

At a meeting of the MANAGEMENT SCRUTINY COMMITTEE held in the CIVIC CENTRE on THURSDAY, 17TH DECEMBER, 2009 at 5.30 p.m.

Present:-

Councillor Tate in the Chair

Councillors Copeland, D. Forbes, M. Forbes, P. Gibson, L. Martin, J. Scott, Walker and T. Wright.

Apologies for Absence

Apologies for absence were submitted to be meeting on behalf of Councillors Barkess and Mordey.

Minutes of the Last Meeting of the Committee held on 20th November, 2009

(i) Attendance Management

Ms. Charlotte Burnham, Head of Overview and Scrutiny, advised that it had been confirmed to her by colleagues in Personnel that in relation to the sickness procedures that they also applied to schools.

The Chairman added that the difference was that the Council did not have the influence and control and the ability to instruct Head Teachers in the same way as it could its Managers.

1. RESOLVED that the minutes of the last meeting of the Scrutiny Committee held on 20th November, 2009, Part I (copy circulated), be confirmed and signed as a correct record.

Declarations of Interest (including Whipping Declarations)

There were no interests declared.

Strategic Planning Process 2010/2011

The Chief Executive submitted a report (copy circulated) apprising the Scrutiny Committee of the proposals for the Strategic Planning Process 2010/2011 and the role of all Scrutiny Committees in the Process.

(For copy report – see original minutes).

Ms. Sarah Reed, Assistant Chief Executive, proceeded to brief the Committee on the report and drew Members' attention to paragraph 6 concerning the engagement of the Scrutiny Committees as part of the preparation of Service Improvement Plans during the Strategic Planning Process 2010/2011 and in their monitoring and review during the course of the year.

The Chairman welcomed the proposals in terms of earlier and regular involvement in the Strategic Planning Process for 2010/11. He asked if the Committee suggested alterations whether they would automatically be included or whether they would be submitted to the Cabinet to be approved, and how the Council would engage with the public.

Councillor L. Martin stated that he was not sure about getting the public's comments. He welcomed input into the Corporate Improvement Plan. With regards the Audit Commission's assessment, a few authorities were taking the view to save the money instead and he stated he would like to see Sunderland going down that route. It would be useful for Scrutiny to be involved in the process and looking at issues. With regards key priorities he would welcome the Council having a handful of priorities that it could deliver on. He commented that they would see how much listening the Cabinet did.

The Chairman reported that a workshop was being held for Councillors in January and February on performance management. Picking up on Councillor Martin's point, the Chairman enquired whether it would be beneficial to look at key priorities and focus on them.

Ms. Reed stated that the points made by the Scrutiny Committees would definitely be fed into the service plans. In relation to the point made by Councillor Martin, Ms. Reed stated that Heads of Service should have already consulted with their customers when drawing up their service plans. This provided reassurance around linking service planning with budget planning and the views of service users were tied in by using Community Spirit. Ms. Reed agreed that it would be better to get priorities down to a handful so that they could be measured and the plan was to look at killer priorities. It was part of the learning process to take comments and build them in. She confirmed that there was a move away from Audit Commission inspections to self assessments and quarterly reports, the relationship being more of a critical friend.

Councillor Mr. Forbes stated that she felt there were far too many targets set and this was not creating a sense with the public that anything was getting better. She advocated looking at the complaints received to see what sort of things people were wanting. She asked how the budgets were being constructed and what the overall budget for Scrutiny was, including the Partnership. She stated that she was not sure how much the Partnership contributed but it should be making a contribution to the cost, particularly if it was being scrutinised.

The Chairman added that consultation needed to take place with the public as to what they wanted and where this could not be provided then they would need to be told so and the reasons why. He was also of the opinion that it would be better to have less priorities that the Council could focus on rather than more and not achieve them.

2. RESOLVED that the contents of the report be noted and the proposals in respect of the engagement of Scrutiny Committees in the Strategic Planning Process 2010/2011 be approved.

Review of Councillor Call for Action Mechanism and Introduction of a Selection Criteria for Dealing with Issues of Local Concern – Further Revisions to Initial Proposals

The Chief Executive submitted a report (copy circulated) to outline further revisions to the current Councillor Call for Action (CCfA) mechanism and proposed introduction of selection criteria for dealing with non-mandatory referrals for use by the Sunderland Partnership, Scrutiny Committees and Area Committees to address issues of local concern, as agreed at the meeting of this Committee held on 22nd October, 2009.

(For copy report – see original minutes).

Ms. Charlotte Burnham, Head of Overview and Scrutiny, invited Members to consider the proposed new procedure for the consideration of non-mandatory Councillor Call for Action referrals to Overview and Scrutiny as detailed on Appendix B of the report. She advised that she proposed to refer the draft proposals to the six Scrutiny Committees, Area Committees and the Sunderland Partnership's Delivery and Improvement Board in January, prior to comments being fed back to this Committee for consideration and and Cabinet thereafter.

The Chairman stated that Members had the Service Directory which detailed the service contacts to help them resolve an issue or concern and he reminded Members that the proposed new CCfA procedure was intended to be used as a last resort after all other avenues had been exhausted.

In response to Councillor J. Scott, Ms. Burnham stated that the original procedure did not capture the criteria to determine how to deal with issues, did not have openness and transparency and there was no mechanism to escalate an issue.

Councillor Walker enquired who dictated whether an issue was submitted to the Scrutiny Committee, the Area Committee or the Strategic Partnership. The original procedure was that an issue was first submitted to the Area Committee to see if it could be resolved and, if not, it was passed up to Scrutiny.

In response to Members' comments, Ms. Burnham advised that reference to the Service Directory could be incorporated into the diagram and if at that point further action needed to be taken based on the advice received, the issue would be referred to the appropriate Committee.

Councillor L. Martin enquired who would be in charge and make the decision as to which was the appropriate Committee. He stated that he felt the Management Scrutiny Committee should have the power to make this decision.

Councillor P. Gibson suggested that training on the Councillor Call for Action and scenarios where the procedure would be used would be of benefit to Members.

Ms. Burnham stated this could be provided for Members if this was the route they wanted to go down.

Ms. Burnham stated in response to Councillor M. Forbes that the procedure was intended to add openness and transparency as at the moment issues were not dealt with in a timely manner. Changes to the procedure were intended to bring clarity to the process. There would be the opportunity to escalate an issue to the Area Committee, to the relevant Scrutiny Committee or the Strategic Partnership; however it was intended to be a last resort mechanism.

Ms. Burnham added that Members' comments would be taken on board and asked that the report be submitted to the other Scrutiny Committees for comment and that a report on their views on the revised process be brought back to this Committee for consideration in February 2010.

3. RESOLVED that:-

- (a) the introduction of the selection criteria for determining the appropriateness of undertaking an investigation triggered either by the non-mandatory referral/ Councillor Call For Action route be supported/subject to the comments detailed above;
- (b) the draft proposals be referred to the six Scrutiny Committees in the January cycle of meetings for comment with any comments being referred back to this Committee thereafter, in particular on whether it is appropriate for the two existing CCfAs to be subject to this revised procedure; and
- (c) subject to the comments received from the Scrutiny Committees (along with the Area Committees and Sunderland Partnership), the revised procedure be endorsed, implemented and included in the Scrutiny Handbook.

Centre for Public Scrutiny Parliamentary Seminar Feedback – 1 December 2009

The Chief Executive submitted a report (copy circulated) providing details of the Parliamentary Seminar held on 1st December, 2009 which was attended by the Vice Chairman of the Committee and also Members with the opportunity to receive verbal feedback on the Seminar from Councillor T. Wright.

(For copy report – see original minutes).

Ms. Sarah Abernathy, Trainee Scrutiny Officer, introduced the report and invited Councillor T. Wright to feedback to the Committee on the Seminar he had attended.

Councillor T. Wright reported that the Seminar had been excellent training and he recommended that anyone able to attend in the future took up the invitation as it provided valuable experience and was very informative. He thanked the Committee for allowing him to go.

In response to Councillor M. Forbes, Councillor T. Wright advised that the Select Committees worked on similar lines as the Council's Scrutiny Committees however they had the benefit of vast resources, were on a bigger scale and were not lead by calendar years in that they were not time limited and undertook a thorough investigation and this was done until it was completed.

4. RESOLVED that the content of the report and the feedback provided from the conference delegate be noted.

Forward Plan – Key Decisions for the Period 1st January, 2010 to 30th April, 2010

The Chief Executive submitted a report (copy circulated) providing Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1st January, 2010 – 30th April, 2010 which relate to the Management Scrutiny Committee.

(For copy report – see original minutes).

Ms. Sarah Abernathy, Trainee Scrutiny Officer, introduced the report and invited Members to consider the Forward Plan.

5. RESOLVED that the Forward Plan for the above period be received and noted.

Scrutiny Committees' Work Programmes for 2009-10

The Chief Executive submitted a report (copy circulated) attaching for information, the variations to the Scrutiny Committees' Work Programmes for 2009/10 and providing an opportunity to review the Committee's own Work Programme for the remainder of this municipal year.

(For copy report – see original minutes).

Ms. Sarah Abernathy, Trainee Scrutiny Officer, briefed the Committee on the report.

Ms. Charlotte Burnham, Head of Overview and Scrutiny, advised the Committee that the Annual Audit Letter scheduled for April 2010 on the Committee's own Work Programme was not scheduled for the appropriate time and that this would be changed. It was a similar situation with the Health and Safety Annual Report which

had been scheduled for the December meeting and would now be submitted to the Committee in the new municipal year.

The Chairman advised that he was looking at the arrangements for the February meeting in order to manage the briefings from the Cabinet Portfolio holders on the Council's budget proposals.

Ms. Burnham advised that the programme for the Peer Review in January had been finalised and volunteers would be meeting with the Peer Review Team.

6. RESOLVED that the variations to the Scrutiny Committees' Work Programmes for 2009-10 and to their Scrutiny Committee's own Work Programme be noted.

The Chairman having wished everyone a Merry Christmas and a Happy New Year, closed the meeting.

(Signed) R.D. TATE,
Chairman.