

BRISTOL CITY COUNCIL

Overview and Scrutiny Management Board

10th July 2014

Report of: Michele Farmer, Service Director, Policy, Strategy and Communications

Title: Scrutiny Work Programme 14/15

Ward: All

Officer Presenting Report: Lucy Fleming, Scrutiny Co-ordinator, Policy, and Research Team

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RECOMMENDATION

The Overview and Scrutiny Management Board (OSMB) are asked to;

1. Endorse the recommendations in relation to setting the Overview and Scrutiny work programme for 14/15
2. Decide on the position regarding the use of co-optees and expert witnesses
3. Note the arrangements in relation to the review of Licensing policy

Summary

This report provides details of the suggested approach for finalising the Overview and Scrutiny Work Programme for 2014/15

The significant issues in the report are:

The need to ensure a robust work programme for 14/15

Policy

1. Under the Local Government Act 2000, Bristol City Council is required to establish an Overview and Scrutiny function. The Overview and Scrutiny Management Board is the parent committee for the scrutiny function and is the vehicle for coordinating the overall scrutiny work programme on behalf of

the Council.

2. Constitutional amendments agreed by Full Council on 10th June 14 have resulted in a change in the way that Scrutiny work programmes are devised, with the Overview and Scrutiny Management Board (OSMB) now agreeing a single Overview and Scrutiny work programme at the start of the Municipal Year, based on the City Council's forward plan of policy development and decision making. This report does not seek to address the work programmes for joint Scrutiny, which will be prepared in conjunction with relevant partners.

Details of the constitutional amendments can be found on Bristol City Council's website at the following address;

[Home > Council and democracy > Council meetings > June 2014 > Full Council AGM](#)

3. The Scrutiny Committees for 14/15 have been remodelled so they are aligned to Bristol City Council's directorates to create a simpler and more consistent interface. There are now four Committees; Business Change, Neighbourhoods, People and Place.

Consultation

Internal

4. A Scrutiny workshop took place on 19th June 2014 where Members prepared draft work programmes for each Committee, informed by strategic priorities, policy development and the Council's decision making framework. At the workshop, a number of additional topics were added and proposed dates for scrutiny activities were amended.

External

5. Not applicable.

Context

OSMB Work Programme

6. It has been agreed that OSMB will manage a single work programme, allocating tasks to other Committees and closely monitoring performance.

7. The draft OSMB work programme for 14/15 can be found at appendix 1.

Scrutiny Workshop and Draft Work Programme

8. A broad range of Members met on 19th June 14 to prepare the draft

Scrutiny work programme for 14/15. The approach differed this year because a three-year Medium Term Financial Strategy had been set in February 14. This will enable better planning of scrutiny activities, particularly policy development.

9. The workshop was a productive experience and Members helped to prepare a detailed programme of potential topics, which are listed at Appendix 2. Officers are in the process of reviewing the proposals in order to ensure the work programme is timely and utilises resources in the most effective way.

10. One of the areas that needs to be fully explored is the use of different types of Scrutiny. At the workshop, Members identified 10 inquiry day topics, which is a reflection of their popularity and success in recent years, but that is more than the City Council is able to support. In order to ensure inquiry days continue to be highly valued, the topics should be carefully selected and they should be limited in number. OSMB will wish to consider whether Select Committees; working groups; site visits; questionnaires; joint work with the Neighbourhood Partnerships and so on could be utilised in some areas.

11. It is essential to ensure that OSMB retains enough flexibility in the work programme to respond to urgent issues that could arise throughout the year, including as Call Ins. The draft work programme prepared at the work shop will be rationalised to make better use of themed meetings which will free up more time.

12. OSMB are asked to consider the topics identified at the work shop on 19th June which are listed at Appendix 2 and provide officers with instructions regarding any areas that should be prioritised. OSMB are also asked to agree that officers be permitted to prepare a revised work programme for circulation prior to the Committee AGMs in late July 14.

13. OSMB will retain control of the scrutiny work programmes to ensure they align with the City Council's strategic priorities and policies. OSMB will review the work plan regularly and will receive progress reports from each Committee.

Meeting Dates

14. All Scrutiny Committee meetings will take place on Mondays, Thursdays or Fridays. This will ensure maximum support from senior officers, Assistant Mayors and the Mayor, who would find it difficult to attend at other times as all corporate business now takes place on Tuesdays and Wednesdays.

Co-optees and Expert Witnesses

15. OSMB has previously asked Committees to consider the use of expert

witnesses in place of non-statutory co-optees where appropriate due to the increased breadth of knowledge and experience that can be brought to the table. Whilst Co-optees can add real value, in some cases attendance and participation at meetings has been an issue. OSMB should consider the use of co-optees and expert witnesses and provide advice to the Committees as appropriate.

Licensing Policy Scrutiny Board

17. The Licensing Policy Scrutiny Board was set up by OSMB as a vehicle to develop Bristol City Council's statutory Licensing policy prior to approval by Full Council. This work will now be passed to the Neighbourhoods Scrutiny Committee. In 14/15 there will be a report on the outcomes of the recent consultation on the revised Licensing policy, but in future years there may be a requirement for the Committee to conduct more intensive policy development work. OSMB should note this approach for 14/15.

Other Options Considered

18. Not applicable.

Risk Assessment

19. Overview and Scrutiny is a key vehicle for delivering local accountability. It is therefore essential to ensure there are effective overview and scrutiny arrangements in Bristol which can contribute positively to good governance and potentially increase public confidence and involvement in the democratic process.

Public Sector Equality Duties

Equalities Impact Assessment

20a. Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share

a relevant protected characteristic;

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
- tackle prejudice; and
 - promote understanding.

21b) The scrutiny function has a key role to play in assisting the Council in meeting its public sector equality duties and to ensure that the views of different communities and members of the public are taken into account in the development and delivery of services. Task and Finish Groups such as Inquiry Days, Select Committees and Working Groups need to ensure assessment of equalities impact forms an integral part of their work both in terms of scoping topics, gathering evidence and formulating recommendations.

Legal and Resource Implications

Legal

22. Not applicable – legal have been extensively involved in the constitutional changes relating to Scrutiny and also the formulation of the strategic priorities that will form the basis of the work programme.

Financial

(a) Revenue

23. Not applicable.

(b) Capital

24. Not applicable.

Land

25. Not applicable

Personnel

26. Not applicable

Appendices:

1 – Draft OSMB Work Plan 14/15

2 – Potential Work Programme Topics for 14/15

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.



Bristol Scrutiny Work

Overview and Scrutiny Management Board 2014/15 Draft Work Programme

Meetings Date/Time	Agenda Items	Approach
July 10th 2014 at 5.00pm	Mayoral Question Time	One hour – directly prior to the formal meeting.
	Scrutiny in Bristol 2014/15 - Principles and Working Arrangements - Scrutiny Work Programme for 2014/15	To agree scrutiny working arrangements for 2014/15. To agree the 2014/15 Scrutiny Work Programme.
	Mayoral Commissions – consideration of final reports on Homes; Education & Skills; Fairness; and Sport	To respond to the findings and recommendations of the 4 Mayoral Commissions on Homes; Education & Skills; Fairness; and Sport, prior to Cabinet consideration on 5 th August. <i>Note – the Mayoral Commissions are being formally received by the Mayor and his Cabinet in August 2014 following which consideration will be given to the feasibility of implementation. The Mayoral Commission's recommendations will come back to Cabinet for decision at the appropriate juncture, likely to be spring 2015.</i>
	Corporate Plan	To consider the revised Corporate Plan prior to it going to Full Council in July 2014.
	Annual Performance Report	To discuss the Annual Performance report and agree any relevant actions.
	Cabinet Feedback	To consider any matters that will be referred to the Cabinet as part of their standing agenda item 'Issues arising from overview and scrutiny,' and to receive feedback from items previously raised.

Meetings Date/Time	Agenda Items	Approach
16th October 2015 at 6.00pm	Mayoral Question Time	One hour – directly prior to the formal meeting.
	2014/15 Scrutiny Work Programme	To review progress to date.
	Performance Outturn Report – 1 st Quarter	To consider performance for the 1 st Quarter,
	Cabinet Feedback – <i>standing item</i>	To consider any matters that will be referred to the Cabinet as part of their standing agenda item 'Issues arising from overview and scrutiny,' and to receive feedback from items previously raised.
5th February 2015 at 6.00pm	Mayoral Question Time	One hour – directly prior to the formal meeting.
	2014/15 Scrutiny Work Programme Review	To review progress to date.
	Performance Outturn Report – 2 nd Quarter	To consider performance for the 2 nd quarter.
	Cabinet Feedback – <i>standing item</i>	To consider any matters that will be referred to the Cabinet as part of their standing agenda item 'Issues arising from overview and scrutiny,' and to receive feedback from items previously raised.
9th April 2015 at 6.00pm	Mayoral Question Time	One hour long – directly prior to the formal meeting.
	2014/15 Scrutiny Work Programme – end of year report	Note – report of outcomes is to go to Full Council for comment in order to feed into next year.
	Performance Outturn Report – 3 rd Quarter	To consider performance for the 3 rd quarter.
	Cabinet Feedback	To consider any matters that will be referred to the Cabinet as part of their standing agenda item 'Issues arising from overview and scrutiny,' and to receive feedback from items previously raised.

Items identified by Members for Potential Inclusion in the Scrutiny Work Programme 14/15

Note – this is the long list of options prepared by officers and members and it is not intended that all of the topics will be included in the final work programme

Business Change

- 2015/16 Council Budget, including budget amendments
- Avon Pension Fund Deficit
- Business Rate Pooling
- Commissioning with the Third Sector
- Cumulative Impact of Welfare Reform
- Fairness Commission Recommendations
- Feedback/Complaints Risk
- Financial Monitoring Reports
- Minimisation of Cost Duplication
- Organisational Development
- Partnership/Co Production
- Population Growth Impact on Financial Planning
- Shared Services
- Single Change Programme Update
- Treasury Management Annual Report for 2013/14

Place

- Air Quality Strategy
- Bristol Arena
- Economic Equality
- Enterprise Zone Update
- Flood Protection and Land Use
- Flood Risk Management Strategy Consultation Feedback
- Highways Maintenance Contract Consolidation
- Homes Commission Recommendations
- Housing Stock Supply
- Joint Scrutiny Programme on Housing
- Local Bus Service Subsidy
- Local Sustainable Transport Fund
- Metro West Rail Full Business Case

- Residents Parking Schemes
- Review Arrangements for Blaise Castle Museum, Red Lodge, Georgian House and the Roman Villa
- Review of Community Transport Grants
- Review of Council Energy Policy
- Review of Non Statutory Free Travel (Community Transport Concessions)
- Sustainable Transport themed meeting – potential items could include; Transport Provision, European Rail Hub, Freight Strategy and Flexible Working.
- Update of the Climate Change & Energy Security Framework
- Update on Green Capital
- Waste Inquiry Day (Jointly with Neighbourhoods)

Neighbourhoods

- Community Safety Strategy Development
- Education and Skills Inquiry Day
- Equalities Action Plan and Community Cohesion Plan
- Neighbourhood Partnerships
- Parks and Development
- Proposals for New Byelaws for Bristol's Parks and Green Spaces.
- Review Commercial Waste Enforcement
- Review of Community Investment Grants
- Review of Library Service
- Review of Public Toilet Provision
- Review of Sports Development Work
- Review Pollution Management Service
- Safer Bristol Crime Needs Development
- Sports Commission Recommendations
- Update on Waste Contract Options for Long Term Tendering April 14/Review of Waste Collection and Recycling Contract
- Waste Inquiry Day (Jointly with Place)

People

- Academies - How can Scrutiny be More Aware of What is Happening?
- Active Travel for Schools
- Adult Social Care Local Account
- Alcohol Misuse - the Concentration of Specialist Accommodation
- Annual Safeguarding Children's Report
- Better Care Fund - Year 1 Progress

- Children's Health Services Recommissioning
- Commissioning Home Care Against Reablement Outcomes
- Commissioning of Homelessness Prevention (Medium Level Services)
- Development of the 0-25 Service Within Children and Young People's Services/Health & Social Care
- Education and Skills Commission recommendations
- Education/Learning Inquiry Day
- Health and Wellbeing Board Work Programme
- Health Inquiry Day
- Housing Inquiry Day
- Housing Strategy Development
- Implementation of the Care Act
- Recommendations of the Adult Safeguarding Select Committee Including Annual Adults Safeguarding Report
- Refresh of School Organisation Strategy
- Review Community Supported Accommodation and Residential Care
- Review Home to School Transport
- Review of Children's Centres and Early Years Support
- Review of Funding for a Specialist Floating Support Service for Older Annual Education Performance
- Review of Housing Related Support Provided to Independent Sector
- Review of Older People's Warden and Alarm Services Within Independent Older People Housing Schemes
- Review of Recommendations from Independent Review of Concerns About Children's Cardiac Services (NHS England/UHB)
- Review of Strategic Housing Services
- Review of Supported Housing for Physically and Sensory Impaired People
- Review of Voluntary and Community Sector Budgets (HSC)
- Review the Shared Lives Programme and Residential Care
- Review the Use of School Road
- Safer Bristol - Review Spending on Crime Reduction Project
- Sheltered Housing Schemes for Older People
- Short Breaks for Disabled Children Commissioning Plan