

***Report of the Scrutiny
Committee***

The SCRUTINY COMMITTEE reports and recommends as follows:-

1. Review of Scrutiny Arrangements and Next Steps

That they submit for consideration by Council a joint report of the Chairman of the Scrutiny Committee and the Head of Scrutiny and Area Arrangements (copy attached) on a proposed new scrutiny structure and operating model following an independent review of the Council's scrutiny arrangements undertaken by the Centre for Public Scrutiny.

The Scrutiny Committee gave consideration to the report at its meeting held on 3rd December, 2015 and the following points were highlighted:-

- i) Consideration be given to an amendment to the proposed membership of the Scrutiny Co-ordinating Committee,(as detailed in Appendix one of the report), to provide for the inclusion of the Vice Chairs of the three thematic Scrutiny Committees resulting in the following membership:-

Chairman
Vice Chairman
3X Thematic Chairman
3X Thematic Vice Chairman
6 Scrutiny Members
(Total = 14 Members)

- ii) Consideration be given to the power to appoint co-opted member(s) to the Scrutiny Co-ordinating Committee

Accordingly the Scrutiny Committee recommends to Council that subject to i) and ii) above, approval be given to the proposed new model for Scrutiny as detailed in paragraph 5 and appendix 1 of the report, to be implemented from the start of the municipal year 2016/17.

**JOINT REPORT OF THE CHAIR OF THE SCRUTINY COMMITTEE AND THE
HEAD OF SCRUTINY AND AREA ARRANGEMENTS**

REVIEW OF SCRUTINY ARRANGEMENTS AND NEXT STEPS

1. Purpose of Report

- 1.1 This report is to inform the Scrutiny Committee of a proposed structure and operating practices of a new scrutiny model and to seek the Committee's views.

2. Background

- 2.1 The proposals contained within this report are designed to fully enable the scrutiny function to underpin the Council's strengthening of service delivery around key statutory services. Furthermore, it will help to ensure that scrutiny arrangements attract appropriately skilled and experienced Councillors most able to make them operate successfully.
- 2.2 Mindful of the challenges and opportunities currently facing the council, the Chair of Scrutiny commissioned an Independent Review of its arrangements in June 2015. The purpose of the Review was to ensure that arrangements were fit for purpose in the immediate future. Subsequent to the commissioning of an independent Scrutiny Review, an Ofsted inspection report of Children's Services was published recommending that the scrutiny function required further rigour.
- 2.3 The Independent Review was conducted by the Centre for Public Scrutiny through their Executive Director. The Review engaged with all political parties and key officers before finalising a report which formed the basis for proposals.
- 2.4 The proposals set out in this report are a response to the Scrutiny Review findings and the recommendation of the Ofsted report. The proposals are intended to strengthen those parts of the Council's governance structure which are most critical to delivery of the Children's Safeguarding function and also the Council's Leadership and Partnership approach for the wider strategic approach on Education, Health and Economy.

3. Current Position

- 3.1 The current arrangements for the scrutiny function were introduced by Annual Council on 16 May 2012.
- 3.2 The revisions reduced seven Scrutiny Committees to one Scrutiny Committee with a Chair, Vice Chair and six Scrutiny Lead Members. This

was part of a wider government restructure that included strengthening Cabinet and Area Committee support arrangements which impacted upon how Scrutiny operated at that time. The move to a Scrutiny Commissioning Model reflected scrutiny's role in accommodating key statutory and other functions, but offered the opportunity to do so in a more focused, flexible and responsive manner.

4. Summary of Proposals

- 4.1 The current proposals reflect Sunderland City Council's specific requirements at this time of challenge and change. They therefore focus upon:-
- (a) Formalising the Scrutiny arrangements through four formally constituted Committees to be held in public, moving away from the current commissioning model comprised of one formal committee and 6 informal scrutiny panels;
 - (b) Developing remits for the new Scrutiny Committees which are directly aligned to the Council's lead partnership role around Education, Health and Wellbeing and Economic Prosperity;
 - (c) Re-focusing the work programme of scrutiny to be better connected to the core work of the council;
 - (d) Building capacity amongst scrutiny councillors to develop the right skills to fulfil their roles as 'critical friends'.
- 4.2 The proposal to change the scrutiny arrangements is based upon the wishes of Members – as expressed through a consultation exercise, interviews and informal meetings. Members wanted to make a clear and additional difference through focused, outcome-driven scrutiny.

5. Detailed Proposals

- 5.1 The proposed scrutiny arrangements include one formal, overarching Co-ordinating Scrutiny Committee with a co-ordinating function in relation to the broad strategic issues which may fall within the remit of more than one service-based Scrutiny Committee.
- 5.2 In addition, three themed, service-based Scrutiny Committees will have the role of scrutiny of service improvement within the broad Sunderland Partnership strategic priorities.
- 5.3 Each Scrutiny Committee will exercise the right to call-in, for reconsideration of decisions made but not yet implemented by the executive and/or area committees.

- 5.4 Should the proposals be approved, the Overview and Scrutiny Procedure Rules within the Council's Constitution will need to be reviewed to reflect the new arrangements.

Proposed Scrutiny Structure

(a) **Scrutiny Co-ordinating Committee**

Remit: To review and scrutinise the functions of the Council relating in particular to:

- The Budget
- Corporate Plan
- External assessments
- Performance monitoring, quality standards and value for money
- Property and facilities management
- Information Technology
- Organisational development
- Workforce strategy
- Governance
- Customer service and communications.

To act as the designated scrutiny committee for statutory purposes for crime and disorder and flood risk

Where a matter falls within the remit of more than one thematic scrutiny committee, to determine where the issue should be allocated.

(b) **Health and Wellbeing**

Remit: To review and scrutinise any matter relating to the planning, provision and commissioning of health services for adults and children including

- Adult social care
- Mental health services
- Public Health
- Wellness
- Decent Homes

To act as the designated scrutiny committee for statutory purposes for health

(c) **Children, Education & Skills**

Remit: To review and scrutinise any matter relating to the commissioning of services for children, young people and their families including

- Safeguarding and child protection
- Family support and children's social care
- Corporate parenting
- Educational attainment and skills
- Relationship with schools

- Youth Services

(d) **Economic Prosperity**

Remit: To review and scrutinise:

- The aims of the Economic Masterplan
- Safer Sunderland
- Licensing & Trading Standards
- Strategic Transport
- Environmental services
- Libraries, heritage and tourism

5.5 Attached to this report, Appendix 1 illustrates the range of issues to be included in the work programme of each of the four Scrutiny Committees and how these align to the Council's key corporate priorities.

6. Membership of new Scrutiny Committees

6.1 Membership of the Scrutiny Co-ordinating Committee

The Committee will comprise 14 members as follows:

Chair and Vice Chair
 Chairs of the Thematic Scrutiny Committees x 3 (Vice-Chairs will act as substitutes)
 9 Scrutiny members

6.2 Membership of the Health and Wellbeing Scrutiny Committee

The Committee will comprise 12 members as follow:

Chair and Vice Chair
 10 Scrutiny Members

6.3 Membership of the Children, Education & Skills Scrutiny Committee

The Committee will comprise 16 members as follow:

Chair and Vice Chair
 10 Scrutiny Members
 4 Education Co-opted Members

6.4 Membership of the Economic Prosperity Scrutiny Committee

The Committee will comprise 12 members as follow:

Chair and Vice Chair
 10 Scrutiny Members

- 6.5 Unless full Council agrees otherwise, with no member voting against, the Committees will be politically balanced. Based on the current representation of political groups within the Council, this would be as follows:

Scrutiny Co-ordinating Committee 12:1:1
Health and Wellbeing Scrutiny Committee 11:1:0
Children, Education and Skills Scrutiny Committee 11:1:0
Economic Prosperity Scrutiny Committee 11:1:0

7. Shadow arrangements

Transition

- 7.1 The range of challenges and opportunities facing the Council is unprecedented. In order to face these with confidence, it is essential that the Council implements the first phase of the Scrutiny Review quickly and effectively.
- 7.2 Faster, more effective decision-making requires officers to work more closely with Members from the earliest stages on any given issue. It is therefore proposed that implementation begins immediately to adopt a transitional approach to introducing the new structure. It is proposed to move forward in a phased approach with increased joint working and co-operation between the existing Scrutiny Panels during 2015/16 with full implementation of the new formal Committees by the start of the 2016/17 municipal year.
- 7.3 Appendix 2 to this report shows how the current projects being carried out in Scrutiny Panels will align to the new remits, thereby creating a transition arrangement for improvements to begin immediately.
- 7.4 It is proposed to present these proposals to Council on 27th January 2016 advising of the transitional arrangements and the intention to move to a new structure from the municipal year 2016/17.

8. Member Roles

In Transition

- 8.1 The existing expertise of the current Lead Scrutiny Members will be needed in moving into the new roles which may require greater investment of time and the development of expertise in a particular service area.
- 8.2 It is proposed that the current six Lead Scrutiny Members will start immediately to deliver a phased approach into the new arrangements by working collaboratively towards the full adoption of a Scrutiny Committee Chair and Vice-Chair roles.

- 8.3 This proposal will require that the six Lead Scrutiny Members will oversee the introduction of the three thematic Scrutiny Committees by working in partnership to chair the 'shadow' committee which most closely aligns with their current remit (see Appendix 2).

New Model

- 8.4 It is anticipated that the work of a Chair of one of the thematic Scrutiny Committees will be of at least a similar level of demand to that of the current Lead Scrutiny Members.
- 8.5 The proposed structure will also strengthen capacity through the establishment of three Vice-Chair roles for the thematic Scrutiny Committees. The role of Vice-Chair of a thematic Scrutiny Committee is distinct from the role of Vice-Chair of the Scrutiny Co-ordinating Committee, partly as the role is seen as suitable for professional development. The Co-ordinating Vice-Chair role is distinct from other Vice-Chair roles and includes a responsibility for supporting and working with the three Scrutiny Committees in a co-ordinating capacity.
- 8.6 Thematic Scrutiny Chairs will be expected to be members of the Scrutiny Co-ordinating Committee and Vice-Chairs may be required to act as substitutes to ensure continuity and the opportunity for professional development.

9. Delivering the Independent Scrutiny Review Actions

- 9.1 The independent Scrutiny Review report includes four specific recommendations. Appendix 3 to this report sets out each recommendation with current and planned activity to address each action:

10. Recommendations

The Scrutiny Committee is recommended to:

- (a) Comment on the proposed new model of scrutiny to be implemented from 2016/17 (see section 5.3 and Appendix 1) and make appropriate recommendations to full Council
- (b) Comment on the proposed transition arrangements to be implemented between January and April 2016 (see section 7 and Appendix 2)
- (c) Comment on the progress towards delivering the actions arising from the independent Scrutiny Review (see Appendix 3)

Appendix 1 – Illustration of the range of issues to be included in the work programme of the four Scrutiny Committees (from 2016/17)

New Scrutiny Committee	Proposed Membership	Proposed Remit	Alignment to key Corporate Priority
Scrutiny Co-ordinating Committee	Chair Vice-Chair 3 Thematic Chairs 9 Scrutiny Members = 14	<ul style="list-style-type: none"> • The Budget • Corporate Plan • External assessments • Performance monitoring, quality standards and value for money • Property and facilities management • Information Technology • Organisational development • Workforce strategy • Governance • Customer service and communications. 	<p>The Council's Business Transformation and Organisational Development Plans</p> <p>Review of changes to the organisation which are needed to deliver the priorities and to support the further development of the Council.</p> <p>Review of the changes needed to the structures and Alternative Service Delivery models which will ensure that the citizen and councillors are placed at the centre of the way the organisation takes decisions and designs future activity when undertaking co-operative commissioning.</p> <p>Safer Sunderland Partnership Board</p> <ul style="list-style-type: none"> • Strategic direction in relation to creating and maintaining a Safe City. • Ensuring action to deliver this is adequately resourced in line with strategic priorities. • Annual Partnership Strategic Intelligence Assessment (PSIA) and review and agree the Safer Sunderland Strategy (i.e. the Partnership Plan) • Key Sunderland Partnership functions in relation to crime, disorder, anti-social behaviour and substance misuse in addition to its statutory duties under relevant legislation (Crime and Disorder Act 1998). <p>To act as the designated scrutiny committee for statutory purposes for health, crime and disorder scrutiny and flood risk</p>

Health & Wellbeing Scrutiny Committee	Chair Vice-Chair 10 Scrutiny Members = 12	<ul style="list-style-type: none"> • Adult social care • Mental health services • Public Health • Wellness • Decent Homes <p>To act as the designated scrutiny committee for statutory purposes for health</p>	<p>Health and Wellbeing Board</p> <ul style="list-style-type: none"> • Delivery of a Health and Wellbeing Strategy • Leadership to the health and wellbeing system in Sunderland. • Decisions based on Joint Strategic Needs Assessment
Children, Education and Skills Scrutiny Committee	Chair Vice-Chair 10 Scrutiny Members 4 Statutory Education coopts = 16	<ul style="list-style-type: none"> • Safeguarding and child protection • Family support and children's social care • Corporate parenting • Educational attainment and skills • Relationship with schools • Youth Services 	<p>Education Leadership Board</p> <ul style="list-style-type: none"> • Implementation of the Education and Skills Strategy. • Partnership decision making across the local authority, schools and business.
Economic Prosperity	Chair Vice-Chair 10 Scrutiny Members = 12	<ul style="list-style-type: none"> • The aims of the Economic Masterplan • Safer Sunderland • Licensing & Trading Standards • Strategic Transport • Environmental services • Libraries, heritage and tourism 	<p>Economic Leadership Board</p> <ul style="list-style-type: none"> • Delivery of the aims of the Sunderland Economic Masterplan. • Review outcomes and achievements from the delivery plans • To receive and review performance reports. • To ensure projects and decisions account for equality needs and engage the city's diverse population

Appendix 2 – Transition of current projects: Alignment of the current work programme (2015/16) to the new remits

New Scrutiny Committee	Existing Scrutiny Panels	Realigned Work Programme Topics for Remainder of 2015/16
Scrutiny Co-ordinating Committee	Scrutiny Committee	<ul style="list-style-type: none"> • All Article 4 Policy Framework documents including budget setting and corporate plan • Anti-Social Behaviour – new powers (not started)
Health & Wellbeing Scrutiny Committee	Public Health, Wellness & Culture Health, Housing & Adult Services	<ul style="list-style-type: none"> • Sexual Health Policy Review (concludes end Dec 15) • Transitions from Child to Adult Social Care Policy Review (on-going) • Site visit to HMO (concludes end Nov 15) • Substantial Variations to health services / Statutory health scrutiny role
Children, Education & Skills	Children's Services	<ul style="list-style-type: none"> • Children's Mental Health Policy Review (on-going) • Children's Safeguarding Working Group (on-going) • Ofsted Improvement Plan / Monthly Performance Monitoring Report • School Performance (Validated Results) – Feb 16 • C&YP Community Services Annual Performance Update (Mar 16)
Economic Prosperity	Responsive Services & Customer Care Skills, Economy & Regeneration City Services	<ul style="list-style-type: none"> • Council's Customer Services – Policy Review (concludes Dec 15) • Key Cities Policy Review (on-going) • Digital Skills Policy (not started) • Environmental Enforcement – Policy Review (concludes end Dec 15) • BID Annual Update (Feb16)

Appendix 3 – Recommendations from the Scrutiny Review including current and planned activity:

	Independent Scrutiny Review Recommendation	Action	Progress
1	<p>That the Council immediately undertakes a review of the current scrutiny work programme to be assured that the Scrutiny Function is providing the support and challenge required to deliver the Council's core work including the Ofsted Improvement Plan.</p>	<p>Current work programmes (2015/16) have been reviewed to assess</p> <ol style="list-style-type: none"> i. Status / merit of each project ii. Closure of projects where relevant iii. Continuation of projects by transfer to transition model <p>The criteria used to determine this will be whether topics mirror the strategic priorities for the council and its partners.</p>	<ul style="list-style-type: none"> • Elected Member consultation 3rd December • Appendix 2 sets out the alignment of each Panel's projects.
2	<p>Review of the process and focus of the scrutiny work programme to ensure the content addresses the priorities most important to residents, the organisation and partners and is re-balanced to incorporate the following areas:</p> <ul style="list-style-type: none"> • Holding decision makers to account; • Service Improvement through performance monitoring; • Scrutiny of statutory services with emphasis on children and adults safeguarding; • Organisational transformation (including alternative service delivery models); and • Policy review and development. 	<p>Work programme 2016/17 across the 4 committees to include:</p> <ol style="list-style-type: none"> i. Policy Review & Development (<i>only where the topic is directly supporting a key priority and merits detailed investigation</i>) ii. Quarterly Performance Data (<i>broken down to remit of thematic Scrutiny Committee</i>) iii. Service Improvement iv. Consultation (<i>includes early notification of service reconfiguration</i>) v. Notice of Key Decisions (<i>relevant to the thematic remit</i>) <p>Review of the Annual Scrutiny Debate to design an event which is more focused on the identification of key priorities. This is likely to include input from Heads of Service on key current issues and immediate priorities which require review or scrutiny.</p> <p>Scrutiny Chairs to establish working relationships with the Chairs of the 3 Leadership Boards.</p>	<p>Meetings to be arranged with Heads of Service to discuss current and immediate priorities for inclusion in the work programme including scrutiny's role in Alternative Models of Service Delivery.</p>

3	To consider whether the current commissioning model is still the right mechanism to deliver a revised work programme and a wider focus. The council may wish to look at a model which incorporates an over-arching Scrutiny Co-ordinating Committee supported by thematic Scrutiny Committees reflecting priorities including health and wellbeing, education and economic prosperity.	Revised model to be implemented from 2016/17 Immediate changes to be introduced through transition arrangements between January and April 2016.	Report to Council 27 th January 2016 outlining transition arrangements to start immediately and proposals to introduce new model from June 2016.
4	To ensure there is a programme of training and development for scrutiny members to support them in delivering robust scrutiny.	Training and Development opportunities will be sought specifically on the key priorities to be included in the new work programme. For example, the Centre for Public Scrutiny has developed a programme aimed at giving Councils' assurance that their scrutiny and broader governance functions are fit for purpose in ensuring the safety of the local children's safeguarding system.	Communication with CfPS on appropriate member training programmes has taken place.