.

3. Support for Scrutiny

Support type

The following table documents the types of model by which overview and scrutiny is supported in authorities¹.

Authority Type	Committee Model		Integrated Model		Specialist Model		Other	
	2009%	% change	2009%	% change	2009%	% change	2009%	% change
County Council	17%	2%	4%	-11%	67%	12%	13%	-3%
District Councils	47%	-3%	4%	-3%	41%	5%	8%	0%
London Borough	18%	-5%	5%	5%	68%	-1%	9%	1%
Metropolitan Boroughs	19%	-5%	0%	-6%	67%	8%	14%	2%
Unitary Authorities	26%	2%	9%	0%	61%	-4%	4%	1%
Welsh Authorities	17%	-13%	0%	-10%	75%	15%	8%	8%
All Authorities	33%	-4%	4%	-4%	55%	8%	8%	0%

2009 has seen a rise in the prevalence of the specialist model for scrutiny where scrutiny has a dedicated officer resource. While the specialist model offers increased independence to the scrutiny function we recognise that other models may be more appropriate to the specific circumstances a given authority. For example, resource constraints and opportunities for the sharing of officer resources have led smaller District and Borough councils to favour the Committee model in the past. However, this year there has been a 5% increase in those operating a specialist model of scrutiny amongst District/Borough authorities.

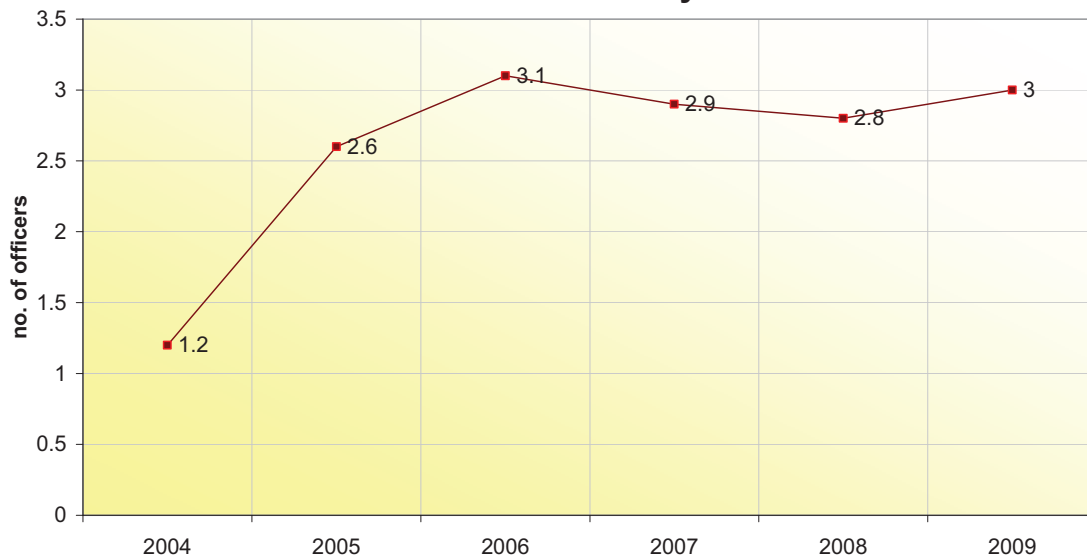
¹ **Committee Model** – where committee officers, who also support other political forums, such as the executive, provide support to the full council and so on.
Integrated Model – where support is provided, on an ad hoc basis, from a variety of sources, including committee services, officers within departments, and corporate policy officers.
Specialist Model - support is provided by a scrutiny support unit with dedicated officers, who only work to the overview and scrutiny function

Scrutiny teams and FTE officers

From the survey, **74%** of authorities had a dedicated scrutiny officer/team, whereas **26%** did not. These figures have stayed stable since last year's survey.

The average number of FTE scrutiny officers for all authorities, including those who have no dedicated support, is **2.29** which represents an increase of 0.21 from last year's survey. Amongst authorities that said they do have a dedicated scrutiny officer/team the average number of FTE officers was **3** which is an increase of 0.2. Plotted on a graph (below) these figures amount to a halt in the decline in officer provision we have seen over the past 3 years. Factors such as new responsibilities for Crime and Disorder scrutiny, dealing with Councillor Call for Action and partnership scrutiny as well as the new requirement for top-tier authorities to have at least one dedicated scrutiny officer (2009 Local Democracy, Economic Development and Construction Act) could have contributed to this positive trend.

Av. Number of FTE Scrutiny Officers in authorities that have a 'dedicated scrutiny officer'



When looking at dedicated scrutiny officer provision in different types of authority some clear trends emerge.

- Firstly, with the exception of Unitary authorities, support in top-tier authorities with a dedicated officer team has declined with the best resourced experiencing the sharpest fall. The decrease of support seen in London Boroughs of one full time officer per authority is particularly concerning. The figures for Unitary authorities may well have been bolstered by the creation of 9 new authorities which may have given

scrutiny greater structural priority in response to recent policy and legislation.

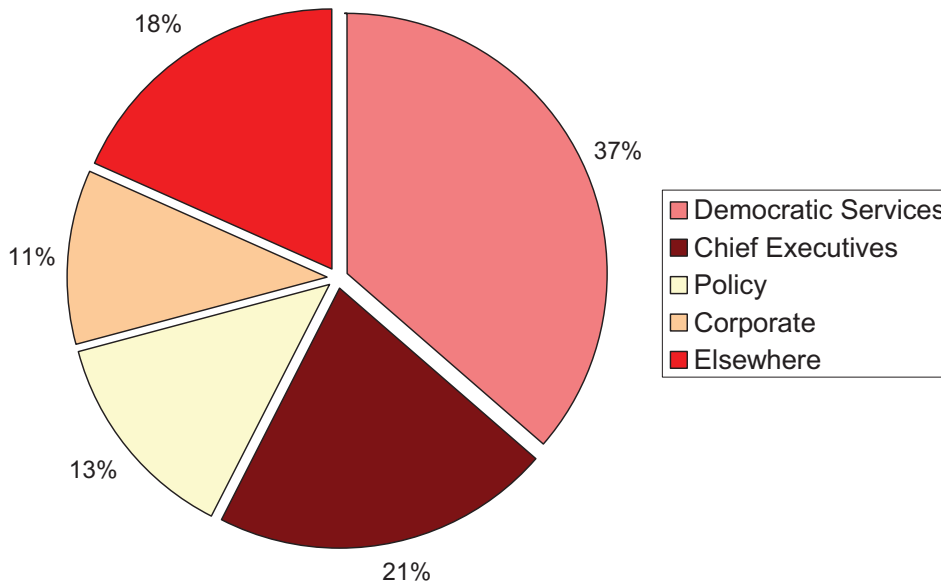
- Secondly, despite the fact that officer resources in top-tier authorities which have a dedicated resource have fallen, when we include authorities which do not have a dedicated officer resource in the average the picture changes. Metropolitan Boroughs, Welsh authorities and County Councils all saw an overall increase in support but a decline in authorities which had a dedicated team. This could be explained by the fact that more top-tier authorities have chosen to have dedicated officer support for scrutiny (perhaps because of LDEDC 2009) but that levels of support amongst these authorities is relatively low.
- Thirdly, there are fewer District/Borough authorities with a dedicated officer provision bringing the overall average down by 0.5 to **0.89**, reflecting the pressure on resources in smaller councils. However, in second tier-authorities which do have a dedicated officer the figure rose by 0.1 from last year officers to **1.5**.

Authority Type	Ave # (of those who have a dedicated officer)	Change in officers (+/-)	Ave # (including authorities with no dedicated officer)	Change in officers (+/-)
County Councils	4.3	-0.5	3.79	0.01
Unitary authorities	3.6	0.3	2.88	0.17
Met Boroughs	4.1	-0.4	3.74	0.06
Welsh authorities	4	-0.3	3.69	0.24
London Boroughs	4.3	-1	3.93	-0.89
District/Boroughs	1.5	0.1	0.89	-0.05
All authorities	3	0.2	2.29	0.21
Excl. District/Boroughs	4	-0.2	3.46	-0.2

Location of scrutiny support within the council

This year, the survey repeated a question to identify what department scrutiny officers or teams are located within. There were a variety of responses, but the most popular location for scrutiny support was within the Democratic Services department which accounted for **37%** of responses. However, this represents a **9%** fall from last year which is shared between the other areas quite equally. Other popular departments for scrutiny support were the Chief Executive's office (which has grown by **4%** to account for **21%** of authorities), Policy and Performance (up **7%** to **13%** of total) and Corporate Services (up **4%** to **11%**).

Location of scrutiny support

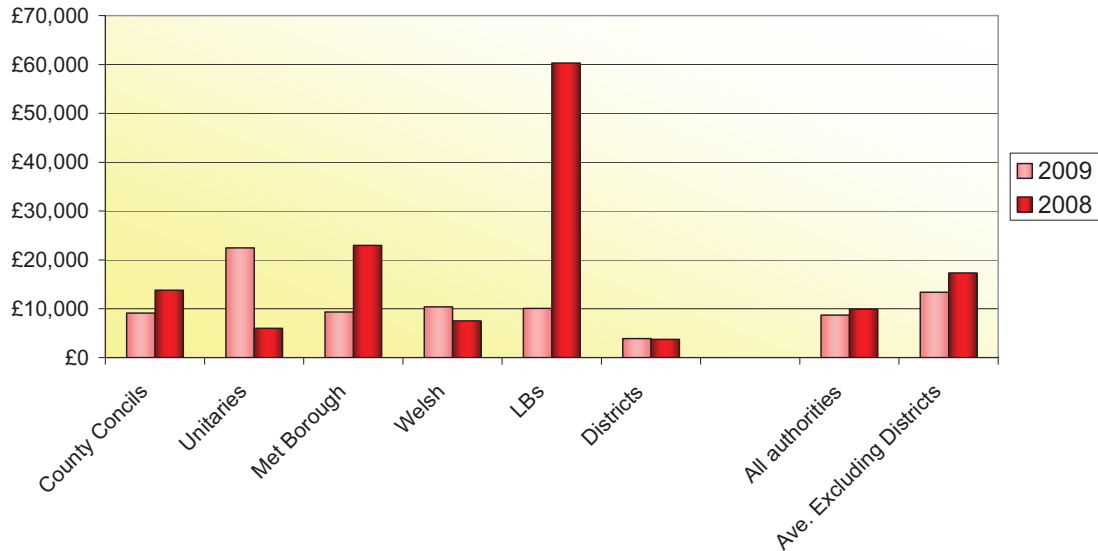


Scrutiny budgets

In 2004, the average amount of money available to support scrutiny across all authorities was £8,280. In 2005 that figure had risen 120% to £18,141, decreasing to £11,853 in 2007 and £9,917 in 2008. The 2009 survey shows a continuation of this downward trend with a reduction of **£1,230** from 2008 to **£8,687** in 2009. It is worth pointing out that a discretionary budget may be inflated for a variety of reasons that do not necessarily relate to the relative health of support for scrutiny. As such the large range (**0 - £200,000**) illustrates the differing circumstances of each authority and explains why such large annual fluctuations are possible. Nevertheless there is a clear negative trend in the size of allocated discretionary budgets for scrutiny.

As shown in the chart below, there is no uniformity in discretionary budgets amongst the different types of authorities. On the whole top-tier authorities, which are typically well resourced, have experienced a dramatic decline in discretionary budgets. London Boroughs have been hit hardest where discretionary budgets have fallen by **83%**. An increase in the number of authorities reporting a £0 discretionary budget has contributed to this stark decline and is evidence that scrutiny is vulnerable to cuts in a climate of revenue shortfalls. However, bucking this trend Unitary authorities have seen an increase of **275%**. The creation of new Unitary authorities with well funded scrutiny functions may have contributed to this phenomenon.

Average Discretionary Budget



4. Roles for OSCs and members

Roles undertaken by OSCs

Respondents were asked to identify what types of role are undertaken by the overview and scrutiny function at their authority.

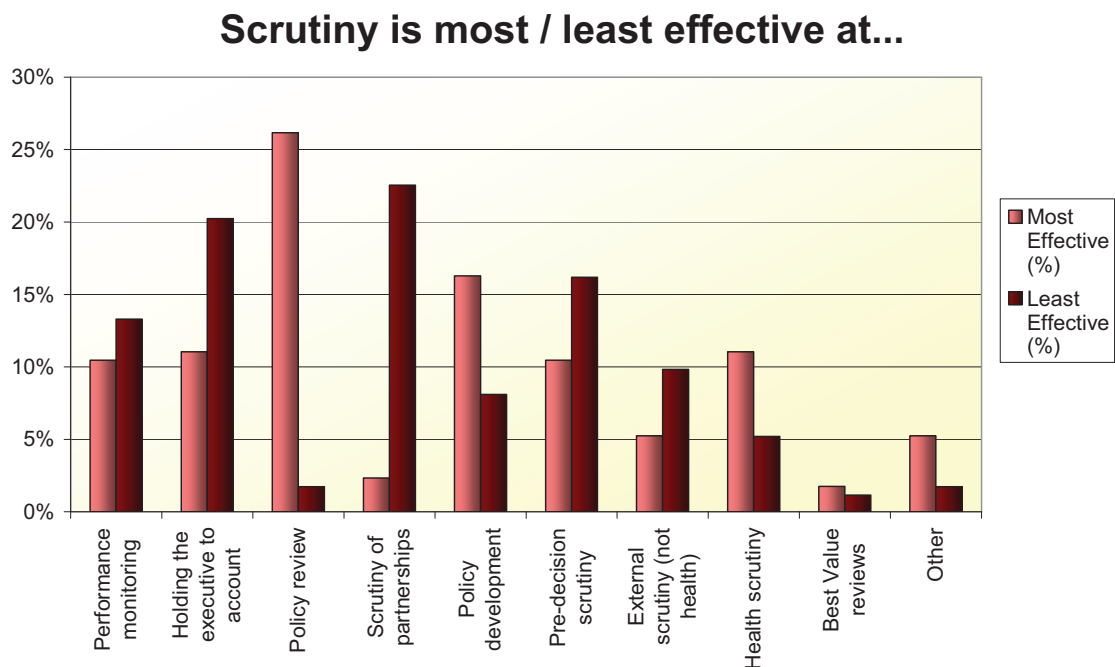
Rank (change)	Role	Percentage of authorities
1 (1)	Performance monitoring	95%
2 (2)	Holding the executive to account	93%
3 (3)	Policy review	90%
4 (7)	Scrutiny of partnerships	82%
5 (4)	Policy development	80%
6 (5)	Pre-decision scrutiny	77%
7 (6)	External scrutiny (not health)	72%
8 (8)	Health scrutiny	66%
9 (9)	Best Value reviews	23%
10 (10)	Other	11%

As last year, **performance monitoring** is the role most frequently undertaken by the overview and scrutiny function. The only change in the prevalence of roles since 2008 is the rise in **scrutiny of partnerships** which has risen from 7th to 4th.

This is likely to be a response to new powers and responsibilities for scrutiny in scrutinising partnerships in the Local Government and Public Involvement in Health Act 2007 (LGPIH 2007) and LDEDC 2009 and is encouraging evidence of scrutiny functions starting to take forward these new responsibilities.

Role: most/least effective at

This year the research also asked respondents to identify which role that overview and scrutiny has been most effective at. Below is an illustrative summary of the responses.



The most frequent response in terms of scrutiny being most effective was **policy review** followed by **policy development**. Respondents felt that they were least effective at the **scrutiny of partnerships** and **holding the executive to account**, which indicates the areas where local authority scrutiny functions need most support in the future, as both of these are significant responsibilities for overview and scrutiny, and taken together with the previous section showing more involvement in scrutiny of partnerships demonstrates the importance of supporting scrutineers to get better at fulfilling this role.

Member involvement

Once again this year’s survey asked respondents about the roles that members undertake as part of the overview and scrutiny process. Below is a table summarising these responses.

Member role	Percentage of authorities	Percentage change (+/-)
Presenting recommendations	83%	-1%
Monitoring outcomes of previous work	85%	4%
Critically challenging decision-makers	88%	4%
Proposing/writing recommendations	67%	1%
Presenting an annual report to Council	69%	6%
Conducting research outside of meetings	54%	-5%
Proposing scrutiny topics at the public's request	56%	1%
Writing reports	20%	-1%
Publicising the work of scrutiny	41%	new

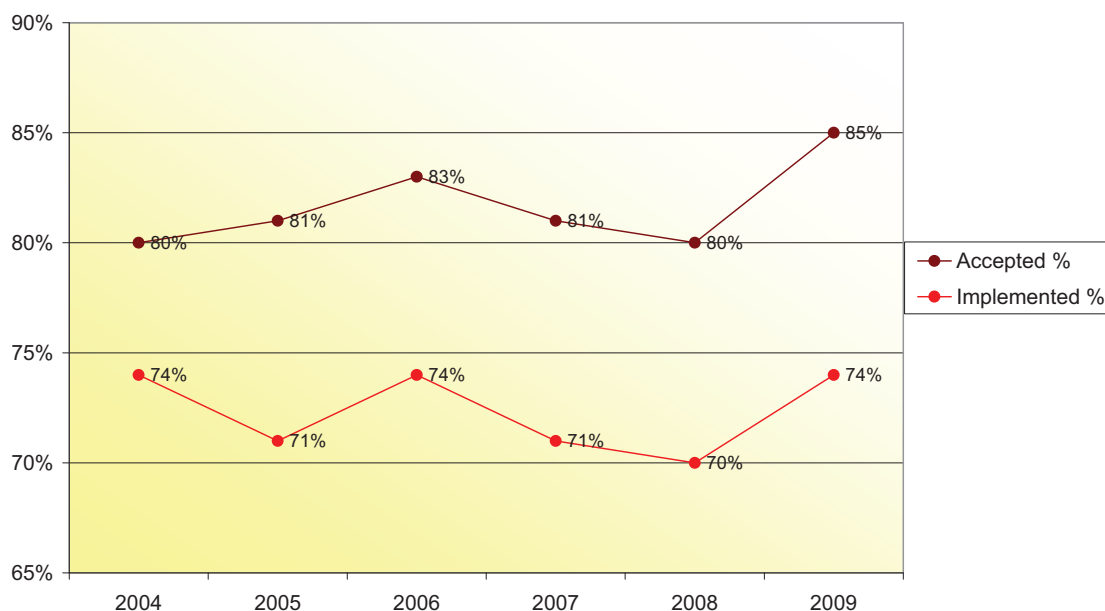
The above table shows that members are increasingly engaging in more challenging and expansive scrutiny and are more likely to engage in activities such as presenting **annual reports to Full Council** (6% rise), **monitoring outcomes of previous work** (4% rise) and critically challenging decision-makers (4% increase). The fact that members engage less in **conducting research outside of meetings** and **writing reports** suggests that the distinction between officer and member roles is becoming increasingly clear as the scrutiny function matures.

5. Impact and Influence

Recommendations

Over the last six years this survey has asked what percentage of recommendations from overview and scrutiny have been accepted by the executive or policy committee. This year the average has risen by 5% from last year to **85%**. Questioning the percentage of recommendations accepted by the executive or policy committee is usefully supplemented by asking how many of those accepted have gone on to be implemented. In 2008 the response to this question was 70%, which risen in 2009 to **74%**. Below is a graph plotting the average responses to these two questions over the last five years. It would seem that the downward trend in the proportion of recommendations being accepted and implemented year on year since 2006 has been halted. Statistical analysis of the data also suggests a correlation between those authorities who felt that party politics had a greater impact on overview and scrutiny, and those authorities reporting a lower percentage of recommendations accepted. The evidence also suggests that authorities operating a specialist model of scrutiny support are more likely to have higher acceptance and implementation rates.

Recommendations accepted / implemented



Call-ins

As last year, we asked how many call-ins there has been in each authority in the last year. The average number of call-ins this year was **2.5** which has remained stable from 2008.

Further to this question, we asked how many of those call-ins had resulted in an amended decision. In 2008 the average was **0.43** which increased substantially to **0.61** in 2009.

Evaluating scrutiny

The research also posed a question regarding the methods used to evaluate the impact of individual pieces of overview and scrutiny work and the function as a whole. Shown below are the tabulated responses.

Options	Percentage of councils	Percentage change (+/-)
Regular update on recommendations from scrutiny support	50%	0%
Regular update on recommendations from Members	15%	-7%
An annual report for overview and scrutiny is produced	80%	-8%
Reporting on performance measures and targets developed in-house	53%	-8%

External consultants have reviewed overview and scrutiny	21%	-3%
An internal review of the overview and scrutiny has been undertaken	42%	8%
Regular update on recommendations from those responsible for implementation	67%	-3%
The CfPS self-evaluation framework has been used	19%	-4%

As shown in the table, the most popular way to evaluate the impact of overview and scrutiny is via an **annual report**. The most significant increase has been in **internal reviews of overview and scrutiny** which taken alongside a decline in the use of external consultants and discretionary budget figures shows that scrutiny is having to adapt to tough financial realities.

6. Perception Tracking

As last year, the survey asked respondents for their perceptions about the overview and scrutiny function. This is to assess how practitioners think and feel about the function and its value to councils and beyond. However, this year we have expanded this section in order to gain a more fulsome understanding of what scrutineers are thinking. Below is a summary of the results.

In this section respondents are asked to score statements between 1 and 5. In every case 1 is the most negative response and 5 is the most positive.

General stature of overview and scrutiny

Statement	Officers	Members
Overview and scrutiny is good at holding the Executive to account	3.2	3.2
Overview and scrutiny is good at holding LAA partners to account	2.5	2.7
The Council's Executive are co-operative and helpful when being held to account by overview and scrutiny	3.4	3.3
Partners are co-operative and helpful when being held to account by overview and scrutiny	3.4	3.1
Overview and scrutiny adds value to the authority	3.7	3.7
Overview and scrutiny is valued by the authority	3.1	3.3
Overview and scrutiny is recognised and valued by the public	2.2	2.5
Party politics plays a role in overview and scrutiny	3.2	3.1
Regard the impact of party politics to be positive	2.4	2.6
Feel optimistic about the future of overview and scrutiny	3.3	3.5

The table above demonstrates that scrutiny officers and members share specific concerns. In particular, there appears to be agreement that scrutiny has not yet been able to effectively hold **Local Area Agreement partners to account** with officers rating performance in this area at just **2.5** out of 5. Scrutineers also recognise that scrutiny has not yet established a high profile with the public scoring the statement **overview and scrutiny is recognised and valued by the public** at just **2.2** out of 5. Despite these admissions of scope for improvement respondents felt that in general **overview and scrutiny adds value to the authority** rating their agreement to the statement at **3.7** out of 5.

Ideas for the future

Statement	Officers	Members
Reforming the selection process of scrutiny Chairs by introducing a 'secret ballot' process	2.8	2.7
Securing a declaration from political parties to make sure scrutiny is not whipped	3.7	3.9
Creating a shared scrutiny resource between authorities allowing non-executives to work jointly	3.2	3.4
Creating a shared scrutiny resource with local accountable partners	3.3	3.5
Creating a ring-fenced budget for overview and scrutiny	3.9	3.8
Requiring a minimum level of training for new scrutiny Chairs and/or members	4.2	4.1

With a general election looming large on the horizon we asked respondents to assess the following policy ideas from 1 to 5 with 5 indicating strong support for such a policy and 1 signalling opposition.

Although the idea of **reforming the selection process of scrutiny chairs** failed to attract the support of respondents who rated the idea at just **2.8** and **2.7** out of 5 other ideas were more popular. **Requiring a minimum level of training for scrutiny chairs** attracted strong support from both officers (**4.2**) and members (**4.1**) as did the **idea of creating a ring-fenced budget** (**3.9** and **3.8** respectively) and **securing a declaration from political parties that scrutiny is not whipped** (**3.7** and **3.9** respectively).

Scrutiny needs to improve at...

Statement	Officers	Members
positive attitude to scrutiny in the authority	3.2	3.2
effective chairing of committees	2.9	2.8
dedicated officer support	2.6	2.6
a dedicated budget for scrutiny activity	2.8	3.2
training/member development opportunities	3.2	3.2
engagement with the local community	3.9	3.6

This year we asked respondents to indicate to what extent they felt scrutiny in their authority needed to improve in the following areas.

For the most part respondents rated the need for improvement in the areas highlighted by the above statements moderately. However, respondents felt that there was a need to improve **engagement with the local community** with officers rating this need at 3.9 out of 5 and members at 3.6.

7. 2010

Scrutiny topics for 2010

This year we asked respondents to tell us what scrutiny reviews were planned for 2010. In a continuation of established scrutiny activities many authorities are planning to scrutinise the **budget, health issues** and **waste management**. As expected many authorities are planning to review areas that have been subject to recent government policy objectives such as **public involvement in scrutiny** and the **scrutiny of partnerships**. Many respondents signalled plans to look specifically at Local Area Agreements and feed into the Comprehensive Area Assessment. Other popular themes for scrutiny reviews in 2010 relate to recent events that are of concern such as the provision of **children and young people's services**.

The economic downturn has resulted in growing public concerns and overview and scrutiny will be undertaking reviews that look the current economic situation from a number of different angles. Some authorities have decided to look at **treasury management** and **financial risk** whilst others are focusing on how to mitigate the effects of recession by looking at **regeneration, worklessness** or supporting **local businesses**. Housing **allocations and lettings policy** are set to come under enhanced scrutiny. CfPS is producing a Library Monitor on this issue in April 2010.

CfPS has produced guides on scrutiny of worklessness, (Library Monitor) Treasury Management (Treasure Your Assets) providing accountability in tough economic circumstances (Global Impact, Local Solutions) and on a variety of health related issues. All of these publications can be accessed online at www.cfps.org.uk.

8. CfPS and you

Satisfaction with CfPS services

We asked respondents to tell us what services they were using and rate their satisfaction with those services 1 to 5 (1 being very poor and 5 being excellent). As part of our own commitment to being open to scrutiny as an organisation, the table below shows both the popularity (percentage of those who answered the question who are using a given service) and the average satisfaction rating for each CfPS service. We will use these results to inform our own service planning for the future and this survey provides a valuable baseline assessment for future improvements.

Scoring CfPS services

Statement	Officers		Members	
	Using service (%)	Rating	Using service (%)	Rating
Reviews library	89%	4.0	60%	3.1
Online Discussions forum	80%	3.5	35%	2.5
Other sections of the website	84%	3.5	49%	3.2
Events	77%	3.4	58%	3.3
In-house training from CfPS staff or Associates	46%	3.4	59%	3.2
Health programme	43%	3.3	42%	3.2
Free publications	83%	3.9	64%	3.5
Priced publications	45%	3.2	33%	2.5
Monthly e-bulletin	87%	3.8	59%	3.5

The table above shows that our most popular services, not surprisingly, receive the highest average scores for customer satisfaction. 89% of officers had used the CfPS scrutiny reviews library, rating their satisfaction as 4 out of 5 on average. Similarly popular amongst respondents were our free publications which had been used by 83% of officers and 64% of members in the last year and received an average satisfaction rating of 3.9 and 3.5 out of 5. The new look CfPS e-bulletin has proved to be very popular with 87% of officers and 59% of members using the service and rating it at 3.8 and 3.5 out of 5 respectively.

There were some significant differences between Members and officers in terms of their satisfaction with services. Members rated all of our services between 0.1 and 1.0 points lower than scrutiny officers. The general trend of Members rating

services lower than officers could be due in part to their lower exposure to CfPS activities compared with scrutiny officers. This is a clear indication that we should do more to reach Members directly.

CfPS in the future

In response to our request for suggestions of things that CfPS 'should do, or do more of' respondents provided us with a wealth of useful information which we will be using to help ensure our services are as targeted as possible. The most common suggestions were asking for CfPS to 'do more of' its existing activities, particularly in terms of providing updates and **guidance on government legislation, providing free publications, offering training and networking opportunities.**

In response to your requests CfPS will be producing **a guide which brings together all the relevant legislation with regards to overview and scrutiny.** We will also respond to requests for our work to be more inclusive and less England centric, and will develop our publications and training events programme accordingly.

We appreciate the warm comments we have received praising us for our work and calling on us to maintain and expand our services in support of scrutineers. We appreciate your feedback and aim to act on your suggestion wherever possible.

WIRRAL BOROUGH COUNCIL

SCRUTINY PROGRAMME BOARD – 3rd JUNE 2010

REPORT OF THE ALCOHOL SCRUTINY PANEL MEMBERS

ALCOHOL SCRUTINY REVIEW - PROGRESS REPORT

EXECUTIVE SUMMARY

This report provides an update on progress for the Alcohol Scrutiny Review.

1. Background

- 1.1 At the meeting of the Scrutiny Programme Board, held on 14th September 2009, members agreed to undertake an in-depth scrutiny review regarding progress towards implementation of the Alcohol Strategy in Wirral. The Board members agreed that volunteers should be sought from among scrutiny members to form a Panel. It was agreed that the review should be managed by the Scrutiny Programme Board due to the cross-cutting nature of the topic and the impact on a number of areas such as health, young people, anti-social behaviour / community safety, road safety, trading standards and licensing.
- 1.2 Subsequently, the following members volunteered to be members of the Panel:
- Councillor Dave Mitchell (Chair)
 - Councillor Sue Taylor
 - Councillor Chris Meaden
 - Councillor Ann Bridson

2. Scope of the Review

- 2.1 The Panel members met on 6th November 2009 to discuss the scope of the review. Due to the enormous breadth of the topic, it was agreed to focus on specific areas, concentrating particularly on those issues which are within the direct responsibility of the Council. The panel members proposed that, due to the high profile and significance of excessive drinking among young people, the central focus of the review should be the “access to alcohol by young people in Wirral”.

2.2 The Panel recommended that this scrutiny review focus on the following issues:

- What is the impact of alcohol on young people in Wirral?
- What is the impact of young people drinking alcohol having on other residents of Wirral?
- What is already being done to enable young people to make good choices regarding alcohol?
- What are the key issues relating to access and availability: Where? Price? Promotions?
- What restrictions of access to alcohol exist at present?
- What additional restrictions of access are available and which have been successfully used elsewhere?
- Can Council policies be sensibly amended relating to the access and availability of alcohol, particularly with respect to young people?

2.3 The Scope Document, approved by members of the Scrutiny Programme Board, is attached as Appendix 1 to this report.

3. Evidence Gathering and the Report

3.1 Evidence has been gathered from meetings with officers of:
Wirral NHS
Drug and Alcohol Team (DAAT)
Children and Young People
Licensing
Trading Standards
Merseyside Police

3.2 The Panel members propose to continue with further evidence gathering, in particular focusing on the education of children (regarding alcohol) and investigating progress of initiatives at statistical and geographical neighbours.

3.4 It is planned that the final report for the Alcohol Scrutiny Review will be completed by the current panel members in due course.

4 Financial implications

Resources for the scrutiny review will continue to be provided by existing staff.

5 Staffing implications

See paragraph 4 above

6 Equal Opportunities implications

None

7 Community Safety implications

The impact of drinking by young people is part of the scope of the Alcohol Scrutiny review.

8 Local Agenda 21 implications

None

9 Planning implications

None

- 10 Anti-poverty implications**
None
- 11 Human Rights implications**
None
- 12 Social Inclusion implications**
None
- 13 Local Member Support implications**
Members form the panel which is undertaking the scrutiny review.
- 14. Background Papers**
None

RECOMMENDATIONS

- (1) That the Scrutiny Programme Board confirm that the Alcohol Scrutiny Review remain as part of the work programme for the new municipal year.

Report of the Alcohol Scrutiny Panel Members:

Cllr Ann Bridson

Cllr Chris Meaden

Cllr Dave Mitchell (Chair)

Cllr Sue Taylor

(19/05/10)

Appendix 1: Scope Document for the Alcohol Scrutiny Review

Date: 14th December 2009

Review Title: Access to Alcohol by Young People in Wirral

Scrutiny Panel Chair: Cllr Dave Mitchell	Contact details: 0151 327 2095
Scrutiny Officer: Alan Veitch	Contact details: 0151 691 8564
Departmental Link Officer: Sue Drew	Contact details: 0151 651 3914
Panel members: Cllr Ann Bridson Cllr Chris Meaden Cllr Dave Mitchell Cllr Sue Taylor	Contact details: 0151 201 7310 mobile: 07759 587597 0151 645 1729 0151 327 2095 07736 927201
Other Key Officer contacts:	
1. Which of our strategic corporate objectives does this topic address? 1.1 To create a clean, pleasant, safe and sustainable environment, in particular: <ul style="list-style-type: none">- To reduce alcohol related crime- To reduce levels of anti-social behaviour 1.2 To Improve Health and Well-being for all, ensuring people who require support are full participants in mainstream society, in particular: <ul style="list-style-type: none">- To encourage healthy lifestyles and participation in fulfilling activities- To narrow the mortality gap on Wirral- To tackle all forms of alcohol and drug induced harm	

2. What are the main issues?

- 2.1 What is the impact of alcohol on young people in Wirral?
- 2.2 What is the impact of young people drinking alcohol having on other residents of Wirral?
- 2.2 What is already being done to enable young people to make good choices regarding alcohol?
- 2.3 What are the key issues relating to access and availability: Where? Price? Promotions?
- 2.4 What restrictions of access to alcohol exist at present?
- 2.5 What additional restrictions of access are available and which have been successfully used elsewhere?
- 2.6 Can Council policies be sensibly amended relating to the access and availability of alcohol, particularly with respect to young people?

3. The Committee's overall aim/objective in doing this work is:

- 3.1 To understand the impact of alcohol on young people and other residents in Wirral.
- 3.2 To gauge the ease with which young people are able to access alcohol.
- 3.2 To consider the support available to young people enabling them to make positive decisions regarding alcohol.

4. The possible outputs/outcomes are:

- 4.1 To reduce the ability of young people to access alcohol.
- 4.2 To further enable young people to make positive choices regarding alcohol.

5. What specific value can scrutiny add to this topic?

To use new evidence to enable changes which would lead to the outcomes listed in section 4 above.

6. Who will the Committee be trying to influence as part of its work?

- 6.1 Appropriate Cabinet members and Directors, Wirral Borough Council
- 6.2 Signatories to the Wirral Alcohol Strategy

7. Duration of enquiry?

Aim to complete by the end of the current municipal year (May 2010)

8. What category does the review fall into?

- | | | | |
|------------------------------|----------------------------|------------------------|--------------------------|
| Policy Review | x <input type="checkbox"/> | Policy Development | <input type="checkbox"/> |
| External Partnership | <input type="checkbox"/> | Performance Management | <input type="checkbox"/> |
| Holding Executive to Account | <input type="checkbox"/> | | |

9. Extra resources needed? Would the investigation benefit from the co-operation of an expert witness?

The review will be conducted by councillors with the support of existing officers. However, the panel are looking for advice from people with expertise on this topic.

10. What information do we need?	
<p>10.1 Secondary information (background information, existing reports, legislation, central government documents, etc).</p> <p>Wirral Alcohol Strategy (and the Implementation Action Plan)</p> <p>Recent Committee / Cabinet reports.</p> <p>Statistics regarding the scale of the problem in Wirral, comparative to statistical and geographical neighbours.</p> <p>Relevant Government Departmental documents</p> <p>Relevant national documents</p> <p>Reports from other councils into similar topics.</p> <p>Examples of good practice from other Councils</p>	<p>10.2 Primary/new evidence/information</p> <p>Introductory multi-agency presentation to panel members</p> <p>Interviews with key officers</p> <p>Assessment of the impact on young people</p> <p>Assessment of the impact on Wirral residents</p>
<p>10.3 Who can provide us with further relevant evidence? (Cabinet portfolio holder, officer, service user, general public, expert witness, etc). council officers to include:</p> <p>Peter Edmondson / Steve Pimlott / Terry White (Children and Young People Department / Youth Outreach)</p> <p>Wirral DAAT</p> <p>Wirral NHS</p> <p>Planning Department</p> <p>Licensing Team (Margaret O'Donnell)</p> <p>Trading Standards (John Malone)</p> <p>School Governors Forum</p> <p>Schools Forum</p> <p>Young People Alcohol Prevention Programme</p> <p>Merseyside Police (Dave Peers)</p> <p>Relevant third sector groups</p>	<p>10.4 What specific areas do we want them to cover when they give evidence?</p> <p>How many young people are involved?</p> <p>Where are the hotspots?</p> <p>What activities already take place to encourage young people to make positive choices regarding alcohol?</p> <p>What is the impact on local communities of young people drinking excessive amounts of alcohol?</p> <p>What restrictions to access are currently in place in Wirral?</p> <p>What further restrictions to access are feasible?</p>

11. What processes can we use to feed into the review? (site visits/observations, face-to-face questioning, telephone survey, written questionnaire, etc).

11.1 Meetings with officers

11.2 Visits with outreach workers / Response / Respect team

11.3 Desk-top analysis

12. In what ways can we involve the public and at what stages? (consider whole range of consultative mechanisms, local committees and local ward mechanisms).

12.1 Area Forum meetings / Focus groups

12.2 Youth Parliament

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WIRRAL BOROUGH COUNCIL

SCRUTINY PROGRAMME BOARD – 3rd JUNE 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

‘ONE COUNCIL’ SCRUTINY REVIEW - PROGRESS REPORT

EXECUTIVE SUMMARY

This report provides an update on progress of the ‘One Council’ Scrutiny Review.

1. Background

1.1 At the Scrutiny Programme Board meeting held on 14th January 2010, members agreed:

(1) That a Working Party comprising all Members of the Scrutiny Programme Board be established to consider the scope of a scrutiny review in relation to joined up working across the Council.

(2) That the officers be requested to arrange a meeting of the Working Party in advance of the next meeting of the Board.

1.2 A Working Group of Scrutiny Programme Board members was held on Friday 12th February 2010.

2. Scope of the Review

2.1 Members agreed that the objective of the review should be to improve the quality of service provided by staff and therefore to enhance the level of service provided to constituents by:

- Reviewing the effectiveness of joined up working between different Department’s within the Council, and
- Determining whether any duplication of effort takes place.

2.2 Reviewing this topic across the whole of the Council would be an enormous and impractical task. Members therefore agreed to focus particularly on the operation of the Call Centre and the One Stop Shops. The reasons for this selection were to:

- Narrow the scope of the review.
- Review an area which has a direct impact on customer satisfaction.
- Focus on service providers who clearly have to interact on a regular basis with other departments across the Council.
- Include service areas which require staff to have knowledge regarding the delivery of a large number of services and in which training is therefore essential.

2.3 The Scope Document, which was approved by the meeting of the Scrutiny Programme Board on 4th March 2010, is attached as Appendix 1 to this report.

3. Future of the Review

- 3.1 The meeting of the Scrutiny Programme Board on 4th March 2010 also agreed that any detailed planning for this scrutiny review should be deferred until the members of the Scrutiny Programme Board have an opportunity to discuss the work programme for the new municipal year.
- 3.2 On the assumption that members agree to include the 'One Council' scrutiny review as part of the new work programme, members may wish to consider whether to appoint a small panel of members to undertake the review and report back to the Board in due course.

4 Financial implications

Resources for the scrutiny review will be provided by existing staff.

5 Staffing implications

See paragraph 4 above

6 Equal Opportunities implications

None

7 Community Safety implications

None

8 Local Agenda 21 implications

None

9 Planning implications

None

10 Anti-poverty implications

None

11 Human Rights implications

None

12 Social Inclusion implications

None

13 Local Member Support implications

Members will form the panel which undertakes the scrutiny review.

14. Background Papers

None

RECOMMENDATIONS

- (1) That the Board agree to the 'One Council' Scrutiny Review being included on the work programme for the new municipal year.
- (2) That a panel of members be appointed to take forward the detailed work of the 'One Council' Scrutiny Review.

Appendix 1: Scope Document for the 'One Council' Scrutiny Review

Date: 16th February 2010

Review Title: 'One Council' Scrutiny Review

Scrutiny Panel Chair: To be agreed	Contact details:
Scrutiny Officer: To be agreed	Contact details:
Departmental Link Officer: To be agreed	Contact details:
Panel members: To be agreed	Contact details:
Other Key Officer contacts:	
1. Which of our strategic corporate objectives does this topic address?	
1.1 To create an excellent Council, in particular: <ul style="list-style-type: none">- To improve accountability, accessibility and openness and involve those who use our services in their design and delivery	
2. What are the main issues?	
<p>This review will focus on 'One Council' – investigating the issue of joined up working across Council Departments in order to avoid duplication.</p> <p>As the scope is potentially very wide, it has been agreed to initially focus on two areas providing frontline services, the Call Centre and the One Stop Shops. It may be feasible to investigate further areas of the Council organisation as a secondary stage to the review, with a view to rolling out any recommendations to other areas.</p> <p>The initial review will consider:</p> <p>2.1 What services are provided by the Call Centre and the One Stop Shops?</p> <p>2.2 How effectively do the Call Centre and One Stop Shops integrate with other departments in order to manage the resolution of issues?</p> <p>2.3 How and at what frequency is training delivered to staff in the Call Centre and One Stop Shops?</p> <p>2.4 Is the training provided by a single training function within HR or by individual departments?</p> <p>2.5 Are staff in the Call Centre and One Stop Shops aware of their role in the 'wider' Council? Do employees have an holistic understanding of how the borough works?</p> <p>2.6 How are staff recruited to the Call Centre and One Stop Shops?</p> <p>2.7 Does the customer receive an effective service from the Call Centre and One Stop Shops?</p>	

3. The Committee's overall aim/objective in doing this work is:

To improve the quality of service provided by staff and therefore to enhance the level of service provided to constituents by:

- Reviewing the effectiveness of joined up working between different Department's within the Council, and
- Determining whether any duplication of effort takes place.

4. The possible outputs/outcomes are:

4.1 To ensure that front-line staff are fully aware of their role in delivering the wider objectives of the Council.

4.2 To provide effective communication between the front-line service providers, relevant back office staff and the customers.

4.3 More effective use of staff by reducing duplication of effort.

4.4 Ensure that staff are as effectively trained as possible.

5. What specific value can scrutiny add to this topic?

To use new evidence to enable changes which would lead to the outcomes listed in section 4 above.

6. Who will the Committee be trying to influence as part of its work?

6.1 Appropriate Cabinet members of Wirral Borough Council

6.2 Senior Managers of Wirral Borough Council

7. Duration of enquiry?

The scope will be prepared in anticipation of this review commencing early in the 2010/11 Municipal year. The review will then be completed during that Municipal year, depending on the priorities determined by the new Committee members.

8. What category does the review fall into?

Policy Review	<input checked="" type="checkbox"/>	Policy Development	<input type="checkbox"/>
External Partnership	<input type="checkbox"/>	Performance Management	<input type="checkbox"/>
Holding Executive to Account	<input type="checkbox"/>		

9. Extra resources needed? Would the investigation benefit from the co-operation of an expert witness?

The review will be conducted by councillors with the support of existing officers. However, the panel are looking for advice from people with expertise on this topic.

10. What information do we need?	
<p>10.1 Secondary information (background information, existing reports, legislation, central government documents, etc).</p> <p>Recent Committee / Cabinet reports.</p> <p>The outcomes from a scrutiny investigation into the operation of the Call Centre by the former Community and Customer Engagement Overview and Scrutiny Committee during 2007/8.</p> <p>Relevant national documents, from advisory bodies such as IDeA.</p> <p>Reports from other councils into similar topics.</p> <p>Examples of good practice from other Councils or Merseytravel's 'One team; One Family'.</p>	<p>10.2 Primary/new evidence/information</p> <p>Interviews with key officers</p> <p>Statistics for the Call Centre and One Stop Shops, including the number of calls handled successfully.</p> <p>Visits to Wirral Call Centre and One stop Shops</p> <p>Visits to Call Centres operated by both other councils and in the private sector</p> <p>Assessment of the effectiveness of customer service offered by the call centre and One stop Shops.</p>
<p>10.3 Who can provide us with further relevant evidence? (Cabinet portfolio holder, officer, service user, general public, expert witness, etc). council officers to include:</p> <p>Ian Coleman (Director of Finance)</p> <p>Malcolm Flanagan (Head of Service, Customer service, Finance dept)</p> <p>Andrea Bruffell (Manager, Call Centre)</p> <p>Julie Williams (Manager, One Stop Shops)</p> <p>Appropriate front-line staff from Call Centre and One Stop Shops</p> <p>Appropriate Training manager / HR manager</p>	<p>10.4 What specific areas do we want them to cover when they give evidence?</p> <p>Services provided by the Call Centre and the One Stop Shops.</p> <p>Processes for the Call Centre and One Stop Shops to manage issues with other departments</p> <p>Details of training (including frequency) delivered to staff in the Call Centre and One Stop Shops</p> <p>Awareness of staff in the Call Centre and One Stop Shops regarding their role in the 'wider' Council.</p> <p>Methods of recruitment for Call Centre and One Stop Shop staff.</p>

11. What processes can we use to feed into the review? (site visits/observations, face-to-face questioning, telephone survey, written questionnaire, etc).

11.1 Meetings with officers

11.2 Visits to Wirral Call Centre and One Stop Shops

11.3 Visits to Call Centres in operated by both other councils and in the private sector

11.4 Desk-top analysis

11.5 Possible mystery shopping

11.6 Possible questionnaire of customers regarding the level of service received.

12. In what ways can we involve the public and at what stages? (consider whole range of consultative mechanisms, local committees and local ward mechanisms).

12.1 Area Forum meetings / Focus groups

12.2 Possible customer questionnaire

WIRRAL BOROUGH COUNCIL

SCRUTINY PROGRAMME BOARD – 3rd JUNE 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

WORK PROGRAMME FOR THE 2010 / 11 MUNICIPAL YEAR

EXECUTIVE SUMMARY

This report provides an update on the current status of the Scrutiny Programme Board's Work Programme for the previous municipal year (2009 / 10) and invites suggestions from members regarding the work programme for the new municipal year (2010 /11).

1. Background

- 1.1 The Scrutiny Programme Board was introduced in May 2009 as part of a re-structuring of the Scrutiny Committee arrangements in Wirral. Among the functions of the Scrutiny Programme Board are the following:
- Monitoring of the work programmes of the five themed scrutiny committees;
 - Undertaking scrutiny in its own right with regard to cross-cutting or strategic issues not covered by other overview and scrutiny committees;
 - Identifying and sharing good scrutiny practice across all overview and scrutiny committees.
- 1.2 It is expected that the five themed Scrutiny Committees will set their own work programmes during this first cycle of meetings. Once this has been done, subsequent meetings of the Scrutiny Programme Board will receive update reports to review progress against each of the programmes for the following committees:
- Children & Young People
 - Council Excellence
 - Economy and Regeneration
 - Health and Wellbeing
 - Sustainable Communities
- 1.3 In addition, it is expected that members of the Scrutiny Programme Board will generate their own work programme which takes the functions listed in paragraph 1.1 into account. The Scrutiny Programme Board work programme for the previous municipal year (2009 / 10) is attached, as Appendix 1, to familiarise members with the previous and ongoing work.
- 1.4 Members will also be aware that separate items on this agenda provide update reports on two existing scrutiny reviews, namely the Alcohol scrutiny review and the 'One Council' scrutiny review.

2. Selection of Topics for Scrutiny Review

2.1 Topics selected for further scrutiny can be handled in different ways. Some may be best dealt with by departmental officer reports or presentations. Positive scrutiny is most likely if scrutiny committees are agreeing recommendations which can be sent to the Cabinet (rather than simply agreeing “reports to be noted”). Some topics may warrant an in-depth scrutiny review where a small panel of members gather detailed evidence and subsequently produce a report which is discussed by the committee. Examples of this approach include the Alcohol Scrutiny Review and the proposed ‘One Council’ Scrutiny Review.

2.2 A topic chosen for an in-depth review must have the potential to make a difference and should therefore be carefully chosen with reference to objective criteria. The review must also be conducted methodically and efficiently.

When selecting a topic, a set of criteria can be used to assess the key elements of the topic under the following headings:-

- **Public Interest** – members’ representative roles are an essential feature of Overview and Scrutiny. Being the eyes and ears of the public, members can ensure that policies, practices and services delivered to residents, by both the Council and other external organisations, are meeting the local needs and are to an acceptable standard. Consultations and other surveys are also extremely important and can provide useful information.
- **Impact** – not all issues of concern will have an equal impact on the well being of the community, which should be considered when selecting a topic for review.
- **Council Performance** – scrutiny is about improving performance and ensuring that the community is well served. Members will need good quality and timely information to identify how the Council and other external organisations’ performance can improve.
- **Keeping in context** – to avoid duplication or wasted effort. Members should take into account what else is happening in the areas being considered. Is the service about to be inspected by an external body? Are there any major legislative or policy initiatives already resulting in change about to impact on the service? If these circumstances exist, members may decide to link up with other processes, defer a decision until the outcomes are known or conclude that the issue will be addressed as part of other work.

3. Sources of ideas for topics

The following sources may help members to identify suitable topics for detailed scrutiny:

- The issue is identified as being important to the public (through area forums, members’ surgeries and other contact with constituents)

- Poor performing service (evidence from performance indicators / benchmarking)
- Service ranked as important by Council's community
- High level of user/general public dissatisfaction with services (for example, through surveys, area forums, complaints)
- Public interest issue covered in the local media
- High level of budgetary commitment
- Regular patterns of budgetary overspends
- Council corporate priority area
- Central government priority area
- Issues raised in external audit reports
- New government guidance or legislation
- Issues identified in the Council's Forward Plan

4. Reasons for rejection of suggested topics

Discussions on proposals may reveal that the topic is not a priority for scrutiny. Potential criteria for rejecting a topic might include:

- Issue being examined by the Cabinet
- Issue being examined by an officer group and changes are imminent, that is, changes are planned to take place within the next six months.
- New legislation or guidance expected within the next year

5 Financial implications

Scrutiny reviews should be managed from within existing resources.

6 Staffing implications

See paragraph 5 above.

7 Equal Opportunities implications

None

8 Community Safety implications

None

9 Local Agenda 21 implications

None

- 10 Planning implications**
None
- 11 Anti-poverty implications**
None
- 12 Human Rights implications**
None
- 13 Social Inclusion implications**
None
- 14 Local Member Support implications**
None
- 15 Background Papers**
None

RECOMMENDATIONS

- (1) That the Scrutiny Programme Board develop a work programme for the new municipal year.

Appendix 1:

UPDATE ON WORK PROGRAM : SCRUTINY PROGRAMME BOARD - END OF YEAR 2009 / 2010

New Reports to assist in monitoring the Committee's work programme

It was agreed by the Scrutiny Chairs Group in September 2008 to use the following reports to monitor the work programme for each Scrutiny Committee. The last item on each Scrutiny Committee agenda should be 'Review of the Committee Work Programme'.

Report 1 - Monitoring Report for Scrutiny Committee Work Programme

This report will list all items that have been selected by the Committee for inclusion on the work programme for the current year.

It will also include items, such as previous Panel Reviews, where recommendations have been made to Cabinet. It is important that the implementation of these recommendations is monitored. Otherwise there is no measure of the success of scrutiny.

For each item on the work programme, the report will give a description, an indication of how the item will be dealt with, a relative timescale for the work and brief comments on progress.

Report 2 - Suggestions for Additions to Work Programme

The Work Programme for the Committee should be reviewed at each meeting. This will include members having the opportunity to ask for new Items to be added to the programme. This report will list any newly suggested items. Committee will then have the opportunity to agree (or not) for them to be added to the programme.

Report 3 - Proposed Outline Meeting Schedule for the Municipal Year

The report will, for each scheduled Committee meeting, list those items which are likely to be on the meeting agenda. This will give the opportunity for Committee members to take a greater lead in organising their work programme.

Report 4 - Progress Report on In-Depth Panel Reviews

This report will give a very brief update on progress / timescales for in-depth panel reviews which are in the 'ownership' of the Committee.

REPORT 1
MONITORING REPORT FOR SCRUTINY COMMITTEE WORK PROGRAMME
SCRUTINY PROGRAMME BOARD: 2009 / 2010

Date of New item	Topic Description	How the topic will be dealt with	Estimated Complete Date	Comments on Progress	Complete?
June 2009	Equality and Diversity	Monitor progress of other scrutiny committees on this issue.		Report provided to Scrutiny Programme Board in March 2010. Further work will be done by the Council Excellence Scrutiny Committee in the future.	
June 2009	Member's Scrutiny Questionnaire	Spokespersons panel to review the responses of the May 2009 questionnaire and report back to the Scrutiny Programme Board.		Follow-up report with recommendations approved by Scrutiny Programme Board on 14 th September 2009.	
Sept 2009	Implementation of the Wirral Alcohol Strategy	Panel review		Topic approved by Scrutiny Programme Board on 14 th September 2009.	
Sept 2009	One Council	Panel review		Topic approved by Scrutiny Programme Board on 14 th September 2009. Member's working group took place on 12 th March. A draft Scope document was approved by the Scrutiny Programme Board in March 2010. The review could be part of the Work programme for 2010/11.	
Sept 2009	How to encourage greater involvement of residents and community organisations in scrutiny processes.	Future report		Topic approved by Scrutiny Programme Board on 14 th September 2009 as a result of the member's questionnaire. A draft scrutiny information leaflet has been developed in March 2010.	

Date of New item	Topic Description	How the topic will be dealt with	Estimated Complete Date	Comments on Progress	Complete?
Sept 2009	Identify and promote examples of good scrutiny practice.	Future reports		Topic approved by Scrutiny Programme Board on 14 th September 2009 as a result of the member's questionnaire.	
Sept 2009	Identify training opportunities for scrutiny members	Future reports		Topic approved by Scrutiny Programme Board on 14 th September 2009 as a result of the member's questionnaire. A verbal report will be provided at the meeting on 4 th November 2009. Meeting on 14 th January was informed that a meeting of the chief executive, relevant Portfolio holder and the Member Training Steering Group will be held on 8 th February. A further update was provided for the Scrutiny Programme Board on 4 th March 2010, giving details of proposed changes to procedures.	
Sept 2009	Oversee the production of a revised version of the annual scrutiny questionnaire for members	Future reports		Topic approved by Scrutiny Programme Board on 14 th September 2009 as a result of the member's questionnaire. Report provided to Scrutiny Programme Board in March 2010. The draft members' scrutiny questionnaire for 2010 was approved. The questionnaire will be distributed to members during April 2010.	
Nov 2009	Protocol for Councillor Call for Action (CCfA)	Officer report		Draft 'Councillor Call for Action' protocol agreed by Scrutiny Programme Board in Nov 2009. Subsequently, agreed by Cabinet on 9 Dec 2009.	

Date of New item	Topic Description	How the topic will be dealt with	Estimated Complete Date	Comments on Progress	Complete?
Nov 2009	Review the format and relevance of the current format of the Forward Plan	Officer report		<p>Topic agreed by Scrutiny Programme Board on 4th November 2009. Officer report produced for the Jan 2010 meeting.</p> <p>The January meeting agreed that, in order to make the Forward Plan more user-friendly and to assist the scrutiny function, the Cabinet be requested to agree to the following:</p> <p>a) That officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.</p> <p>(b) That, for a short trial period, Chief Officers be required to submit to the next appropriate Overview and Scrutiny Committee a brief explanation of new items included in the Forward Plan.</p> <p>Subsequently, the Cabinet agreed on 4th February that:</p> <p>(1) Cabinet resolves that officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.</p> <p>(2) Cabinet notes that Overview and Scrutiny Committees set their own agenda and can call on officers to present additional reports to meet their requirements.</p>	

Date of New item	Topic Description	How the topic will be dealt with	Estimated Complete Date	Comments on Progress	Complete?
Jan 2010	Update on New Legislation	Officer report		<p>Report presented to the January 2010 meeting. A further report will be produced regarding the response to the 'Strengthening Local Democracy' consultation process.</p> <p>A members training session on the impact of new legislation on scrutiny will be undertaken as part of the member Development training programme.</p>	
March 2010	Draft Protocol for working with the Crime and Disorder Reduction Partnership (CDRP)	Officer report		<p>Draft protocol approved by Scrutiny Programme Board in March 2010.</p> <p>Agreed that the protocol should also be reviewed by the CDRP, Sustainable Communities OSC, Children and Young People OSC and Cabinet.</p>	

REPORT 2
SUGGESTIONS FOR ADDITIONS TO WORK PROGRAMME
SCRUTINY PROGRAMME BOARD : END OF YEAR 2009 / 2010

Topic Description	Topic suggested by	How the topic will be dealt with	Estimated Completion Date
None			

REPORT 3
PROPOSED OUTLINE MEETING SCHEDULE FOR THE MUNICIPAL YEAR
SCRUTINY PROGRAMME BOARD : 2009 / 2010

Meeting Date	Topic Description
27/05/09	Terms of Reference Review of Scrutiny Work Programme Legislation and Guidance (from Centre for Public Scrutiny) Survey of Overview and Scrutiny in Local Government 2008 Wirral Council Scrutiny Questionnaire Finance and performance Monitoring Scrutiny Chairs' visit to Warrington
07/09/09	Clarification of the Terms of Reference Response to the Wirral Member's Scrutiny Questionnaire Work Programmes of the five Scrutiny Committees Review of the current issues on the Forward Plan Scrutiny Programme Board – Work Programme
04/11/09	Councillor Call for Action – draft protocol Training needs for scrutiny members Work Programmes of the five Scrutiny Committees Review of the current issues on the Forward Plan Scrutiny Programme Board – Work Programme
05/01/10	Terms of Reference of Scrutiny Programme Board, especially in relation to the 'Call-in' process Progress report on referral of members training to Cabinet Progress report on the Alcohol Scrutiny Review, including agreement of the Scope Document One Council – How should this item be progressed? Councillor Call for Action (CCfA) protocol – Record and evidence trail Scrutinizing the Forward Plan Update on new legislation affecting scrutiny Annual Scrutiny Report for Wirral Centre for Public Scrutiny (CfPS) – Good Scrutiny Awards 2009 Work Programmes of the five Scrutiny Committees Review of the current issues on the Forward Plan Scrutiny Programme Board – Work Programme

Meeting Date	Topic Description
04/03/10	Work Programmes of the five Scrutiny Committees Review of the current issues on the Forward Plan Scrutiny Programme Board – Work Programme Report on progress of Equality and Diversity in all departments of the Council Protocol for scrutinising the Crime & Disorder Reduction Partnership (CDRP) Revised version of the Annual Scrutiny Questionnaire for members Referral from Cabinet regarding scrutiny of the Forward Plan ‘One Council’ Scrutiny Review - Scope Members training – verbal update from members’ training steering group Allocation of call-In notices Scrutiny leaflet

REPORT 4
PROGRESS REPORT ON IN-DEPTH PANEL REVIEWS
SCRUTINY PROGRAMME BOARD : END OF YEAR 2009 / 2010

Title of Review	Members of Panel	Progress to Date	Date Due to report to Committee
Access of alcohol to young people in Wirral	Councillors: Dave Mitchell Chris Meaden Sue Taylor Ann Bridson	<p><u>Update as at 16/10/09:</u> Topic approved by Scrutiny Programme Board on 14th September 2009. Volunteers to join the panel are Councillors Dave Mitchell, Cherry Povall, Chris Meaden, Sue Taylor and Ann Bridson. The nominated departmental link officer is Sue Drew, Deputy Joint Director of Public Health at Wirral NHS. The first panel meeting, to discuss the scope of the review, is currently being arranged.</p> <p><u>Update as at 17/12/09:</u> Panel members met on 6th November 2009 to discuss the scope for the review. The proposed Scope document for the review is due to be discussed at the Scrutiny Programme Board meeting in January 2010. Cllr Cherry Povall has decided that she will no longer be a member of the Review panel. An introductory presentation to panel members took place on 16th December 2009. Participants included officers from Wirral NHS, DAAT, Children & Young Peoples department, Trading Standards and Licensing.</p> <p><u>Update as at 20/05/10:</u> A meeting of the panel members with a representative of the police has taken place.</p>	
'One Council'	To be agreed	A Working Group of all members of the Scrutiny Programme Board was held on 12/02/10 to discuss the scope of this review. A draft scope for the review was approved by the Scrutiny Programme Board on 4/03/10.	

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