



SCRUTINY BOARD (CENTRAL AND CORPORATE)

Meeting to be held in Civic Hall, Leeds on
Monday, 8th June, 2009 at 10.00 am

(A pre-meeting will take place for ALL Members of the Board at 9.30 a.m.)

MEMBERSHIP

Councillors

- P Grahame (Chair) - Cross Gates and Whinmoor;
J Bale - Guiseley and Rawdon;
S Bentley - Weetwood;
B Chastney - Weetwood;
P Ewens - Hyde Park and Woodhouse;
M Hamilton - Headingley;
A Hussain - Gipton and Harehills;
V Kendall - Roundhay;
J Lewis - Kippax and Methley;
A Lowe - Armley;
A McKenna - Garforth and Swillington;
A Parnham - Farnley and Wortley;
D Schofield - Temple Newsam;

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Chief Democratic Services Officer at least 24 hours before the meeting).</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:- No exempt items on this agenda.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal / prejudicial interests for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence.</p>	
6			<p>MINUTES - 6TH, 9TH AND 29TH APRIL 2009</p> <p>To confirm as a correct record the attached minutes of the meetings held on 6th and 29th April 2009.</p>	1 - 18
7			<p>CHANGES TO THE COUNCIL'S CONSTITUTION IN RELATION TO SCRUTINY</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	19 - 40
8			<p>CO-OPTED MEMBERS</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	41 - 44
9			<p>INPUT TO THE BOARD'S WORK PROGRAMME 2009/10 - SOURCES OF WORK AND ESTABLISHING THE BOARD'S PRIORITIES</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	45 - 74

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>EXECUTIVE BOARD RESPONSE TO FINAL SCRUTINY BOARD REPORTS</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	75 - 90
11			<p>KPMG - SCRUTINY REVIEW - MAY 2009</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	91 - 130
12			<p>DETERMINING THE WORK PROGRAMME 2009/10</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	131 - 138
13			<p>DATES AND TIMES OF FUTURE MEETINGS</p> <p>Monday 6th July 2009 Monday 7th September 2009 Monday 5th October 2009 Monday 2nd November 2009 Monday 7th December 2009 Monday 11th January 2010* Monday 1st February 2010 Monday 1st March 2010 Monday 29th March 2010</p> <p>All at 10.00am (Pre-Meetings at 9.30am), except *11th January (14.00, Pre-Meeting at 13.30) .</p>	

Agenda Item 6

SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 6TH APRIL, 2009

PRESENT: Councillor M Dobson in the Chair

Councillors B Atha, J Bale, B Chastney,
P Davey, J Dowson, P Ewens, M Hamilton,
V Kendall, A Lowe, B Selby and
P Wadsworth

88 Chair's Opening Remarks

The Chair welcomed all in attendance to the April meeting of the Scrutiny Board (Central and Corporate).

89 Late Items

The Chair admitted to the agenda a report of the Director of Resources in relation to the Board's inquiry into attendance management. The report was not available at the time of agenda despatch and had been submitted as supplementary information (Minute No. 94 refers).

90 Declarations of Interest

There were no declarations of interest.

91 Apologies for Absence

An apology for absence was submitted by Councillor Bentley.

92 Minutes - 2nd March 2009

RESOLVED – That the minutes of the meeting held on 2nd March 2009 be confirmed as a correct record, subject to the following amendment:

Additional resolution (c) to be inserted under Minute No 84. 'Fair Play Partnership Diversity Champion Project' to read

(c) All Members of the Executive Board to undergo this course.

93 Impact Assessments in the Decision Making Process

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report, which intended to address the Board's recommendation that 'The Head of Equality develops a realistic and deliverable approach to incorporating impact assessments into the Council's decision making process'.

The Chair welcomed to the meeting, Lelir Yeung, Head of Equalities, to present the report.

The Board was advised that there was a legal requirement to undertake equality, diversity and community cohesion (EDCC) impact assessments. It was reported that a review had been undertaken and development of a two part process had been proposed, as follows:

- (1) Introduction of an equality assurance process; and
- (2) Full impact assessment process.

In addition, it was reported that the process would build on some of the work undertaken by the Head of Governance Services on impact assessments generally in the decision making process.

Members' questions and comments were then invited and the main areas of discussion were:

- Establishing links with the Council's community engagement programme.
- Building on work undertaken by the Council's Corporate Governance and Audit Committee.

RESOLVED – That the progress made by the Head of Equality in addressing the Board's recommendations, be noted.

94 Scrutiny Inquiry - Sickness Absence Management - Draft Final Report

Further to Minute No. 81 of the meeting held on 2nd March 2009, the Head of Scrutiny and Member Development submitted a report, attaching the draft final report of the Board's inquiry into attendance management (appendix 1 refers).

In brief summary, the main areas of discussion were:

- The need for regular monitoring and breakdown of figures by department.
- The need for team leader's at all levels to take responsibility for managing staff attendance.
- Management of staff attendance through the appraisal process.
- Concern about the cost of sickness absence to the Council.

RESOLVED –

(a) That the Board agrees the final report and recommendations, subject to additions to recommendation 1 as follows:

'That the Council's most senior officers instil a culture where team leaders at all levels are expected, and are equipped with the skills, to take responsibility

for the attendance management of their staff, which will be included in their performance appraisal'.

(b) That the report be submitted to the Executive Board for a formal response.

(Councillor Lowe left the meeting at 10.32 am, during the consideration of this item).

95 Scrutiny Inquiry - Procurement, Outsourcing and Commissioning Services - Draft Final Report

Further to Minute No. 75 of the meeting held on 2nd February 2009, the Head of Scrutiny and Member Development submitted a report, attaching the draft final report of the Board's inquiry into the procurement of services (appendix 1 refers).

In brief summary, the key areas of discussion were:

- The need to identify a suitable case study which reflects the current approach to the procurement of services.
- The need for all departments to adopt the One Council Commissioning Framework.
- Identifying services that could be undertaken in-house.

RESOLVED –

- (a) That the Board agrees the final report and recommendations;
- (b) That the report be submitted to the Executive Board for a formal response; and
- (c) That a suitable case study be conducted which reflects the current approach to the procurement of services.

96 Scrutiny Inquiry - Member Development - Draft Final Report

Further to Minute No. 51 of the meeting held on 1st December 2009, the Head of Scrutiny and Member Development submitted a report, attaching the draft final report of the Board's inquiry into member development (appendix 1 refers).

In brief summary, the main points of discussion were:

- Local authorities spend on member development, excluding staffing costs. Members acknowledged that Leeds' average spend per head was considerably lower than other authorities referred to in the report. Members commented that this was a positive achievement that should be reflected in the final report.
- Concern that only 21 out of 99 Councillors had signed up to Personal Development Plans (PDP). One Member emphasised that PDPs were a pre-requisite for good performance.

- Acknowledging the need for Members to attend compulsory training, e.g. planning and licensing, in addition to other types of training that was provided.
- The need for Members to appraise their own training requirements.
- The extent to which the electorate determined whether Members had the appropriate skills and training.
- Concern that the term 'training' was too general and should only be used when referring to the type of training, e.g. planning or licensing training.

RESOLVED –

(a) That the Board agrees the final report and recommendations, subject to recognition of Leeds' spend on member development being considerably lower than other authorities referred to in the report and an addition to recommendation 3 as follows:

'That all Executive Board Members and group Whips undertake a PDP so as to demonstrate their support for member development as an ongoing process'.

(b) That the report be submitted to the Executive Board for a formal response.

(Councillor Davey left the meeting at 11.07 am, during the consideration of this item).

97 Work Programme, Forward Plan of Key Decisions and Executive Board Minutes

The Head of Scrutiny and Member Development submitted a copy of the Board's work programme together with a relevant extract of the Council's Forward Plan of Key Decisions for the period 1st March 2009 to 30th June 2009 and the minutes of the Executive Board meeting held on 4th March 2009.

One Member reported on the need for further work in relation to proposed academies currently in deficit. It was agreed that the issue be referred to the appropriate Scrutiny Board in the new municipal year.

There was a request that the Board considered various issues and anomalies in relation to travel arrangements for Members. It was agreed to refer this issue to the Chair of the Member Management Committee.

Members discussed the need to review the style of reports, types of language and terminology used by Council Officers. It was reported that the Member Management Committee was undertaking some work to address this issue.

RESOLVED – That the report and work programme be received and noted.

(The meeting concluded at 11.18 am).

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

THURSDAY, 9TH APRIL, 2009

PRESENT: Councillor M Dobson in the Chair

Councillors B Anderson, B Atha, J Bale,
S Bentley, B Chastney, P Ewens, C Fox,
P Grahame, M Hamilton, J Illingworth,
J Jarosz, and B Selby,

Also present Councillor G Driver, P Gruen, K Renshaw
and N Taggart

98 Late Items

Reference was made to two additional items of information circulated after agenda despatch:-

- (i) A summary provided by the Director of Resources and the Chief Officer – Human Resources, outlining the background to the publication of the Called-In delegated decision ref D35201;
- (ii) A letter from the Joint Trade Union Committee, Leeds City Council, outlining the background to the present dispute they found themselves in with the Council, and the issues from the trade union perspective.

99 Declarations of Interest

Councillor Renshaw declared a personal interest in Agenda Item 7 (Minute No 102 refers) in her capacity as a member of the trade union UNISON (see also later Minute No 102).

100 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors Davey (sub. Jarosz), Dowson (sub. Illingworth), Kendall (sub. Anderson), Lowe (sub. Grahame) and Wadsworth (sub. Fox).

101 Call-In Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:-

Option 1 – Release the decision for implementation. Having reviewed the decision, the Board could simply decide to release it for implementation. If

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this option was chosen, the decision would be released for immediate implementation, and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the called-in decision, the Board could recommend that the Director of Resources reconsider that decision. If this was the Board's decision, then this would be conveyed to the Director within three working days of the meeting. The Director would then reconsider the original decision which had led to the call-in meeting, and would publish the outcome of his deliberations and his decision again via the delegated decision system. This decision could not be called-in again, whether or not it varied from the original decision.

RESOLVED – That the position be noted.

102 Review of Called-In Decision - Budget Action Plan Staffing Issues

The Head of Scrutiny and Member Development submitted a report setting out the details of the following delegated decision (ref D35201) of the Director of Resources, which was the subject of the Call-In:-

Consultations and negotiations with the trade unions have been held regarding a range of measures to change terms and conditions. The Director of Resources has agreed that these will now be implemented with effect from 1st April 2009. The changes are:

- charging staff for the use of city centre car parking permits

- revising the Council's Managing Work-force Change Policy; which includes reducing the period before notice of to end employment will be given from 12 to 9 months

- changing the timing extra-statutory holidays to ensure services are open on the Tuesdays after bank holiday Mondays at Easter, and Spring and August bank holidays.

NB Since putting this decision in the Forward Plan, the number of permits taken is 207, generating less than £100k, making this a major rather than key decision.

The above decision had been called-in for review by Councillors Gruen, Taggart, Driver, Renshaw and Nash on the following grounds –

- Due consultation, and the taking of professional advice from officers;
- Clarity of aims and desired outcomes;
- An explanation of the options considered and details of the reasons for the decision.

In response to the Call-In notice, the following people were present at the meeting, and either presented evidence or responded to Members' queries and comments:-

Councillors Gruen, Taggart, Driver and Renshaw
Paul Rogerson, Chief Executive
Lorraine Hallam, Chief Officer – HR
Helen Grantham, Catherine Marchant and Val McLaughlin, HR
Dave Roberts, Secretary, LCC Joint Trade Union Committee
Dick Banks, UNITE
Brian Mulvey, UNISON
Lynn Brook, GMB

In brief summary, the main discussion points were:-

- Whether or not the decision had been correctly interpreted by the Director of Resources as a 'major' decision, as opposed to a 'key' decision, within the definitions of each category contained within the Council's Constitution.

In view of the fact that the called-in decision directly related to Council staff, and not the general public or service users, a view was expressed that to try to categorise it as a 'key' decision, on the grounds that it was likely to have 'a significant effect on communities living and working in an area comprising two or more Wards' was too liberal an interpretation of the definition of a 'key' decision;

- The timescale for the publication of the called-in decision, and why insufficient time had been allowed under the Council's formal constitutional arrangements for the decision to be published and subject to the normal call-in arrangements before the proposed implementation date of 1st April 2009 had passed.

An explanation was provided that, due to an administrative misunderstanding, the actual decision had been published on 25th March, as opposed to 23rd March, the day the decision had been signed-off, and this two day delay had directly led to the five day call-in period overlapping the proposed implementation date of 1st April.

Members expressed dismay at this set of circumstances, especially as the issues contained in the decision had been the subject of active discussion and consideration since December 2008. Members also expressed their dismay and frustration that this was the third time in the current municipal year that the Council's decision making process had been subverted, despite instructions being issued by the Monitoring Officer following earlier breaches of the procedures;

- The reasons for and the relative merits, or otherwise, of the proposed changes contained in the called-in decision, with contributions from the Council's officers, Members and the trade union representatives present.

Whilst differing views were expressed, the Board as a whole expressed concern at the conflict situation which the Council currently found itself in vis-à-vis the trade unions, and expressed a desire to see a restoration of proper and meaningful consultations and negotiations on the whole range of issues affecting Council Services;

- The level of involvement, if any, of Executive Members in the decision making process.

(N.B. During the course of the discussion of this item, Councillor Illingworth declared a personal interest, in his capacity as a member of ASTMS).

103 Outcome of Called-In Review

Following consideration of the evidence presented to them, and the questioning of witnesses, the Board unanimously passed the following resolution:-

RESOLVED –

- (a) That the decision be referred back to the decision maker for re-consideration;
- (b) That in addition, the Board express a deep dissatisfaction that the Council's Constitution has been by-passed, and that clearly these changes were effectively implemented prior to the delegated decision being taken, and without proper regard to the Council's Constitution;
- (c) That in addition to our concerns about the constitutional issues, the Board is also keen to state that proper and meaningful consultations and negotiations should be continued with trade unions on a range of issues concerned with maintaining a high level of Council services in an increasingly difficult economic climate;
- (d) That the Board is disappointed that this is the third occasion this municipal year in which the Council's decision making process has been subverted, despite instructions from the Monitoring Officer, and urges Executive Members to ensure that future decisions are made in a constitutional and timely manner.

A further proposed resolution – 'that Board Members were conscious that these decisions were a consequence of political decisions, and therefore acknowledged the responsibility Executive Members had in this process' – was defeated by 5 votes for to 7 votes against.

The Chief Executive undertook to relay the Board's decision to the Council Leadership Team. For the sake of clarity, the Chief Executive also stated that practically, it was too late to suspend the actions contained in the referred back decision which related to the imminent extra-statutory Tuesday being a normal working day, or the actions taken to deduct car park pass monies from staff salaries in April. Arrangements had already been made for Council offices to open next Tuesday, and staff and the public had been informed.

The meeting concluded at 3.03 pm.

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

WEDNESDAY, 29TH APRIL, 2009

PRESENT: Councillor M Dobson in the Chair

Councillors B Chastney, P Davey,
P Ewens, C Fox, P Grahame, M Hamilton,
T Hanley, V Kendall, A Lowe, J Monaghan,
T Murray and P Wadsworth

104 Chair's Opening Remarks

The Chair welcomed everyone to the Call-In meeting.

105 Declarations of Interest

The following personal interests were declared:-

- Councillor G Driver in his capacity as a Member on the Aire Valley Homes ALMO (Agenda Item 7) (Minute 108 refers)
- Councillor P Wadsworth in his capacity as Deputy Executive Member for Environmental Services and as a Director of East North East Homes ALMO (Agenda Item 7) (Minute 108 refers)
- Councillor A Lowe in her capacity as a Director of West North West ALMO (Agenda Item 7) (Minute 108 refers)

106 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Atha, Councillor Bale, Councillor Bentley, Councillor Dowson and Councillor Selby.

The Board were informed that Councillor Murray was a substitute for Councillor Atha, Councillor Fox for Councillor Bale, Councillor Monaghan for Councillor Bentley, Councillor Grahame for Councillor Dowson, and Councillor Hanley for Councillor Selby.

107 Call-In of Decision - Briefing Paper

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:-

Option 1 – **Release the decision for implementation.** Having reviewed the decision, the Scrutiny Board (Central and Corporate) could decide to release it for implementation. If this decision was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (Central and Corporate) could recommend to the Assistant Chief Executive (Planning, Policy and Improvement), that the decision be reconsidered. If the Scrutiny Board (Central and Corporate) chose this option, a report would be submitted to the Assistant Chief Executive (Planning, Policy and Improvement) within three working days of this meeting. The Assistant Chief Executive Assistant Chief Executive (Planning, Policy and Improvement) would reconsider the decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

RESOLVED – That the report outlining the Call-in procedures be noted.

108 Review of Decision - Corporate Interactive Voice Recognition Solution (Reference Number D35273)

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision D35273 of the Assistant Chief Executive (Planning, Policy and Improvement) as follows:-

Procurement of a Corporate Interactive Voice Recognition (IVR) Package

‘The project will deliver an Integrated Voice Recognition infrastructure within the Corporate Contact Centre that is adaptable and able to provide various levels of automated telephony to services across the Council’.

The decision had been called-in for review by Councillors J Lewis, A Ogilvie, M Rafique, S Armitage and G Driver on the following grounds:-

‘We the undersigned would like greater clarification regarding the practical issues associated with the implementation of an IVR system. Further information is needed with regard to the cost-benefit analysis of the various options considered and any public consultation informing the decision. We would also like more information as to how this system would deliver real savings without compromising service delivery’.

Councillor J Lewis, Councillor G Driver and Councillor A Ogilvie attended the meeting to present evidence to the Board and respond to Members’ questions and comments.

The following officers were also in attendance:-

- James Rogers, Assistant Chief Executive (Planning, Policy and Improvement)
- Paddy Clarke, Chief Customer Services Officer
- Anthony Derbyshire, Project Manager

The Board then questioned Councillor Lewis, Councillor Driver and Councillor Ogilvie and officers at length on the evidence submitted.

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Some of the main concerns highlighted by Councillor Lewis, Councillor Driver and Councillor Ogilvie were:-

- the need for consultation to be undertaken with members of the public/ residents on the merits of the IVR system prior to implementation at the Corporate Contact Centre
- the need for greater clarification regarding the practical issues associated with the implementation of the IVR system
- the need for further information with regard to the cost benefit analysis in relation to developing an IVR application for dealing with Choice Based Letting bids and bulky waste enquiries, and on it's suitability of delivering real savings without compromising service delivery
- the need to retain staff at the Corporate Contact Centre in view of the current economic climate
- the lack of evidence available which demonstrated that the IVR system would reduce the number of complaints and the difficulties envisaged by BME/elderly residents when accessing an automated system
- the need for ALMOs to be consulted on the installation of the IVR system on Choice Based Letting bids

In explaining the reasons for the decision, officers made the following comments:-

- the need to deliver a corporate IVR package within the Contact Centre in accordance with a recent Executive Board decision taken on 14th January 2009
- the need to recognise the fact that IVR had become more sophisticated and that this would not replace people speaking to a Council representative
- the benefits of developing an IVR application which could achieve significant savings, as well as providing the customer with access to Council services outside of normal office hours
- confirmation that there would be no redundancies within the Contact Centre resulting from the implementation of the IVR system and that it was not driven by efficiency savings
- the reassurances given that members of the public could speak to an operator if they so wished and that the service would be more cost effective as more time would be allocated in dealing with complex calls

The Chair then invited questions and comments from Board Members and the main areas of discussion were:-

- clarification of the quality and risk assessment element in developing the IVR package; job guarantees and projections undertaken; consultation with ALMOs and accessibility issues around those people, with disabilities, when using the automated system
- clarification of the levels of consultation undertaken prior to the officer delegated decision and whether these had been sufficient to date

- clarification of the extended hours service/key pad operation and the need to consider data protection issues around Choice Based Letting bids and the level of security
- clarification on the technology/operation of the system; its accessibility, and the need to investigate this element further
- clarification of the procedures around rogue customers and whether this would leave the Council open to litigation
- clarification of the monitoring arrangements in relation to:-
 - usage
 - quality
 - feedback from customer
 and the need for the Board to receive a progress report on these issues in the new municipal year
- clarification if there would be a unique reference number allocated to users of the IVR system and, if not, the need to build this issue into the process
- the importance of bulky waste and Choice Based Lettings within the public domain and the need to prevent an increase in complaints to Elected Members in this sensitive area
- clarification on whether there was sufficient knowledge of the systems usage elsewhere in the country and particularly other local authorities
- clarification on whether equality impact assessments had been undertaken and considered as part of the project initiation

In summary, Councillor Lewis made the following comments:-

- the need for Board Members to address the wider implications of the officer delegated decision of the Assistant Chief Executive (Planning, Policy and Improvement)
- the need for consultation to be undertaken with interested parties on the merits of the IVR system and for an interface to be introduced between IVR and bulky waste
- the need for Board Members to pursue Option 2 as part of their deliberations in this matter

The Chair thanked Councillor J Lewis, Councillor G Driver and Councillor A Ogilvie and officers for their attendance.

RESOLVED – That the report and information provided be noted.

(Councillor P Ewens left the meeting at 10.55am during discussions of the above item)

109 Outcome of Call-In

Following consideration of the evidence presented to them, and the questioning of witnesses, the Board passed the following resolution:-

RESOLVED –

- (a) That the decision be referred back to the decision maker for reconsideration.

- (b) That the decision maker be requested to reconsider the following specific areas:-
- the levels of consultation and whether these had been sufficient to date
 - whether the initial areas/themes to be piloted under the IVR scheme were the appropriate ones
 - whether there was sufficient knowledge of the systems usage elsewhere in the country and particularly other local authorities
 - whether equality impact assessments had been undertaken and considered as part of the project initiation

(The meeting concluded at 12.10pm)

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Report of the Head of Scrutiny and Member Development

Scrutiny Board: SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS)

Date: 8th June 2009

Subject: Changes to the Council's Constitution in relation to Scrutiny.

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of Report

1.1 This report provides the Board with information and guidance reflecting recent amendments of the Council's Constitution, as agreed by Council on 21 May 2009, which directly relate to and/or impact on the work of Scrutiny Boards.

2.0 Background

2.1 The Local Government Act 2000 introduced new models of governance and decision-making arrangements for local authorities in England and Wales. This included putting in place executive arrangements for decision-making through a smaller, more prominent, number of local Councillors (the Executive Board). Within the new arrangements, the overview and scrutiny function was established to hold the Executive Board to account for its decisions and to contribute to evidence-based policy development across the Council.

2.2 Through a number of legislative changes, for example the Health and Social Care Act 2001 which introduced local health scrutiny, the role and responsibilities of overview and scrutiny have expanded significantly; with the function now responsible for investigating the delivery of services provided by a wide range of public, private and third-sector partners.

2.3 This report seeks to reflect on recent legislative changes, its impact on the scrutiny function and the subsequent amendments to the Council's Constitution, through changes to both the Scrutiny Board Procedural Rules and supportive guidance notes.

3.0 Constitutional amendments

- 3.1 Two recent Acts of Parliament, namely the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006, have had a direct impact on the scrutiny function and required amendments to the Council's Constitution. Such amendments were agreed at the Council meeting in May 2009 and summarised below.

Councillor Call for Action (CCfA) Provisions

- 3.2 The Local Government Act 2000 included provisions to allow Elected Members to raise matters for consideration by the Council's Scrutiny Boards. This was reflected in the Council's Constitution, Scrutiny Board Procedure Rule 12 which made provision for dealing with such requests.
- 3.3 To supplement and strengthen the provisions set out in the Local Government Act 2000, the Government recently enacted provisions at Section 119 of the Local Government and Public Involvement in Health Act 2007. Referred to as 'Councillor Call for Action', these provisions give Councillors the opportunity to ask for discussions at Scrutiny Boards where *local* problems have arisen and where other methods of resolution have been exhausted.
- 3.4 Specific guidance on the process for administering a CCfA is set out in Annex 1 of the attached Guidance Note: *Requests for Scrutiny, Including Councillor Call for Action (CCfA), Local Crime and Disorder Matters, and Health and Social Care Matters*.

Arrangements for the Scrutiny of Crime and Disorder Functions and Local Crime and Disorder Matters

- 3.5 The Police and Justice Act 2006 extends the remit of local authorities to scrutinise crime and disorder functions¹, with Part 3 of the Act stating that every local authority shall ensure it has a 'Crime and Disorder Committee' to fulfill this role. At the Council meeting in May 2009, the Environment and Neighbourhoods Scrutiny Board was assigned to undertake this role.
- 3.6 Overall, in its capacity as a crime and disorder committee, the Scrutiny Board (Environment and Neighbourhoods) has powers to:
- (a) Review or scrutinise decisions made (or action taken), in connection with the discharge of crime and disorder functions by the 'responsible authorities'²;
 - (b) Review or scrutinise any Member referred local crime and disorder matter;
 - (c) Make reports and/or recommendations to the Council or the Executive;
 - (d) Call an officer from a responsible authority to attend its meetings in order to answer questions or otherwise to provide information and to respond to reports or recommendations made by the Scrutiny Board;
 - (e) Co-opt additional members to serve on the committee, either with or without voting rights³

These additional powers are reflected in the revised terms of reference for the Scrutiny Board (Environment and Neighbourhoods).

¹ Set out in Sections 19, 20 and 21 of the Police and Justice Act 2006

² These are the authorities responsible for crime and disorder strategies, as detailed in the Crime and Disorder Act 1998, Section 5. In Leeds, *Safer Leeds* is the city's Crime and Disorder Reduction Partnership, therefore the 'responsible authorities' are those bodies represented on the Safer Leeds Partnership Executive

³ Details are set out in Article 6 (Scrutiny Boards: Co-opted Members)

- 3.7 Alongside the additional scrutiny powers, in its capacity as the Council's crime and disorder committee, the Scrutiny Board (Environment and Neighbourhoods) *must* meet at least once each year to fulfill its role in relation to the responsible authorities.
- 3.8 The Police and Justice Act 2006 also makes provision for elected members to refer local crime and disorder matters to the Council's designated Crime and Disorder Committee.
- 3.9 For this purpose, local crime and disorder matters should be considered to encompass all community safety issues that affect all or part of the ward for which the member is elected or any person who lives or works in that area, including:
- Antisocial behaviour;
 - Other behaviour adversely affecting the local environment;
 - The misuse of drugs, alcohol or other substances
- 3.10 While the Police and Justice Act 2006 clearly provides separate provision for the referral of local crime and disorder matters, in practice the principles and processes involved are essentially the same as for any Councillor Call for Action (CCfA) referral, however any crime and disorder referrals will be considered by the Scrutiny Board (Environment and Neighbourhoods), in its capacity as the Council's crime and disorder committee.
- 3.11 Specific guidance on the process for administering a *Local Crime and Disorder referral* is set out in Annex 2 of the attached Guidance Note: *Requests for Scrutiny, Including Councillor Call for Action (CCfA), Local Crime and Disorder Matters, and Health and Social Care Matters*.

Local Involvement Networks (LINKS)

- 3.12 The Local Government and Public Involvement in Health Act 2007 gave a duty to all 150 local authorities in England with social services responsibilities, to enable the formation of a Local Involvement Network (LINK), to act as the successor to the Patient and Public Involvement Forums (PPIF) but with an extended remit covering social care.
- 3.13 Under provisions in the Local Government and Public Involvement in Health Act 2007, the local LINK has the right to refer both health and social care matters to the relevant Scrutiny Board. In turn, this places responsibility on the appropriate Scrutiny Board to acknowledge any such referrals keep the LINK informed about what actions, if any, will be taken.
- 3.14 Specific guidance on the process for administering a *Health and Social Care referral* is set out in Annex 3 of the attached Guidance Note: *Requests for Scrutiny, Including Councillor Call for Action (CCfA), Local Crime and Disorder Matters, and Health and Social Care Matters*.

Responding to inquiry report and recommendations

- 3.15 The Local Government and Public Involvement in Health Act 2007 also places a duty on the Council or Executive to consider and respond to any Scrutiny Board report and/or recommendations within two months of receipt of the report/recommendations. In referring any report / recommendations, a Scrutiny Board can require the Council or Executive to:
- Consider its report or recommendations;

- Respond, outlining any proposed action;
- Publish the response (if the Scrutiny Board has published its report and/or recommendations);
- Provide a copy of the response to the referring Member, where the matter originated from a “Councillor Call for Action”.

3.16 Where a Scrutiny Board sends its report or recommendations to another body, the body in question will also be asked to send its response to the Scrutiny Board within two months⁴, setting out:

- The views of the body
- Details of any action already taken in response to the recommendations;
- Proposed action and timescales; or
- Any reasons for inaction.

4.0 Other legislative changes

Scrutiny of Partners

- 4.1 Since its inception, it has been widely regarded as good practice for Scrutiny Boards to consider evidence/ information from a variety of sources, including partner and/or other outside organisations. The ability for Scrutiny Boards to require information from some outside organisations (relevant partners) is already covered in other legislation (i.e. NHS Act 2006 at Section 44 relating to Local NHS bodies for Health Scrutiny and section 20(5) of the Police and Justice Act 2006 for Crime and Disorder issues). However, with Scrutiny Boards having limited powers to require outside bodies to provide information, any requests for information have tended to be reliant on the cooperation or good will of the organisation involved.
- 4.2 However, Section 121 of the Local Government and Public Involvement in Health Act 2007 places a requirement on certain partner organisations⁵ to provide information to a relevant scrutiny committee when requested to do so.
- 4.3 While the information will relate to the partners responsibility for the delivery of LAA improvement targets, the Secretary of State has still to make regulations covering exactly what information relevant partner authorities must provide, and/or may not disclose to Scrutiny Boards. Clarity is also required on a number of issues including timescales and whether partners will be compelled to attend Scrutiny Board meetings or simply provide the information requested. Once issued, such regulations are likely to require further amendment(s) to the Council’s Constitution and associated guidance notes.

5.0 Recommendations

- 5.1 In fulfilling the role and function of the Scrutiny Board, Members are requested to note the amendments to the Council’s Constitution outlined in the report.
- 5.2 Members are also requested to note the likely changes resulting from the Secretary of State regulations regarding the provision of information from partner authorities.

⁴ For NHS bodies this time limit is 28 days (the Local Authority (Overview and Scrutiny Committee Health Scrutiny Functions) Regulations 2002. Where a Scrutiny Board has sent a report to a partnership the partnership is not required under these Rules to provide a response. Any partnership not otherwise required to provide a response will be invited to do so.

⁵ Set out in Part 5, Chapter 1 (Section 104).

6.0 Background Paper

The Council's Constitution

Local Government and Public Involvement in Health Act 2007

Police and Justice Act 2006

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GUIDANCE NOTE

REQUESTS FOR SCRUTINY, INCLUDING COUNCILLOR CALL FOR ACTION (CCfA), LOCAL CRIME AND DISORDER MATTERS AND HEALTH AND SOCIAL CARE MATTERS

1. INTRODUCTION

- 1.1. The Local Government Act 2000 introduced new models of governance and decision-making arrangements for local authorities in England and Wales. This included putting in place executive arrangements for decision-making through a smaller, more prominent, number of local councillors (the Executive Board). The overview and scrutiny function was established to hold the Executive Board to account for its decisions and to contribute to evidence-based policy development in the council.
- 1.2. In recent years, the role and responsibilities of overview and scrutiny have expanded significantly, with the function now responsible for investigating the delivery of services provided by a wide range of public, private and third-sector partners. Scrutiny's unique remit and enhanced public profile means that it can be the focus of many requests and suggestions for detailed investigations/inquiries.
- 1.3. Currently, there are a number of avenues for making a request for scrutiny, some of which are specifically set out in legislation. The Council's Constitution, through its Scrutiny Board Procedure Rules, makes provision for dealing with requests for scrutiny from a number of different sources and/or relating to different areas, including:
 - The Executive or Council;
 - Members of a Scrutiny Board;
 - Councillor Calls for Action (CCfA);
 - Local Crime and Disorder Matters;
 - Health and Social Care Matters;
 - Other sources, such as individual Members of Council, community groups and individual members of the public.
- 1.4. This guidance note seeks to provide general advice for Scrutiny Boards and Officers dealing with requests for scrutiny, along with more specific advice on:
 - Councillor Calls for Action (CCfA)¹;
 - Local Crime and Disorder Matters²;
 - Health and Social Care Matters;

2. BACKGROUND

- 2.1. Scrutiny's unique remit means that it is often in an excellent position to examine the links between organisations and see where working collaboratively could deliver enhanced services for local people. As such, Scrutiny Boards are often well placed to:
 - Use a variety of tools to identify areas for review;

¹ As set out in Section 119 of the Local Government and Public Involvement in Health Act 2007

² As set out in Section 19 of the Police and Criminal Justice Act 2006

- Obtain all the information required to identify any shortcomings in specific areas;
 - Discuss matters of concern with those both in receipt of services and those responsible for service delivery;
 - Produce reports and make appropriate recommendations for improvement.
- 2.2. As such, where areas for improvement have been identified and/or where matters remain unresolved, the ability to give an issue wider consideration by referring it to one or more of the Council's Scrutiny Boards should be regarded as a useful additional tool.

3. REQUESTS FOR SCRUTINY

General requests for scrutiny

- 3.1. Requests for scrutiny can emerge from a variety of sources and/or relate to a range of different areas (as set out in paragraph 1.3).
- 3.2. In broad terms, the Scrutiny Board Procedure Rules provide details of how requests for scrutiny from different sources should be administered. This can be summarised as follows:
- All requests for scrutiny received will be added to the agenda of the next ordinary meeting of the relevant Scrutiny Board;
 - Interested parties will be notified of the date, time and location of the Scrutiny Board meeting where a request for scrutiny will be considered;
 - At that meeting, the Scrutiny Board will determine whether or not to undertake a specific inquiry.
- 3.3. When deciding whether or not to undertake a scrutiny inquiry, a Scrutiny Board may usefully wish to consider and confirm whether:
- The matter raised relates The Board has considered a similar issue recently, and if so whether the circumstances and/or evidence has changed significantly.
 - The matter raised relates solely to an individual and is being or should be pursued via the Council's and/or other existing complaints procedure.
 - A similar or related issue is already included on the Board's current work programme, as it may be more appropriate to link the request for scrutiny to an existing work item.
 - The matter might more usefully be considered and referred to an alternative Scrutiny Board (i.e. as part of another inquiry and/or Scrutiny Board work programme).
 - The matter raised is of sufficient significance and has the potential for scrutiny to produce realistic recommendations that could be implemented and lead to tangible improvements.
- 3.4. Where a Scrutiny Board is minded to undertake an inquiry as a result of a request for scrutiny, the Scrutiny Board will also consider:
- How the request meets the inquiry selection criteria;

- The impact on the Board's current work programme;
 - The time available to undertake an inquiry; and,
 - The level of resources required to carry out the work.
- 3.5. The decision whether or not to further investigate matters raised by a request for scrutiny is the sole responsibility of the Scrutiny Board. As such, any decision in this regard is final and there is no right of appeal.
- 3.6. Notification of the Scrutiny Board's decision (i.e. whether or not to investigate the matter(s) raised) will be provided based on the source of the original request, as follows:
- The Executive or Council – a detailed minute of the Scrutiny Board decision;
 - Members of a Scrutiny Board – a detailed minute of the Scrutiny Board decision;
 - Individual Members of Council – a detailed minute of the Scrutiny Board decision, followed by a letter on behalf of the Scrutiny Board.
 - Community groups and individual members of the public – a detailed minute of the Scrutiny Board decision, followed by a letter on behalf of the Scrutiny Board.
- 3.7. Where a Scrutiny Board decides not to investigate the matter(s) raised, the notification provided will include the reason(s) for that decision.
- 3.8. Where a Scrutiny Board decides to investigate the matter(s) raised, the notification provided will include an outline of the agreed actions with an indicative timetable. Notification of any significant deviation from this timetable will subsequently be provided.
- 3.9. A copy of any final report agreed by the Scrutiny Board and/or any recommendations made to the Council or the Executive Board will be made publically available and provided to the relevant parties as soon as practicable³.

Specific requests for scrutiny

- 3.10. Guidance on specific types of requests for scrutiny are attached to this guidance note as follows:
- Annex 1 – Councillor Calls for Action (CCfA);
 - Annex 2 – Local Crime and Disorder Matters;
 - Annex 3 – Health and Social Care Matters;

³ Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information.

REQUESTS FOR SCRUTINY: COUNCILLOR CALL FOR ACTION (CCfA)

1. INTRODUCTION

- 1.1. Resolving concerns of the local community is an important element of a local councillor's role, and frequently these are resolved via a network of contacts within the organisation. However, where matters remain unresolved, the ability to give an issue wider consideration by referring it to an Overview and Scrutiny Board should be regarded as a useful additional tool.
- 1.2. In this regard, the Government has recently introduced provisions at Section 119 of the Local Government and Public Involvement in Health Act 2007 referred to as 'Councillor Call for Action', to allow Councillors the opportunity to ask for discussions at Scrutiny Boards where *local* problems have arisen and other methods of resolution have been exhausted and failed to deliver an appropriate outcome.
- 1.3. This part of the guidance note relates to the process for administering a *Councillor Call for Action* (CCfA)⁴ and aims to provide guidance and assistance for Members, Scrutiny Boards and Officers in the management and consideration of such requests.

2. BACKGROUND

- 2.1. Under the provisions set out in Section 119 of the Local Government and Public Involvement in Health Act 2007, a local member may raise a matter which relates to the discharge of any function of the authority that affects all or part of the ward for which the member is elected or any person who lives or works in that area, subject to the following exclusions,:
 - a matter which is a local crime and disorder matter within the meaning of section 19 of the Police and Criminal Justice Act 2006⁵;
 - individual complaints concerning personal grievances or commercial issues⁶;
 - any matter relating to a planning decision⁶;
 - any matter relating to a licensing decision⁶;
 - any matter relating to an individual or entity where a right of recourse, review or appeal already exists⁶;
 - any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a Scrutiny Board meeting⁶;
 - any other matters specified in an order made by the Secretary of State from time to time.

⁴ As set out in Section 119 of the Local Government and Public Involvement in Health Act 2007

⁵ Guidance on *Arrangements for the Scrutiny of Crime and Disorder Functions and Local Crime and Disorder Matters* is provided in Annex B of this guidance note.

⁶ The Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008 defines an 'excluded matter' and came into force on 1 April 2009.

- 2.2. There is also provision for any matter to be referred to Overview and Scrutiny that consists of an allegation of systematic failure within the Council, notwithstanding the fact that the allegation specifies matters which would otherwise be excluded.
- 2.3. Best practice guidance on Councillor Call for Action (CCfA) has been published by the Centre for Public Scrutiny and the Improvement and Development Agency⁷. Whilst this guidance is not prescriptive it provides case study examples of good practice and local authorities that piloted CCfA arrangements. The key points emphasised in the guidance include:
- CCfA is a means of last resort and should be aimed at seeking resolution where other techniques have failed;
 - senior level officer and Member commitment to resolving issues is necessary for maximum effort;
 - any local CCfA guidance to be light touch;
 - the CCfA process should be developed through a consultation process involving Members and other local partners;
 - CCfA is designed to assist Members in dealing with local ward issues – problems which affect the whole Council area should be dealt with in another way;
 - Members will need to discuss what exactly will constitute the successful resolution of the issue;
 - the forum for discussion is less important than the fact that the issue should be discussed together in its entirety.

3. COUNCILLOR CALL FOR ACTION – THE LOCAL PROCESS

Steps to be taken prior to making a Councillor Call for Action (CCfA) referral

- 3.1. The CCfA should be considered as a mechanism of last resort, where all other methods of resolution have been exhausted and failed to deliver an appropriate outcome.
- 3.2. In using the CCfA provisions, a ward member (the referring Member) must have regard to the guidance issued by the Secretary of State, outlined in 2.1 above, paying particular attention to those matters deemed to be excluded.
- 3.3. Prior to referring a CCfA to a Scrutiny Board, the referring Member must have made reasonable attempts to resolve the matter using all mechanisms and resources available to them as a ward councillor.
- 3.4. As a minimum, it is expected that the referring Member will have satisfied themselves that the issue is not an excluded matter and will have made reasonable attempts to resolve the matter by approaching one or more of the following:
- the relevant Director(s) and/or Chief Officer(s)
 - the relevant Executive Board member(s)
 - any relevant partnership bodies or local groups

⁷ Available from the Publications section of the Centre for Public Scrutiny website: www.cfps.org.uk

Making a Councillor Call for Action (CCfA) referral

- 3.5. Any CCfA request should be made in writing to the Head of Scrutiny and Member Development and be accompanied with supporting evidence, including details of any meetings and/or discussions that have taken place in an attempt to resolve the matter, along with any associated conclusions.
- 3.6. The purpose of providing such supporting evidence is to demonstrate that other appropriate methods of resolution have been explored and exhausted. As such, in providing any supporting evidence the referring Member should seek to demonstrate that:
 - All relevant internal routes of resolution have been followed, with sufficient time allowed to resolve the matter.
 - The matter should not be pursued via the Council's complaints procedure.
 - All relevant partner organisations have been informed of the matter (for example, through formal letters written on behalf of constituents), with sufficient time allowed to resolve the matter.
- 3.7. Where the Head of Scrutiny and Member Development deems that there is insufficient evidence to demonstrate that other methods of resolution have been exhausted then the request will be deemed invalid. In such circumstances, the Head of Scrutiny and Member Development will notify the referring Member in writing within 5 working days, detailing the reason(s) for the decision made.
- 3.8. Where a CCfA request has been deemed invalid, the referring Member shall have the right to appeal the decision of the Head of Scrutiny and Member Development. Any such appeals shall be made in writing to the Chief Democratic Services Officer within 5 working days of the original notification provided by the Head of Scrutiny and Member Development.
- 3.9. On receipt of such an appeal, the Chief Democratic Services Officer shall provide notification of the judgement made in relation to the CCfA request within 5 working days, detailing the reason(s) for the decision made. Such notification will be made in writing and provided to the referring Member and the Head of Scrutiny and Member Development.
- 3.10. The decision of the Chief Democratic Services Officer shall be final and there will be no further right of appeal.

Prior to the Scrutiny Board meeting

- 3.11. Any valid CCfA request received will be included on the agenda of the next ordinary meeting of the appropriate Scrutiny Board. This shall include all supporting evidence⁸ provided to demonstrate that other appropriate methods of resolution have been explored and exhausted.

⁸ Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information.

- 3.12. The Head of Scrutiny and Member Development shall notify the referring Member of the date, time and location of the Scrutiny Board meeting where the request shall be considered.
- 3.13. At the discretion of the relevant Scrutiny Board Chair, the relevant member of the Executive Board, Area Committee Chair and/or appropriate officer will be invited to attend and contribute to the discussion at the Scrutiny Board meeting where a CCfA request is being considered.
- 3.14. In order to assist the Scrutiny Board in reaching a decision on a CCfA request, the Chair of the Scrutiny Board may also choose to invite other organisation(s) and/or individual(s) to attend and contribute to the discussion at the Scrutiny Board meeting.

During the Scrutiny Board meeting

- 3.15. All CCfA requests will to be looked at on their individual merits and on the basis of the evidence provided. The referring Member will be entitled to address the meeting of the Scrutiny Board when a CCfA request is being considered.
- 3.16. In considering whether or not to investigate the matter raised, the Scrutiny Board will have regard to:
- any powers which the referring Member may exercise in relation to the matter under consideration (i.e. exercise of functions by local councillors under local delegated decision-making arrangements);
 - any representations made by the referring Member as to why the matter should be investigated.
- 3.17. In order to assist the Scrutiny Board in deciding whether or not to investigate the matter(s) raised, the Chair of the Scrutiny Board may also choose to invite comments from any other organisation(s) or individual(s) deemed suitable.
- 3.18. When deciding whether or not to further investigate the CCfA, the Scrutiny Board may usefully wish to consider and confirm whether:
- There is sufficient evidence to demonstrate that:
 - All reasonable attempts have been made to resolve the matter by the referring Member.
 - The matter raised is not being progressed and all relevant service areas or partner organisations have been informed and allowed sufficient time to resolve the matter.
 - The matter is being or should be pursued via the Council's complaints procedure.
 - The Board has considered a similar issue recently, and if so whether the circumstances and/or evidence has changed significantly.
 - A similar or related issue is already included on the Board's current work programme, as it may be more appropriate to link the CCfA request to an existing work item.
 - The matter might more usefully be considered and referred to an alternative Scrutiny Board (i.e. as part of another inquiry and/or Scrutiny Board work programme).

- The matter referred has the potential for scrutiny to produce realistic recommendations that could be implemented and lead to improvements for anyone living or working in the referring Member's ward.
- 3.19. Where a Scrutiny Board is minded to undertake an inquiry as a result of a CCfA, the Scrutiny Board will also consider:
- How the referral meets the inquiry selection criteria;
 - The impact on the Board's current work programme;
 - The time available to undertake an inquiry; and,
 - The level of resources required to carry out the work.
- 3.20. The decision whether or not to further investigate the matter(s) raised is the sole responsibility of the Scrutiny Board. As such, any decision in this regard is final and there is no right of appeal.

After the Scrutiny Board meeting

- 3.21. Where a Scrutiny Board has considered a CCfA request, the Head of Scrutiny and Member Development will provide written notification of the outcome of the Scrutiny Board's deliberations to the referring Member, within 5 working days of the Scrutiny Board meeting.
- 3.22. Where a Scrutiny Board decides not to investigate the matter raised, this notification will include the reason(s) for that decision.
- 3.23. Where a Scrutiny Board decides to further investigate the matter(s) raised, this notification will include an outline of the agreed actions with an indicative timetable. The referring Member will be subsequently notified of any significant deviation from this timetable.
- 3.24. A copy of any final report agreed by the Scrutiny Board and/or any recommendations made to the Council or the Executive Board will be provided to the referring Member as soon as practicable⁹.

⁹ Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information.

REQUESTS FOR SCRUTINY: LOCAL CRIME AND DISORDER MATTERS

1. INTRODUCTION

- 1.1. Provisions in the Police and Justice Act 2006, namely Section 19, 20 and 21, extend the remit of local authorities to scrutinise crime and disorder functions. As a result, the Council has been required to designate a Scrutiny Board to act as the Council's 'Crime and Disorder Committee'. The Environment and Neighbourhoods Scrutiny Board has been assigned to fulfil this role.
- 1.2. Overall, in its capacity as a crime and disorder committee, the Scrutiny Board has powers to:
 - (a) Review or scrutinise decisions made (or action taken), in connection with the discharge of crime and disorder functions by the 'responsible authorities'¹⁰;
 - (b) Review or scrutinise any Member referred local crime and disorder matter;
 - (c) Make reports and/or recommendations to the Council or the Executive;
 - (d) Call an officer from a responsible authority to attend its meetings in order to answer questions or otherwise to provide information and to respond to reports or recommendations made by the Scrutiny Board;
 - (e) Co-opt additional members to serve on the committee, either with or without voting rights¹¹
- 1.3. In addition, the Scrutiny Board must meet to review or scrutinise decisions made, or other action taken, by the responsible authorities at least once a year.
- 1.4. This part of the guidance note relates to the process for administering a *Local Crime and Disorder referral* and aims to provide guidance and assistance for Members, Scrutiny Boards and Officers in the management and consideration of such requests.

2. BACKGROUND

- 2.1. The Police and Justice Act 2006 makes provision for elected members to refer local crime and disorder matters to the Council's designated Crime and Disorder Committee. Local crime and disorder matters should be considered to encompass all community safety issues that affect all or part of the ward for which the member is elected or any person who lives or works in that area including:
 - Antisocial behaviour;
 - Other behaviour adversely affecting the local environment;
 - The misuse of drugs, alcohol or other substances

¹⁰ These are the authorities responsible for crime and disorder strategies, as detailed in the Crime and Disorder Act 1998, Section 5. In Leeds, *Safer Leeds* is the city's Crime and Disorder Reduction Partnership, therefore the 'responsible authorities' are those bodies represented on the Safer Leeds Partnership Executive

¹¹ Details are set out in Article 6 (Scrutiny Boards: Co-opted Members)

- 2.2. While the Police and Justice Act 2006 makes separate provision for the referral of local crime and disorder matter, in practice the principles and processes involved are essentially the same as for any Councillor Call for Action (CCfA) referral.

3. LOCAL CRIME AND DISORDER REFERRALS – THE LOCAL PROCESS

Steps to be taken prior to making a local crime and disorder referral

- 3.1. A local crime and disorder referral should be considered as a mechanism of last resort, where all other methods of resolution have been exhausted and failed to deliver an appropriate outcome.
- 3.2. Prior to a referring a local crime and disorder matter to the Crime and Disorder Committee, the referring Member must have made reasonable attempts to resolve the matter using all mechanisms and resources available to them as a ward councillor. As a minimum, it is expected that the referring Member will attempted to resolve the matter by approaching the 'responsible authorities' represented on the Safer Leeds Partnership Executive.

Making a local crime and disorder referral

- 3.3. Any local crime and disorder referral should be made in writing to the Head of Scrutiny and Member Development and be accompanied with supporting evidence, including details of any meetings and/or discussions that have taken place in an attempt to resolve the matter, along with any associated conclusions.
- 3.4. The purpose of providing such supporting evidence is to demonstrate that other appropriate methods of resolution have been explored and exhausted. As such, in providing any supporting evidence the referring Member should seek to demonstrate that:
- All relevant internal routes of resolution have been followed, with sufficient time allowed to resolve the matter.
 - The matter should not be pursued via an existing complaints procedure.
 - Relevant responsible authorities have been informed of the matter (for example, through formal letters written on behalf of constituents), with sufficient time allowed to resolve the matter.
- 3.5. Where the Head of Scrutiny and Member Development deems that there is insufficient evidence to demonstrate that other methods of resolution have been exhausted then the referral will be deemed invalid. In such circumstances, the Head of Scrutiny and Member Development will notify the referring Member in writing within 5 working days, detailing the reason(s) for the decision made.
- 3.6. Where a local crime and disorder referral has been deemed invalid, the referring Member shall have the right to appeal the decision of the Head of Scrutiny and Member Development. Any such appeals shall be made in writing to the Chief Democratic Services Officer within 5 working days of the original notification provided by the Head of Scrutiny and Member Development.

- 3.7. On receipt of such an appeal, the Chief Democratic Services Officer shall provide notification of the judgement made in relation to the local crime and disorder referral within 5 working days, detailing the reason(s) for the decision made. Such notification will be made in writing and provided to the referring Member and the Head of Scrutiny and Member Development.
- 3.8. The decision of the Chief Democratic Services Officer shall be final and there will be no further right of appeal.

Prior to the Scrutiny Board meeting

- 3.9. Any valid local crime and disorder referral received will be included on the agenda of the next ordinary meeting of the appropriate Scrutiny Board. This shall include all supporting evidence¹² provided to demonstrate that other appropriate methods of resolution have been explored and exhausted.
- 3.10. The Head of Scrutiny and Member Development shall notify the referring Member of the date, time and location of the Scrutiny Board meeting where the request shall be considered.
- 3.11. Where a local crime and disorder referral is being considered, the appropriate representative(s) from the relevant 'responsible authorities' represented on the Safer Leeds Partnership Executive will be invited to attend and contribute to the discussion at the Scrutiny Board meeting.
- 3.12. In order to assist the Scrutiny Board in reaching a decision on a local crime and disorder referral, the Chair of the Scrutiny Board may also choose to invite other organisation(s) and/or individual(s) to attend the Scrutiny Board meeting.

During the Scrutiny Board meeting

- 3.13. All local crime and disorder referrals will to be looked at on their individual merits and on the basis of the evidence provided. The referring Member will be entitled to address the meeting of the Scrutiny Board when a local crime and disorder referral, raised by that Councillor, is being considered.
- 3.14. In considering whether or not to investigate the matter(s) raised, the Scrutiny Board will have regard to:
- any powers which the referring Member may exercise in relation to the matter under consideration (i.e. exercise of functions by local councillors under local delegated decision-making arrangements);
 - any representations made by the referring Member as to why the matter should be investigated.
- 3.15. In order to assist the Scrutiny Board in deciding whether or not to further investigate the matter(s) raised, the Chair of the Scrutiny Board may choose to invite comments from any other organisation(s) or individual(s) deemed suitable.

¹² Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information.

3.16. When deciding whether or not to further investigate the local crime and disorder referral, the Scrutiny Board may usefully wish to consider and confirm whether:

- There is sufficient evidence to demonstrate that:
 - All reasonable attempts have been made to resolve the matter by the referring Member.
 - The matter raised is not being progressed and all relevant service areas or partner organisations have been informed and allowed sufficient time to resolve the matter.
- The matter is being or should be pursued via an existing complaints procedure.
- The Board has considered a similar issue recently, and if so whether the circumstances and/or evidence has changed significantly.
- A similar or related issue is already included on the Board's current work programme, as it may be more appropriate to link the local crime and disorder referral to an existing work item.
- The matter referred has the potential for scrutiny to produce realistic recommendations that could be implemented and lead to improvements for anyone living or working in the referring Member's ward.

3.17. Where the Scrutiny Board is minded to undertake an inquiry as a result of a referral, the Scrutiny Board will also consider:

- How the referral meets the inquiry selection criteria;
- The impact on the Board's current work programme;
- The time available to undertake an inquiry; and,
- The level of resources required to carry out the work.

3.18. The decision whether or not to further investigate the matter(s) raised is the sole responsibility of the Scrutiny Board. As such, any decision in this regard is final and there is no right of appeal.

After the Scrutiny Board meeting

3.19. Where the Scrutiny Board has considered a local crime and disorder referral, the Head of Scrutiny and Member Development will provide written notification of the outcome of the Scrutiny Board's deliberations to the referring Member, within 5 working days of the Scrutiny Board meeting.

3.20. Where the Scrutiny Board decides not to investigate the matter(s) raised, this notification will include the reason(s) for that decision.

3.21. Where the Scrutiny Board decides to further investigate the matter(s) raised, this notification will include an outline of the agreed actions with an indicative timetable. The referring Member will subsequently be notified of any significant deviation from this timetable.

3.22. A copy of any final report agreed by the Scrutiny Board and/or any recommendations made to the Council or the Executive Board will be provided to the referring Member as soon as practicable¹³.

¹³ Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information.

REQUESTS FOR SCRUTINY: HEALTH AND SOCIAL CARE MATTERS

1. INTRODUCTION

- 1.1. The Local Government and Public Involvement in Health Act 2007 gave a duty to all 150 local authorities in England with social services responsibilities, to enable the formation of a Local Involvement Network (LINK). In summary, the LINK will act as the successor to the Patient and Public Involvement Forums (PPIF) but with an extended remit covering social care.
- 1.2. Under provisions in the Local Government and Public Involvement in Health Act 2007, the local LINK has the right to refer both health and social care matters to the relevant Scrutiny Board. In turn, this places responsibility on the appropriate Scrutiny Board to acknowledge any such referrals and keep the LINK informed about what actions, if any, will be taken.
- 1.3. This part of the guidance note relates to the process for administering a *Health and Social Care referral* and aims to provide guidance and assistance for Members, Scrutiny Boards and Officers in the management and consideration of such requests.

2. BACKGROUND

- 2.1. LINKs have been set up to give communities a stronger voice in how their health and social care services are delivered. Run by local people and groups, the role of a LINK is to promote involvement, to find out what people like and dislike about local services, monitor the care provided by services and use LINK powers to hold services to account.
- 2.2. Given the role and function of LINKs, the relation between the LINK and the Council's Scrutiny Boards will be key and more detailed information on this relationship is provided in a separate guidance note.
- 2.3. An important function of the LINK is the ability to refer both health and social care matters to the relevant Scrutiny Board. In turn, this places responsibility on the appropriate Scrutiny Board to acknowledge any such referrals and keep the LINK informed about the progress of any agreed actions.

3. HEALTH AND SOCIAL CARE REFERRALS – THE LOCAL PROCESS

Steps to be taken prior to making a health or social care referral

- 3.1. Under the Local Government and Public Involvement in Health Act 2007 and the Local Involvement Networks Regulations 2008, the local LINK has the right to refer any matter relating to the planning, provision and operation of health or social care services to the relevant Scrutiny Board.
- 3.2. This should not detract from the aspiration for relevant Scrutiny Boards to work closely with the LINK to ensure that knowledge about work programme items and emerging issues is regularly shared.

- 3.3. Any formal referral of such matters should be considered as a mechanism of last resort and occur in instances where the relevant health or social care service provider / commissioner has failed to provide a satisfactory response to a report/ recommendations produced by the LINK within 20 working days.

Making a health or social care referral

- 3.4. Any health or social care referral should be made in writing to the Head of Scrutiny and Member Development and be accompanied with supporting evidence, which outlines the rationale for the referral and demonstrates that the relevant health or social care service provider / commissioner has been given sufficient time to respond to the issue(s) raised.

Prior to the Scrutiny Board meeting

- 3.5. On receipt of a health or social care referral, the Head of Scrutiny and Member Development will ensure the matter, together with all the supporting evidence¹⁴ provided by the LINK, is included on the agenda of the next ordinary meeting of the appropriate Scrutiny Board.
- 3.6. On behalf of the relevant Scrutiny Board, the Head of Scrutiny and Member Development shall acknowledge receipt of any health or social care referral within 20 working days of its receipt. Within this acknowledgement, details of the date, time and location of the Scrutiny Board meeting where the referral shall be considered will also be provided.
- 3.7. Where a health or social care referral is being considered, an appropriate representative from the relevant health or social care service provider / commissioner will be invited to attend and contribute to the discussion at the Scrutiny Board meeting.

During the Scrutiny Board meeting

- 3.8. All health or social care referrals will to be looked at on their individual merits and on the basis of the evidence provided. Representatives from the LINK will be entitled to address the meeting of the Scrutiny Board where such a referral is being considered.
- 3.9. In order to assist the Scrutiny Board in deciding whether or not to act on the referral, the Chair of the Scrutiny Board may also choose to invite comments from any other organisation(s) or individual(s) deemed suitable.
- 3.10. When deciding whether or not to act on the health or social care referral, the Scrutiny Board will consider the impact of any proposed action. In particular, where a Scrutiny Board is minded to undertake an inquiry as a result of a referral, the Scrutiny Board will consider:
- How the referral meets the inquiry selection criteria;
 - The impact on the Board's current work programme;
 - The time available to undertake an inquiry; and,
 - The level of resources required to carry out the work.

¹⁴ Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information

3.11. The decision whether or not to act on the referral is the sole responsibility of the Scrutiny Board. As such, any decision in this regard is final and there is no right of appeal.

After the Scrutiny Board meeting

3.12. Where a Scrutiny Board has considered a health or social care referral, the Head of Scrutiny and Member Development will provide written notification of the outcome of the Scrutiny Board's deliberations to the LINK, within 5 working days of the Scrutiny Board meeting.

3.13. Where a Scrutiny Board decides not to act on the referral, this notification will include the reason(s) for that decision.

3.14. Where a Scrutiny Board decides to act on the referral, this notification will include an outline of the proposed actions and an indicative timetable. The LINK will subsequently be notified of any significant deviation from this timetable.

3.15. A copy of any final report agreed by the Scrutiny Board and/or any recommendations made to the relevant health or social care service provider / commissioner will be provided to the LINK as soon as practicable¹⁵.

¹⁵ Subject to the provisions set out in the Local Government Act 2000 with regard to confidential and/or exempt information.

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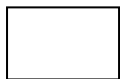
Report of the Head of Scrutiny and Member Development

Scrutiny Board: SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS)

Date: 8th June 2009

Subject: Co-opted Members

Electoral Wards Affected:



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of the report

- 1.1 The purpose of this report is to seek the Scrutiny Board's formal consideration for the appointment of co-opted members to the Board.

2.0 Background

- 2.1 For a number of years the Council's Constitution has made provision for the appointment of co-opted members to individual Scrutiny Boards. For those Scrutiny Boards where co-opted members have previously been appointed, such arrangements have tended to be reviewed on an annual basis, usually at the beginning of a new municipal year. However, the appointment of co-opted members has not been considered consistently across all Scrutiny Boards.

Leeds City Council Scrutiny Review (May 2009)

- 2.2 As part of their 2008/09 Audit and Inspection Plan, KPMG (the Council's external auditors) carried out a review of the Council's Overview and Scrutiny function. The outcome of that review is presented elsewhere on the agenda, however a specific aspect relates to the appointment of co-opted members to Scrutiny Boards.
- 2.3 The relevant extract and associated recommendation from the KPMG report is detailed below:

Having attended Scrutiny meetings at LCC that had both co-opted Members on the Board and no co-opted Members there appeared to be a greater level of participation by all when the Boards contained co-opted Members. In addition the contribution made by the co-opted Members was very valuable as these Members were able to draw upon their experiences and provide a different perspective.

Currently the constitution of LCC does allow all Scrutiny Boards to have co-opted members it is just something that is not widely exercised. This is almost the opposite at Bristol City Council where there are a large number of Scrutiny Boards with co-opted Members. The Scrutiny Support Unit has however been proactive in this area and have recently taken a paper to the Scrutiny Advisory Group highlighting the benefits of having co-opted Members on Scrutiny Boards.

Recommendation Six

Each of the Scrutiny Boards should assess more formally whether co-opted Members should be invited to participate in their Board so to allow them to draw from the benefits of their involvement.

- 2.4 In response to this recommendation, it was agreed that each Scrutiny Board would be formally asked to consider the potential involvement of co-opted members throughout the year.

3.0 Arrangements for appointing co-opted members

General arrangements

- 3.1 It is widely recognised that in some circumstances, in particular where there is some specialist knowledge or skill, co-opted members can significantly aid the work Scrutiny Boards. This is currently reflected in Article 6 (Scrutiny Boards) of the Council's Constitution, which outlines the options available to Scrutiny Boards in relation to appointing co-opted members. In general terms, Scrutiny Boards can appoint:
- Up to five non-voting co-opted members for a term of office that does not go beyond the next Annual Meeting of Council ; and/or,
 - Up to two non-voting co-opted members for a term of office that relates to the duration of a particular and specific scrutiny inquiry.

Specific arrangements

- 3.2 In the majority of cases the appointment of co-opted members is optional and is determined by the relevant Scrutiny Board, however, there are some particular legislative exceptions. Such cases are also set out in Article 6 (Scrutiny Boards) of the Council's Constitution and summarised below:

Education Representatives

- 3.3 In addition to elected Members appointed by Council, the Local Government Act 2000 states that the relevant Scrutiny Board dealing with education matters shall include in its membership the following voting representatives in accordance with statutory requirements:
- One Church of England diocese representative¹
 - One Roman Catholic diocese representative¹
 - Three parent governor representatives²

Where the Scrutiny Board deals with other non-educational matters the co-opted members may participate in any discussion but shall not be entitled to vote on those matters.

¹ Article 6 states this appointment shall be for a term of office that does not go beyond the next Annual Meeting of Council

² Article 6 states these appointments shall be for a four-year term of office

Crime and Disorder Representatives

- 3.4 In accordance with the requirements of the Police and Justice Act 2006, the Council has designated the Scrutiny Board (Environment and Neighbourhoods) to act as the Council's crime and disorder committee.
- 3.5 The overall implications of this designation are detailed elsewhere on the agenda, however there are specific powers relating to the appointment of additional members detailed in Article 6. In this regard the Scrutiny Board (Environment and Neighbourhoods) may co-opt additional members to serve on the Board, providing they are:
- An employee, officer or member of a responsible authority³ or of a co-operating person or body⁴; and,
 - Not an Executive Member
- 3.6 The Scrutiny Board (Environment and Neighbourhoods) may limit the co-opted member's participation to those matters where the Scrutiny Board is acting as the Council's crime and disorder committee.
- 3.7 Unless the Scrutiny Board (Environment and Neighbourhoods) decides otherwise, any co-opted member shall not be entitled to vote and the Board may withdraw the co-opted membership at any time.

4.0 Issue to consider when seeking to appoint co-opted members

- 4.1 Currently, there is no overarching national guidance or criteria that should be considered when seeking to appoint co-opted members. As a result, there is a plethora of methods employed within Councils for the appointment of co-optees to Overview and Scrutiny Committees (Scrutiny Boards). For example, some Councils use "job descriptions", some carry out formal interviews and some advertise for co-optees in the local press, with individuals completing a simple application form which is then considered by Members.
- 4.2 In considering or seeking the appointment of co-opted members, Scrutiny Boards may find it useful to consider that co-opted members should:
- Add value to the work of the Scrutiny Board and/or specific inquiry, by having some specialist skill or knowledge
 - Be considered as representatives of wider groups of people. For example, service user representatives, voluntary or community groups etc.
 - Not be seen as a replacement to professional advice from officers;
 - Be mindful about the extent of any potential conflicts of interest;
- 4.3 Despite the lack of any national guidance, what is clear is that any process for appointing co-opted members should be open, effective and carried out in a manner which seeks to strengthen the work of Scrutiny Boards.
- 4.4 In addition, when considering the issue of co-opted members, Scrutiny Boards should also be mindful of the role of expert witnesses and seeking information /

³ These are the authorities responsible for crime and disorder strategies, as detailed in the Crime and Disorder Act 1998, Section 5. In Leeds, *Safer Leeds* is the city's Crime and Disorder Reduction Partnership, therefore the 'responsible authorities' are those bodies represented on the Safer Leeds Partnership Executive.

⁴ People or bodies with whom the responsible authorities have a duty to co-operate as set out in the Police and Justice Act 2006, Section 19(2)(b).

evidence from a variety of different sources to help fulfill the objectives of the work programme and/or a specific inquiry.

5.0 Recommendation

5.1 In line with the options available outlined in this report, Members are asked to consider the appointment of co-opted members to the Scrutiny Board.

6.0 Background Papers

- The Council's Constitution
- Police and Justice Act 2006
- KPMG Scrutiny Review May 2009



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Report of the Head of Scrutiny and Member Development

Scrutiny Board: Central and Corporate Functions

Date: 8th June 2009

Subject: Input to the Work Programme 2009/10 - Sources of Work and Establishing the Board's Priorities

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity
Community Cohesion
Narrowing the Gap

1.0 Purpose of Report

- 1.1 This report provides information and guidance to assist the Board develop its work programme for 2009/10.
- 2.1 Relevant information from the following key sources have been extracted appropriate to this Board's responsibilities and attached to this paper to assist Members in this process (Appendix 1):
 - Council Business Plan 2008 – 2011 – Executive Summary
 - Council Business Plan 2008 -2011 – Improvement Priorities
 - List of work undertaken in the past five years.
- 3.1 Other sources of work will continue to be 'requests for scrutiny' and corporate referrals.
- 3.2 A copy of the Board's terms of reference is attached for reference purposes. (Appendix 2)
- 3.3 The relevant extract from the latest forward plan and the most recent Executive Board minutes are also attached for consideration. (Appendix 3)

4.0 Guidance

- 4.1 Over the last few years of Scrutiny Board work, experience has shown that the process is more effective if the Board seeks to minimise the number of substantial inquiries running at one time. This view is echoed within the findings of the recent

KPMG external report on the Scrutiny function in Leeds, which is discussed elsewhere in this agenda.

4.2 The Board is advised to consider the benefits of single item agendas (excluding miscellaneous information and minutes) in order to focus on all the relevant evidence and complete an inquiry in a shorter period of time. There are various mechanisms available to assist the Board in concluding inquiries quickly, such as working groups and site visits.

4.3 The agreed Memorandum of Understanding between Executive Board and Overview and Scrutiny which sits within the Council's Constitution states;

"The responsibility of those setting scrutiny work programmes is, therefore, to ensure that items of work come from a strategic approach as well as a need to challenge service performance and respond to issues of high public interest.

It is recognised that Scrutiny Boards have a 'watching brief' role. In addition information is required for members' own development process, particularly as membership of the Boards is changed annually.

However, it is also recognised that agendas are often filled up with reports for this purpose, which takes up time for both officers and Members. Where Scrutiny Boards wish to ask questions at a general or more strategic level and/or be updated on issues already considered in detail, the facility of Members' Questions – where a verbal exchange replaces written reports - should be used.

It is expected that where ever possible prior notification is given of the likely questions to be asked".

4.4 For the past couple of years the Children's Services Board in particular has developed the approach of devoting one meeting per quarter to 'horizon scan' issues and consider performance management. This includes discussing with Executive Members and officers relevant issues. This is acknowledged within the KPMG report as good practice.

5.0 Work programming

5.1 Councillor Richard Brett, Executive Board Member, the Director of Resources, the Assistant Chief Executive (Corporate Governance) and, the Assistant Chief Executive (Planning, Policy and Improvement) have been invited to attend this meeting of the Board to contribute to discussions about the Board's work programme.

5.2 Following those discussions, the Board is asked to agree an outline work programme that prioritises the issues to be investigated.

6.0 Recommendations

6.1 Members are requested to use the attached information and the discussion with those present at the meeting to develop its work programme.

Background Papers

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Council Business Plan 2008 to 2011

Executive Summary

About the Council Business Plan

The **Council Business Plan 2008 to 2011** is an important high level plan which outlines the ways we want to change and improve our organisation over the next three years. It sets out the internally facing business development, organisational change and process transformation activities that we will be undertaking and it ensures that we have the resources in place to deliver these.

It is the sister document to the **Leeds Strategic Plan 2008 to 11** which sets out our externally facing priorities for improving the lives of the people of Leeds. These priorities are not just for the council but are shared with our partners across the city. By changing the way we work through the Council Business Plan we will be in good shape to successfully deliver the Leeds Strategic Plan. In other words the Business Plan is the **smarter working** that helps us achieve the **better results** of the Leeds Strategic Plan.

Our ambitions within the business plan are structured around three strategic outcomes which are translated into actions through a more detailed set of improvement priorities. These are supported by performance indicators and targets to measure the progress we will make over the next three years. There are also three big ideas which bring together the key themes of the plan and provide a focus for our efforts. These outcomes and improvement priorities are shown on the following pages.

Delivering the Plan

The Council Business Plan is translated into action through annual service plans, team plans and individuals actions and activities across the whole organisation. Everyone has a part to play in fulfilling these ambitions and they can only be achieved by working together. Many of the improvements in the plan do not work on their own and are linked together. For example, to improve leadership we need to make sure our leaders have good skills, are fully trained, are given feedback, and have clear policies to support them. The Business Plan will help us to co-ordinate these changes effectively.

Senior officers from across the council have responsibility for co-ordinating and delivering the improvement priorities and we have arrangements in place to monitor our progress on a regular basis and at the highest level.

Further information

For further information about the Council Business Plan 2008 to 2011 please contact:

councilplan@leeds.gov.uk
0113 224 3462

Or visit the intranet pages of the Policy Performance and Improvement team.

Business Outcome 1

We are a values led organisation and our people are motivated and empowered

BIG IDEA

We will take significant steps to reduce our carbon emissions

By 2011 we want to:

Organisational Design and Workforce Planning

- Ensure we have the right staff, in the right place with the right skills at the right time
- Empower, support and develop our staff and members by embedding core skills and behaviours with performance based appraisals
- Improve understanding and transparency of our decision-making and accountability processes

Leadership

- Improve leadership at all levels including officers and elected members
- Enhance our leadership of the city
- Strengthen communication (skills and mechanisms) at all levels

Democratic engagement

- Strengthen our democratic processes to improve governance and policy making
- Maximise member involvement in policy development, decision making and accountability

Equality Diversity and Cohesion and Integration

- Ensure colleagues reflect the diversity of our communities at all levels
- Ensure fair access to all our services
- Embed equality and diversity throughout the organisation

Sustainability

- Reduce the carbon emissions arising from our buildings, vehicles and operations **BIG IDEA**
- Increase the proportion of socially responsible goods and services that we procure
- Support the achievement of our strategic outcomes through our corporate social responsibility programme

Business Outcome 2
We are an intelligent organisation, using good quality information to deliver better outcomes

BIG IDEA
We will have a one council understanding of our customers

By 2011 we want to:

Information and knowledge management

- Improve our systems and processes to enable us to use our information effectively and efficiently
- Use our information to shape service provision, provide constructive challenge and improve our decision making at all levels
- Ensure we have the right intelligence to inform our strategic planning
- Develop arrangements to protect and share information in line with legislative and regulatory requirements

Customer involvement, choice and satisfaction

- Improve our understanding of our customers
- Increase choice so customers can access services in more convenient ways
- Improve our services based on customer feedback
- Manage customer expectation and deliver on our promises
- Develop joined up and person centred services designed around the needs of our customers
- Enhance the links between front and back office services to deliver excellent end-to-end services

Stakeholder Engagement

- Increase involvement, engagement and participation of all communities especially under-represented groups
- Build trust with local communities to encourage greater engagement

Business Outcome 3
Our resources are clearly prioritised to provide excellent services and value for money

BIG IDEA
We will explore opportunities for collaboration to support our business transformation aspirations

By 2011 we want to:

Resource Prioritisation

- Deliver our 5 year financial strategy to align resources to our strategic priorities
- Embed sustainability in our resource management processes
- Consider all additional sources of funding available to support our priorities

Efficiency/Value for Money

- Improve the efficiency of our services including maximising savings delivered through procurement, ICT and asset management.
- Embed value for money at all levels

Commissioning

- Implement a commissioning approach which is based on need, delivers value for money and ensures the best provider.

Service Improvement and Transformation

- Ensure strategic business transformation/improvement activity is prioritised and co-ordinated
- Enhance service improvement capacity to support business change at directorate/service level
- Embed a consistent approach to service planning which clearly links workforce planning, risk, financial and performance management.
- Explore opportunities for collaboration with private and public sector bodies BIG IDEA

Partnerships

- Develop sustainable and effective partnership governance framework

Support services

- Improve quality and efficiency of support services

Accountability Table - Council Business Plan 2008 to 2011

Accountable Director

CLT member with overall accountability for an improvement priority and their role is to nominate and support the Lead Officer to deliver the improvement priority - including agreeing the scope of the improvement activities on an on-going basis.

Lead Officer - the role of the lead officer is to:

Provide leadership for the delivery of the improvement priority including defining the gaps and actions required and development of a one council approach (where appropriate)
Identify contributory officers and co-ordinate their activities to ensure the improvement priority in the Council Business Plan is being delivered, including problem solving as required
Evaluate and present performance information in accordance with Council's Performance Management framework

Contributory Officer - a named person who is responsible for:

Contributing to the delivery of an improvement priority in the Council Business Plan
Has identified actions or resources to contribute to the delivery of the outcome/improvement priority
Provides information to the lead officer in accordance with Council's Performance Management framework
Attends co-ordinating/problem solving sessions as required

Supporting Delivery Board

A board through which council wide contributions may be discussed and co-ordinated, where joint approaches can be agreed and problems resolved. The board may be used to facilitate the delivery of the improvement priority but the overall leadership remains with the Lead Officer

Business Plan Outcome	Code	Improvement Priority	Aligned Indicators	Accountable Director	Lead Officer	Supporting Delivery Board
We are a values led organisation and our people are motivated and empowered	VP-1a	Ensure we have the right staff, in the right place with the right skills at the right time	BP-4ciii Use of Resources - Workforce Planning and Development KLOE Score BP-17 Sickness Rate BP-18 Staff Turnover BP-19 % staff feeling valued BP-20 % staff had appraisal BP-21 % staff feel contribute to direction of organisation	Director of Resources	Chief Officer Human Resources	Resources and Performance Board
	VP-1b	Empower, support and develop our staff and members by embedding core skills and behaviours with performance based appraisals		Director of Resources	Chief Officer Human Resources	Resources and Performance Board
	VP-2a	Improve leadership at all levels including officers and elected members	BP-26 IP Accreditation BP-32 Direction of Travel Score (to be replaced with Managing Performance Score from Organisational Assessment under CAA)	Director of Resources	Chief Officer Human Resources	Resources and Performance Board
	VP-2b	Enhance our leadership of the city		Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Policy, Partnerships and the Leeds Initiative	CLT
	VP-2c	Strengthen communication (skills and mechanisms) at all levels	BP-22 % staff feel council communicates well with them	Assistant Chief Executive (Planning, Policy and Improvement)	Head of Communications	Strategic Planning and Policy Board
	VP-1c	Improve understanding and transparency of our decision-making and accountability processes	BP-4biii - Use of Resources - Good Governance KLOE Score			
	VP-3a	Strengthen our democratic processes to improve governance and policy making	BP-4biv - Use of Resources - Risk Management and internal control KLOE Score BP-29 Voter Turnout BP-37 % key decision not in forward plan	Assistant Chief Executive (Corporate Governance)	Chief Democratic Services Officer	Corporate Governance Board
	VP-3b	Maximise member involvement in policy development, decision making and accountability				
	VP-4a	Ensure colleagues reflect the diversity of our communities	BP-25a-c % top earners women, BME and disabled BP-24 % staff disabled BP-23 % staff BME	Director of Resources	Chief Officer Human Resources	Resources and Performance Board
	VP-4b	Ensure fair access to all our services	BP-14 % services accessible NI 140 Fair treatment by local services	Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Policy, Partnerships and the Leeds Initiative	Customer Strategy Board
	VP-4c	Embed equality and diversity throughout the organisation	BP-28 Implementation Equality and Diversity Scheme BP-27 Equality Standard level	Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Policy, Partnerships and the Leeds Initiative	Equality and Diversity Board
	VP-5a	Reduce the carbon emissions arising from our buildings, vehicles and operations - BIG IDEA	NI 185 Carbon emissions BP-01 EMAS Accreditation BP-04c Use of Resources - Natural Resources KLOE Score	Director of Resources	Chief Officer Corporate Property Management	Corporate EMAS Group
	VP-5b	Increase the proportion of socially responsible goods and services that we procure		Assistant Chief Executive (Corporate Governance)	Chief Procurement Officer	Corporate Governance Board
	VP-5c	Support the achievement of our strategic outcomes through our corporate social responsibility programme		Director of Resources	Chief Officer Resources Transformation	One Council Steering Group

Business Plan Outcome	Code	Improvement Priority	Aligned Indicators	Accountable Director	Lead Officer	Supporting Delivery Board
We are an intelligent organisation, using good quality information to deliver better outcomes	IO-1b	Use our information to shape service provision, provide constructive challenge and improve our decision making at all levels	BP-4bii - Use of Resources - Use of information KLOE Score BP-36b - % Strategic Indicators with "no concerns" for data quality	Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Policy, Partnerships and the Leeds Initiative	Strategic Planning and Policy Board
	IO-1c	Ensure we have the right intelligence to inform our strategic planning			Chief Officer Policy, Partnerships and the Leeds Initiative	Strategic Planning and Policy Board
	IO-1a	Improve our systems and processes to enable us to use our information effectively and efficiently	BP-33 Delivery of IO programme BP-34 % staff understanding IKM BP-35 % service compliant with Info Governance BP-36a Data Quality via key systems		Chief Officer Business Transformation	Business Transformation Board
	IO-1d	Develop arrangements to protect and share information in line with legislative and regulatory requirements		Chief Officer Business Transformation	Business Transformation Board	
	IO-2a	Improve our understanding of our customers - BIG IDEA		Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Customer Services	Customer Strategy Board
	IO-2b	Increase choice so customers can access services in more convenient ways	NI 14 Avoidable contact BP-07 Overall Resident Satisfaction			
	IO-2c	Improve our services based on customer feedback	BP-08 Volume transactions through self service BP-09 % complaints responded to in 15 days BP-13 % satisfied with complaints handling			
	IO-2d	Manage customer expectation and deliver on our promises	BP-10 % letters responded to in 10 days BP-11 % emails responded to in 10 days BP-12 % calls answered			
	IO-2e	Develop joined up and person centred services designed around the needs of our customers				
	IO-2f	Enhance the links between front and back office services to deliver excellent end-to-end services				
	IO-3a	Increase involvement, engagement and participation of all communities especially hard to reach groups	BP-29 Voter turn out BP-15 % residents satisfied council allows them a say BP-16 % residents who feel well informed			
	IO-3b	Build trust with local communities to encourage greater engagement				

Business Plan Outcome	Code	Improvement Priority	Aligned Indicators	Accountable Director	Lead Officer	Supporting Delivery Board
Our resources are clearly prioritised to provide excellent services and value for money	Vfm-1a	Deliver our 5 year financial strategy to align resources to our strategic priorities	BP-02 % Resource reprioritisation achieved BP-03 Variation from budget BP-04ai Use of Resources - Planning for financial health KLOE score BP-04aiii Use of Resources - Financial reporting KLOE score BP-05 % income collected (council tax, NDR, housing rents and sundry debtors)	Director of Resources	Chief Officer Financial Management	Resources and Performance Board
	Vfm-1b	Embed sustainability in our resource management processes				
	Vfm-1c	Consider all additional sources of funding available to support our priorities				
	Vfm-2a	Improve the efficiency of our services including maximising savings delivered through procurement, ICT and asset management	NI 179 Efficiency savings BP-04aii Use of Resources - Understanding costs and achieving efficiencies KLOE score BP-04cii Use of Resources - Strategic Asset Management KLOE score	Director of Resources	Chief Officers Resources and Strategy Chief Officers Resources and Strategy Chief Officer Resources Transformation	Resources and Performance Board
	Vfm-2b	Embed value for money at all levels				
	Vfm-6	Improve quality and efficiency of support services				
	Vfm-3	Implement a commissioning approach which delivers value for money and ensures the best provider	BP-04bi Use of Resources - Commissioning and Procurement KLOE score	Assistant Chief Executive (Corporate Governance)	Chief Procurement Officer	Resources and Performance Board
	Vfm-4a	Ensure strategic business transformation/improvement activity is prioritised and co-ordinated	BP-30 Number major project not independently assured BP-31 Number major projects rated red for effectiveness of project management arrangements	Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Business Transformation	Business Transformation Board
	Vfm-4b	Enhance service improvement capacity to support business change at directorate/service level				
	Vfm-4c	Embed a consistent approach to service planning which clearly links workforce and asset planning, risk, financial and performance management	BP-32 Direction of Travel Score (to be replace with Managing Performance score under CAA)	Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Policy, Partnerships and the Leeds Initiative	Resources and Performance Board
	Vfm-4d	Explore opportunities for collaboration with private and public sector bodies - BIG IDEA		Assistant Chief Executive (Planning, Policy and Improvement)	Chief Officer Business Transformation	CLT
	Vfm-5	Develop sustainable and effective partnership governance framework	BP-4biii - Use of Resources - Good Governance KLOE Score BP-4biv - Use of Resources - Risk Management and internal control KLOE Score	Assistant Chief Executive (Corporate Governance)	Chief Democratic Services Officer	Corporate Governance Board

Proposed Breakdown of Use of Resources Performance Indicator

	PI Code	Key Line of Enquiry
Managing finances	BP-4ai	Planning for Financial Health Does the organisation plan its finances effectively to deliver its strategic priorities and secure sound financial health?
	BP-4aai	Understanding Costs and Achieving Efficiencies Does the organisation have a sound understanding of its costs and performance and achieve efficiencies in its activities?
	BP-4aiii	Financial Reporting Is the organisation's financial reporting timely, reliable and does it meet the needs of internal users, stakeholders and local people?
Governing the business	BP-4bi	Commissioning and Procurement Does the organisation commission and procure quality services and supplies, tailored to local needs, to deliver sustainable outcomes and value for money?
	BP-4bii	Use of Information Does the organisation produce relevant and reliable data and information to support decision making and manage performance?
	BP-4biii	Good Governance Does the organisation promote and demonstrate the principles and values of good governance?
	BP-4biv	Risk Management & Internal Control Does the organisation manage its risks and maintain a sound system of internal control?
Managing resources	BP-4ci	Natural Resources Is the organisation making effective use of natural resources?
	BP-4cii	Strategic Asset Management Does the organisation manage its assets effectively to help deliver its strategic priorities and service needs?
	BP-4ciii	Workforce Planning and Development Does the organisation plan, organise and develop its workforce effectively to support the achievement of its strategic priorities?

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SCRUTINY REPORTS FALLING WITHIN THE CENTRAL AND CORPORATE PORTFOLIO

YEAR	SCRUTINY BOARD	TITLE OF REPORT
04/05	Central & Corporate Functions	Council's current policy of restricting number of Hackney Carriage vehicles in area
05/06	Transforming Services	Inquiry to consider procedures & consultation arrangements which Bus companies are required to follow when they wish to change bus timetables and/or bus routes
05/06	Transforming Services	Review of out of hours service provision by Depts, Ed. Leeds & ALMO's in support of the Council's Emergency Response Arrangements
05/06	Overview & Scrutiny	Safety, Wellbeing & Attendance
05/06	Transforming Services	Inquiry into whether the Council and its wholly owned Companies provide consistent interpretation & translation facilities
05/06	Overview & Scrutiny	Budget - Energy & Water management
05/06	Transforming Services	Inquiry into how Council learns lessons & develops best practice if contracts go wrong
05/06	Workforce Planning	Inquiry into workforce planning
06/07	Overview & Scrutiny	Narrowing the gap
06/07	Overview & Scrutiny	Information Management in Leeds
07/08	Overview & Scrutiny Committee	Consultation on strategic outcomes & improvement priorities for the Leeds Strategic Plan
07/08	Resources	Review the commissioning of the passenger transport and taxi and private hire contracts
08/09	Central & Corporate Functions	Procurement of services
08/09	Central & Corporate Functions	Attendance Management
08/09	Central & Corporate Functions	Member Development
08/09	Central & Corporate Functions	Cover Pricing
08/09	Central & Corporate functions	Embedding equality, diversity & cohesion & integration

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Scrutiny Board (Central and Corporate Functions)

1. In relation to matters concerning **Central and Corporate Functions**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive, including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework⁴;
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate;
 - (f) to review outcomes, targets and priorities within the Leeds Strategic Plan and to make such reports and recommendations as it considers appropriate;
 - (g) to review or scrutinise executive decisions made but not implemented;⁵ and
 - (h) to monitor the implementation of the capital programme⁶.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ These are the functions delegated under the officer delegation scheme (council functions) and the officer delegation scheme (executive functions) to:

- the Chief Executive;
- the Deputy Chief Executive;
- the Assistant Chief Executive (Corporate Governance);
- the Assistant Chief Executive (Planning, Policy and Improvement); and
- the Director of Resources.

² including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

³ under the Budget and Policy Framework Procedure Rules

⁴ including in relation to the Budget

⁵ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules.

⁶ Each Scrutiny Board may consider individual capital schemes that fall within its terms of reference.

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LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 May 2009 to 31 August 2009

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
The Supply of Materials to Property maintenance To award the contract for the supply of materials to Property Maintenance.	Director of Resources	1/5/09		Tender Evaluation Report	Director of Resources iain.dunn@leeds.gov.uk
Learning disabilities staffing review To approve a revised staffing structure for the learning disability service within social care.	Director of Resources, Chief Officer (HR)	7/5/09	Consultation has taken place with staff and their representatives.	Report to the Chief Human Resources Officer including updated job outlines.	Director of Resources paul.broughton@leeds.gov.uk
Demolition of Leeds International Pool To obtain Authority to Spend for the demolition of the Leeds International Pool	Executive Board (Portfolio: Central and Corporate)	13/5/09	Executive Member and Ward Councillors	The report to be issued to the decision maker with the agenda for the meeting	Director of Resources david.graham@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Financial Performance Provisional Outturn 2008/09 In noting the provisional outturn for the authority a decision will be required as to the treatment of any variation identified.	Executive Board (Portfolio: Central and Corporate)	17/6/09		The report to be issued to the decision maker with the agenda for the meeting	Director of Resources alan.gay@leeds.gov.uk
Pay and Grading Review Consideration of Pay Protection Arrangements	Executive Board (Portfolio: Central and Corporate)	17/6/09	Consultation is taking place with a range of internal stakeholders	The report is to be issued to the decision maker with the agenda for the meeting	Director of Resources daniel.hartley@leeds.gov.uk
The Supply of Parts to Fleet Services To award the contract for the supply of parts to the Stores Division of Fleet Services at Torre Road	Director of Resources	30/6/09		Tender Evaluation Report	Director of Resources julie.meakin@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Leeds Joint Service Centres - Furniture and Interior Design Solution for two new Joint Service Centres in Leeds Authorisation to procure furniture and fittings and interior design for two new Joint Service Centres in Leeds	Deputy Chief Executive	1/8/09	<ol style="list-style-type: none"> 1. Briefing with Relevant Councillors 2. Consultation with the Primary Care Trust 3. Consultation with relevant LCC Client Depts 4. Consultation with Local Residents 	LCC Procurement Legislation, The PCT Procurement Legislation, Executive Board Report approved 04.03.09, LCC Constitution	Deputy Chief Executive david.page@leeds.gov.uk
The supply of Gas to Leeds City Council Premises Award of Contract	Chief Asset Management Officer	3/8/09	Client Departments	Contract Award Report	Chief Asset Management Officer philippa.elliott@leeds.gov.uk

NOTES

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £250,000 per annum, or
- are likely to have a significant effect on communities living or working in an area comprising two or more wards

Executive Board Portfolios

Executive Member

Central and Corporate

Councillor Richard Brett

Development and Regeneration

Councillor Andrew Carter

Environmental Services

Councillor Steve Smith

Neighbourhoods and Housing

Councillor John Leslie Carter

Leisure

Councillor John Procter

Children's Services

Councillor Stewart Golton

Learning

Councillor Richard Harker

Adult Health and Social Care

Councillor Peter Harrand

Leader of the Labour Group

Councillor Keith Wakefield

Leader of the Morley Borough
Independent Group

Councillor Robert Finnigan

Advisory Member

Councillor Judith Blake

In cases where Key Decisions to be taken by the Executive Board are not included in the Plan, 5 days notice of the intention to take such decisions will be given by way of the agenda for the Executive Board meeting.

EXECUTIVE BOARD

WEDNESDAY, 13TH MAY, 2009

PRESENT: Councillor A Carter in the Chair

Councillors R Brett, J L Carter, R Finnigan,
S Golton, R Harker, P Harrand, J Procter,
S Smith and K Wakefield

Councillor J Blake – Advisory Member

254 Exclusion of the Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:

- (a) Appendix 1 to the report referred to in minute 258 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix provides a brief overview of the anticipated costs and identified funding associated with the proposed acquisition. It is considered not to be in the public interest to disclose this information at this point in time as it could undermine the Council's position in negotiating with the building owner. The release of this information could also prejudice the Council's interests in relation to this or other similar transactions in that the land owner of this or other similar properties would have information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of any transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing the information at this point in time.
- (b) Appendices 1, 2 and 4 of the report referred to in minute 261 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the fact that:-
 - (i) Appendices 1 and 2 – The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Council's action;
 - (ii) Appendix 4 – The costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure

could prejudice the Council's ability to reach an agreement on the purchase price with owners.

255 Declaration of Interests

Councillor Smith declared a personal and prejudicial interest in the item relating to the Health and Wellbeing Partnership Plan 2009-2012 (minute 266 refers) due to his position as a Director of a Health and Wellbeing Centre.

Councillor Blake declared a personal interest in the item relating to the Health and Wellbeing Partnership Plan 2009-2012 (minute 266 refers) due to being a member of Leeds NHS Primary Care Trust.

256 Minutes

RESOLVED – That the minutes of the meeting held on 1st April 2009 be approved.

DEVELOPMENT AND REGENERATION

257 Football World Cup 2018

The Director of City Development submitted a report advising of the invitation received from the English Football Association for the City of Leeds to bid to become a 'host city' for the football World Cup 2018.

RESOLVED –

- (a) That Leeds investigate the submission of a Leeds City Region bid to become a host city for the Football World Cup 2018;
- (b) That the governance structure proposed in the submitted report be approved;
- (c) That the proposed Leeds City Region representatives for the Host City Briefing to be held in London on 18th May 2009 be noted;
- (d) That a report be brought back to this Board as soon as the likely human and financial resource implications of the project are known;
- (e) That dialogue with the City Region partners be opened at the earliest opportunity.

258 West Leeds Gateway Site - 2 Branch Road

The Director of Environment and Neighbourhoods submitted a report on an in principle proposal that Compulsory Purchase powers be used to achieve the acquisition of 2 Branch Road, Armley subject to a further report being brought to the Board for final approval.

Following consideration of appendix 1 to the report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

RESOLVED – That the contents of the report be noted and that in principle approval be given to the use of Compulsory Purchase powers to achieve the acquisition of 2 Branch Road, should this be necessary, subject to a further report to this Board seeking full approval.

259 Response to the City Development Scrutiny Board's Inquiry into the A660 Corridor Transport Issues

The Director of City Development submitted a report in response to the recommendations from the recent Scrutiny Board (City Development) inquiry concerning A660 Corridor Transport Issues.

RESOLVED – That the proposed responses to the Scrutiny Board's recommendations, as contained in the report, be approved.

NEIGHBOURHOODS AND HOUSING

260 Response to the Scrutiny Board (City and Regional Partnerships) Inquiry into the role of the voluntary, community and faith sectors in Council led community engagement

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (City and Regional Partnerships) with regard to the role of the voluntary, community and faith sectors in Council led community engagement.

RESOLVED – That the Scrutiny Board (City and Regional Partnerships) inquiry report into the role of the voluntary, community and faith sectors in Council led community engagement be referred to Scrutiny Board (Children's Services) and Scrutiny Board (Adult Social Care) for consideration, with a further report being submitted to Executive Board in due course.

261 Regeneration of the Garnets, Beeston

The Director of Environment and Neighbourhoods submitted a report on options for the regeneration of the Garnets area and on the proposed commencement of acquisition and clearance of 112 properties within the Garnets by utilising £3,000,000 of confirmed funding during 2009/11.

The report presented and appraised the options of:

- (a) doing the minimum to meet legal conformity;
- (b) undertaking group repair and internal remodelling;
- (c) property acquisition and redevelopment of the site.

Following consideration of appendices 1, 2 and 4 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3) which were considered in private at the conclusion of the meeting it was

RESOLVED –

- (a) That scheme expenditure to the amount of £3,000,000 be authorised.
- (b) That the option of acquisition and site redevelopment be progressed.
- (c) That a further report be brought to this Board when further funding is made available through successful bids for the residual £1,300,000 of funding.
- (d) That the Director of Environment and Neighbourhoods and Director of City Development authorise and promote any Compulsory Purchase Orders which may become necessary.

(Under the provisions of Council Procedure Rule 16.5, Councillor Wakefield required it to be recorded that he abstained from voting on this decision)

262 Update on Council Rents - 2009/10

Further to minute 236 of the meeting held on 1st April 2009, the Director of Environment and Neighbourhoods submitted a report providing an update on the rent changes for 2009/10, and the cost implications for this change.

RESOLVED – That the contents of the report be noted together with the change in the 2009/10 average rent increase for Council dwellings from 6.2% to 3.1%.

CHILDREN'S SERVICES

263 School Calendar 2010 - 2011

The Chief Executive of Education Leeds submitted a report on the process of setting the school calendar in Leeds, providing an update on the consultation process and proposing one option for the approval of the Board.

The three options which had been the subject of the consultation were:

Option 1: The Easter bank holiday weekend falls at the end of the two-week school break. This option coincided with the recommendations of the Local Government Association.

Option 2: The Easter bank holiday weekend falls in the middle of the two week school break. Schools would not return to school until the day after May Day bank holiday, reducing the number of split weeks in school. However, the term would not be split equally resulting in a very short first half term after Easter.

Option 3: Schools have a separate Easter bank holiday weekend. They would experience three four-day weeks due to the occurrence of the May Day bank holiday the week after Easter Monday.

RESOLVED –

- (a) That the extensive consultation undertaken to consider the implications for the 2010/11 school calendar in Leeds be noted.
- (b) That the school calendar dates associated with option 3, and as detailed in annex 3 to the report, be approved.
- (c) That subject to (d) below, the proposal for a fixed break between terms 2 and 3, irrespective of when Easter falls, with a corresponding adjustment to the summer vacation which ensures a two week Christmas break, be approved in principle;
- (d) That following the conclusion of the 2010/11 academic year, a report be submitted to the Board reviewing the success of the implementation of the school calendar schedule as detailed at option 3.

264 The Achievement of Looked After Children

The Chief Executive of Education Leeds submitted a report outlining the achievement of Looked After Children in Leeds and on strategies for the improvement of outcomes.

RESOLVED –

- (a) That the main findings of the report and its conclusions be noted.
- (b) That a further update report be brought to this Board in Autumn 2009.

LEISURE

265 Leisure Centre Refurbishment and Free Swimming Capital Modernisation

The Director of City Development submitted a report on proposals for the DCMS Free Swimming Capital Modernisation Programme, refurbishment of changing rooms at Scott Hall Leisure Centre, installation of sound and light systems in the pool halls at Scott Hall, John Smeaton and Pudsey Leisure Centres and the extension of the Bodyline Gym at Scott Hall.

RESOLVED –

- (a) That approval be given to the injection of £572,300 into the Capital Programme consisting of DCMS Free Swimming Capital Modernisation Programme pot 4 (£410,000), Prudential Borrowing (£30,000) and Leeds City Council budgets (totalling £132,300).
- (b) That authority be given to spend in the following amounts:
 - £512,300 on the refurbishment of the changing rooms at Scott Hall Leisure Centre
 - £90,000 on the installation of sound and light systems in the pool halls at Scott Hall, John Smeaton and Pudsey Leisure Centres, thus achieving the criteria set by DCMS for the award of this funding
 - £30,000 on the extension of the Bodyline Gym at Scott Hall Leisure Centre through Prudential Borrowing

ADULT HEALTH AND SOCIAL CARE

266 Health and Wellbeing Partnership Plan 2009 to 2012

The Director of Adult Social Services and Director of Public Health submitted a joint report presenting the final draft of the Leeds Health and Wellbeing Partnership Plan 2009 to 2012 for comment and agreement that it be submitted to Council for approval as part of the Budget and Policy Framework.

RESOLVED – That the final draft of the Health and Wellbeing Partnership Plan be agreed for submission to Council for approval.

(Having declared a personal and prejudicial interest in relation to this item due to being a Director of a Health and Wellbeing Centre, Councillor Smith withdrew from the meeting room during the consideration of this item)

267 Carers' Strategy for Leeds 2009-2012: 'Every Carer Counts'

The Director of Adult Social Services submitted a report on the content of the Leeds Carers Strategy 2009-2012 and presenting the strategy for approval for its publication and dissemination.

RESOLVED – That the Carers' Strategy for Leeds 2009-2012 'Every Carer Counts', as appended to the report, be approved for implementation, subject to an addition which reflects the Board's comments concerning the provision of advice and guidance available to carers in Leeds.

CENTRAL AND CORPORATE

268 Response to the Central and Corporate Functions Scrutiny Board Inquiry into Member Development

The Chief Democratic Services Officer submitted a report in response to the recent Scrutiny Board (Central and Corporate Functions) Inquiry into Member Development.

RESOLVED – That the proposed responses to the Scrutiny Board's recommendations, as contained within the report, be approved.

269 Response to the Central and Corporate Functions Scrutiny Board Inquiry into Attendance Management

The Director of Resources submitted a report in response to the recent Scrutiny Board (Central and Corporate Functions) Inquiry into attendance management.

RESOLVED – That the proposed responses to the Scrutiny Board's recommendations, as contained within the report, be approved.

270 Response to the Central and Corporate Functions Scrutiny Board Inquiry into Procurement of Services

The Chief Procurement Officer submitted a report in response to the recent Scrutiny Board (Central and Corporate Functions) Inquiry into the Procurement of Services.

RESOLVED – That the proposed responses to the Scrutiny Board's recommendations, as contained within the report, be approved.

271 Councillor Blake and Councillor Smith

Councillors Blake and Smith were both thanked for their services to the Board, as it was noted that this would be the last meeting in which both would be in attendance as Executive Board members.

DATE OF PUBLICATION: 15TH MAY 2009
LAST DATE FOR CALL IN: 22ND MAY 2009 (5.00 PM)

Draft minutes to be approved at the meeting
to be held on Wednesday, 17th June, 2009

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 26th May 2009)

Draft minutes to be approved at the meeting
to be held on Wednesday, 17th June, 2009

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Originator: Peter Marrington

Tel: 39 51151

Report of the Head of Scrutiny and Member Development

Scrutiny Board: Central and Corporate Functions

Date: 8th June 2009

Subject: EXECUTIVE BOARD RESPONSE TO FINAL SCRUTINY BOARD REPORTS.

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of Report

1.1 To advise Members of the responses given by Executive Board following receipt of three final Scrutiny Inquiry reports from 2008/09.

2.0 Introduction

2.1 Members of the Board will be aware that all final Scrutiny Board Inquiry reports are now considered by Executive Board. In May 2009 Executive Board considered three reports from Scrutiny Board (Central and Corporate). These were;

- Inquiry into Member Development,
- Attendance Management and
- Procurement of Services.

2.2 In considering its response to Scrutiny Board recommendations, Executive Board has before it the opinion of the relevant Director. The Directors response in relation to the above three reports are shown as Appendix 1. All the responses within these three reports were agreed by Executive Board. The relevant extracts from the Executive Board minutes are shown below.

CENTRAL AND CORPORATE

Response to the Central and Corporate Functions Scrutiny Board Inquiry into Member Development

The Chief Democratic Services Officer submitted a report in response to the recent Scrutiny Board (Central and Corporate Functions) Inquiry into Member Development.

RESOLVED – That the proposed responses to the Scrutiny Board’s recommendations, as contained within the report, be approved.

Response to the Central and Corporate Functions Scrutiny Board Inquiry into Attendance Management

The Director of Resources submitted a report in response to the recent Scrutiny Board (Central and Corporate Functions) Inquiry into attendance management.

RESOLVED – That the proposed responses to the Scrutiny Board’s recommendations, as contained within the report, be approved.

Response to the Central and Corporate Functions Scrutiny Board Inquiry into Procurement of Services

The Chief Procurement Officer submitted a report in response to the recent Scrutiny Board (Central and Corporate Functions) Inquiry into the Procurement of Services.

RESOLVED – That the proposed responses to the Scrutiny Board’s recommendations, as contained within the report, be approved.

2.3 In line with Scrutiny’s Recommendation Tracking System, progress on meeting these recommendations will be monitored by this Board on a quarterly basis, with the first reports being received at the July meeting.

3.0 Recommendations

3.1 Members are requested to;

- (i) Note the response of the Executive Board following receipt of three Inquiry reports
- (ii) Note the arrangements for monitoring progress on the implementation of the recommendations.

Background Papers

Scrutiny Board Final Inquiry Reports

- Member management
- Attendance Management
- Procurement of Services



Report of the Chief Democratic Services Officer

Executive Board

13th May 2009

Response to the Central and Corporate Functions Scrutiny Board Inquiry into Member Development

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

This report provides the Executive Board with details of the recommendations from the recent Central and Corporate Functions Scrutiny Board Inquiry into Member Management and details the response of the Chief Democratic Services Officer.

1.0 Purpose Of This Report

- 1.1 This report provides the Executive Board with details of the recommendations from the recent Central and Corporate Functions Scrutiny Board Inquiry into Member Management and details the response of the Chief Democratic Services Officer to these recommendations.

2.0 Background Information

- 2.1 The Central and Corporate Functions Scrutiny Board conducted an inquiry into Member Management between December 2008 and February 2009. This Inquiry was undertaken following a recommendation made by IDeA assessors on the award of the Member Development Charter. The Scrutiny Board Inquiry report is attached at appendix 1. The report makes six recommendations for action.

3.0 Main Issues

- 3.1 Each of the Scrutiny Board's six recommendations are listed below along with a response from the Chief Democratic Services Officer.

Recommendations One

That the Member Development Officer discusses with Directors how training and support mechanisms for officers delivering learning and development activities for Members can be developed.

- 3.2 The Chief Democratic Services Officer supports this recommendation. A considerable amount of training is provided in-house and is highly valued. However it is acknowledged that whilst skilled in their field of expertise some officers may not be skilled 'trainers'. Efforts to make improvements in this area are also supported by the Member Development Working Group chaired by Councillor Latty.

Recommendation Two

That the Member Development Officer works with Group Support Managers and Group Whips in a more proactive way to promote the importance of Personal Development Plans and to prepare to increase the number of completed PDPs.

- 3.3 The Chief Democratic Services Officer supports this recommendation and steps have already been taken to achieve this, resulting in an increase in the number of PDPs having been undertaken since the beginning of the Scrutiny Board's Inquiry.

Recommendation Three

That all Executive Board Members and Group Whips undertake a PDP so as to demonstrate their support for Member Development as an ongoing process.

- 3.4 Whilst supportive of the principle that *all* elected Members undertake a PDP, the Chief Democratic Services Officer comments that the implementation of this recommendation is not within his powers to implement without a commitment from individual elected Members.

Recommendations Four and Five

That the Member Development Officer, as a matter of routine, shares feedback with event presenters and publishes event feedback on the Council's Intranet site.

That course evaluation forms be reviewed with the aim of capturing more feedback and more useful data.

That for role specific training, officer/member groups are established to evaluate the effectiveness of such training and to provide feedback to the Member Development Officer.

- 3.5 The Chief Democratic Services Officer supports these recommendations. Evaluation and feedback is essential in order to assess the effectiveness of training and also to demonstrate to others the benefit of development opportunities.

Recommendation Six

That the Council commits in principle to achieve CharterPlus in February 2010 and that the final decision is made after the external pre-assessment in autumn 2009.

- 3.6 The Chief Democratic Services Officer supports this recommendation, particularly the principle of making the final decision after an external pre-assessment. The adoption of CharterPlus can be achieved within existing resources.

4.0 Implications For Council Policy And Governance

- 4.1 There are no specific implications for Council Policy and Governance.

5.0 Legal And Resource Implications

- 5.1 If agreed, the implementation of the above recommendations would be met within existing resources and incorporated into the work plan of the Member Development section for 2009/10.

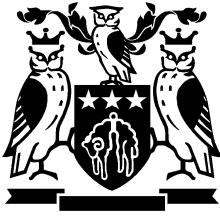
6.0 Recommendations

- 6.1 To recommend that the Executive Board approves the proposed responses outlined in this report.

Background Papers

The Scrutiny Board Inquiry report.

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Report of the Director of Resources

Executive Board

13th May 2009

Response to the Central and Corporate Functions Scrutiny Board Inquiry into Attendance Management

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

This report provides the Executive Board with details of the recommendations from the recent Central and Corporate Functions Scrutiny Board Inquiry into attendance management and details the response of the Director of Resources.

1.0 Purpose Of This Report

This report provides the Executive Board with details of the recommendations from the recent Central and Corporate Functions Scrutiny Board Inquiry into attendance management and details how the Director of Resources proposes to respond to these recommendations.

2.0 Background Information

The Central and Corporate Functions Scrutiny Board conducted an inquiry into managing attendance between July 2008 and March 2009. The request had followed concerns about the high levels and costs of sickness absence within the Council. The final report is attached at appendix 1.

The report makes nine recommendations for action.

The Scrutiny Board acknowledged the 'significant amount of work that has been undertaken to establish a framework for managers at all levels to deal with absence'. Sickness absence has fallen from 13.9 days in 2000/01 to a projected out-turn of 11.49 days in 2008/9, an average annual decrease of approximately 0.5 days year on year, which is significant for an organisation the size of Leeds City Council, a view validated by the Improvement and Development Agency.

The actions now proposed strike the right balance between ensuring managers have the confidence and competence to work effectively within this framework and taking a more proactive approach to health and well-being.

3.0 Main Issues

Below, each of the Scrutiny Board's nine recommendations are listed along with a response from the Chief Officer (HR).

Recommendations One and Two

That the Council's most senior officers instill a culture where all team leaders, at all levels, are expected, and are equipped with the skills, to take responsibility for the attendance management of their staff and that this form part of the team leaders performance appraisal.

That all staff recognise their responsibility to foster a culture where good attendance is expected and where unjustified absence will not be tolerated.

A new Senior Manager's Appraisal Scheme has been introduced which includes feedback on the new Leadership & Management Standards for all Managers and links to the Aspirational Culture.

The new Leadership & Management Standards clearly defines the desired skills and behaviours which we expect all our leaders and managers to demonstrate or work towards through development modules.

Senior managers receive 360 degree feedback as part of their appraisal which highlights how they demonstrate they are working to each behaviour and the impact this has.

Other managers are appraised under the new Manager's Appraisal Scheme which also includes feedback from their managers on their behaviours against the Standards and a similar programme of related development modules.

Two Standards are particularly relevant in ensuring that all managers demonstrate the need to manage staff performance - which includes attendance:

Motivate Teams, Individuals and Self 'take responsibility for developing and supporting individuals and teams in maximising their potential to deliver the Council's priorities'.

Manage Staff Performance 'deliver high performing services by effectively managing and improving team and individual performance. Ensure that people are clear about what is expected of them and their contribution to the team and the council'.

The Council's Aspirational Culture sets out the behaviours and culture that will deliver real, sustainable change. Three elements are linked to managing attendance: Leadership and Behaviours; Organisational Arrangements; and Routines, Rituals and Policies. Together, these will ensure more effective strategic leadership by developing the capability and competence of senior managers to take forward the council's priorities and ensure greater accountability for delivering service and performance improvements.

The new Managing Attendance Policy provides employees with a reasonable opportunity to improve and maintain their attendance and ensures managers are clear about their responsibilities to manage attendance. A Managing Attendance Pack for Managers has now been produced which will be provided when they attend briefing sessions with Local HR Teams commencing in April 2009.

The packs will comprise:

- A Quick Reference Guide for Managers on managing attendance;
- An Attendance Target Setting Guide for Managers;
- Employee Information arrangements for sick leave, sick pay and managing attendance'
- Guide for meeting staff on Long term sick leave;
- Stress Risk Assessment guidance notes;
- Muscular Skeletal guidance notes.

Together with the Managing Attendance Policy and Procedure and the Guidance Notes this comprises a 'toolkit' of information to assist managers with their responsibility for managing attendance.

The Guide clearly defines manager's roles and responsibilities, which include:

- Ensuring employees are aware of the importance of attendance, the support available to help them to maintain this and the impact of their absence on productivity and colleagues
- Ensuring all employees have an understanding of the managing attendance policy and are aware of their responsibilities and the support available to them

The Council has recently reviewed the induction process for new council employees, including the information they are provided with as they commence employment. The Manager's Induction Checklist requires managers to explain to new staff the need to

establish and maintain good attendance. This will now be reinforced at One Council Induction events held in each directorate.

The Council has recently introduced a Probationary Period for new Council employees which provides a framework within which employees are helped to reach and maintain acceptable standards of performance. The policy and procedure supports a culture and expectation of performance in the early part of their employment, and covers all aspects of performance including conduct and attendance.

It requires managers to identify expectations and standards required in the job role and to support the employee in meeting those standards and promotes better supervision and performance management in the early part of a new starter's employment.

Recommendation Three:

That HR in conjunction with the Trade Unions run focus groups to find out what individuals are saying about their attendance habits.

In 2008 Human Resources formed a regular forum to facilitate meaningful discussions with the Trade Unions on matters related to managing attendance. Focus groups with employees have been used successfully on matters related to developing a well-being strategy and also to establish the new in-house Occupational Health service.

This recommendation to provide wider forums specifically to address any underlying issues relating to attendance will be raised at a future management-trade union forum, with a view to running a series of focus groups by the end of 2009.

Recommendation Four:

That the Council pilots a 'shift swap' scheme within 'Environments and Neighbourhoods'.

The Chief Environmental Services Officer has agreed to run a pilot 'shift swap' scheme within his service area.

Recommendation Five:

That the City Council in the first instance develops formal links with Leeds Teaching Hospitals NHS Trust to share best practice in the area of attendance management and that consideration is given to Leeds City Council leading on the development of a wider 'best practice' network.

The importance of establishing links and learning from best practice is recognised. The Council has forged some good relationships in this area of work, including other Core City and regional local authorities. Formal links have not been made, however, with the Leeds Teaching Hospitals NHS Trust (LTHT). LTHT will be invited to a meeting by the end of Quarter 2, as there are many parallels between the organisations in terms of size and complexity and there will undoubtedly be areas of best practice that could be shared.

In addition to this, a multi-agency group, including the NHS, has been established across the City in response to Recommendation 7.

Recommendation Six:

That the Council continues with its pro-active approach to health and well-being under the Happy, Healthy and Here Programme. In particular, it would encourage careful evaluation of pilots such as Vielife and rehabilitation and return to work, to see if there is merit in rolling them out across the Council.

It is also important that the Council is aware of its role and influence as an exemplar employer across the City and we would encourage the City Council to work with the Healthy Leeds partnership to coordinate existing and develop new health and well-being initiatives across the city. The new Workplace Health Improvement Specialist should be supported in their role in making this happen.

The Happy, Healthy and Here Programme will continue to be the vehicle for improving safety, well-being and attendance across the Council. The Vielife and rehabilitation pilots will be fully evaluated when they come to an end. If deemed to be successful, a business case will be put forward for rolling these out to a wider audience. The Vielife pilot has clearly defined success criteria built into the pilot contract.

The Council will continue to embrace its role as an exemplar employer and will work closely with the new Health Improvement Specialist, by providing opportunities to positively influence the Council's health and well-being agenda.

Recommendation Seven:

That the City Council actively pursues becoming a Fit for Work pilot area.

Following Dame Carol Black's appearance at Scrutiny, this has been actively explored. LCC has registered an interest with the Government and have attended one of their briefings for interested parties.

The Council would only be eligible to bid as part of a cross-city, multi-agency partnership and to this end has forged links with organisations including the NHS, Leeds University, Leeds Occupational Health Advisory Service, Leeds MSK Services. The application process is in three stages and the partnership has agreed to submit a bid which meets the first deadline of the 20th April.

Recommendation Eight:

That the introduction of fit notes is endorsed and implemented as soon as is possible.

It is expected that the introduction of Fit Notes will be an effective mechanism to both help people stay in and return to work much more quickly. LCC will ensure that it works closely with General Practitioners to ensure this can have maximum effect for council employees. At the time of writing this report, no firm dates had been set.

Recommendation Nine:

That the City Council explores practical ways in which jobs may be adjusted in order to respond to fit notes and therefore encourage return to work.

It is recognised that the introduction of fit notes will have an impact on the Council in terms of adjustments, temporary redeployment and other support. The new in-house Occupational Health service is perfectly placed to offer this advice and provide training and support to line managers. A new 'Reasonable Adjustment' toolkit was also launched in March 2009, which provides practical help and guidance on a range of issues.

4.0 Implications For Council Policy And Governance

There are no specific implications for Council Policy and Governance.

5.0 Legal And Resource Implications

This work has been incorporated into the HR Service Plan for 2009-10.

6.0 Conclusions

The Central and Corporate Functions Scrutiny Board Inquiry into managing attendance has considered existing good practice and made nine recommendations. This report has detailed the Director of Resources response to these recommendations. The input from Dame Carol Black has helped to encourage multi-agency work across the City to explore how Leeds City Council can become involved in funded activity to support the national agenda around work, health and well-being.

7.0 Recommendations

The Executive Board is recommended to consider the Scrutiny Board report and the response to the recommendations made therein.

8.0 Background Papers

The Scrutiny Board report



Report of the Chief Procurement Officer

Executive Board

13th May 2009

Response to the Central and Corporate Functions Scrutiny Board Inquiry into Procurement of Services

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

EXECUTIVE SUMMARY

This report provides the Executive Board with details of the recommendations from the recent Central and Corporate Functions Scrutiny Board Inquiry into Procurement of Services, and details the response of the Chief Procurement Officer.

The Chief Procurement Officer is supportive of all six recommendations made by Scrutiny Board.

1.00 PURPOSE OF THIS REPORT

- 1.01 This report provides the Executive Board with details of the recommendations from the recent Central and Corporate Functions Scrutiny Board Inquiry into Procurement of Services and details the response of the Chief Procurement Officer to those recommendations.

2.00 BACKGROUND INFORMATION

- 2.01 The Central and Corporate Functions Scrutiny Board conducted an inquiry into Procurement of Services between October 2008 and February 2009. The Board was particularly interested in how the authority measures the value for money received from external service providers; how quality is ensured; and how the ethical framework of the Council is translated within contracts. The Scrutiny Board Inquiry report is attached at Appendix 1. The report makes six recommendations for action.

3.00 MAIN ISSUES

- 3.01 Each of the Scrutiny Board's six recommendations are listed below along with a response from the Chief Procurement Officer.

Recommendations One

That further work is undertaken by the Chief Procurement Officer to ascertain whether the One Council Commissioning Framework can be embedded within existing constitutional arrangements. This could involve a formalised role for scrutiny

- 3.02 The Chief Procurement Officer supports this recommendation. Contract Procedure Rules have been identified as the main vehicle for incorporating the One Council Commissioning Framework into the Council's constitutional arrangements. The approach will be to embed the framework into existing arrangements wherever possible. The role of scrutiny in the One Council Commissioning Framework will be considered against current guidance and best practice, and will be subject to consultation and a further report.

Recommendations Two, Three and Four

That the Chief Procurement Officer is given responsibility for the successful development of the Category Management Approach.(Recommendation 2)

That Category Management plans for key spend areas are developed by the Chief Procurement Officer. These plans should cover up to a 3 period and detail what the Council plans to commission in those areas; what resources will be required to commission and manage the arrangements and how efficiencies will be made in those spend areas (Recommendation 3)

That a Category Manager is identified for each category who will be responsible for that category and will engage with the relevant parts of the Council who spend in that category area (Recommendation 4).

- 3.03 Category Management is a key element of the One Council Commissioning Framework and is a procurement methodology that is advocated as best practice in both the public and private sectors. The RIEP (Regional Improvement and Efficiency Programme) 'Smarter Procurement' work programme has secured funding to develop a regional approach to Category Management and it is proposed that the Council's own approach is developed in tandem. This will allow sharing of regional expertise and resources. The Chief Procurement Officer is the Programme Manager for the RIEP 'Smarter Procurement' work.
- 3.04 A Category Management approach to procurement will take a more strategic view to improvement across a whole area of expenditure rather than looking at individual contracting arrangements. Taking a Category Management approach will facilitate, short, medium and long term planning of: demand management, contracting strategies, market engagement and management, collaborative and shared service opportunities; supply chain management; efficiency forecasting and realisation; and socially responsible approaches to procurement and commissioning. The Chief Procurement Officer supports this recommendation.

Recommendation Five

That a 'certificate of competency' is developed and introduced for officers involved in procurement.

That contract management is incorporated in the pre-contract phase of all projects and that complex or high risk services also include the development of a Contract Management Plan identifying resources to be assigned to contract management and any training requirements.

That a regional approach is taken to addressing capacity and capability problems around contract management, using Yorkshire and Humber's Regional Improvement and Efficiency Plan (RIEP) funding to facilitate improvements

- 3.05 The RIEP 'Smarter Procurement' work-strand has also secured funding to develop a regional approach to capacity and capability building, a core element of which will be a training programme. Initial research indicates that many of the issues identified in this scrutiny inquiry are common to many of the region's public sector organisations. It is therefore proposed that this recommendation is also progressed in tandem with the RIEP 'Smarter Procurement' work programme.

Recommendation Six

That further discussion and agreement takes place on the most appropriate way forward to influence contractors' employment practices, which promotes our legal equality duties and helps achieve our Equality and Diversity Scheme

- 3.06 The Chief Procurement Officer supports this recommendation and will work closely with the Head of Equality to build on the work and best practice already undertaken in this area.

4.00 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

- 4.01 The One Council Commissioning Framework and the development of a Category Management approach could have implications for the Council's policy and governance arrangements in the areas of procurement and commissioning. The specific implications would be identified as the recommendations are progressed and any policy/governance changes required, would be subject to consultation and the required change procedures.

5.00 LEGAL AND RESOURCE IMPLICATIONS

- 5.01 If agreed, the implementation of the above recommendations would be met within existing resources, but would have some dependency on funding from the Yorkshire and the Humber RIEP – 'Smarter Procurement' work programme. The Scrutiny Board's recommendations would be incorporated into the Service Plan of the Corporate Procurement Unit 2009/10.

6.00 RECOMMENDATIONS

- 6.01 To recommend that the Executive Board approves the proposed responses outlined in this report.

Background Papers

The Scrutiny Board Inquiry report



Originator: Peter Marrington

Tel: 39 51151

Report of the Head of Scrutiny and Member Development

Scrutiny Board: Central and Corporate Functions

Date: 8th June 2009

Subject: KPMG – SCRUTINY REVIEW – MAY 2009

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of Report

1.1 This report presents the findings of the recent KPMG external audit review of the Scrutiny function in Leeds. (Appendix 1). The report also details management's response to the reviews recommendations.

2.0 Introduction

2.1 The objective of the KPMG review was to provide the Council with assurance around the progress made in addressing the improvements areas identified by the Corporate Assessment in early 2008.

3.0 Background Information

3.1 As part of their 2008/09 Audit and Inspection Plan, it was agreed that KPMG would carry out a review of the Council's Overview and Scrutiny function. The audit objective was to provide the Council with assurance around the progress made in the improvement areas identified by the Corporate Assessment, specifically:

- The extent to which the Council has a clear vision for the contribution of scrutiny and the resources to deliver that vision;
- The extent to which the skills of the Members on the Scrutiny Boards are matched to and are appropriate for the fulfillment of their role;
- How scrutiny enquiries and public challenge feed into the work programme of Scrutiny Boards;
- The extent to which the information available to Members enables them to reach appropriate conclusions;

- The design of the Call-In arrangements in response to the Council's recent 'Corporate Assessment' report;
- The extent to which the recommendations of the Scrutiny Boards have resulted in changes in service delivery and service improvements;
- The extent to which the seven Scrutiny Boards challenge policy development and the consistency of actions taken by these Boards;
- The extent to which the Scrutiny function fits within the wider performance management arrangements of the Council; and
- The extent to which Scrutiny provides effective challenge and adds value to the Council.

4.0 Main Issues

4.1 The key findings of the review are set out below:

The recognition that in light of the recent Corporate Assessment the Council has been in the process of continuing to strengthen its Scrutiny function and that a number of aspects of good practice were identified, such as:

- Professional relationships have been developed between the Scrutiny Board Chairs and the Principal Scrutiny Advisors;
- A wide range of training tools are used in providing training resources for Scrutiny Board Members;
- Personal development plans are available for all Members which assist in the identification of individual training needs; and
- Inquiry selection criteria forms are used to determine whether full scrutiny Inquiries items will be added to the work programme of the Scrutiny Boards.

4.2 The key learning points were as follows:

That whilst the Council continues to develop its Scrutiny function it should ensure that the following areas are strengthened:

- An overall vision for the Scrutiny function should be developed, documented and published;
- The trust between Scrutiny Members, Executive Members and Officers needs to be maintained and developed in order to reinforce the importance of joint working;
- The relationship between Scrutiny Members, Executive Members and Officers needs to continue to develop and political views need to be kept separate from the Scrutiny function;
- There is a continuing need for Executive Members, Scrutiny Board Chairs and Officers to work together to identify areas where the Scrutiny Boards can add value to policy development work streams. Where Scrutiny Boards decide to not undertake work areas suggested by Executive Members a brief rationale should be provided so as to prevent any misunderstandings arising;
- The Scrutiny Boards Procedure Rules Guidance Notes should be strengthened to incorporate that the Scrutiny Boards strive for enhanced lines of internal communication; add value to the Council through the Scrutiny reviews undertaken and incorporate innovation into the approach for challenging the way the Council operates;
- The process of selecting Scrutiny Chairs should be reviewed and a 'job specification' introduced;

- Scrutiny Boards should review whether co-opted Members should be invited to join in their Board;
- All Scrutiny Boards should have 'real time monitoring' as a standing agenda item so that Scrutiny Boards can scan the horizon to identify any emerging issues;
- The efficiency of Scrutiny Board meetings needs to be improved. To achieve this timed or single item agendas should be encouraged where appropriate and pre-meetings used more effectively;
- Scrutiny Members should continue to be encouraged to access web based Scrutiny forums so that they have an additional network of resource to draw upon;
- Reports of Members attendance at Scrutiny meetings should be made to each of the political groups. Where attendance rates fall below an acceptable level then it should be the responsibility of each political party to take appropriate action to address this;
- Scrutiny Board Members should be reminded of the need to assess the performance of key indicators throughout the year and highlight if they feel this should direct any area of their annual work programme;
- Where there are key performance indicators with historical poor performance the Council should report to Scrutiny Boards the actual impact of this poor performance on service delivery; and
- The Scrutiny annual report should be strengthened to clearly outline the service benefits of the recommendations made. In addition its format should be standardised to clearly categorise the work using a consistent series of headings and to clearly display the outcomes of the previous years recommendations recording them as implemented; partially implemented; work in progress; not accepted; and no longer applicable.

4.3 These recommendations will be reported to all Scrutiny Boards for consideration. The Scrutiny Advisory Group will play a role in monitoring the implementation of the recommendations

4.4 In line with the Council's protocol for receiving external audit reports, the Corporate Governance and Audit Committee will also receive the audit report and may chose to refer particular issues to other committees, including Scrutiny Boards, for further detailed consideration.

4.5 Unfortunately, the author of the report is unable to attend today's meeting, therefore the Board may wish to consider the recommendations again at a future meeting when any points requiring clarification can be discussed. However, it was considered appropriate to bring the report to the first meeting of the Board as some of the recommendations refer to the running of Scrutiny Board meetings.

5.0 Recommendations

5.1 Members are asked to consider the review's recommendations and accompanying management response and refer any comments to the Scrutiny Advisory Group.

Background Papers

KPMG Scrutiny Review May 2009

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INFRASTRUCTURE, GOVERNMENT AND HEALTHCARE

Leeds City Council
Scrutiny Review
May 2009

AUDIT

AUDIT ■ TAX ■ ADVISORY

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This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any officer or Member acting in their individual capacities, or to third parties. The Audit Commission has issued a document entitled *Statement of Responsibilities of Auditors and Audited Bodies*. This summarises where the responsibilities of auditors begin and end and what is expected from the audited body. We draw your attention to this document.

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact Adrian Lythgo, who is the engagement director to the Authority, telephone 0113 231 3054, email adrian.lythgo@kpmg.co.uk who will try to resolve your complaint. If you are dissatisfied with your response please contact Trevor Rees on 0161 246 4000, email trevor.rees@kpmg.co.uk, who is the national contact partner for all of KPMG's work with the Audit Commission. After this, if you still are dissatisfied with how your complaint has been handled you can access the Audit Commission's complaints procedure. Put your complaint in writing to the Complaints Team, Westward House, Lime Kiln Close, Stoke Gifford, Bristol, BS34 8SU or by e mail to: complaints@audit-commission.gov.uk. Their telephone number is 0844 798 3131, textphone (minicom) 020 7630 0421.

1 Executive summary

1.1 Introduction

Scrutiny Boards are often referred to as the Council “watchdogs” by the press aiming to ensure that Council Tax payers get the best out of their public services. For Scrutiny Boards to provide this service they should have at least two components:

- Ongoing and retrospective consideration of decisions previously taken by the Executive; and
- Forward looking contributions to policy and improvement across the Council.

This review has focused on the ability for the Scrutiny function at Leeds City Council (LCC) to challenge the Council both in terms of ongoing and retrospective consideration of decisions and forward looking contributions to policy and improvement. We have also reviewed the scope and role of the Scrutiny Boards and the information available to Members of the Boards in carrying out their work and drawing their conclusions.

1.2 Key findings

We recognise that in light of the recent Corporate Assessment the Council has been in the process of continuing to strengthen its Scrutiny function and during our review we identified a number of aspects of good practice across the Council, such as:

- Professional relationships have been developed between the Scrutiny Board Chairs and the Principal Scrutiny Advisors;
- A wide range of training tools are used in providing training resources for Scrutiny Board Members;
- Personal development plans are available for all Members which assist in the identification of individual training needs; and
- Inquiry selection criteria forms are used to determine whether full scrutiny inquiries items will be added to the work programme of the Scrutiny Boards.

Whilst the Council continues to develop its Scrutiny function further and reflect best practice it should ensure that the following areas are strengthened:

- An overall vision for the Scrutiny function should be developed, documented and published;
- The trust between Scrutiny Members, Executive Members and Officers needs to be maintained and developed in order to reinforce the importance of joint working;
- The relationship between Scrutiny Members, Executive Members and Officers needs to continue to develop and political views need to be kept separate from the Scrutiny function;
- There is a continuing need for Executive Members, Scrutiny Board Chairs and Officers to work together to identify areas where the Scrutiny Boards can add value to policy development work streams. Where Scrutiny Boards decide to not undertake work areas suggested by Executive Members a brief rationale should be provided so as to prevent any misunderstandings arising;

1 Executive summary continued

- The Scrutiny Boards Procedure Rules Guidance Notes should be strengthened to incorporate that the Scrutiny Boards strive for enhanced lines of internal communication; add value to the Council through the Scrutiny reviews undertaken and incorporate innovation into the approach for challenging the way the Council operates;
- The process of selecting Scrutiny Chairs should be reviewed and a 'job specification' introduced;
- Scrutiny Boards should review whether co-opted Members should be invited to join in their Board;
- All Scrutiny Boards should have 'real time monitoring' as a standing agenda item so that Scrutiny Boards can scan the horizon to identify any emerging issues;
- The efficiency of Scrutiny Board meetings needs to be improved. To achieve this timed or single item agendas should be encouraged where appropriate and pre-meetings used more effectively;
- Scrutiny Members should continue to be encouraged to access web based Scrutiny forums so that they have an additional network of resource to draw upon;
- Reports of Members attendance at Scrutiny meetings should be made to each of the political groups. Where attendance rates fall below an acceptable level then it should be the responsibility of each political party to take appropriate action to address this;
- Scrutiny Board Members should be reminded of the need to assess the performance of key indicators throughout the year and highlight if they feel this should direct any area of their annual work programme;
- Where there are key performance indicators with historical poor performance the Council should report to Scrutiny Boards the actual impact of this poor performance on service delivery; and
- The Scrutiny annual report should be strengthened to clearly outline the service benefits of the recommendations made. In addition its format should be standardised to clearly categorise the work using a consistent series of headings and to clearly display the outcomes of the previous years recommendations recording them as implemented; partially implemented; work in progress; not accepted; and no longer applicable.

1 Executive summary continued

1.3 Way forward

We will discuss the findings of the review with Officers and Members to agree an action plan to address the key issues going forward.

2 Introduction

2.1 Background

The current constitutions of Local Authorities give selected Councillors an important role in scrutinising the decisions of the Executive. The role of Scrutiny at LCC has evolved over the years and the Council now have established seven Scrutiny Boards whose responsibilities are to examine the decisions, policies and overall performance of the Council, making recommendations for improvement where necessary. The seven Scrutiny Boards cover:

- Adult Social Care;
- Central and Corporate Functions;
- Children’s Services;
- City and Regional Partnerships;
- City Development;
- Environment and Neighbourhoods; and
- Health.

The Scrutiny Boards are often referred to as the Council “watchdogs”, and are made up of Councillors from all political parties and some include Co-opted Members from outside the Council. Legislation requires that to ensure independence there are no Executive Members on any of the Scrutiny Boards.

2.2 Objectives and scope of our review

Our objective is to provide the Council with assurance around the progress made in the improvement areas identified by the Corporate Assessment. We specifically focused upon:

- The scope and role of the Scrutiny Boards, their independence and the relationship with the Council’s leadership and the Executive Board;
- The extent to which the Council has a clear vision for the contribution of scrutiny and the resources to deliver that vision;

2. Introduction continued

- The extent to which the skills of the Members on the Scrutiny Boards are matched to and are appropriate for the fulfilment of their role;
- How scrutiny enquiries and public challenge feed into the work programme of Scrutiny Boards;
- The extent to which the information available to Members enables them to reach appropriate conclusions;
- The design of the Call-In arrangements in response to the Council's recent 'Corporate Assessment' report;
- The extent to which the recommendations of the Scrutiny Boards have resulted in changes in service delivery and service improvements;
- The extent to which the seven Scrutiny Boards challenge policy development and the consistency of actions taken by these Boards;
- The extent to which the Scrutiny function fits within the wider performance management arrangements of the Council; and
- The extent to which Scrutiny provides effective challenge and adds value to the Council.

2.3 Audit approach

Our approach has been to:

- Review key documents;
- Interview key contacts;
- Observe scrutiny meetings;
- Share best practice; and
- Provide constructive challenge and support.

2.4 Acknowledgements

We would like to take this opportunity to thank all those staff at the Council who have supported this review.

3 Scrutiny Boards scope and role, independence and wider relationships

3.1 Introduction

This section of the report discusses the scope and role of the Scrutiny Boards, their independence and the relationship with the Council's leadership and the Executive Board.

3.2 Scope and role of Scrutiny Boards

Each of the seven Scrutiny Boards have their own terms of reference which all outline the functions of the Boards. Within their terms of reference, all Scrutiny Boards state they will:

- Review or scrutinise the exercise of any function of the Council, Executive or any other matter;
- Make reports or recommendations to Council or the Executive either in connection with the exercise of any function of the Council, Executive or on any matter affecting the area or its inhabitants;
- Receive and review external audit and inspection reports;
- Act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework;
- Review corporate performance indicators; and
- Exercise the right to Call-In decisions made but not yet implemented by the Executive.

In addition all Scrutiny Boards may assist the Council and the Executive in the development and review of policies.

Having compared the terms of reference of the Scrutiny Boards at LCC with those of other Local Authorities it is evident that at LCC these are set within the legal framework whereas at other Authorities they also detail roles outside of this framework.

The softer roles referred to within other Local Authorities terms of reference include being innovative in the approach to Scrutiny; adding value through the reviews completed; striving for greater public involvement in Scrutiny; and improving communication within the Council and wider community. Whilst the role around engaging with the public is expressed within other documentation at LCC there is potential to enhance the procedural notes further by explicitly outlining additional functions / activities that Scrutiny could undertake.

3 Scrutiny Boards scope and role, independence and wider relationships continued

Recommendation One

The Council should review the Scrutiny Board Procedure Rules Guidance Notes and add that the Scrutiny Boards will:

- Be innovative in their approach to challenging the way the Council operates;
- Add value to the Council through the reviews they do; and
- Strive to improve communication channels within the Council and the wider community.

3.3 Independence of the Scrutiny Boards and wider relationships

By law no Members of scrutiny boards may be from the Council's Executive Board. However to ensure that an effective Scrutiny function is in place it is essential that a two way relationship is developed between the Executive Board and the Scrutiny Boards. In essence the relationship between the Executive Board Member and the Chair of the Scrutiny Board will impact on how issues are raised and dealt with.

A number of the Scrutiny Chairs feel that relationships with other Members and Officers is a continually evolving process and needs to continue to develop. Executive Board Members also acknowledge that whilst relationships have improved with Scrutiny Chairs there is still further work to be done.

As a result of the need to continue to develop the relationships between Scrutiny Chairs, Executive Board Members and Officers there is an acknowledgment that Scrutiny is not as effective as it could be at LCC and all political groups appear accepting of this.

Some Scrutiny Chairs feel that the role of Scrutiny is under valued by some of the Executive Board and as a result Scrutiny has not been as successful as it could be. Whilst some Executive Board Members felt that Scrutiny has added value to the Council, a couple were unable to give any specific examples of this. Scrutiny Chairs feel that they have tried various techniques to engage with Executive Members including inviting them to meetings; asking for assistance to develop work programmes; having regular update meetings; and sharing Scrutiny recommendations although still there is a recognised need to continue to engage further.

3 Scrutiny Boards scope and role, independence and wider relationships continued

Recommendation Two

The Council should publish and distribute local and national examples of where Scrutiny has added value and impact within the Annual Report. This should be seen by full Council and Officers. This will continue to convey the message that by engaging fully with Scrutiny the Council as a whole will benefit through improved public services.

The need to further develop the relationships between some Scrutiny Chairs, Executive Members and Officers is clearly highlighted by a quote from one Scrutiny Chair "Executive Members will punish Officers for co-operating too fully with Scrutiny requests."

The 'Memorandum of Understanding between Executive Board and Overview and Scrutiny' was devised to address the subtleties and nuances required to establish successful and robust Scrutiny. This should be re-distributed to facilitate professional working relationships and should be introduced on an Annual basis within the Members induction programme.

Recommendation Three

The Council should raise the profile of the 'Memorandum of Understanding between Executive Board and Overview and Scrutiny' and should encourage further engagement between the Scrutiny Chairs, Executive Members and Officers. On an annual basis this document should also be included within the Members induction programme.

3.4 Public engagement

From the Scrutiny Board meetings attended it was noted that attendance by members of the public is poor. Advertising of Scrutiny Board meetings is principally done on the Council's internet site and if a Scrutiny meeting is to be held outside of the Civic centre then fliers will be produced to leave at the place of the new venue. In addition the Scrutiny Support Unit has a mailing list to communicate with people who have previously attended meetings. The Council should consider whether it may be appropriate to try and encourage greater public engagement and as part of this they could look at different methods of advertising their Scrutiny Board meetings.

In order to encourage greater engagement with members of the public and other partners the Council should consider having single item agendas. There have been a number of occurrences within some of the Scrutiny Boards where agenda items have been given disproportionate amounts of time and as a result attendees have been left waiting sometimes not being able to present their given agenda item.

3 Scrutiny Boards scope and role, independence and wider relationships continued

Recommendation Four

Single item agendas should be introduced for Scrutiny Board meetings to improve their efficiency.

In addition to encourage greater engagement with the public, witnesses and co-optees the Council should remind Members that Scrutiny Board meetings are not the appropriate forum to raise political views as there is a risk that by doing so these individuals may feel alienated.

Recommendation Five

Scrutiny Members should be reminded that Scrutiny Board meetings are not a forum to voice personal political views.

3.5 Co-opted Members

Having attended Scrutiny meetings at LCC that had both co-opted Members on the Board and no co-opted Members there appeared to be a greater level of participation by all when the Boards contained co-opted Members. In addition the contribution made by the co-opted Members was very valuable as these Members were able to draw upon their experiences and provide a different perspective.

Currently the constitution of LCC does allow all Scrutiny Boards to have co-opted members it is just something that is not widely exercised. This is almost the opposite at Bristol City Council where there are a large number of Scrutiny Boards with co-opted Members. The Scrutiny Support Unit has however been proactive in this area and have recently taken a paper to the Scrutiny Advisory Group highlighting the benefits of having co-opted Members on Scrutiny Boards.

Recommendation Six

Each of the Scrutiny Boards should assess more formally whether co-opted Members should be invited to participate in their Board so to allow them to draw from the benefits of their involvement.

4 The vision and resources for scrutiny

4.1 Introduction

This section of the report discusses the extent to which the Council has a clear vision for the contribution of scrutiny and the resources to deliver that vision.

4.2 Vision for effective Scrutiny

By having an overall vision, aim or objective for a particular function it can serve to provide a clearer understanding of that function and demonstrate the added value that that function can bring.

From the documentation reviewed relating to Scrutiny at LCC there was no reference to what the Council see as their vision for Scrutiny. Following discussions with the Scrutiny Board Chairs, it was also clear that they each had their own personal visions for Scrutiny with there being no overarching Council wide vision. The visions from speaking to various Scrutiny Board Chairs included “holding the executive to account”; “getting involved in pre-policy decisions”; and “improving services for members of the public”.

Recommendation Seven

The Council should ascertain what their overall vision is for the Scrutiny function, formally document this and then publicise it, potentially within the Scrutiny Board Procedure Rule Guidance Notes.

4.3 Resources for effective Scrutiny

Whilst there is no overall vision as to the role of Scrutiny at LCC all Officers and Members interviewed felt that the financial resources available to the Scrutiny function were adequate to enable it to fulfil its role. The actual expenditure relating to the Scrutiny support function totalled £574,312 in 2007-08; £585,247 in 2006-07; and £503,875 in 2005-06.

One area of concern that was raised by a Scrutiny Board Chair related to whether members of the Scrutiny Boards fully understand the totality of issues being discussed. Whilst the Scrutiny Boards have access to independent research facilities this

4 The vision and resources for scrutiny continued

Member felt that these were predominately internet based and did not allow for specialist expertise to always be obtained on a particular topic area. The Scrutiny Support Unit does however provide a newspaper clipping service for Scrutiny Board Chairs which enables Members to gain further information relating to topic areas and facilitates some horizon scanning to be undertaken and potential emerging issues identified. In addition the Scrutiny Support Unit keep track of up and coming legislation, current consultations, departmental forward plans, publications by pressures, quangos and national bodies and attend numerous seminars and conferences and report back on all of these.

In addition there are a number of web based forums which Scrutiny Members are encouraged to access to gain further information or identify emerging issues. There has also been a Regional Chairs Forum although Members from LCC have not accessed this facility.

Recommendation Eight

Scrutiny Members should continue to be encouraged to access web based Scrutiny forums so that they have an additional network of resource to draw upon and it will enable further horizon scanning of emerging issues to be undertaken.

5 Matching of skills to Scrutiny Board roles

5.1 Introduction

This section of the report discusses the extent to which the skills of the members on the Scrutiny Boards are matched to and are appropriate for the fulfilment of their role.

5.2 Matching of members skills against the requirements of their role

The Scrutiny Boards are composed of elected Members who are selected to represent the political balance of the Council. As a result each political group has its own method of selection for appointing Chairs and Members to the Scrutiny Boards. However there is no formal matching undertaken by any of the political groups of the skills of Chairs and Members and the skill requirements of a particular Board. Given that there is no formal matching there is a risk that the most suitable candidate in terms of skills, experiences or even interest in the subject matter is not appointed as a Chair or Member of a Scrutiny Board.

5.3 Attendance

The table below highlights the percentage of members for each of the Scrutiny Boards that have attended 50% or less of the Scrutiny Board meetings in the time period 1 June 2008 – 19 March 2009:

Scrutiny Board	Percentage of members who have attended 50% or less of the meetings held between 1 June 2008 – 19 March 2009
Adult Social Care	23%
Central and Corporate	14%
Children's Services	27%
City Development	8%
City and Regional Partnerships	17%
Environment and Neighbourhoods	40%
Health	36%

5 Matching of skills to Scrutiny Board roles continued

This table clearly highlights that there are a large number of Scrutiny Board Members who are not attending meetings on a regular basis. In addition not only is there a poor attendance rate by some but there are other Members who are either late or who leave meetings early. Poor attendance rates, arriving late or leaving meetings early does not enable all Members to fully engage in the Scrutiny process.

Currently the Head of Scrutiny and Member Development sends reports to the Scrutiny Board Chairs and group Whips highlighting attendance rates for their Members. There is now a need for this to also be sent to each of the political groups for them to take action. For Scrutiny to be seen as effective across the Council it is paramount that Members who sit on each of the Boards attend and contribute to as many meetings as possible.

Recommendation Nine

Regular reports should be made to the political parties highlighting the attendance rates for their Members. Where attendance rates fall below an acceptable level then it should be the responsibility of each political group to take appropriate action to address this. Alternatively the number of members on Scrutiny Boards could be reduced if there are too many competing demands on Members' time.

It is recognised by some Executive and Scrutiny Members that the Scrutiny function at LCC could be strengthened. Having attended a number of Scrutiny meetings it has been evident that the chairing styles of the Boards does differ and this can lead to there being a lack of clarity over what information the Board actually requires; to agenda items being given disproportionate amounts of time; and the engagement with other partners and members of the public being weak. The Council should therefore look closely at the methods used in appointing Scrutiny Chairs. Due to the differences previously highlighted in the selection methods employed by each of the political groups there is a risk that the Members appointed as Chairs of the Scrutiny Boards are not the most suitable. The Council should consider introducing a 'job specification' outlining the required competencies of a Scrutiny Chair. Each political group should then select the individuals who best meet this specification and this should be approved by the Leader of each group.

Recommendation Ten

The Council should consider introducing a 'job specification' outlining the required competencies of a Scrutiny Chair. Each political group should then select the individuals who best meet this specification and this should be approved by the Leader of each group.

5 Matching of skills to Scrutiny Board roles continued

There appears to be a range of methods used within the Local Government sector in terms of appointing individuals as Chairs of Scrutiny. These methods include:

- An informal process of nomination, dealt with by each political group and endorsed by full Council;
- Having job specifications, against which each political party appoints the most suitable candidate; and
- Using job specifications for the leader of each political party to formally interview candidates against.

6 Development of Scrutiny work programmes

6.1 Introduction

This section of the report discusses how scrutiny enquiries and public challenge feed into the work programme of Scrutiny Boards.

6.2 Development of Scrutiny work programmes

The first meeting of the year for Scrutiny Boards is held in June where the work programmes for the year are developed. Work programmes are developed having had access to a wide range of information including key performance indicators, external audit and inspections reports and financial data etc. Work programmes are not finalised documents as they are seen to evolve throughout the year.

As work programmes are evolving documents and to ensure that all Members continually identify new areas for inclusion in the work programme each Scrutiny Board should have a standing agenda item which allows for real time monitoring of issues, so that any emerging issues can be identified. This will enable any current issues to be added where appropriate to the work programme and will facilitate the Scrutiny Board being perceived to be having greater impact by continually scanning the horizon for potential issues.

Recommendation Eleven

All Scrutiny Boards should have 'real time monitoring' as a standing agenda item.

For a detailed inquiry area to be added to the work programme it will be considered against the Council's 'inquiry selection criteria' and the Scrutiny Board will consult with the relevant Director and Executive Member. The ultimate decision of whether to add an inquiry area to the work programme lies with the Scrutiny Board.

The Council also have a 'request for scrutiny' form that anyone can complete and submit to the relevant Scrutiny Board, this is subject to the same selection criteria above.

6 Development of Scrutiny work programmes continued

At one of the Scrutiny Board meetings attended there was debate about whether or not to add a particular inquiry area to the work programme. Whilst Members of the board spent a considerable amount of time debating whether or not to add this to their work programme it was incorrectly pointed out that this had not been discussed with either the relevant Director or Executive Member. It was therefore decided to move this agenda item to the next meeting. This action was not actually required and could potentially lead to alienation of Members, partners and members of the public if meetings are not conducted in an efficient manner. By ensuring that all Scrutiny boards hold effective pre-meetings this will help to ensure that similar situations are limited.

7 Information for Members of Scrutiny Boards

7.1 Introduction

This section of the report discusses the extent to which the information available to Members enables them to reach appropriate conclusions.

7.2 Quality / Quantity of information

There is a general feeling amongst the Scrutiny Board Members that the quality of information they receive to enable them to reach appropriate decisions is to a high standard. This is felt to be facilitated by the strong relationships that the Scrutiny Board Members have developed with their Principal Scrutiny Advisors.

Across all Council meetings, not just Scrutiny, there is a trend for very large agenda packs. The risk of having such large agenda packs is that people do not get sufficient time to read the contents fully. Having reviewed all Scrutiny agenda packs for March 2009 there are only two with less than one hundred pages and there are four Scrutiny Boards with agenda packs greater than one hundred and fifty pages. The quantity of information that is presented and the number of agenda items may be a contributing factor as to why the contribution within some Scrutiny Board meetings of some Members is limited. The Council should consider whether the agenda packs could be limited in size as this could potentially lead to greater engagement by both Members and other attendees.

At one of the Children's Services Scrutiny Board meetings however, some Members felt that insufficient information was presented to decide if to go ahead and hold an inquiry hence adding an item to their work programme. As a consequence the agenda item had to be carried forward to the next meeting.

All Scrutiny Boards should ensure that they use their pre-meetings more effectively as this should be the forum for Members to voice concerns over the sufficiency of information presented. Chairs should ensure that at pre-meetings all Members are focused upon the forth coming meeting and they should ensure all Members identify which agenda item they will lead on. By having more focused pre-meetings this should lead to more efficient Scrutiny Board meetings.

7 Information for Members of Scrutiny Boards continued

Recommendation Twelve

Scrutiny pre-meetings should be more effectively used. They should be a forum to provide real focus in advance of the Scrutiny meeting.

8 Call-In arrangements

8.1 Introduction

This section of the report discusses the design of the Call-In arrangements specifically in response to the Council's recent 'Corporate Assessment'.

8.2 Call In arrangements

Within the Local Government Act 2000 there is a requirement that Overview and Scrutiny Committees are given the power to recommend that a decision made but not implemented be reconsidered, 'Called In'. As 'Calling In' of a decision can lead to a period of delay before a decision is implemented it was envisaged that this mechanism is used sparingly.

The recent Corporate Assessment made the following observations in relation to Call in arrangements:

".... Call-In arrangements need to be reviewed to support a fair and effective approach.... Call In arrangements are considered ineffective by many Councillors as two political parties have to agree which has resulted in few Call Ins in recent years."

Following this observation the Council approved changes to its constitution in May 2008. Call In arrangements must now be signed by:

- Two Non Executive elected Members (who are not from the same political party); or
- Any five Non Executive elected Members.

Following the changes implemented above another review of the Call In arrangements was undertaken in October 2008 and the following arrangements implemented:

- Scrutiny Board Members should no longer be signatories to Call Ins which they will hear;
- A substitute Member is entitled to attend the Scrutiny Board meeting where the Call In is received in place of a regular Member; and
- Call in meetings can be adjourned up to a maximum of five working days to allow information not available at the time but considered crucial by the Scrutiny Board in order to reach a decision.

8 Call-In arrangements continued

As a consequence of these changes there has been an increase in the number of Call Ins received, which now appear in line with the level of Call Ins at other Local Authorities. These changes have also led to the view that Call Ins are becoming increasingly more effective.

One of the decisions recently Called In was at the City Development Scrutiny Board and related to a decision made around cemeteries and crematoria fees. Whilst this decision was released for implementation, it was noted that under the Officer Delegation, the decision had been implemented before the Call In period had expired. Internal Audit at the Council have recently highlighted this issue and included a recommendation within one of their reports.

Recommendation Thirteen

The Scrutiny Support Unit should remind Officers of the processes that need to be adhered to relating to Call Ins.

9 Service delivery, service improvements and added value of Scrutiny

9.1 Introduction

This section of the report discusses the extent to which the recommendations of the Scrutiny Boards have resulted in changes in service delivery and service improvements and the extent to which Scrutiny adds value to the Council.

9.2 Service delivery and service improvements

Historically Scrutiny Boards have had no comprehensive system for tracking the implementation of recommendations. Hence it has not always been clear to demonstrate service delivery or improvements following recommendations made. To address this the Council have recently implemented a formal tracking system so that Scrutiny Boards can monitor the implementation of their recommendations in a more systematic way.

In addition on an annual basis a report is produced of the work undertaken by the Council's Scrutiny Boards. This highlights in detail the areas of focus of each Board and highlights some of the recommendations made. This could be further strengthened by outlining the service benefits of these recommendations as a demonstration of the impact Scrutiny can have.

Recommendation Fourteen

Within the Scrutiny annual report each Scrutiny Board should clearly outline the service benefits of the recommendations made. In addition each Scrutiny Board should consider using a consistent table or graph to clearly display the impact of their recommendations and the outcomes recording them as implemented; partially implemented; work in progress; not accepted; and no longer applicable.

Whilst not having had a formalised monitoring system in place for a long period of time, the Council is still able to highlight a wide range of examples of where the recommendations of the Scrutiny Boards have resulted in service delivery or improvements. A selection of examples are highlighted below:

- In November 2005 the Children's Services Scrutiny Board established a Young People's Scrutiny Forum to carry out scrutiny on topics chosen by the young people themselves. In their second year the Young People's Scrutiny Forum reviewed transport arrangements in Leeds for Young People and a local campaign has been launched for free bus travel for young people.

9 Service delivery, service improvements and added value of Scrutiny continued

- The Children's Services Scrutiny Board have been involved in steering the Council's approach to the development of Trust Schools to enable a proactive strategic approach to maximise the potential that Trust Schools might have in improving outcomes for children in deprived communities.
- The Scrutiny Boards also provide an important function to ensure that all parties have their views heard and comprehensively reflected. This has recently been evidenced where staff at a local school agreed to call off strike action after it was decided that Scrutiny would undertake an inquiry into a school based issue.
- The Health and Adult Social Care Scrutiny Boards have previously been acknowledged as being instrumental in improving the negotiations and working relationships between the Leeds Teaching Hospitals NHS Trust and the LGI Kidney Patients Association.
- Some of the funding awarded by the Centre for Public Scrutiny has been used to achieve one of the objectives of the Healthy Leeds Partnership's 'Health and Wellbeing Plan' which was to establish a Community Development Network for Leeds.
- Following a recommendation made by the Health and Adult Social Care Scrutiny Boards being implemented, for a representative from the Council's Development Department to become a member of the Leeds Childhood Obesity Strategy Group, it is recognised that they have played an active part in developing the action plan for tackling childhood obesity.
- The Environment and Neighbourhoods Scrutiny Board have been involved in an inquiry into the Council's own CO2 emissions. From reviewing this it is highly commendable to see the Board had factored into their inquiry future legislative changes relating to the Carbon Reduction Commitment.

All of the examples highlighted above have been identified by Scrutiny Members. None of the Executive Members interviewed were able to say when questioned any areas where Scrutiny has added value or where Scrutiny recommendations had led to service improvements. When asked as to why the Executive Members felt this was the case, some stated that they felt Scrutiny had become "cosy" and the enquiries held were "not very challenging". Some Executive Members felt that Scrutiny recommendations were ones that predominately had been generated by Officers themselves. Having reviewed a large number of Scrutiny recommendations this does not always appear to be the case although it does highlight the need for all Scrutiny Members to ensure they act with professional scepticism in all they do.

10 Policy development

10.1 Introduction

This section of the report discusses the extent to which the seven Scrutiny Boards challenge policy development and the consistency of actions taken by these Boards.

10.2 Policy development

Policy development can take the form of being involved in the development of a new policy area or can involve suggesting modifications to previous policies. Across the Council there are examples that a number of Scrutiny Boards are involved in some form of policy development, even if at the out set the area of review was not badged as policy development. Whilst there is still room for improvement in ensuring all Scrutiny Boards are more involved in policy development there is a consensus that there is a shift in the right direction and increasingly more work is being done in this area. From a review of the 2007/08 annual report which categorises the different types of work that the seven Scrutiny Boards have been involved in, it is clear to see that 33% of their total work in 2007/08 involved some form of policy review or development compared to 24% in 2006/07.

There are however, a number of Scrutiny Board Members who feel that they would like to be more involved in policy development. Following discussions with both Scrutiny Chairs and Executive Members there are a small number of inconsistencies in how the role of Scrutiny in policy development is viewed. From the feedback we received some Scrutiny Chairs do feel bypassed in policy development. Some Executive Members however felt that despite providing direction to Scrutiny Boards in terms of useful areas of work and policy development that they would like Scrutiny to get involved in, this is often ignored. During our review, however, we found limited evidence of this. In addition Executive Members stated that no rationale was provided as to why these areas were not felt to be priorities for the Scrutiny Boards.

Recommendation Fifteen

There is a continuing need for Executive Members, Scrutiny Board Chairs and Officers to work together to identify areas where the Scrutiny Boards can add value to policy development work streams. Where Scrutiny Boards decide not to undertake work areas suggested by Executive Members a brief rationale should be provided so to prevent any misunderstandings arising.

10 Policy development continued

From a review of this years and prior years' work programmes it is evident that one example of where the Culture and Leisure Scrutiny Board (as it was previously called) could have been more involved in policy development was in regards to the proposals to establish a Sports Trust. The Board did however identify this as a potential area of work although following discussions decided against taking this forward.

There are a number of examples however of where the Scrutiny Boards have been able to demonstrate involvement in policy development. Examples include:

- The Children's Services Scrutiny Board where they have been actively involved in policy development relating to the services for 8 – 13 year olds; the development of an inclusion Strategy; and the education and training provision in Leeds for 14 – 19 year olds;
- The City Development Scrutiny Board have commented on a number of ongoing plans and strategies which has included the Local Development Framework;
- The Environment and Neighbourhoods Scrutiny Board have been involved in an inquiry into housing lettings which examined the Council's current housing lettings policy; and
- The Health Scrutiny Board have recently commenced an inquiry looking at teenage pregnancy and sexual health.

The Council's Scrutiny Boards' Annual Report is an excellent forum to highlight the examples of where the Scrutiny Boards have been involved in policy development or service enhancements. However other than in the introductory section - 'Work of the Boards' which shows the different types of work Scrutiny has been involved in, and the Children's Services section which shows the areas where they have been involved in the review of existing policy and the development of new policy, the remaining report sections make it difficult to identify which areas of work relate to policy development or review. The Head of Scrutiny and Member Development is looking to make changes to the 2008/09 Annual Report to make the identification of policy development work streams easier.

Recommendation Sixteen

Templates for the layout of the Annual Report should be provided to Scrutiny Chairs so to increase the consistency and to enable greater comparability between the work of each of the Boards. Within the Annual Report each Scrutiny Board should clearly categorise the work using a consistent series of headings.

11 Performance Management

11.1 Introduction

This section of the report discusses the extent to which the Scrutiny function fits within the wider performance management arrangements of the Council.

11.2 The role of performance management within Scrutiny

At the start of the year when the work programmes for the Scrutiny Boards are developed (June) performance management information is shared with each Board to enable this to shape the direction of their work.

Performance management information is then presented on a quarterly basis to enable the Board to challenge the information and ask questions where appropriate to either the Executive Member, a corporate performance management Officer or the relevant Services Director. This should then provide some assurance that adequate progress is being made and where this is not the case provides a mechanism to challenge performance further.

Concern was raised by one Scrutiny Board Member that consistent poor performance against a particular key performance indicator (KPI) is not identified by Officers as being a potential area where the Scrutiny Board can provide insight and add value to the Council. Some Members, however have to take greater ownership and accountability here and not rely upon others to direct their work programmes but should feel empowered to proactively identify this themselves.

Recommendation Seventeen

Scrutiny Board Members should be reminded of the need to assess the performance of key indicators throughout the year and use this to direct any area of their annual work programme.

Some Scrutiny Board Members also raised concern that whilst they are presented with data relating to KPIs on an exception basis they often do not fully understand the impact of this. Some organisations actually present information relating to what the impact is on the organisation of not achieving a particular KPI, this may be something the Council should consider for particular KPIs that have had historical poor performance.

11 Performance Management continued

Recommendation Eighteen

Where there are key performance indicators with historical poor performance the Council should report to Scrutiny Boards the actual impact of this poor performance on service delivery. This may help identify areas where the Council could involve Scrutiny Boards further.

There are good examples however of where some Scrutiny Boards are clearly using performance information to shape their work programmes. The Environment and Neighbourhoods Scrutiny Board are one such board which have identified areas where performance was not meeting the required targets and used this to request more detailed information which lead to an inquiry being undertaken.

11.3 Performance Management of Scrutiny

Within the Scrutiny Annual Report there is detail provided of the work that is undertaken by each of the seven Scrutiny Boards. Each Scrutiny Board provides a brief summary of the work they have undertaken and the recommendations raised however it is difficult given the current format of the report to monitor the actual outcomes. Each Scrutiny Board should consider using a consistent table or graph to clearly display the outcomes of the recommendations recording them as implemented; partially implemented; work in progress; not accepted; and no longer applicable. This will ensure that the impact of Scrutiny is clearly identifiable. This is to be incorporated into the 2009/10 Annual Report.

Recommendations and action plan

***	Significant residual risk **	Some residual risk		Little residual risk
	Recommendation	Priority	Management response	Responsibility and timescale
1	<p>The Council should review the Scrutiny Board Procedure Rules Guidance Notes and add that the Scrutiny Boards will:</p> <ul style="list-style-type: none"> • Be innovative in their approach to challenging the way the Council operates; • Add value to the Council through the reviews they do; and • Strive to improve communication channels within the Council and the wider community. 	*	Agree.	Head of Scrutiny and Member Development September 2009
2	<p>The Council should publish and distribute local and national examples of where Scrutiny has added value and impact within the Annual Report. This should be seen by full Council and Officers. This will continue to convey the message that by engaging fully with Scrutiny the Council as a whole will benefit through improved public services.</p>	***	<p>Agree.</p> <p>The Annual report is already presented to full council.</p> <p>A number of scrutiny case studies have featured in national toolkits and studies. In addition some scrutiny reviews were featured in the 'Picture of Leeds' series produced for the CPA in 2007.</p> <p>We will look at strengthening this aspect by incorporating such messages into our overall 'communications strategy'.</p>	Head of Scrutiny and Member Development September 2009

Recommendations and action plan

***	Significant residual risk	**	Some residual risk	*	Little residual risk
	Recommendation	Priority	Management response		Responsibility and timescale
3	The Council should raise the profile of the 'Memorandum of Understanding between Executive Board and Overview and Scrutiny' and should encourage further engagement between the Scrutiny Chairs, Executive Members and Officers. On an annual basis this document should also be included within the Members induction programme.	***	Agree. The development of a Council vision for scrutiny (recommendation 7) will be a good tool to develop this engagement further. The 'Memorandum of Understanding' will be refreshed and re-circulated annually.	*	Head of Scrutiny and Member Development June 2009 onwards
4	Single item agendas should be introduced for Scrutiny Board meetings to improve their efficiency.	**	Agree. Scrutiny Boards will be encouraged to focus on single item agendas wherever possible and appropriate when developing their work programmes.		Scrutiny Chairs/Head of Scrutiny and Member Development June 2009 onwards
5	Scrutiny Members should be reminded that Scrutiny Board meetings are not a forum to voice personal political views	**	Agree. This will first take place at the June meeting, but Group whips will be reminded via the publication of this report. We accept that whilst party politics should be left at the door, Members will rightly be influenced by their political views but will make recommendations based on evidence.		Scrutiny Chairs/Group Whips/Head of Scrutiny and Member Development June 2009 onwards

Recommendations and action plan (Cont.)

***	Significant residual risk **	Some residual risk	Little residual risk *	
	Recommendation	Priority	Management response	
			Responsibility and timescale	
6	Each of the Scrutiny Boards should assess more formally whether co-opted Members should be invited to participate in their Board so to allow them to draw from the benefits of their involvement.	**	Agree. This will be a formal item on the June Scrutiny Board meeting agendas.	Head of Scrutiny and Member Development June 2009
7	The Council should ascertain what their overall vision is for the Scrutiny function, formally document this and then publicise it, potentially within the Scrutiny Board Procedure Rule Guidance Notes.	*	Agree. We would suggest that the CfPS five principles of scrutiny are used as a starting point. This will require sign up by the Leaders and should involve a wide range of stakeholders.	Head of Scrutiny and Member Development/ Administration Leaders/Scrutiny Chairs October 2009
8	Scrutiny Members should continue to be encouraged to access web based Scrutiny forums so that they have an additional network of resource to draw upon and it will enable further horizon scanning of emerging issues to be undertaken.	*	Agree. Members will be reminded of these resources on an annual basis at the start of the municipal year, as well as on an ongoing basis.	Head of Scrutiny and Member Development June 2009 onwards

Recommendations and action plan (Cont.)

***	Significant residual risk **	Some residual risk	* Management response	Little residual risk Responsibility and timescale
	Recommendation	Priority	Management response	Responsibility and timescale
9	Regular reports should be made to the political parties highlighting the attendance rates for their Members. Where attendance rates fall below an acceptable level then it should be the responsibility of each political group to take appropriate action to address this. Alternatively the number of members on Scrutiny Boards could be reduced if there are too many competing demands on Members' time.	**	Agree. We currently do this to political groups.	Head of Scrutiny and Member Development/ Group Whips Ongoing
10	The Council should consider introducing a 'job specification' outlining the required competencies of a Scrutiny Chair. Each political group should then select the individuals who best meet this specification and this should be approved by the Leader of each group.	**	We shall be introducing 'job specifications' as part of our bid to achieve 'CharterPlus' for Member Development. Whilst the competencies required for the role will be made available to the political groups, the groups need to consider the requirements for the role within the context of national party rules.	Head of Scrutiny and Member Development October 2009 Political Groups

Recommendations and action plan (Cont.)

***	Significant residual risk **	Some residual risk *	Little residual risk	
	Recommendation	Priority	Management response	
			Responsibility and timescale	
11	All Scrutiny Boards should have 'real time monitoring' as a standing agenda item.	*	Agree. All Scrutiny Boards have a standing item where they review their work programme, and receive the Forward Plan and Executive Board minutes to assist them in any reprioritisation of work. This is required by the Council's constitution. All Scrutiny Boards also have the facility to engage in general discussions with the appropriate Executive Member and Director about service issues. We would not envisage this being a standing item but a facility available to Scrutiny Boards when appropriate.	Head of Scrutiny and Member Development Ongoing
12	Scrutiny pre-meetings should be more effectively used. They should be a forum to provide real focus in advance of the Scrutiny meeting.	**	Agree. We believe that there is scope to improve on the current use of pre-meetings.	Head of Scrutiny and Member Development/ Scrutiny Chairs June 2009 onwards
13	The Scrutiny Support Unit should remind Officers of the processes that need to be adhered to relating to Call Ins.	*	Agree. We will work with colleagues in Governance Services to ensure officers across the council are aware of the stages and timescales involved in the decision-making process, particularly in relation to the call-in requirements.	Head of Scrutiny and Member Development/Head of Governance Services September 2009

Recommendations and action plan (Cont.)

***	Significant residual risk **	Some residual risk *	Little residual risk	
	Recommendation	Priority	Management response	
			Responsibility and timescale	
14	<p>Within the Scrutiny annual report each Scrutiny Board should clearly outline the service benefits of the recommendations made. In addition each Scrutiny Board should consider using a consistent table or graph to clearly display the impact of their recommendations and the outcomes recording them as implemented; partially implemented; work in progress; not accepted; and no longer applicable.</p>	**	<p>Agree.</p> <p>This will be introduced for the 2009/10 Annual Report.</p> <p>The progress of recommendations will relate mainly to those recommendations made the previous year. We will use our existing recommendation tracking system to provide this information.</p>	<p>Head of Scrutiny and Member Development May 2010</p>
15	<p>There is a continuing need for Executive Members, Scrutiny Board Chairs and Officers to work together to identify areas where the Scrutiny Boards can add value to policy development work streams. Where Scrutiny Boards decide not to undertake work areas suggested by Executive Members a brief rationale should be provided so to prevent any misunderstandings arising.</p>	**	<p>Agree.</p> <p>The success of this will depend on the relationship between Scrutiny and Executive Board Members. The work programme setting meeting in June will be crucial for this to be a success.</p> <p>The Scrutiny Board Procedure Rules already require the Board to provide an explanation where it turns down a suggestion from the Executive Board.</p>	<p>Head of Scrutiny and Member Development June 2009 onwards</p>

Recommendations and action plan (Cont.)

***	Significant residual risk	**	Some residual risk		*	Little residual risk
	Recommendation	Priority	Management response			Responsibility and timescale
16	<p>Templates for the layout of the Annual Report should be provided to Scrutiny Chairs so to increase the consistency and to enable greater comparability between the work of each of the Boards. Within the Annual Report each Scrutiny Board should clearly categorise the work using a consistent series of headings.</p>	**	<p>Agree. This will be introduced for the 2009/10 Annual Report. The use of categories of work has been introduced for the 2008/09 annual report</p>			<p>Head of Scrutiny and Member Development May 2010</p>
17	<p>Scrutiny Board Members should be reminded of the need to assess the performance of key indicators throughout the year and use this to direct any area of their annual work programme.</p>	**	<p>Agree. A training session, facilitated by the Centre for Public Scrutiny will take place in June and the messages reinforced throughout the year.</p>			<p>Head of Scrutiny and Member Development May 2009 onwards</p>
18	<p>Where there are key performance indicators with historical poor performance the Council should report to Scrutiny Boards the actual impact of this poor performance on service delivery. This may help identify areas where the Council could involve Scrutiny Boards further.</p>	**	<p>Agree. This will be fed into the quarterly performance monitoring reports received by all Scrutiny Boards</p>			<p>Head of Scrutiny and Member Development and Head of Policy, Planning and Improvement October 2009</p>

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Report of the Head of Scrutiny and Member Development

Scrutiny Board: Central and Corporate Functions

Date: 8th June 2009

Subject: Determining the Work Programme 2009/10

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose of Report

1.1 The purpose of this report is to determine the Board's work programme for 2009/10.

2.0 Introduction

2.1 The previous Agenda item provided inputs to the development of the Board's work programme. Having considered the written information and having discussed relevant issues with those present at the meeting, the Board is now asked to consider formulating a draft work programme.

2.2 In formulating work programme the Scrutiny Board shall determine;

- how the proposed inquiry meets criteria approved from time to time by the Scrutiny Advisor Group (Attached as Appendix 1)
- whether the programme can be adequately resourced and timetabled.(Appendix 2)

3.0 Recommendations

3.1 Members are requested to consider the Board's work programme.

Background Papers

Council's Constitution - Scrutiny Board Procedure Rules

SCRUTINY BOARD PROCEDURE RULES GUIDANCE NOTE 7

INQUIRY SELECTION CRITERIA

1.0 INTRODUCTION

- 1.1 The Scrutiny Board Procedure Rules require Scrutiny Boards, before deciding to undertake an Inquiry, to:

Consider how a proposed Inquiry meets criteria approved from time to time; and

Consult with any relevant Director and Executive Member

- 1.2 This is to ensure that Scrutiny Boards, when agreeing to undertake an Inquiry, have considered carefully the reasons for that Inquiry, its objectives, whether it can be adequately resourced in terms of Member and Officer time and have sought the views of the relevant Director and Executive Member.
- 1.3 The decision whether to undertake an Inquiry or not rests with the Scrutiny Board.

2.0 INQUIRY SELECTION CRITERIA

- 2.1 At the time of deciding to undertake an Inquiry, the Scrutiny Board will refer to the Inquiry Selection Criteria within this Guidance Note and formally identify which of the agreed criteria the proposed Inquiry meets. The Board will also record the comments of the relevant Director and Executive Member. This process will be recorded in the Scrutiny Board minutes.

INQUIRY SELECTION CRITERIA

Scrutiny Board _____

Inquiry Title _____

Anticipated Start Date _____

Anticipated Finish Date _____

The Inquiry meets the following criteria

- It addresses the Council's agreed Strategic outcomes by reviewing the effectiveness of policy to achieve strategic outcomes as defined by the Leeds Strategic Plan
- Shaping and developing policy through influencing pre-policy discussion

It fulfils a performance management function by

- Reviewing performance of significant parts of service
- Addressing a poor performing service
- Addressing a high level of user dissatisfaction with the service
- Addressing a pattern of budgetary overspends
- Addressing matters raised by external auditors and inspectors

- Addresses an issue of high public interest
- Reviews a Major or Key Officer decision
- Reviews an Executive Board decision
- Reviews a series of decisions which have a significant impact _____
- Has been requested by the Executive Board/Full Council/Scrutiny Advisory Group
- looks at innovative change

Comments of relevant Director and Executive Member (Attach additional sheet if necessary)

Date

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SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST REVISED

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Suggested Areas for Scrutiny Currently Unscheduled			

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 6th July 2009			
Recommendation Tracking	To monitor progress on meeting the recommendations agreed following Inquiries into; Member Management, Attendance Management & Procurement of Services		MSR
Quarterly Accountability Reports	To receive quarter 4 performance reports		PM
Scrutiny of the Budget	To receive outturn report 2008/09.		PM
Meeting date: 7th September 2009			
Quarterly Accountability Reports	To receive quarter 1 performance reports		PM
Scrutiny of the Budget	To receive 1 st quarter report 2009/10		PM
Recommendation Tracking	To monitor progress on meeting the recommendations agreed following Inquiries into; Member Management, Attendance Management & Procurement of Services		MSR

SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST REVISED

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 5th October 2009			
Meeting date: 2nd November 2009			
Meeting date: 7th December 2009			
Scrutiny of the Budget	To receive and consider quarter 2 financial report.		PM
Recommendation Tracking	To monitor progress on meeting the recommendations agreed following Inquiries into; Member Management, Attendance Management & Procurement of Services		MSR
Quarterly Accountability Reports	To receive quarter 2 performance reports		PM
Meeting date: 4th January 2010			
Scrutiny of the Budget	To receive budget proposals under the budget and policy framework rules		
Meeting date: 1st February 2010			
Scrutiny of the Budget	To receive and consider quarter 3 financial report.		PM

SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST REVISED

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 1st March 2010			
Scrutiny of the Budget	To receive and consider quarter 3 financial report.		PM
Recommendation Tracking	To monitor progress on meeting the recommendations agreed following Inquiries into; Member Management, Attendance Management & Procurement of Services		MSR
Quarterly Accountability Reports	To receive quarter 3 performance reports		PM
Meeting date: 29th April 2010			
Annual Report			

Key:

CCFA / RFS – Councillor call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

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