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Scrutiny & Overview Committee Agenda

To: Councillor Sean Fitzsimons (Chair), Councillor Robert Ward (Vice-Chair), Leila Ben-Hassel (Deputy Chair), Jeet Bains, Jerry Fitzpatrick and Joy Prince

Reserve Members: Richard Chatterjee, Mary Croos, Felicity Flynn, Stephen Mann, Stuart Millson and Callton Young

A meeting of the **Scrutiny & Overview Committee** which you are hereby summoned to attend, will be held on **Tuesday, 16 July 2019** at **6.30 pm** in the **Council Chamber, Town Hall**

A pre-meet for Members only will take place in room F4 at 6:00pm

Jacqueline Harris Baker
Council Solicitor & Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Simon Trevaskis
Senior Democratic Services & Governance
Officer - Scrutiny
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www.croydon.gov.uk/meetings
Monday, 8 July 2019

Members of the public are welcome to attend this meeting.
If you require any assistance, please contact the person detailed above, on the right-hand side.

N.B This meeting will be paperless. The agenda can be accessed online at www.croydon.gov.uk/meetings

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AGENDA – PART A

1. **Apologies for Absence**

   To receive any apologies for absence from any members of the Committee.

2. **Minutes of the Previous Meetings** (Pages 5 - 12)

   To approve the minutes of the meetings held on 20 May and 11 June 2019 as an accurate record.

3. **Disclosure of Interests**

   In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. **Urgent Business (if any)**

   To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. **Delivery of the Libraries Plan 2019-2028** (Pages 13 - 20)

   The Committee is asked to review progress made to date and future plans for the delivery of the Libraries Plan 2019-2028, including capital investment in Croydon's libraries.

6. **Community Infrastructure Levy - Policy & Strategy** (Pages 21 - 26)

   The Scrutiny Committee is asked to review the report and consider whether it wishes to make any recommendations.

7. **Corporate & Statutory Annual Complaints Report 2018-2019** (Pages 27 - 48)

The Committee is provided with a copy of the Annual Complaints Report for 2018-19 for their information and is asked to consider whether they wish to make any recommendations based on the content of the report.

8. **Freedom of Information (FOI) & Subject Access Requests (SARs)**

Report to follow.

9. **Scrutiny Work Programme 2019-20** (Pages 49 - 58)

The Committee is asked to agree the Scrutiny Work Programme for 2019-20.

10. **Update from the London Scrutiny Network**

To receive a verbal update from the Chair of the Scrutiny & Overview Committee on the recent meeting of the London Scrutiny Network held on 5 July 2019.

11. **Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities** (Pages 59 - 92)

The Committee is asked to consider whether it wishes to make any recommendations on the new Scrutiny Guidance to the Governance Review Panel.

12. **Exclusion of the Press and Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

"That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended."

PART B

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Scrutiny & Overview Committee

Meeting held on Monday, 20 May 2019 at 8.00 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillors Humayun Kabir (Chair), Jeet Bains, Leila Ben-Hassel, Jerry Fitzpatrick, Sean Fitzsimons, Joy Prince, Robert Ward

PART A

1/19 **Appointment of Chair, Deputy Chair and Vice-Chair**

The proposal was received for Councillor Fitzsimons as Chair, Councillor Ben-Hassel as Deputy Chair and Councillor Ward as Vice Chair. The motion was proposed by Councillor Fitzsimons and seconded by Councillor Ward.

RESOLVED: The Committee resolved to agree the proposal for Councillor Fitzsimons as Chair, Councillor Ben-Hassel as Deputy Chair and Councillor Ward as Vice Chair for the 2019/20 municipal year.

2/19 **Appointment of Sub-Committees of the Scrutiny & Overview Committee**

Councillor Fitzsimons moved the remainder of the agenda *en bloc* to establish the Scrutiny Sub-Committees and appoint their Chairs and Vice Chairs. The proposal was seconded by Councillor Ward.

RESOLVED: The Committee resolved to agree the proposal to establish the Scrutiny Sub-Committees and appoint their Chairs and Vice Chairs as follows:

I. Councillor Ward as Chair and Councillor Fitzsimons as Vice Chair for the Scrutiny Children and Young People Sub-Committee for the 2019/20 municipal year;

II. Councillor Fitzsimons as Chair and Councillor Stranack as Vice Chair for the Scrutiny Health and Social Care Sub-Committee for the 2019/20 municipal year; and

III. Councillor Ben-Hassel as Chair and Councillor Chatterjee as Vice Chair for the Scrutiny Streets, Environment and Homes Sub-Committee for the 2019/20 municipal year.

The meeting ended at 8.05 pm

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Date:

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Scrutiny & Overview Committee

Meeting held on Tuesday, 11 June 2019 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present:	Councillors Sean Fitzsimons (Chair), Robert Ward (Vice-Chair), Leila Ben-Hassel (Deputy-Chair), Jerry Fitzpatrick, Stuart Millson and Joy Prince Councillors
Also Present:	Councillors Margaret Bird, Bernadette Khan, Tony Newman and Tim Pollard,
Apologies:	Councillor Jeet Bains (Councillor Stuart Millson substituting).

PART A

3/19   **Minutes of the Previous Meeting**

The minutes of the meeting held on 30 April 2019 were agreed as an accurate record.

4/19   **Disclosure of Interests**

There were no disclosures made at the meeting.

5/19   **Urgent Business (if any)**

There were no items of urgent business.

6/19   **Question Time: Leader of the Council**

The Leader of the Council, Councillor Tony Newman was in attendance at the meeting to provide an update for the Committee on the implementation of the Corporate Plan, which was adopted in September 2018 and plans for the forthcoming year. During the introductory presentation the following points were noted:-

- It was highlighted that the positive work delivered by the Council should be considered against a framework of cuts equating to a reduction of approximately 65% in funding from central Government over the past 9 years. In particular the £10m shortfall in funding support for unaccompanied asylum seeking children (UASC) was having a significant impact upon the Council's budget.

- In the past year the Council had launched its Cultural Strategy and continued to develop the Music City initiative. Croydon had also been

identified by the Mayor of London as one of the capital's first Creative Enterprise Zones.

- The redevelopment of the Fairfield Halls was now nearing completion with its reopening scheduled for September 2019. The project represented a huge investment by the Council, but would deliver a modern cultural venue for the people of Croydon.

- The Legacy Onside Youth Zone was another major project that was nearing fruition. The project had been funded through a combination of Council, private and charitable investment and would deliver a youth hub for young people across the borough. A number of soft openings of the centre were due to be held across the summer before a full launch in September 2019.

- A deal had been agreed with Southbank University to base part of its campus in Croydon. This would not prevent the Council exploring further opportunities with other university providers in the future.

- Croydon's Violence Reduction Network continued its work making the borough safer for residents. Initial results from this work had been encouraging with a small reduction in the amount of knife crime in the borough, but it was acknowledged that there was still a long way to go on what was a long term project.

- Work continued towards creating a sustainable Croydon, with a Green Summit at Box Park later this month. Other initiatives being delivered included a campaign to discourage the most polluting vehicles from outside school gates and increasing the number of cycle ways in the borough. Following changes made to bin collections in 2018, there had also been a 9% increase in recycling in the borough.

- Affordable Housing continued to be a priority, with developments equating to thousands of homes currently on site and being delivered through Brick by Brick.

- The most recent monitoring visit of Children's Services by Ofsted had been positive. It was encouraging to see that the amount of work being put into delivering improvement for the service was being recognised.

- Funding for local government continued to be one of the key risks to service delivery, particularly as there had been no indication from central Government about the expected level of funding in 2020-21. Additionally there had been no indication about any cap on the level by which Council Tax could be increased or whether social care precepts would be permitted. All of this made it very difficult when planning the budget for next year.

Following the presentation the Committee was provided the opportunity to question the Leader, with the first question relating to the current status of the proposed redevelopment of Croydon town centre and what contingencies

were being considered should be project not proceed as expected. The Leader confirmed that there had been conversations with the new owners of the Westfield site, during which their commitment to the borough had been restated.

It was highlighted that due to the ongoing uncertainty over Brexit and the changing outlook for the retail sector, the owners were looking to reshape the original design to focus towards making the centre of Croydon a destination. It was expected that the reconfigured scheme would be brought forward in the near future. There were plans in place should the development not be delivered, but there was confidence that it would be. In the meantime the Council would continue to support local businesses during this period of uncertainty, but the scope of the support the Council was able to give was limited as it did not own either the shops or the wider development site.

It was highlighted that the outcome from the Fair Funding Review had been delayed for a year, as such it was questioned how this would impact upon the borough. It was confirmed that it would have a negative impact, as the Council had been making the case for fair funding for Croydon and other outer London boroughs. As such this would need to be put refocused towards making the case for local government funding on a national level.

As a follow up it was questioned whether the Council was sufficiently resilient in its reserves to manage any future funding changes. It was advised that the level of Council reserves had remained at the same level for the past five years. It was acknowledged that in comparison to some local authorities that retained a significant level of reserves the Council did operate on a tight budget.

It was highlighted that the budget for the redevelopment of the Fairfield Halls had increased during the project and as such the process used for approving significant budget increases on projects was questioned. It was explained that once the work had started on the Fairfield Halls redevelopment it became apparent that the level of asbestos present in the building was higher than expected, which had required an increased level of investment to clear it from the building. There was a process in place to agree any increased spending on projects, which would ultimately be authorised by the Finance Director and the Cabinet Member for Finance and Resources in consultation with the Leader.

Given the ongoing uncertainty over Brexit, it was questioned whether it was the right time to make strategic investments in commercial properties. In response it was highlighted that the two recent investments, namely the Colonnades and Croydon Park Hotel, were considered to be extremely prudent and secure investments, which were delivering approximately £2m per year into the Council's revenue budget. The approach taken to decision making on strategic investments used detailed research to reach an informed judgement, with only the most prudent investments targeted. It was acknowledged that Brexit would bring an additional layer of uncertainty to the entire economy across the country and at present there had been no additional investments identified.

In response to a question about how the work of the Violence Reduction Network would be assessed, it was advised that success would be a reduction in crime in the borough in the medium to long term. The number of voluntary and community sector organisations working with the Council in this area was a real strength for the borough. The fear of crime was another issue to be tackled in Croydon and this would involve working with the Police to help dispel this perception of the borough.

In response to a question about the possibility of borough wide controlled parking zones being introduced, it was confirmed that there were no plans to introduce such a scheme at the present time.

It was advised that the project to deliver increased locality based working continued, with it at its most advanced stage in the north of the borough. It was hoped that this work would eventually reach the stage where the Council had a presence across the borough, although the format for how this could be delivered would need to be flexible with mobile centres one option being considered.

The forthcoming opening of the Legacy Onside Youth Zone in September 2019 was welcomed, although it was noted that it would have been preferable if the venue could have opened before the school holidays in July and August. It was agreed that further information on summer activities for young people would be provided.

As a follow up, it was questioned how the Council monitored its work with young people to ensure that the hardest to reach were being reached. In response it was highlighted that there had been cuts to youth funding across the country, but the Council would be submitting a bid to the Mayor of London's Young Londoner Fund. Should this bid be successful, it would provide funding for community groups across the borough.

It was questioned what the Council could do to ensure that community groups bidding for funding were aligned with the priorities of the Council and that the outcomes delivered through funding community groups tracked. In response it was highlighted that all funding bids were evaluated and the outcomes tracked, which was particularly important in the current climate of restricted resources. If a particular organisation was not delivering as expected it would be questioned, but there was a history of strong partnership working across the borough.

It was noted that there had been a recent rise in hate crime across the borough and as such it was questioned what the Council was doing to help tackle this issue. It was confirmed that the Council worked closely with the Police to tackle hate crime. It was important that the Council worked across the borough on this issue, with the public encouraged to remain vigilant, reporting hate crime as it occurred.

In response to a question about the possible outcomes from the current Governance Review, it was advised that possible changes to current system that delivered increased public engagement with the Council would be

welcomed. This was something that could possibly be achieved through the use of technology.

As education had not been covered in the presentation, it was questioned whether there had been any developments in this area. It was confirmed that any move to increase the role of local government in education again would be welcomed as it could in some instances be difficult to engage with academies under the present system.

It was agreed that more information would be supplied to the Committee on the Apprenticeship Levy in response to a question about whether there was a risk that part of the funding provided would need to be returned if it was underused.

As the Council's Digital Strategy had been considered at the previous meeting of the Committee in April, it was questioned how the leadership of the organisation could help to deliver digital improvements. In response it was advised that the introduction of the Digital Strategy had recently been signed off, which included an additional £2m of investment to deliver the strategy.

In regard to the street cleaning contract, it was highlighted that fly tipping continued to remain a huge challenge for the Council, but a tough line was being taken on enforcement whenever possible. Since the new recycling system had been introduced in September 2018, there had been a 9% increase in recycling. There had also been an improvement in street cleaning of the local high streets, but further improvement could be delivered through adjustments to the frequency and timing of street cleans.

In response to a question about what the Council could do to improve sustainability and carbon reduction in the borough, it was acknowledged that greater planning powers than were presently available would help to deliver improvements. The Council also needed to give consideration to a range of different approaches to tackling this issue and there was a need to engage with the people of Croydon on how best this could be achieved.

It was agreed that further information would be provided on the Disabilities Discrimination Act (DDA) compliance of the Council's sheltered housing schemes in the borough following a concern raised by a Councillor on this issue. It was also agreed that the performance of the Housing Repairs Service maybe something for the Streets, Environment and Homes Scrutiny Sub-Committee to schedule into its work programme for the forthcoming year.

The capacity of the Council to cope with the potential rise in demand for services following the introduction of Universal Credit was questioned. It was advised that a huge amount of work was underway to prepare for Universal Credit and that there was a framework in place to monitor the potential impact.

At the conclusion of this item, the Chair of the Scrutiny & Overview Committee thanked the Leader of the Council for his attendance at their meeting and his engagement with Members questions.

Information Requests

1. Further information on the Disabilities Discrimination Act (DDA) compliance of sheltered housing schemes in the borough.

2. Further information on the summer activities available for young people in the borough.

3. Further information on the Apprenticeship Levy and percentage that was required to be met to prevent funding from being returned.

7/19 **Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities**

The Chairman of the Committee, Councillor Sean Fitzsimons introduced the report which summarised the Statutory Guidance that had recently been published on Overview and Scrutiny in Local and Combined Authorities. The report was presented to the Committee for its information, with is suggested that the three Scrutiny Chairs could lead on preparing a response to the guidance that would be brought back to the next meeting on 16 July to be finalised.

From a discussion of initial observations there was a general level of support for many of the proposals set out in the guidance. In particular the reiteration of Scrutiny's powers to access information was welcomed as this would help with planning the work programme. It was agreed that consideration should also be given to how Scrutiny engaged with the public to influence its work programme.

It was questioned whether there could be a mechanism put in place to use the call-in process to review decision making on a more frequent basis. It was highlighted that effectiveness of the call in process could be limited due to the timeliness of decision making and if Scrutiny was given greater opportunity to undertake pre-decision scrutiny, it would negate the need for using a call-in.

It was agreed that the comments made at the meeting would be taken into consideration by the Scrutiny Chairs when preparing their response to the guidance for the next meeting.

8/19 **Exclusion of the Press and Public**

This motion was not required.

The meeting ended at 8.20 pm

Signed:

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Date:

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For general release

REPORT TO:	Scrutiny and Overview Committee 16th July 2019
SUBJECT:	DELIVERY OF THE LIBRARIES PLAN 2019-2028
LEAD OFFICER:	Shifa Mustafa, Executive Director - Place
CABINET MEMBER:	Councillor Oliver Lewis, Cabinet Member for Culture, Leisure & Sport
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Kirsteen Roe, Interim Director – council homes, districts and regeneration

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:
The implementation of the Libraries Plan will contribute to 5 out of 9 of Croydon's outcomes in the 2018-2022 corporate plan (Corporate Plan for Croydon 2018-2022): • People live long, healthy, happy and independent lives; • Our children and young people thrive and reach their full potential; • Everybody has the opportunity to work and build their career; • Business moves here and invests, our existing businesses grow; and • We value the arts, culture, sports and activities.

ORIGIN OF ITEM:	This report has been included on the agenda to provide an update on the implementation of the Libraries Plan, a draft of which was considered by the Committee in February 2019.
BRIEF FOR THE COMMITTEE:	To review progress made to date and future plans for the delivery of the Libraries Plan 2019-2028, including capital investment in Croydon's libraries

1. EXECUTIVE SUMMARY

1.1 The Libraries Plan 2019-2028 was presented to Cabinet on 7th May 2019. The Plan is due to be presented to Full Council for final approval on 15th July 2019. Delivery of the libraries is plan is one of the Delivery Plans that form the Corporate Plan for Croydon 2018-2022. This report presents:

   • An overview of the final libraries plan

   • The scope of work planned and potential investments

   • Next steps and time scales

2. DELIVERY OF THE LIBRARIES PLAN 2019-2028

2.1 Context

2.1.1 Croydon Council have thirteen libraries across the borough, as well as a 24/7 on-line library information offer. These are well used with nearly two million visits per year and over 15% of Croydon residents holding a library membership. Croydon's libraries offer a range of services, from book loans, to IT provision, digital and employment support and hosting of cultural events.

2.1.2 Croydon libraries are already well used, when compared to outer London in general, with above average visits per capita. The pattern of usage is more akin to inner city areas, with less borrowing per customer but more PC usage, and other usage e.g. studying, attending events.

2.1.3 Nationally, borrowing of books is on a decline since the age of the internet and increased online access to information and reading material. With local government finances under continuous pressure during this time, many local authorities have taken this decline in usage as an opportunity to target libraries for savings, and many libraries nationally have closed or been handed over to local charitable organisations.

2.1.4 Bucking the national trend, there is a firm commitment by Croydon Council to keep its thirteen libraries open and to invest in the buildings and the book stock. To this end, the council has developed a ten year libraries plan, outlining the priorities for the service, and has committed £5m of capital budget to the refurbishment of libraries over the next two years. This was approved by Full Council on 4 March 2019 and is in addition to the £555k of capital budget committed to enable the provision of a new build library in South Norwood which was approved by Full Council on 27 February 2018. To our knowledge, no other council in London is currently investing in its library service to the extent that Croydon is.

2.2 Overview of the libraries plan 2019-2028

2.2.1 Libraries are a statutory service and local authorities have a duty to provide a 'comprehensive and efficient' library service. Local authorities that have managed to preserve the service and in some cases enhance it have adapted to the way libraries are being used by communities, providing innovative technology, more study space and meeting space, cafes and an increased programme of events to attract families and people of all ages and backgrounds. Twenty percent of library services have used technological solutions to increase opening hours and access to library facilities. These authorities have recognised libraries for the opportunity they present to serve a wider purpose and address broader social, cultural and economic outcomes.

2.2.2 Croydon Library service operates thirteen libraries within the borough attracting almost two million visits a year. For 4 years until January 2018, delivery of the service was outsourced to Cultural Community Services (CCS), a subsidiary of Carillion Plc. CCS held library service contracts across four boroughs. Following Carillion's collapse on 15th January 2018, Croydon Council immediately took the service back in house, from 17th January 2018.

2.2.3 In the first year of the service being in-house the council:

- **Ensured all staff have been paid the London Living Wage (LLW) as a minimum** from their start date with the council of 17th January 2018 - Carillion paid some library staff significantly below Croydon pay scales and the LLW as a result of the Carillion contract being procured before the council's commitment to LLW for all council staff and contracts;

- **Worked to bring the service back into budget** – the service was operating at approximately 10% over budget when brought in-house. This was mainly due to high IT costs, FM operating below Croydon standards and some staff/functions under Carillion operating over 3 boroughs;

- **Restructured the workforce** – to provide a robust management and development team, area based front line staff structure and improved cover arrangements for annual leave and sickness to ensure service continuity;

- **Developed a comprehensive, integrated programme of events and activities** - the service has been integrated with Croydon museum and archives services and now hosts a range of joint activities with other council departments like Best Start, LiveWell, the Youth Engagement team and Public Health amongst others.

- **Developed a plan for the ongoing investment in and improvement of library services over the next ten years**

2.2.4 The Croydon Libraries Plan 2019-28 vision is to "Inform, involve and inspire" by creating local community spaces where everyone has the opportunity to access council services and information; learn; improve their employability; enjoy the written and spoken word, the arts and cultural events; volunteer and get involved in their local community.

2.2.5 The plan sets out an ambitious programme of work over the next ten years that will transform Croydon's libraries into a modern library service that will meet the ambitions for the service and contribute to Croydon Council's outcomes, priorities and locality based delivery. There is a focus on the delivery of four outcomes:

- A library service designed around the needs of our residents and communities;

- Croydon libraries as the 'Front Door' of the council, enabling services to be delivered locally;

- Libraries at the heart of Croydon's cultural offer, celebrating the written and spoken word in particular;

- Modern, welcoming, inclusive and accessible libraries facilities and buildings

2.2.6 In focusing on these outcomes, the plan addresses three main areas:

- **The service** – develops a service which reflects the needs, interests and diversity of Croydon residents in each location and connects local people to local information, advice, activities and services as well as enhancing the core library offer;

- **The library buildings** - ensures our buildings are efficient and fit for purpose and provide attractive, accessible, modern, flexible community spaces that are both professional and welcoming and make the best use of space for the council and their communities;

- **Technological solutions** – invests in the technology required to deliver a modern library service including modern technology that enables customers to access library services when and where they need them.

2.3 Delivering the plan

2.3.1 A political commitment to increase the book stock was given when the library service was brought in-house. This has been achieved in a number of ways:

- Increasing the annual book stock revenue budget by 9% from 1st April 2019

- Joining the London Libraries Consortium (LLC) in October 2019, providing Croydon customers access to over 6 million books for inter-library loans and hundreds more online books and resources

- Sourcing book stock suppliers from 1 April 2019 that give the Council better discounts off the RRP of stock – allowing more to be purchased

- A capital budget commitment to refresh book stock in newly built or refurbished libraries as the capital programme is rolled out.

2.3.2 A new 'pop-up' library has been purchased to enable increased outreach into other locations, including parks and high streets. This will be used to target communities that are less likely to access library services as well as to provide alternative library services when buildings are closed for refurbishment.

2.3.3 The council has developed an operating model that focuses on preventative and locality based services in order to improve outcomes for residents. Libraries are exceptionally well placed to support a locality based approach and, alongside the core focus of libraries on the written and spoken word, the role of libraries is preventative and locality based working also is reflected in the plan. For example, libraries already contribute to the delivery of local services in providing space for engagement and activities, they act as a safe and visible place for advice and information for residents and will also act as a 'touchdown' point for staff working in a particular locality and needing temporary desk space, once the appropriate investment has been made in technology.

2.3.4 The library service has been working closely with the team leading on the localities work to enable library buildings to provide spaces for other services to offer locality based delivery. The first locality area is in North Croydon and Thornton Heath Library is one of the key sites in the area from where targeted, locality-based services are now being provided.

2.3.5 One of the scrutiny recommendations made in the February pre-scrutiny session on the plan was: *That the national outcomes for library usage should be used as a basis for the plan, with the service offered being evaluated against these outcomes.*

2.3.6　The Libraries Plan is grounded in the work of the national Libraries Taskforce, which has identified seven key outcomes that libraries are well placed to deliver: cultural and creative enrichment; increased reading and literacy; improved digital access and literacy; achieving potential; greater prosperity; stronger more resilient communities; and healthier and happier lives. As well as contributing to the emerging network of cultural venues in the borough, our libraries will also be recognised as community hubs, facilitating locality based working for Council staff and partners. By providing venues where residents can access the information and services that are most relevant to them, libraries will contribute to the council's prevention and early intervention work. They will also provide spaces where community groups can meet.

2.3.7　The service restructure, completed on 1st April 2019, included changes to service development roles in order to ensure that these deliver on Croydon priorities. Specialist roles have been created, aligned to the taskforce outcomes and council priorities. These focus on health & wellbeing, digital & learning and children & young people. They are complemented by a two year post funded through the GLA/ERDF funded programme, Start-ups in Local Libraries (SiLL), a collaboration with the British Library and nine other London library services providing business support to residents who want to start up their own businesses. The service development team are responsible for facilitating relationships with other council services, statutory service providers and the voluntary and community sector in order to deliver more targeted events and activities within libraries that meet local need.

2.3.8　An evaluation framework for the impact of our libraries will be developed based on the seven outcomes identified by the Libraries Taskforce. Work is already underway to develop a proposal in conjunction with two other London boroughs and public health colleagues to carry out research into the impact of libraries on health and wellbeing outcomes and funding potential is being explored with Arts Council England and DCMS.

2.4　Capital investment – buildings

2.4.1　Our libraries estate consists of 13 libraries. Two of these are co-located with other services within council buildings (Central and New Addington). Ashburton was provided through a PFI arrangement and Selsdon was provided through as development agreement and both are housed in buildings managed by a third party. The remaining 9 are housed in stand-alone library buildings across the borough.

2.4.2　Most council owned library buildings were developed for a different type of service predominantly between the 1930s and the 1960s. Norbury opened in 1931; Coulsdon, Purley & Sanderstead all opened in 1936; and Shirley in 1937. Bradmore Green and the current South Norwood are 1960s designs. The oldest building is Thornton Heath, built 1914, but it was reconfigured 2010.

2.4.3　Additional investment is needed to update these buildings to be fit for public use in the 21st century. Where the costs of undertaking modernisation are significant, the council may consider redevelopment as a better and more cost effective option to continue to provide a library that meets local needs. The 7th May 2019 cabinet paper clearly states that "any such case would be assessed on the basis of a full options appraisal and

business case which would incorporate the costs of the building as well as the impact for users of the building. Any redevelopment proposal would require a further decision to proceed."

2.4.4 An innovative architectural practice, known as specialists in public libraries, and designers of the idea stores, have been appointed to support Croydon Libraries transformation. They have developed a new 'look and feel' for Croydon libraries, creating modern, vibrant, inspirational spaces that meet the changing needs of our customers. This is currently being implemented in Selsdon as a model, pilot library. Selsdon is the main area library in the south and is a relatively simple site to pilot the new 'look and feel' as no major building work is needed and it is a good sizeable space situated on one floor. It also ties in with the pilot site for new technology (see section 2.5 below) and therefore will be the first completely modern library in Croydon which can be used as a training site for staff and feedback from customers.

2.4.5 This will be followed by two further major refurbishments in the north – Norbury and Thornton Heath – as well as the opening of the new South Norwood Library on Station Road.

2.4.6 The programme of refurbishments, which is subject to change based on borough and service needs, aims to minimise library closures. Major building refurbishments can potentially take up to 20 weeks or more depending on the scope and complexity of the construction work involved.

2.4.7 The programme aims to keep libraries open during the busy summer months and also not to close two major libraries in one area at the same time. One or more of the following alternative service provision arrangements will be made for each closure:

- Referral to the closest library if within 2 miles, with easy transport links;

- Regular pop-up library in nearby building e.g. leisure centre, community centre, where possible;

- Temporary library for longer closures where suitable building or space is available.

2.5 Capital Investment – Technology

2.5.1 The libraries house the council's largest public access IT network, providing free and accessible provision of computers, printing and the internet for many residents who do not have these facilities at home. 51.5% of our active users come into our libraries just to use the PCs and/or the Wi-Fi, not to borrow books. Library users are also increasingly using their own devices within libraries. In 2017/18 there were 215,795 PC sessions and 69,535 Wi-Fi sessions.

2.5.2 In January 2018 when the library service was brought in-house all CCS IT systems and maintenance contracts were adopted in order to continue providing a library service without disruption. At the time Croydon Council had just embarked on a wider IT reprocurement programme and it was sensible to wait until new IT providers were procured before migrating the library systems over to the Croydon network. However under the CCS contracts, maintenance costs were high, WiFi connection was poor

and CCS were due to upgrade all the hardware, which is over 5 years old, when they went into liquidation. This arrangement also meant that staff did not have easy access to Croydon staff systems.

2.5.3   As outlined in 2.3.3 above, Croydon libraries have been identified as enablers for preventative and locality working to deliver locality based services. In order to do this and provide a modern library service, the libraries need a reliable Wi-Fi connection, access into Croydon systems and up to date modern connectivity for both staff and customers. A project is now underway to install new lines into all libraries, migrate all libraries across to Croydon systems and networks, and install new, modern hardware for staff and the public, by the end of this financial year.

2.5.4   This will also assist the wider Council's workforce to be agile, for example, where a Library can be used as a place to 'drop in' for short duration work, before moving onto their next appointment. This project has specified new devices and other equipment for both staff and public, in order to provide a modern, up to date service. These include laptops and tablets as well as plug in points for own devices. The roll out of this will tie in with the refurbishment schedule wherever possible to minimise library closures.

2.5.5   As part of joining the London Library Consortium mentioned in 2.3.1 above, Croydon have procured a new Library Management System to be launched in winter 2019 following a mobilisation plan which started in April 2019. The new system was procured by the existing 16 LLC member authorities and is an adaptable platform solution, designed to provide more flexibility that our current system. There will be a library app to make it easier for customers to interact with the service, increased functionality for communications and marketing, and increased visibility of library resources when searching via the internet.

2.5.6   In order to make the best use of our buildings they need to be available at the times needed by customers and the community and not limited to current library opening times. Open + technology enables us to extend the times when the buildings can be accessed by allowing library members access into unstaffed library buildings. Entry to the library is via a library card and pin, with CCTV aiding security and self-service machines and computers allowing usage of the library service and the space. The system, which originated in Scandinavia, is now used in 20% of all UK library services. Selsdon library has been chosen as a pilot, with a view to rolling the system out across all of our libraries as they are refurbished.

2.5.7   Nine of our thirteen libraries have self-service technology installed. This allows customers to borrow, renew and return items; check their accounts and pay charges. This technology will be updated and also installed in the remaining four libraries. The new machines will also allow for future integration with the computer booking system and printing services. These will be essential during unstaffed opening and also free up staff during busy times to assist customers with queries.

2.6 Overview of timelines for delivery 2019-20

2.6.1 Please see below for a breakdown of delivery timescales in 2019-20.

	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20
ICT Upgrade										
Selsdon		▓								
Thornton Heath			▓							
Shirley				▓						
Coulsdon				▓						
Broad Green				▓						
Purley					▓					
Bradmore Green					▓					
New Addington					▓					
Sanderstead					▓					
Ashburton						▓				
Central						▓				
Norbury									▓	
South Norwood									▓	
Libraries Management System					▓	▓				
London Libraries Consortium					▓	▓				
Refurbishments										
Selsdon	▓	▓								
Norbury*		▓	▓	▓	▓	▓	▓	▓		
South Norwood#	▓	▓	▓	▓	▓	▓	▓	▓		
Thornton Heath										▓

Refurbishment notes:
*Norbury Library will be closed to the public from September 2019 until February 2020
#There will be a closure of approx. two weeks between the current South Norwood library closing and the new library opening

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CONTACT OFFICER: *Kirsteen Roe, Interim director – council homes, districts and regeneration, ext. 47205*

BACKGROUND DOCUMENTS:
The Libraries Plan 2019-2028

For general release

REPORT TO:	Scrutiny and Overview Committee
	Tuesday 16th July 2019
SUBJECT:	COMMUNITY INFRASTRUCTURE LEVY – POLICY AND STRATEGY
LEAD OFFICER:	Heather Cheesbrough – Head of Planning and Strategic Transport
	Steve Dennington – Head of Spatial Planning
CABINET MEMBER:	Councillor Stuart King – Cabinet Member Environment, Transport and Regeneration
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Steve Dennington – Head of Spatial Planning

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:
Corporate Plan for Croydon 2018-2022
The Corporate Plan 2018 – 2022 includes a number of references to infrastructure being essential to meet the needs of the borough's current population, the growth of the borough and to support inward investment. The collection and assignment of the borough's Community Infrastructure Levy makes a valuable contribution to providing the infrastructure needed by the current and future population of the borough.

ORIGIN OF ITEM:	This report has been included on the agenda at the request of the Chair of the Overview and Scrutiny Committee.
BRIEF FOR THE COMMITTEE:	The Scrutiny Committee is asked to review the report and consider whether it wishes to make any recommendations.

1. **EXECUTIVE SUMMARY**

1.1 The Council has been collecting the borough's Community Infrastructure Levy (CIL) since April 2013. CIL is a levy applied to developments granted planning consent that commence, and is assigned to infrastructure to mitigate the impact of the development. This Scrutiny report focusses on the following.

- What funds have been raised;

- What is the current CIL policy and strategy;

- How decisions are made on spending the funds raised.

1.2 With the collection and assignment of the borough's CIL now mature, it is considered it is an appropriate time to scrutinise the Council's current CIL policy and strategy, within the parameters of the national CIL Regulations that are the legislative framework for the setting and collection of CIL.

2. COMMUNITY INFRASTRUCTURE LEVY – POLICY AND STRATEGY

Croydon's CIL

2.1 CIL was introduced by the Government in 2010 as a mechanism for Councils to levy development to make a contribution to the infrastructure that is necessary to mitigate the impact of development. The Council introduced its CIL Charging Schedule in April 2013 and the Council's charging rates are set out below. This remains the Council's current Charging Schedule. However, it should be noted that CIL is indexed linked, with rate increases each year on 1st April and instead of £120 per sqm, the Council now charges £169.25 per sqm.

	Proposed CIL rate £ per m^2	
Use	Croydon Metropolitan Centre	Rest of the Borough
Residential –Dwelling Houses (C3)	0	120
Business (B1, B2-B8)	120	0
Institutions (C2) (D1)	0	
All other uses	120	

Croydon CIL Collected

2.1 In order for CIL to be collected for a development it must both be CIL liable and be commenced. CIL has been levied on liable granted planning consents post April 2013. As few of these were commenced in the same financial year they were granted consent, the Council only collected just over £200,000 in 2013/14. This compares to just over £10m of CIL collected in 2017/18. Overall, between 2013 and 2019 the Council has collected just over £27m of CIL.

Borough CIL collected	Year
£208,000	13/14
£1,435,350	14/15
£3,435,548	15/16
£2,640,627	16/17
£10,387,852	17/18
£8,962,000	18/19

Borough CIL Assignment

2.2 It is a requirement of the CIL Regulations that a Council publish a Regulation 123 List. The Regulation 123 List outlines the infrastructure projects and types that the Council intend to fund wholly or in part from the borough CIL. With the exception of administration costs (up to 5% of CIL income) and the Local Meaningful Proportion (15% of CIL income) the Borough's CIL income can only be spent on infrastructure projects or types on the Regulation 123 list. The Council's current Regulation 123 List includes the following infrastructure projects and types.

- Provision, improvement, replacement, operation or maintenance of education facilities

- Provision, improvement, replacement, operation or maintenance of health care facilities

- Provision, improvement, replacement, operation or maintenance of those projects listed in the Connected Croydon Delivery Programme dated April 2013 and any projects as may be added to the said Programme after April 2013 as approved by Cabinet.

- Provision, improvement, replacement, operation or maintenance of public open space

- Provision, improvement, replacement, operation or maintenance of public sports and leisure

- Provision, improvement, replacement, operation or maintenance of community facilities

2.3 From the period 2013 up until the end of the 2016/17 financial year, the Council did not assign any Borough CIL. This decision was based on two factors. First, the Council agreed that the CIL available to assign should be allowed to grow to a level to make a meaningful contribution to the infrastructure requirements of the borough. Secondly, up to 2017 it was unclear whether the Council would be successful in their application to the Mayor and the Government for the Croydon Growth Zone. This was a sensible and prudent approach, as whether the Growth Zone application was successful or not had a significant bearing on the availability of funding for infrastructure. Once the Growth Zone was approved it provided clarity on the Council's infrastructure funding strategy.

2.4 The Council's Infrastructure Finance Group was established in July 2012. It oversees the processes for providing access to possible funding of projects from Section 106 Agreements and the Borough's Community Infrastructure Levy (CIL). The group also leads on the management, monitoring and recovery of the borough's Section 106 Agreements and CIL income.

2.5 The Council's current policy is to assign the borough's CIL to projects on the Council's capital programme (and in accordance with the Council's Regulation 123 List) as approved each year as part of the Council's budget setting report.

2.6   As consequence of this policy, borough CIL has been assigned as follows.

2013/2017 Assignment

Education – Secondary Estate	£1,213,999
Education – Permanent Expansion	£1,213,999
Fairfield Halls	£1,213,999
Thornton Heath Public Realm	£1,213,999
Ashburton Library	£1,213,999
Total	**£6,069,995**

2017/2018 Assignment

Education – Special Education Needs	£2,000,000
Education – Permanent Expansion	£2,000,000
Fieldway Cluster	£2,021,000
Thornton Heath Public Realm	£1,254,000
Surrey Street Market	£25,000
Total	**£7,300,000**

2.7   Following the assignment of the 2017/18 borough CIL income to the capital programme, in 2018/19 the Council was in receipt of more grant funding from other sources than forecast, so £5,275,000 was actually assigned from the £7,300,000. The residual £2,025,000 remains to be assigned to other projects on the capital programme.

2.8   The borough CIL collected in 2018/19 remains to be assigned in the 2019/20 financial year.

2.9   Furthermore, there is £937,061 of CIL Local Meaningful Proportion available from 2018/19, £576,000 of this figure is to be assigned to Community Ward Budgets 2019/20, as agreed in the Council's budget report of February 2019. The overall CIL Local Meaningful Proportion balance, including the 2018/19 income, is £3,148,116.

2.10 In terms of administrative costs, £124,000 for 2019/20 has been reserved to cover the costs of operating as a CIL Charging Authority.

2.11 Overall, the current borough CIL balance is £14,640,287, which reflects that some CIL income has already been assigned to the capital programme and to Community Ward Budgets.

CIL Local Meaningful Proportion (Neighbourhood Proportion)

2.12 The CIL Regulations state CIL Local Meaningful Proportion can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area. This means it can be spent on infrastructure that is not included on the Regulation 123 List and on items that are not considered infrastructure (so long as it is related to the impact of development). Furthermore, national guidance states with regard to engagement, Councils should engage with the communities where development has taken place and agree with them how best to spend the Local Meaningful Proportion.

2.13 In boroughs without parish councils the equivalent amount of CIL to that which would have gone to parish councils can be spent in the same way as a parish council could

spend the money. With Croydon not having parishes, 15% of the gross CIL collected can be spent anywhere within the borough as CIL Local Meaningful Proportion.

2.14 The Council's current policy is to assign the CIL Local Meaningful Proportion to Councillors' Ward Budgets, which enables the Council through Councillors' to engage with communities on how best to spend the Local Meaningful Proportion, whilst respecting what the Local Meaningful Proportion should be assigned to in terms of infrastructure or addressing the demands that development places on an area.

CIL Monitoring

2.15 The Council's collection and assignment of CIL is reported in the Council's CIL annual monitoring report that is published at the end of each calendar year to cover the preceding financial year. This report sets out what CIL is collected each year and what infrastructure projects and types the borough's CIL was assigned to.

CIL Regulations 2019

2.16 In June this year the Government laid before Parliament new CIL Regulations, which for the 2019/20 include a requirement to publish an Annual Infrastructure Statement year (to be published on 31st December 2020). The key requirements of this statement include.

The total value of CIL set out in all demand notices issued in the reported year
The total amount of CIL receipts for the reported year
The total amount of CIL receipts, collected by the authority before the reported year but which have not been allocated
The total amount of CIL receipts, collected by the authority before the reported year and which have been allocated in the reported year
The total amount of CIL expenditure for the reported year
The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year
In relation to CIL expenditure for the reported year, summary details of—   (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item;   (ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);   (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation
In relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL   allocated to each item

CIL Policy and Strategy Review

2.17 With the collection and assignment of the borough's CIL now mature, it is considered it is an appropriate time to scrutinise the Council's current CIL policy and strategy set out in this report. Within the parameters of the CIL Regulations and the Croydon context, officers would welcome Councillors views on the current policy and strategy to inform any future evolution of the Council's CIL policy and strategy.

Appendices

None

CONTACT OFFICER: *Steve Dennington – Head of Spatial Planning*

BACKGROUND DOCUMENTS:

Croydon CIL Charging Schedule
https://www.croydon.gov.uk/sites/default/files/articles/downloads/cilcharging.pdf

London Borough of Croydon's Regulation 123 list
https://www.croydon.gov.uk/sites/default/files/articles/downloads/reg123list.pdf

For general release

REPORT TO:	Scrutiny & Overview Committee 16 July 2019
SUBJECT:	CORPORATE & STATUTORY ANNUAL COMPLAINTS REPORT 2018/19
CABINET MEMBER:	Councillor Simon Hall, Cabinet Member for Finance & Resources
LEAD OFFICERS:	Clare Davies, Complaints Manager
EXECUTIVE DIRECTOR:	Jacqueline Harris-Baker, Executive Director of Resources

CORPORATE PRIORITY/ CONTEXT:

A high level overview of the performance of the Council's complaints detailing service level agreements (SLA), number of complaints upheld, themes and learnings. The way in which complaints are used to drive service improvements plays a key role in Croydon Council's drive to be an excellent authority which delivers both a positive resident experience and shows that we are a learning authority.

For **Corporate Complaints** Croydon operates a two stage corporate complaints policy. The first stage is investigated by the service who the complaint is regarding. The second stage is escalated to an independent investigation by the complaints resolution team.

For **Children's Statutory complaints** Croydon operates a three stage complaints policy. The first stage is investigated by the service or services who the complaint is regarding. The second stage is an independent investigation. Finally, the third stage is a Review Panel Hearing.

For **Adults Statutory complaints** Croydon operates a one stage complaints policy, which is investigated by the service or services who the complaint is regarding.

ORIGIN OF ITEM:	The Corporate & Statutory Complaints report is received by the Scrutiny & Overview Committee on an annual basis.
PURPOSE:	The Committee is provided with a copy of the Annual Complaints Report for 2018-19 for their information and is asked to consider whether they wish to make any recommendations based on the content of the report.

1. EXECUTIVE SUMMARY

1.1 This report provides a summary position of complaints, 2018/19 (1 April 2018 – 31 March 2019) and corporate complaints, 5 year view: 01 April 2014 – 31 March 2019.

1.2 As the structure of Divisions and services has changed significantly over the period, the below is shown as an indication of trends over the period.


TOTAL VOLUME, IN SLA & UPHELD
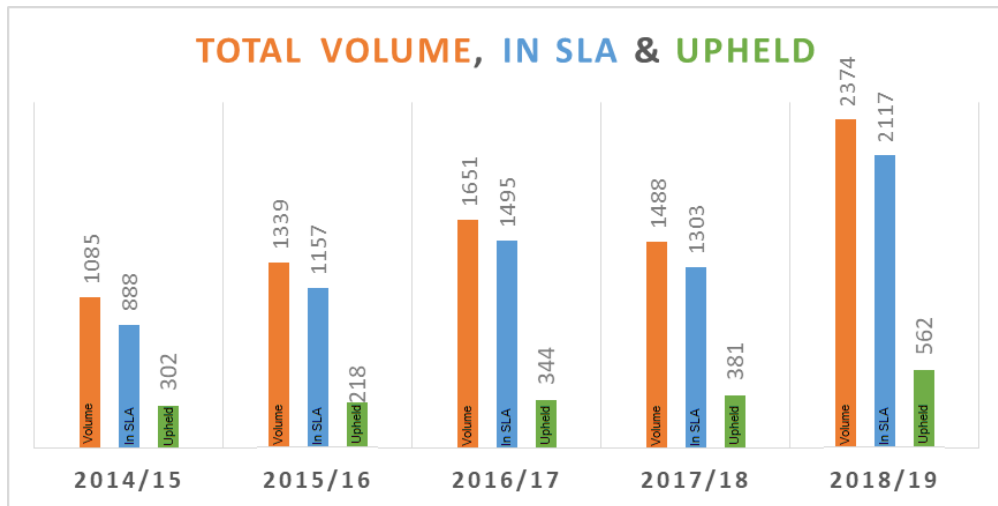
CORPORATE COMPLAINTS

2. COMPLAINTS – HIGHLIGHTS/LOWLIGHTS DURING 2018/2019

Stage One:

2.1 The volume of corporate **Stage one complaints** has increased by 59% or 885 complaints compared to 2017/2018.

2.2 90% of **Stage one complaints** have been responded to within 20 days, which is the corporate target, and an improvement on last year by 2%, with an increase in volumes.
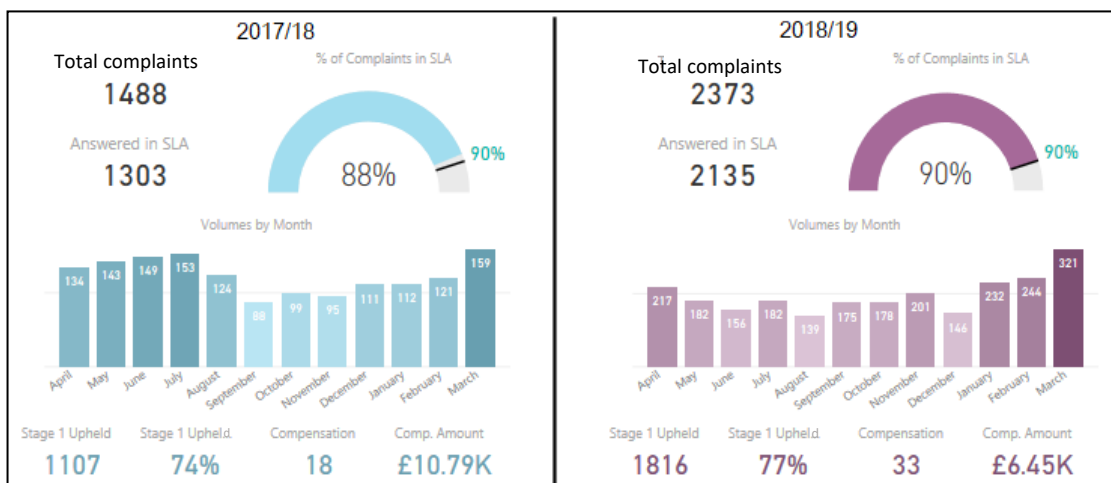
2.3 77% (or 1816 complaints) at **stage one** were upheld for 2018/19. This is an increase of 709 complaints compared to upheld complaints during 2017/18 when 74% where upheld.

2.4 **Compensation totalled £6,450** during 2018/19, compared to £10,790 last year.

Stage Two:
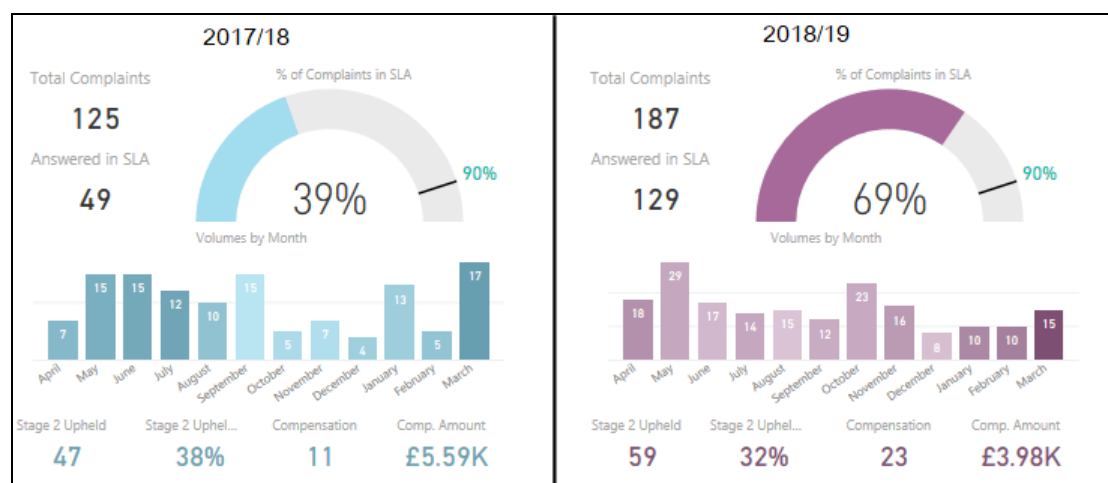
2.5 The volume of corporate **Stage two complaints** has increased by 50% or 62 complaints compared to 2017/18. A large increase (31 complaints) was caused by one issue raised by residents regarding traffic management in Addiscombe.

2.6 **Stage two complaint** response times improved from 39% in 2017/18 to 69% in 2018/19 so a 30% increase due to an improved sign-off process, better quality of responses and quicker investigations with services.

2.7 32% (59 complaints) of **stage two complaints** were upheld in 2018/19, compared to 38% (47 complaints) in 2017/18.

2.8 We paid **£3,980 in compensation at stage two** this year, compared to £5,590 last year.

Local Government & Social Care Ombudsman (LGSCO):

2.9 The Local Government Ombudsman investigates allegations of maladministration that have caused injustice to the complainant. Mostly they will only investigate once the Council has had an opportunity to investigate through their Complaints process.

	2017/18			2018/19	
Total complaints	72		Total complaints	76	
Answered in SLA	47	65%	Answered in SLA	58	76%
LGO Upheld	23	LGO Upheld % 32%	LGO Upheld	13	LGO Upheld % 17%
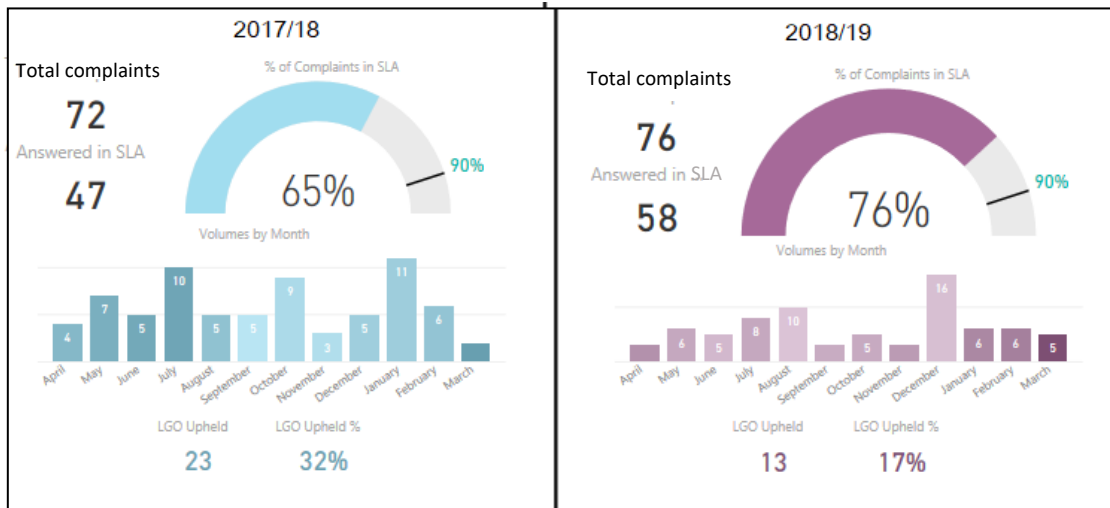
2.9 The volume of corporate **Ombudsman complaints** has **increased** by 6% (4 complaints) in comparison to last year.

2.10 17% (13 complaints) of **Ombudsman complaints** were upheld this year. This is a 43% (10 complaints) **decrease** in upheld complaints compared to last year. This confirms the quality of our decisions at stage 2 has improved.

3. HIGHEST VOLUME AREAS - STAGE ONE COMPLAINTS

3.1 The corporate target is to respond to 90% of complaints within 20 working days. These are dealt with directly by each service.

3.2 The services with the highest volume of **stage one** complaints for 2018/19 are as follows:
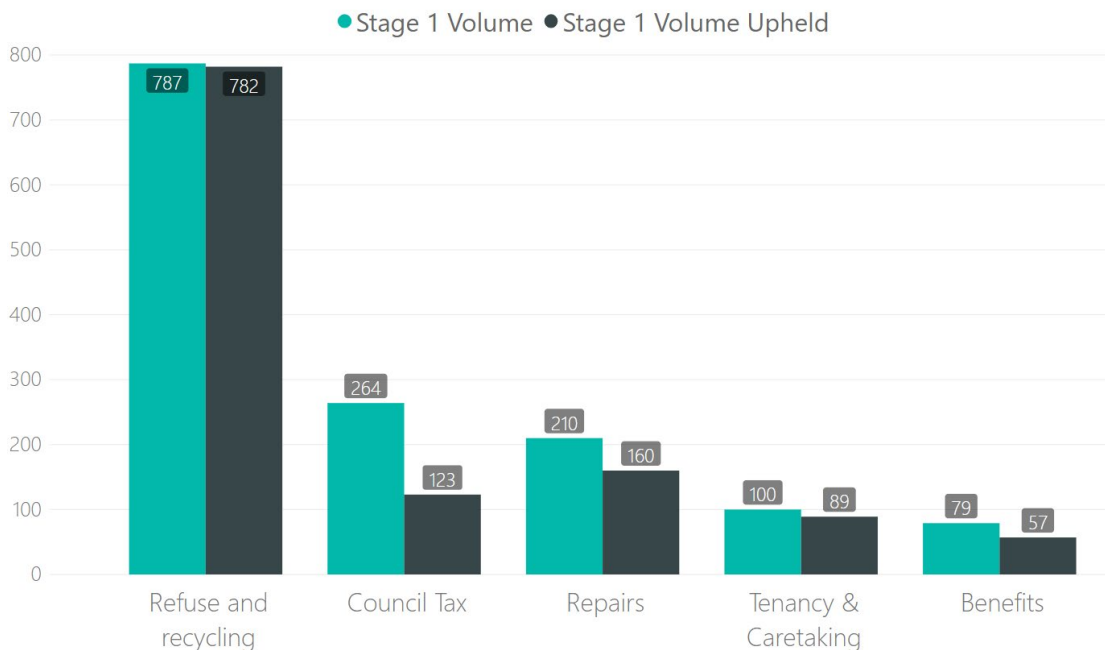
4.   HIGH VOLUME AREAS - STAGE TWO COMPLAINTS

4.1   The corporate target is to respond to 90% within target of 20 days.

4.2   The services with the highest volume of **stage two** complaints for 2018/19 are as follows:
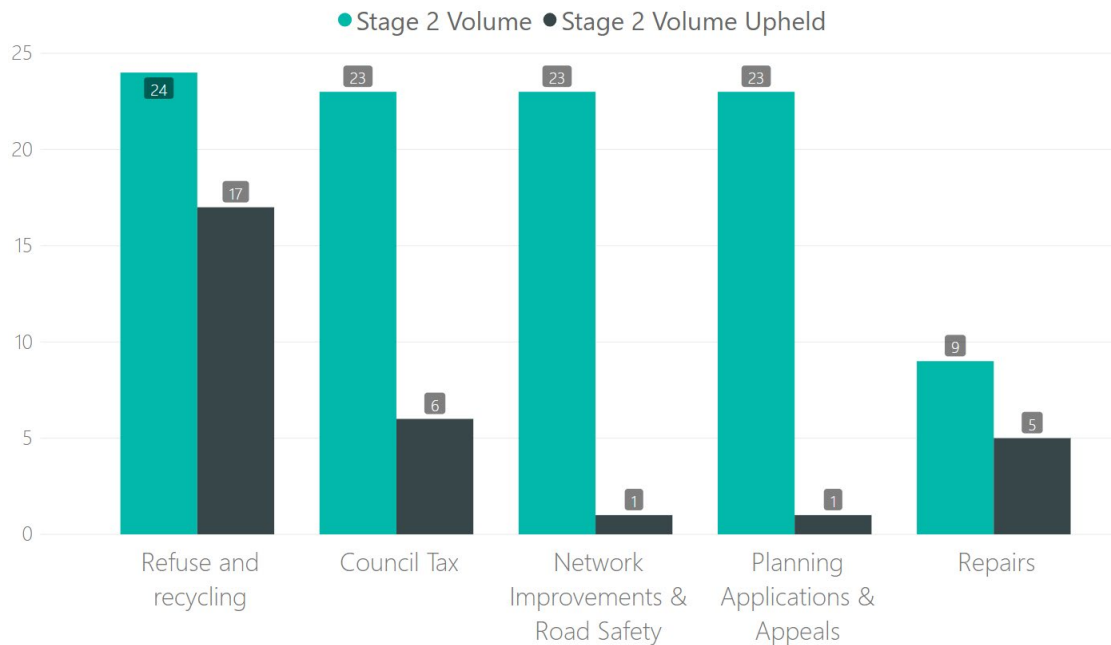
5.   HIGH VOLUME TEAMS- OMBUDSMAN (LSGCO) COMPLAINTS

5.1   The corporate target is to reduce year on year 10% of upheld complaints. This year the council **has reduced** the number of upheld complaints from 23 during 2017/18, to 13 during 2018/19.

5.2   The below shows the teams who have received the highest volume LSGCO complaints, with the number of those upheld.
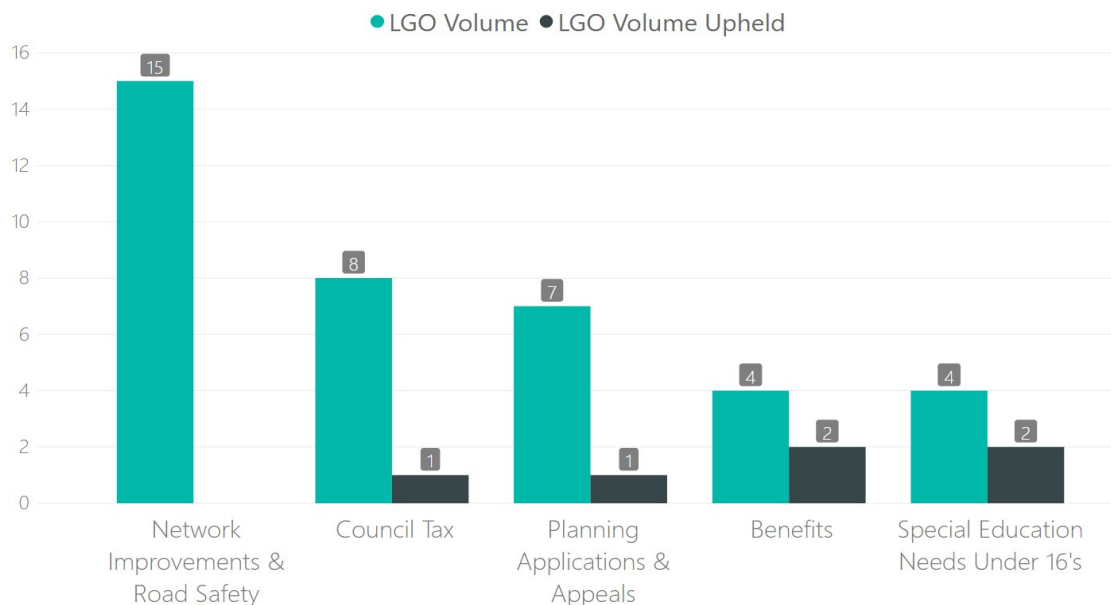
Upheld Ombudsman complaints:

Team	LGO Recommendation
Housing Renewal	Ms B complains the Council's offer of £250 for delay in carrying out her occupational therapy assessment is inadequate compensation given she was unable to access her bathroom, toilet and bedroom unaided and this denied her independence and dignity.
	As the Council has now increased its offer to £600, and this is viewed as a fair and reasonable way of settling the complaint, we will not pursue it any further.
Special Education Need (SEN)	Ms B complains that the Council did not provide appropriate special educational needs provision for her son. Ms B complains that the Council wrongly started child protection proceedings. We have not investigated some of Ms B's complaints, including her complaint about child protection proceedings. The Council was not at fault for most of the matters complained about. The Council was at fault for not amending Ms B's son's EHC Plan when it made changes to his provision. But, we cannot say on balance this caused Ms B and her son an injustice.
Special Education Need (SEN)	Ms X complained about the way the Council dealt with her son who has Special Educational Needs and who was permanently excluded from school. The Ombudsman found the Council to be at fault because it failed to provide him with suitable education while he was out of school. It also failed to agree with Ms X how a financial payment awarded by the Ombudsman as part of a previous complaint would be spent. The Council agreed to the Ombudsman's recommendations to remedy the injustice caused to Ms X and her son.
Refuse & Recycling	Mr X complained there was unreasonable delay resolving a complaint about damage that refuse collectors caused to his motorbike. There was significant delay. The Council should pay Mr X £150 to reflect the time, trouble and frustration the matter caused him.
Planning	Mr B complains on behalf of a residents' association the Council failed to consider properly a planning application for a nearby housing development and about its handling of his subsequent complaint. The Ombudsman has found no evidence of fault by the Council in its consideration of the

	application although there was some fault in the way it dealt with the subsequent complaint. The Ombudsman considers the Council's actions of referring Mr B's Code of Conduct complaint to its Monitoring Officer and providing an apology for its failure to reply to correspondence are enough to provide a suitable remedy.
Anti-Social Behaviour Enforcement	(Housing Ombudsman): In accordance with paragraph 42 of the Housing Ombudsman Scheme, it was found that there was service failure in relation to the landlord's handling of Miss X's reports of noise nuisance. As a result the landlord should pay Miss X £100 compensation for the distress and inconvenience caused by its service failure in handling her reports of noise nuisance.
Anti-Social Behaviour Enforcement	Ms D and her mother, Ms X complained that the Council did not deal effectively with antisocial behaviour. The Council investigated the complaints properly but failed to take proper account of the advice from Ms X's mental health professionals. The Council also applied a voluntary contract without Ms D's agreement and without explaining this fully to her. This caused Ms D and Ms X distress. The Council has agreed to apologise to Ms D and Ms X, clarify its actions and review its processes.
Corporate Debt	Miss X complained the Council failed to give her a chance to make a new payment arrangement before imposing an attachment of earnings to recover a housing benefit debt. She complained the amount the Council recovered was too high. There was no fault in the way the Council applied the attachment of earnings order. The Council apologised for several minor faults in its response to the complaint. This was a reasonable remedy for these issues.
Council Tax	The Council is at fault in how it dealt with Mrs Y's and Mrs X's Council Tax accounts which caused distress to Mrs Y and distress and avoidable time and trouble to Mrs X. The Council has agreed to remedy this injustice by making an additional payment of £150 to Mrs X and £100 to Mrs Y. This is an appropriate and proportionate remedy.
Housing Benefits	Ms B complains that the Council's poor management of her housing benefit and council tax support resulted in overpayments which it recouped by deductions from her benefit causing her financial hardship. The Ombudsman finds the Council made repeated errors in calculating Ms B's

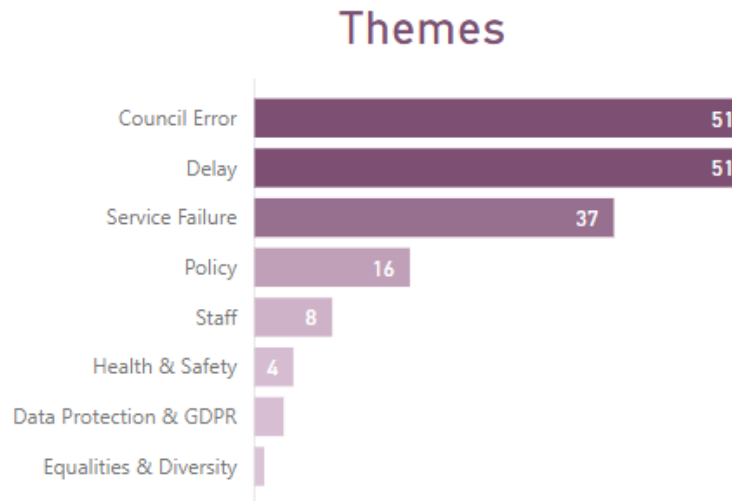|	
	claims because it failed to consider information she had previously provided concerning her weekly pay and childcare costs. Because of this Ms B's benefit payments were continually changing. This caused her a great deal of stress. She was constantly worried about whether she would have enough income to pay her rent. She was also put to considerable time and trouble in having to repeat information she had already provided and was forced to appeal and complain several times.
Housing Benefits	Ms X complains about the way the Council dealt with her Housing Benefit application and Council Tax account since 2016 as she received Liability Orders for non- payment. The Council has accepted it was at fault and incorrectly issued one Liability Order. It also accepted it was at fault as it did not advise Ms X of her appeal rights on decisions about her benefits. The Council has already apologised and offered a payment in recognition of the distress caused. So, the Ombudsman is minded to complete his investigation.

6. THEMES

6.1 This section aims to show the high level themes across council departments.
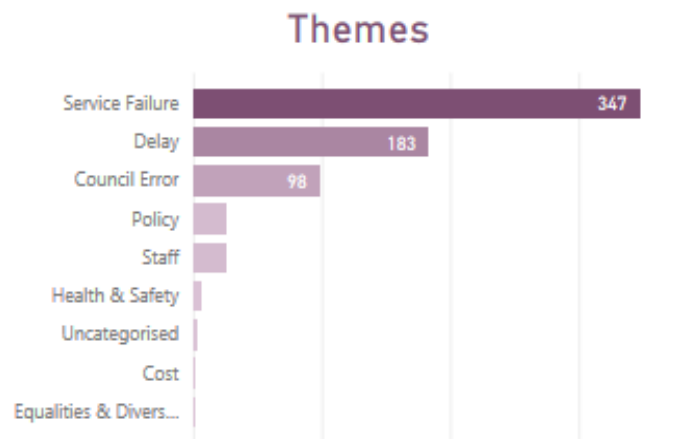
6.2 The below table shows some of the main causes per theme.

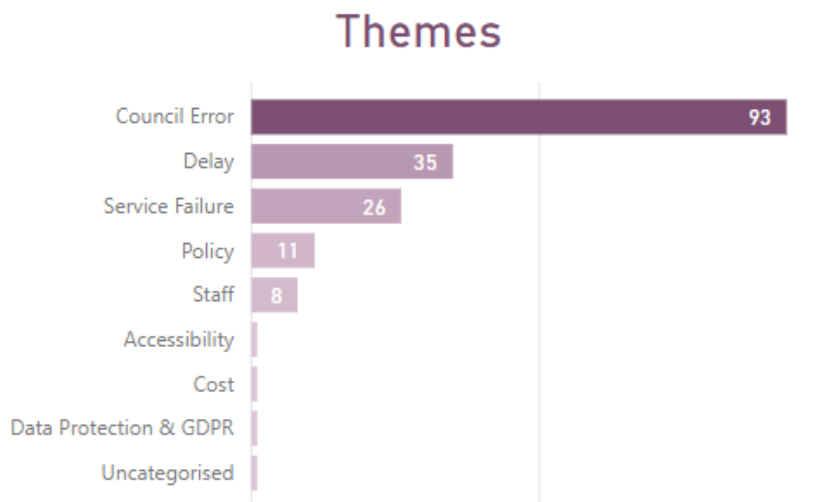| Theme	Type of cause
Council error	Admin, process, account or data management, wrong information
Delay	Delay in processing or delivering a service delaying in or lack of communication
Service failure	Not providing a service
Policy	Council policy
Staff	Staff behaviour, attitude or approach
Health & Safety	Concerns to resident health & safety
GDPR	Complaint about GDPR process, or delays in process

GATEWAY:

Themes

Theme	Count
Council Error	51
Delay	51
Service Failure	37
Policy	16
Staff	8
Health & Safety	4
Data Protection & GDPR	
Equalities & Diversity	

PLACE:

Themes

Theme	Count
Service Failure	347
Delay	183
Council Error	98
Policy	
Staff	
Health & Safety	
Uncategorised	
Cost	
Equalities & Divers...	

RESOURCES:

Themes

Theme	Count
Council Error	93
Delay	35
Service Failure	26
Policy	11
Staff	8
Accessibility	
Cost	
Data Protection & GDPR	
Uncategorised	

7.   COMMENTARY: From highest volume complaint areas

7.1   To note the Council will be launching a new complaint handling system in July 2019 which will make the process of recording and managing a complaint much simpler across the organisation.

Place: Environmental Services. Danielle Emery, Waste and Recycling Manager.

7.2   The highest volume of complaints were for the Refuse and Recycling Team this year. The team have rolled out a new refuse and street cleansing contract. It was anticipated that a decline in service standards would occur during and after the roll out and therefore have an increase in service enquiries and complaints. Some of the common trends were:

- repeated missed collections
- new bins not arriving
- bin returns and presentation
- lack of monitoring when promised

7.3   Over the last few months as crews are becoming more familiar with their new rounds there has been a significant decline in the number of missed collections across all services, and a corresponding drop in formal complaints and enquiries. The team continue to work with our contractor to identify areas of concerns where performance can be improved. The team have been identifying crews and areas where services issues are not being resolved satisfactorily. They are also making sure residents are reminded to use their My Account to log missed collections within 48 hours as this generates a default notice to Veolia and issues can be monitored to further identify and resolve performance issues.

7.4   The biggest lesson the waste and recycling team have learnt from the complaint during and since the roll out are:

- Better communication with residents on the expectations on bin presentation and how to separate waste.
- Better communication with internal teams such as the contact centre so everyone internally is aware of the changes.
- Processes for monitoring are more robust for the Veolia contract
- Manage customers' expectations on issues and how we will resolve these.

7.5   To address all these issues a new Waste and Recycling Manager has been appointed. Their role is to manage the contract with Veolia so they have more scrutiny on how they work and are operating in Croydon, to work on the

internal processes for the team and to liaise with other council departments to identify and rectify issues going forward.

Finance and Resources: Council tax. Naomi Charles, Quality and service improvement manager.

7.6   The team have had an additional 2000 plus properties that have come into the ratings list last year, meaning that the customer base has increased by 1.3% or £3,433,640 in collection. This also means an equivalent increase in administration, and contact.

7.7   There have been some staffing retention issues across the year. Additional staff were agreed towards the end of 2018 but recruitment has been challenging, getting the right staff, with the right experience. Additionally the team had a high turnover of temps which contributed to complaints, due officer's not following correct processes.

7.8   The main 2 themes in complaints are delays in responding to customer correspondence and officer quality. The team have a more focused approach to resourcing and introducing more performance management to ensure that any issues are picked up early and addressed. This has already shown improvements in a reduction of upheld complaints as quality improves.

Place: Responsive Repairs. Stephen Tate, Director of District Centres and Regeneration.

7.9   Over the past financial years there has been improvements made across the repairs service. Over the same period satisfaction has been improving with an increased number of compliments received.

7.10 However, in 2018/19 the number of complaints has increased, which has been a focus in our Council contract performance meetings. Analysis has shown that this increase is due predominantly to work not completed, poor customer communication and follow up. This drop in service has been linked to a reduction of both operatives and staff in Axis' contact centre during Q2 and Q3 due to vacancies. Through recruitment Axis have now ensured that there is sufficient resource to meet demand. Additional training has been provided to all staff to ensure that effective diagnostic of repairs as well as additional checks and balances to ensure misdiagnosis are captured and corrected before jobs are raised.

7.11 As part of the ongoing focus on reducing complaints, Axis have allocated an additional resource to concentrate on analysis and deliver changes to how jobs are allocated, from geographical to trade demand. Robust reviews take place at monthly contract meetings where performance against each aspect of delivery is discussed and monitored via KPI's. This will be carried forward into the detailed review which is due to take place prior to making a decision about extending the contract after Year 7 for an additional 4 years.

8. BENCHMARKING:

8.1 The below table is a sample of other London Borough's complaints volumes during 2018/2019. The below table shows from highest to lowest complaints relative to the size of the population.

Borough	Population*	Number of Stage 1 Corporate Complaints	Number of Stage 2 Corporate Complaints	Number Upheld Stage 1	Number Within Borough SLA
Lewisham	275,885	3,735	139	613 (16%)	2,631 (70%)
Islington	206,125	2,182	135	1,187 (54%)	2,005 (92%)
Hackney	275,900	2,701	161	Unknown	1,648 (61%)
Wandsworth	307,000	2,874	189	539 (19%)	1,278 (44%)
Barnet	400,600	3,002	274	1,005 (33%)	2,690 (90%)
Thurrock	165,200	1,034	405	455 (44%)	805 (78%)
Croydon	384,837	2,373	191	1,812 (76%)	2,125 (90%)
Haringey	272,900	1,514	358	703 (46%)	1,319 (87%)

***population figures as of 2011 census except Croydon: Observatory estimate as at 2018
**All boroughs operate different complaints processes. Figures provided by LCMG (London Complaint Managers Group)
** LGSCO figures unavailable for all boroughs until July 2019

9. STATUTORY COMPLAINTS 2018/2019

9.1 Statutory complaints. A statutory complaint usually involves issues where the council must follow a formal legal process, such as social care and safeguarding.

9.2 Adults and Children's (combined) statutory complaints, 5 year view: 01 April 2014 – 31 March 2019.

9.3 As the structure of Divisions and services has changed significantly over the period, the below is shown as an indication of trends over the period.

TOTAL VOLUME & IN SLA

	2014/15	2015/16	2016/17	2017/18	2018/19
Volume	166	196	159	145	220
In SLA	43	42	35	34	100

NOT UPHELD, UPHELD, UPHELD IN PART

	2014/15	2015/16	2016/17	2017/18	2018/19
Not Upheld	103	108	85	73	109
Upheld	22	25	26	28	41
Upheld in Part	37	62	43	42	62
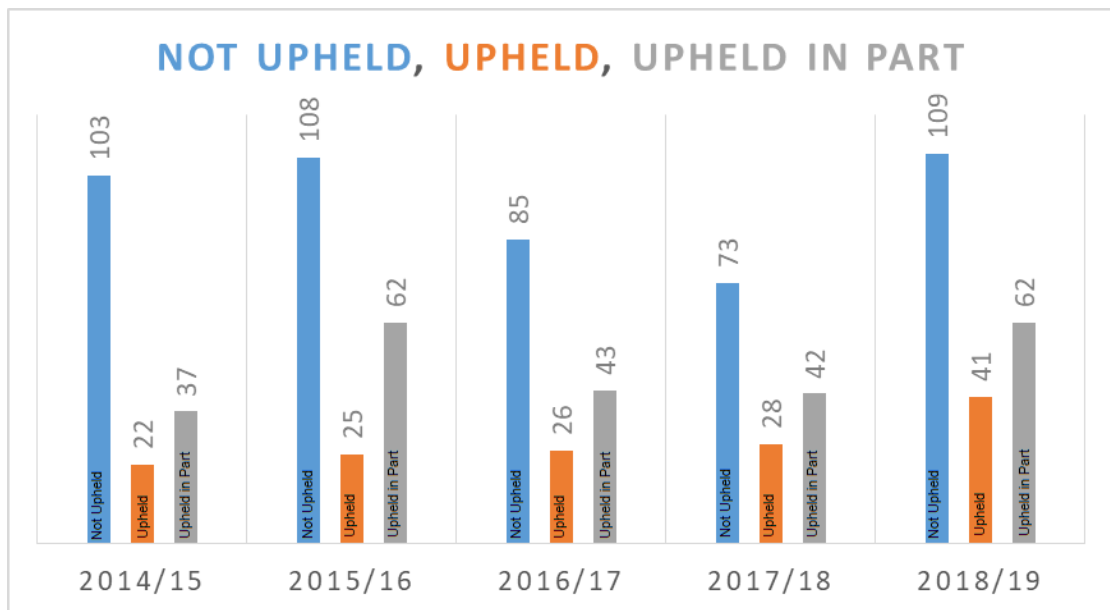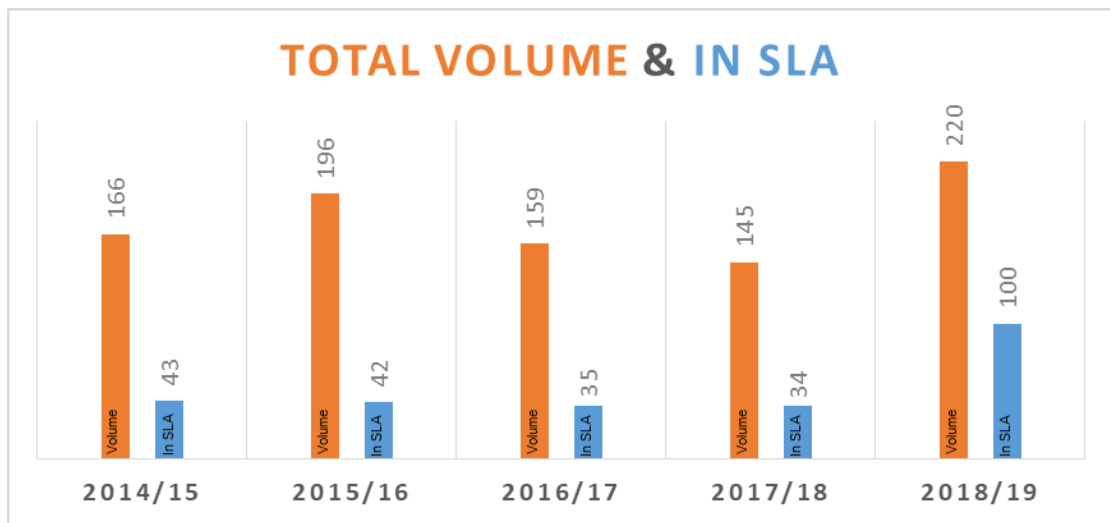
CHILDREN, FAMILIES & EDUCATION (CFE) STATUTORY COMPLAINTS

COMPLAINTS – HIGHLIGHTS/LOWLIGHTS DURING 2018/2019

10.   STAGE ONE COMPLAINTS:

10.1 The volume of **stage one** complaints increased by 57% (56 complaints) compared to 2017/18.
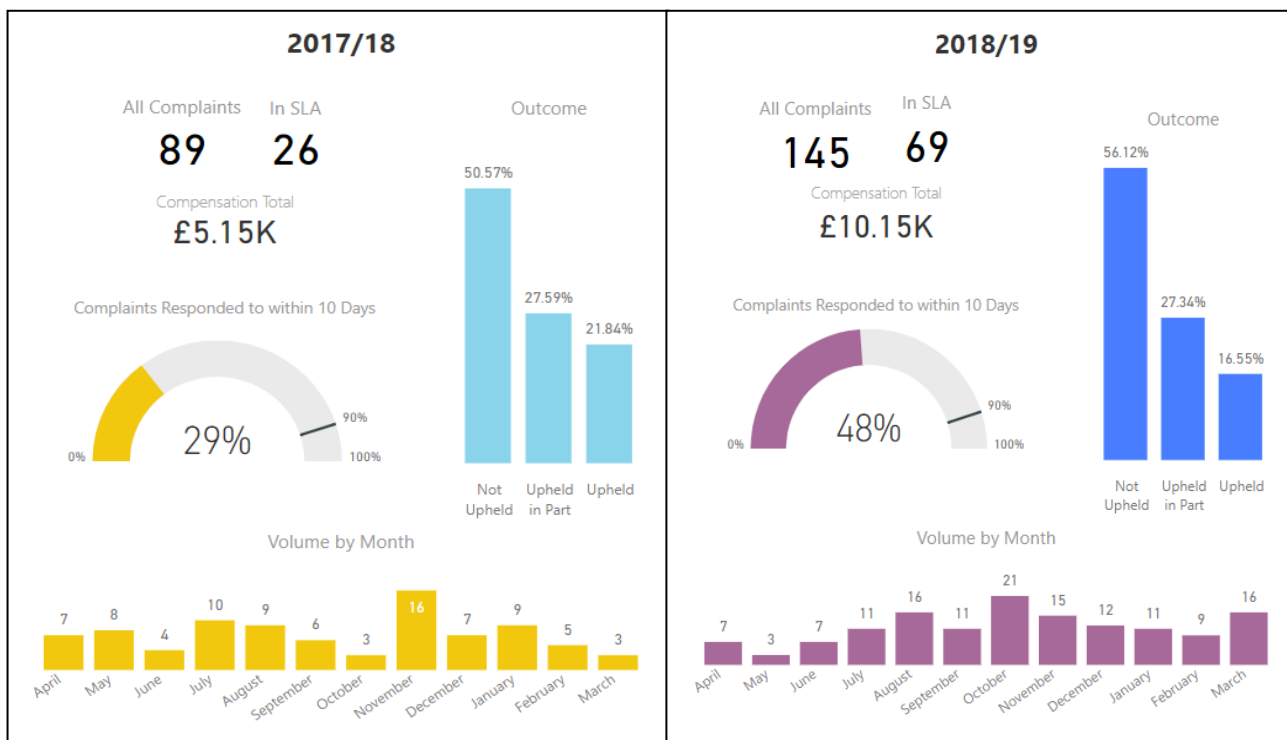
10.2 **49%** of **stage one** or 69 complaints were responded to within 10 working days. This is an increase of 20% in comparison to 2017/18.

10.3 **16%** of **stage one** or 23 complaints were fully upheld during 2018/19, compared to 23% or 21 complaints during 2017/18.

10.4 **28%** of **stage one** or 40 complaints were **partially upheld** during 2018/19, compared to 24% or 22 complaints during 2017/18.

10.5 The service paid **£10.15K compensation** during 2018/19 (this is across all 3 stages). This is compared to £5.15k during 2017/18.

11. STAGE TWO COMPLAINTS:
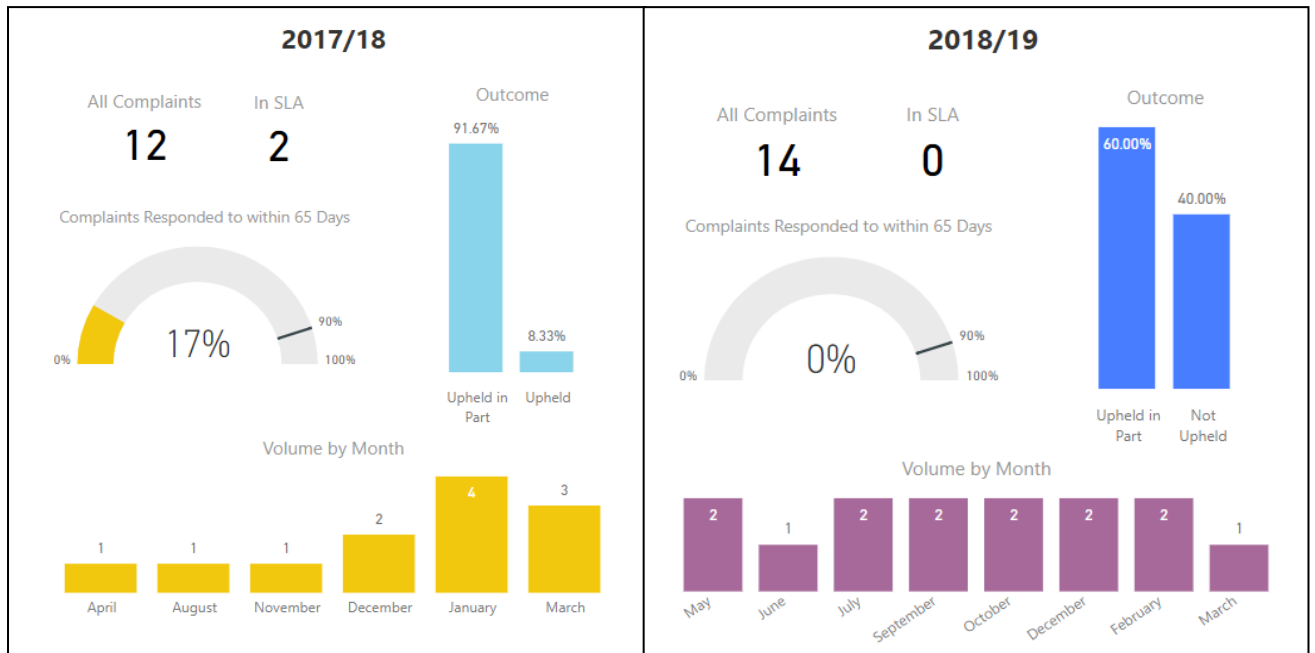
11.1 Total statutory **stage two** complaints for 18/19 **increased by 17%** (2 complaints) compared to 2017/18.

11.2 There are 8 statutory cases still ongoing but these have been excluded from the upheld figures.

11.3 0 complaints were upheld for this year at **stage two**, compared to 1 last year (pending outcome for 8 cases).

11.4 60% or 8 complaints were upheld in part during 2018/19, compared 92% or 11 complaints during 2017/18 (pending outcome for 8 cases).

12. STAGE THREE COMPLAINTS:

(To note: as small numbers of complaints, no graphs have been included)

12.1 In 2018/19, there were 4 **stage three complaint** panels, which was an **increase of 3** complaints compared to 2017/18.

12.2 1 complaint at **stage three** panel was upheld for 2018/19.

12.3 3 **stage three** panels were partially upheld in 2018/19 compared to 1 **stage three** during 2017/18 that was partially upheld

13. LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO)

There were **0 statutory LGSCO complaints** escalated to the Ombudsman for 2018/19 compared to 9 in 2017/18.
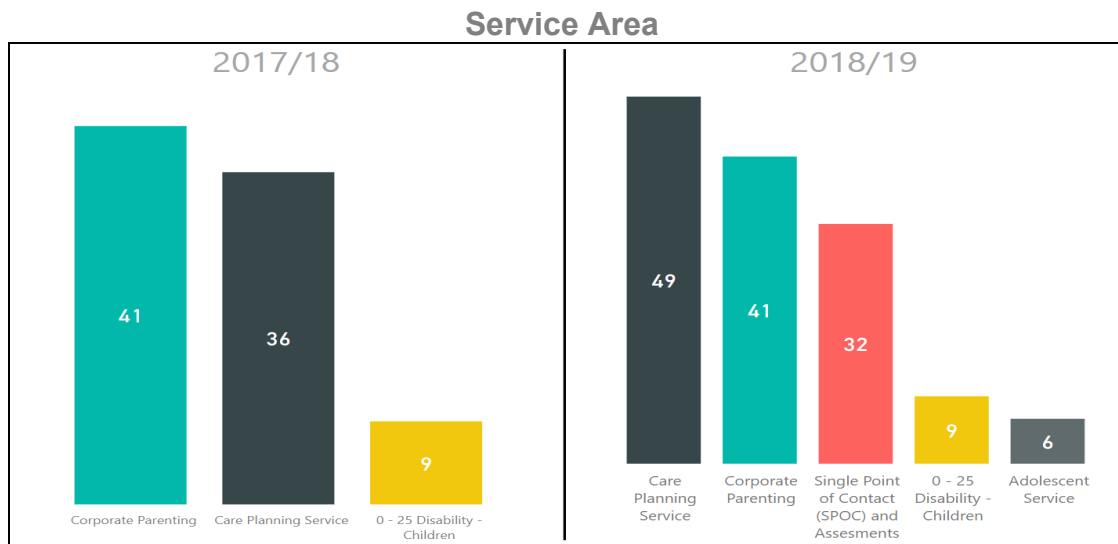
14. CFE STATUTORY: STAGE 1 COMPLAINT THEMES

14.1 It was not mandatory to log the theme for stage 1 complaints until December 2018. The below table shows the most recent trends from December 2018 – March 2019).

Theme: Dec18 – Mar 19	Volume
Poor Communication	22
Lack of Action	8
Meetings (scheduling/attendance of)	7
Staff Conduct/Professionalism	6
Poor Case Management	6

15. CFE STATUTORY STAGE ONE COMPLAINT VOLUMES BY SERVICE AREA AND TEAM

15.1 The below table shows complaints received by service area (highest volume areas), and in addition to break down to individual team.

Service Area
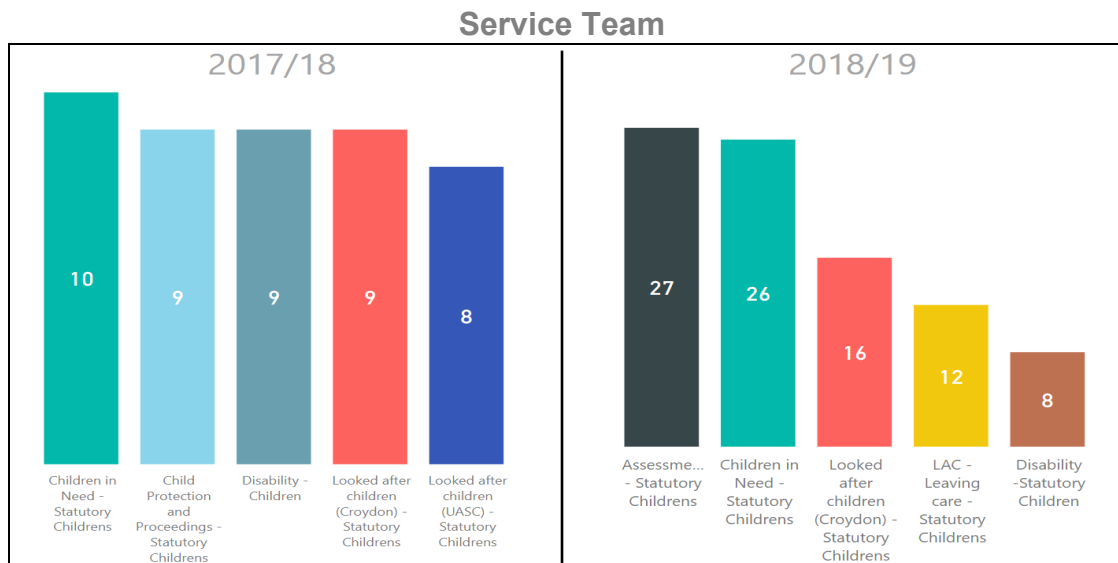
Service Team

16. CFE STATUTORY: STAGE TWO COMPLAINT VOLUMES BY SERVICE AREA AND TEAM

16.1 The below table shows complaints received by service area and by service team (highest volume areas):
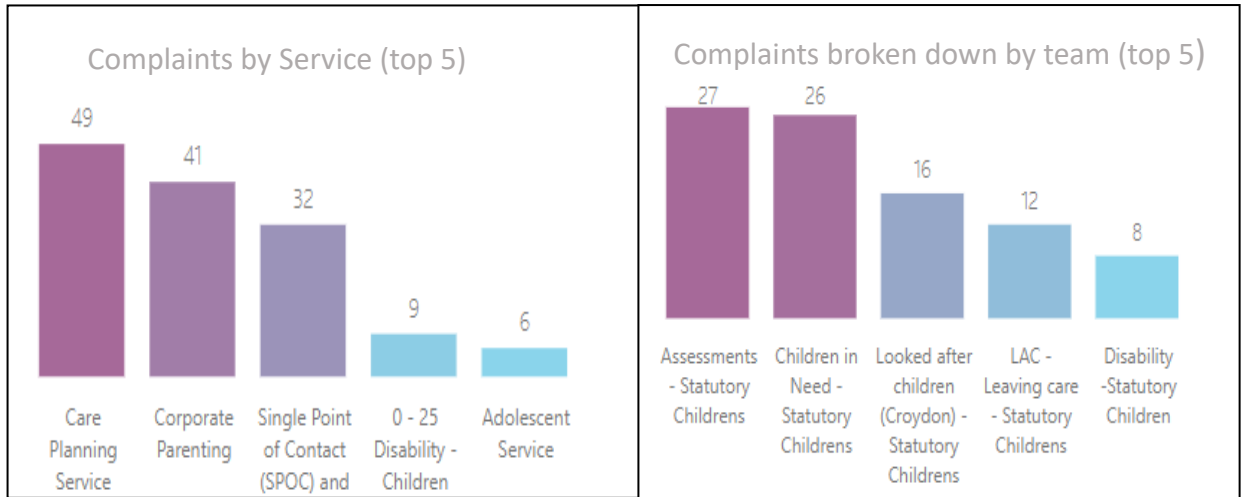
17. Complaints Commentary: Shaun Hanks, Head of Quality Assurance and Safeguarding, Early Help and Children's Social Care.

17.1 The 2017 inspection of children's services by Ofsted outlined that there was a need to:

"Strengthen training and work on complaints and embed a culture of feedback. Improve the analysis of complaints and the understanding of the reasons why children, families and foster carers complain, in order to address issues raised."

17.2 The complaint themes are:

- **Poor Communication**:

    The main issue that was raised was a lack of communication of decisions in writing. The Single Point of Contact (SPOC) and Assessment teams are working to improve written responses to referrers and families. The Independent Reviewing Officer and Child Protection Service have also focussed upon the timeliness of minutes being distributed and are piloting the use of letters to children as a record of their review.

- **Lack of action**:

    This was evidenced in a lack of response to emails and phone calls. Within Children's Social Care administrators are now monitoring phone lines when workers are out of the office and caseloads are reducing, which will provide the time for emails/ phone calls to be responded to in a timely way.

- **Poor Case Management and scheduling meetings**:

  The audit, supervision and performance monitoring processes are now in place and they are identifying individual case management issues, and improvement plans are in place where required.

- **Staff Conduct/ professionalism**:

  In general the complaints in this area are related to staff members' inability to have challenging conversations with families. The training and approach in systemic practice is having a positive impact on the way in which supervision and meetings are conducted, and this will lead to further improvements in this area.

17.3 In addition to the above learning, Children's Social Care are addressing complaints through:

- The roll out of new training in relation to responding to complaints for Team Managers. This is starting to show an impact on the timeliness of response and early resolution.

- Increased use of performance monitoring around complaints to identify due dates for responding.

- The creation of a complaints and FOI post to provide a centralised approach within children's social care to help staff resolve and respond to complaints effectively.

- The Head of Service for Quality Assurance and Safeguarding meets regularly with the complaints team, to identify current issues and these are considered at the monthly 'Learning Loop' meetings to identify actions.

HEALTH, WELLBEING & ADULTS (HWA) STATUTORY COMPLAINTS

18.   COMPLAINTS – HIGHLIGHTS/LOWLIGHTS DURING 2018/2019

Stage One Complaints:
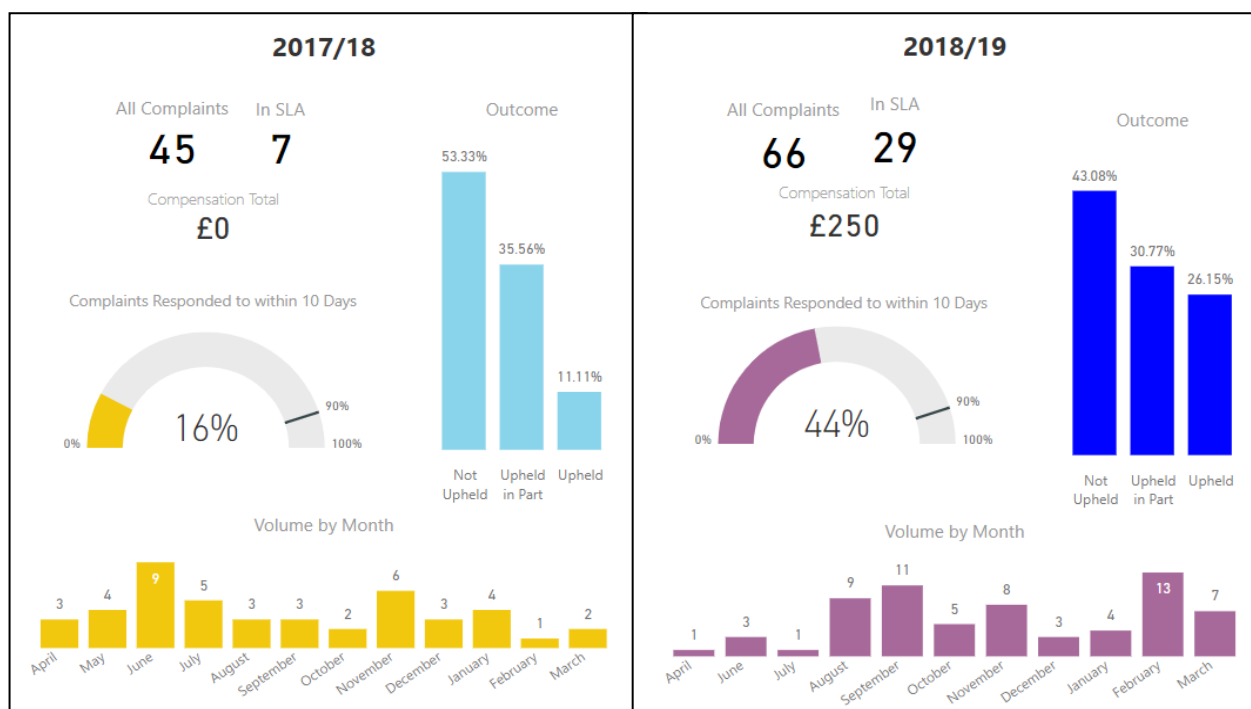
18.1 Total statutory **stage one** complaints for 2018/19 **increased by 41%** or 22 complaints compared to 2017/18.

18.2 **41%** of **stage one** or 31 complaints were responded to within 10 working days, compared to 16% or 7 complaints in 2017/18.

18.3 A significant number of adults cases will and have been extended due to the complexity of the subject matter, and also the need for joint working with external partners such as Health. This is not reflected in the figures above, due to current system constraints. However, a new complaints system is being launched in July 2019 and this will enable more accurate reporting around agreed extensions.

18.4 **26%** of **stage one** or 17 complaints were fully upheld in 2018/19, compared to 11% or 5 complaints in 2017/18, and **£250** compensation was paid in 2018/19 compared to £0 in 2017/18.

Local Government & Social Care Ombudsman (LGSCO)

18.5 **4** complaints were escalated to the LGSCO for 2018/19, compared to **6** during 2017/18.

18.6 **2** complaints were upheld by the LGSCO during 2018/19 compared to **4** upheld during 2017/18.

19. **HWA Statutory: Stage One Complaint Themes**

19.1 The below table categorises the complaints received into overall themes. Only part year data is available as this was not a mandatory field to complete until December 2018.

Theme	Total
Poor Communication	11
Lack of Action	5
Poor Case Management	4
Staff Conduct/Professionalism	3
Positive	2
Meetings	3
No Finding	1
Total	**29**

HWA Statutory: Top 5 stage one complaint volumes by Service Area and Team
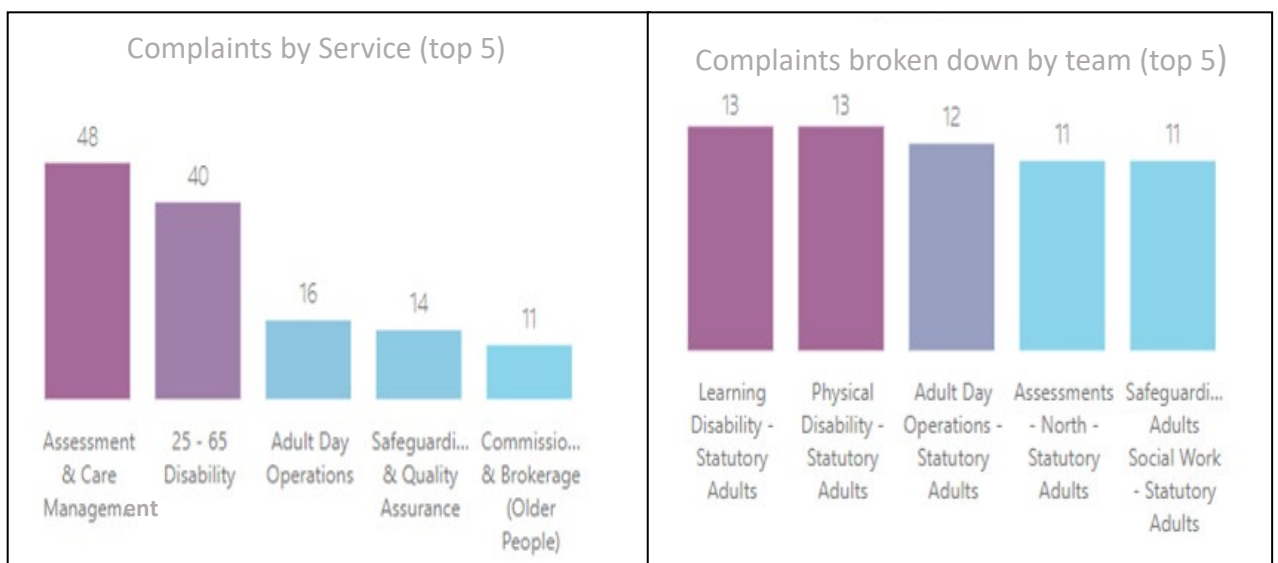
20. **Complaints Commentary:** Caroline Baxter, Assistant Director 0-65 Disability Service, Adult Social Care and All Age Disability

20.1 In the twelve months up to the 31st of March 2019 the Health, Well Being and Adults Department supported **12,091 residents.**

20.2 The main trends that are being seen are poor response time, not following up on concerns raised and lack of communication.

Learnings and Implementation:

- The new localities model in older people's services has already had a very positive impact on waiting lists, reviews and therefore less concern for residents in respect of response times.

- Communications – we have a dedicated Communications Officer in post for the service and this is providing much needed additional information for officers who are more able to cascade information to individuals appropriate to their situation and requirement.

- Officers are more visible to the residents and this has begun to develop confidence.

- Reacting more quickly to reports of service failure, prompt working with providers either internal or external to improve services.

Challenges

- Demand on the service has increased, provider failures and provider closures have caused increased concerns, stress and worry for residents.

- Ensuring that all staff understand the timescales for complaints and allocate enough time to respond accordingly

- Complaints not being sent through the correct channels meaning that the Complaints Officer does not see them and consequently they do not get logged and followed up according to process.

- We have been proactive in our response to the recent Carers and Service User surveys. Issues within the replies have been treated as complaints which has artificially raised our numbers as some of these may never have been sent as formal complaints. We wished to address the concerns raised head on and treat them as complaints to prove to residents that their feedback is valuable and responded to as required.

- When there are complaints that cut across more than one department this can lead to delays and this can be problematic.

- A Council Cloud Complaints email address that was not being monitored was discovered to be holding a significant number of out of date complaints – these have now been addressed but this caused a spike in numbers.

Mitigation

- Regular meetings with Heads of Service identifying areas of weakness and concern in respect of trends and responses to complaints.

- Building better relationships with Corporate Complaints department

- Utilising the improved data provided by Corporate Complaints more effectively

- Regular communications with officers in the department to remind them of their individual responsibilities and providing support as required

- Strengthening relationships with residents by being more visible and interactive.

For general release

REPORT TO:	Scrutiny and Overview Committee
	16th July 2019
SUBJECT:	SCRUTINY WORK PROGRAMME 2019-20
LEAD OFFICER:	Simon Trevaskis
	Senior Democratic Services & Governance Officer - Scrutiny
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Councillor Sean Fitzsimons – Chair of the Scrutiny & Overview Committee

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:
One of the roles of the Scrutiny and Overview Committee is to scrutinise the implementation of the Corporate Plan.
Corporate Plan for Croydon 2018-2022

ORIGIN OF ITEM:	The Council's Constitution requires the Scrutiny and Overview Committee to agree the scrutiny work programme for the municipal year.
PURPOSE:	The Committee is asked to agree the Scrutiny Work Programme for 2019-20.

1.   EXECUTIVE SUMMARY

1.1   The Scrutiny and Overview Committee has a constitutional responsibility to set its work programme at its first full meeting after Annual Council each year.

1.2   At the first meeting of the year, on 11 June 2019, it was agreed to defer the approval of the Work Programme to the next meeting of the Committee on 16 July 2019.

2.   PRINCIPLES OF EFFECTIVE SCRUTINY

2.1   Before setting the initial Work Programme for the Scrutiny and Overview Committee and it's three Sub-Committees (Children & Young People, Health & Social Care and Streets, Environment & Homes), it is worth revisiting the principles for scrutiny. There are a number of factors that contribute towards delivering effective scrutiny, the Centre for Public Scrutiny has set out the four principles of what it considered to be good scrutiny, in that it should:

- Provide a constructive "critical friend" challenge;

- Amplify the voices and concerns of the public;

- Be led by independent people who take responsibility for their role;

- Drive improvement in public services.

2.2 For scrutiny to be effective it needs to be seen as a 'critical friend' and it is important to identify where decisions could be improved and how to prevent mistakes being made or repeated. However, the focus should be on forward thinking and making positive change, rather than apportioning blame and focusing on the negatives. In doing so it will lead to both positive and constructive relationships between scrutiny, councillors and officers. In order to be successful scrutiny also relies on the following conditions:

2.3 **Effective Work Programming**

Scrutiny work programming is at its most effective when there are clear criteria for the selection of subjects and agenda items.

2.4 **Positive attitude of the Council Cabinet and Council Officers**

Scrutiny works best when the Council's Cabinet views it in a positive light and as an opportunity to improve Council performance. Scrutiny's effectiveness will be reduced if the Cabinet sees it as aggressively critical, which will lead to defensive behaviour and make it increasingly difficult for Scrutiny to influence change. Similarly, Scrutiny will be more effective if council officers are willing to provide information and assistance when required. Ideally officers should see Scrutiny as an essential partner in improving services, where non-Cabinet Councillors can help them to better understand local people and make robust judgements about priorities.

2.5 **Positive attitude of Scrutiny Councillors**

Scrutiny Councillors need to be committed to making the function work and to developing the conditions necessary for working effectively with the Council's Cabinet and officers, and any other relevant partner organisations. It is also important that Scrutiny is seen as impartial and stays separate from party politics. However, Scrutiny work includes looking at issues that are locally politically contentious and high profile, and as such an element of political disagreement is inevitable. It should also be recognised that greater weight can be given to Scrutiny recommendations agreed by the whole Committee, rather than those agreed along party political lines. The challenge for Scrutiny Councillors is to use their political skills and understanding of the needs of local people to shape the discussions, while not acting in a party political manner or using the discussions to further party political objectives.

3. LEGISLATION

3.1 Overview and Scrutiny Committees were established in authorities by the Local Government Act 2000 and intended as a counterweight to the new executive structures created by that Act (elected mayors or leaders and cabinets). It was envisioned that their role would be to develop and review policy and make recommendations to the Council. The main legislative provisions for Overview and Scrutiny Committees for England can now be found in the Localism Act 2011, which consolidated many of the subsequent legislative changes introduced since 2000.

3.2 As well as powers to scrutinise internal performance, Scrutiny also has powers to scrutinise other public bodies, with specific legislation relating to the scrutiny of Health Services (the Local Authority (Public Health, Health and Well-Being Boards and Health Scrutiny) Regulations 2013) and Crime and Disorder matters (Police and Justice Act 2006).

3.3 The provision for 'health scrutiny' of health bodies and authorities at Croydon is overseen by the Health and Social Care Sub-Committee. The Chairman and Vice-Chairman of the Sub-Committee also represent the Council on the Joint Health Overview and Scrutiny Committee, and provide regular updates to the Sub-Committee on its work. As part of the powers relating to health scrutiny the Sub-Committee can require members or officers of local health bodies to provide information and to attend meetings to answer questions.

3.4 The provision of a 'crime and disorder committee' is mandatory and at Croydon this function is delegated to the main Scrutiny and Overview Committee. Arising from this, the Committee has the power to ask local community safety partners for information, request that those partners attend meetings (given reasonable notice) and require that those partners consider recommendations submitted to them.

4. STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY IN LOCAL AND COMBINED AUTHORITIES

4.1 In May 2019 the Ministry for Housing, Communities & Local Government published new statutory guidance on Scrutiny for local authorities. This guidance was produced as a result of a review of local government scrutiny by the Communities and Local Government Select Committee, which published its findings in December 2017.

4.2 Although only recently published, account has been taken of the guidance in preparation of the work programme. This include having a structured work programme, while also leaving flexibility for Scrutiny to respond to items as they arise.

4.3 The guidance also highlights that in order for scrutiny to be at its most effective,

consideration needs to be given to how topics are scrutinised. This could involve a variety of different approaches to evidence gathering including visits to service providers and informal briefing sessions. Consideration will be given to using different approaches during the year, with the exact timings for any such sessions confirmed in due course.

5.   WORK PROGRAMME 2019-20

5.1   The Scrutiny Procedure Rules (extracted from the Constitution) state that:

"6.1.   The Scrutiny and Overview Committee shall be responsible for setting its own work programme and the initial work programme of its Sub- Committees.

6.2.   A balanced work programme should be developed including pre- and post-decision scrutiny, monitoring and external scrutiny. As far as reasonably practicable, there should be wide consultation on the work programme with Councillors, Chief Officers, external agencies and the wider community prior to its consideration by the Scrutiny and Overview Committee.

6.3.   The Scrutiny and Overview Committee will oversee Sub-Committee workloads, having regard to the available officer and other resources."

5.2   The Scrutiny and Overview Committee Work Programme 2019-20 (attached as Appendix A) sets out a programme of work which focuses on a number of different strands including ongoing item such as the Children's Improvement Plan and Community Safety, while also responding to issues important to the local community such a rail transport provision and affordable housing need.

6.   OPPORTUNITIES FOR JOINT SCRUTINY REVIEWS

6.1   There are a number of issues under consideration for scrutiny in the forthcoming year that cut across the remit of more than one Committee/Sub-Committee. Such as reviewing the Child and Adolescent Mental Health Service (CAMS) or items within the Council's new Public Health Approach to Violence Reduction.

6.2   In such circumstances it may be appropriate to hold informal joint Committee/Sub-Committee sessions to scrutinise these topics. Alternatively it may be that one Committee/Sub-Committee is allocated as the lead on a topic with members from the other Committee/Sub-Committee invited to the formal meetings where the topics are being considered to contribute their expertise on a specific area.

6.3   The exact arrangements for any joint scrutiny will be agreed by the Scrutiny Chairs in advance of any sessions being held.

7.   RECOMMENDATIONS TO THE SCRUTINY AND OVERVIEW COMMITTEE

7.1   Members are asked to agree the Work Programme.

CONTACT OFFICER: Simon Trevaskis

                                        Senior Democratic Services &
                                        Governance Officer - Scrutiny
                                        0208726 6000

                                        simon.trevaskis@croydon.gov.uk

APPENDIX A: Scrutiny and Overview Work
                                        Programme 2019/20

BACKGROUND DOCUMENTS: None

Scrutiny Work Programme 2019-20

Scrutiny & Overview Committee

Meeting Date	Item
11 June 2019	1. **Question Time: Leader of the Council** 2. **New Scrutiny Guidance**
16 July 2019	1. **Annual Complaints Report 2018-19** 2. **Update on the Implementation of the Library Strategy** 3. **Neighbourhood Community Infrastructure Levy** 4. **Scrutiny Work Programme 2018-19** 5. **New Scrutiny Guidance – Follow-up**
10 September 2019	1. **Question Time: Cabinet Member for Finance & Resources** 2. **Pre-Decision: Budget Preparation for 2020/21** 3. **Annual Report of the Head of Paid Service/Chief Executive** - Workforce Strategy
29 October 2019	1. **Update on Developing a Strategy Framework for Croydon** 2. **Review of the Growth Zone**
10 December 2019	1. **Question Time: Cabinet Member for Culture, Sport & Leisure** 2. **Fairfield Halls**
14 January 2020	1. **Question Time: Leader of the Council** 2. **Budget 2020/21**
25 February 2020	1. **Question Time: Cabinet Member for Safer Croydon & Communities** 2. **Safer Croydon Partnership Review** 3. **Review of the implementation of the Public Health Approach to Violence Reduction**
7 April 2020	1. **Question Time: Cabinet Member for Economy & Jobs** 2. **Strategy for Job Creation & the promotion of the Economy in the Borough.**

Others items to be considered for scheduling in the work programme:

1. Public Engagement Strategy
2. Future of High Streets
3. Review of Insourcing
4. Review of the Locality Work Programme
5. Sustainable Croydon

Children & Young People Sub-Committee

Meeting Date	Item
18 June 2019	**1. Children's Improvement Plan Update** - To include missing children & CIN **2. Locality Model for Service Delivery** **3. Dedicated School Grant Recovery Plan**
17 September 2019	**1. Children's Improvement Plan Update** - To include SPOC and assessment **2. Children's Complaints – Annual Report** **3. Safeguarding Board Annual Report**
5 November 2019	**1. Children's Improvement Plan Update** - To include post CIB monitoring requirements **2. School Exclusions Task & Finish Group Final Report** **3. Safeguarding Themes: Neglect, Vulnerable Adults, children with disabilities** **4. Effective Data Sharing by Safeguarding Partners** **5. Transitions Policy** **6. Adoptions and Fostering** **7. Corporate Parenting** – New Governance, Section 20, Housing Support 22 +
21 January 2020	**1. Children's Improvement Plan Update** - To include Post OFSTED Improvement Plan **2. Question Time: Cabinet Member for Children, Young People & Learning** **3. Education Budget & Education Standards report** **4. School Place Planning report**
3 March 2020	**1. Children's Improvement Plan Update** - To include Post OFSTED theme **2. Recovery Plan for High Needs Block** **3. Workforce and Financial Sustainability – Long Term**
14 April 2020	**1. Children's Improvement Plan Update** - To include Post OFSTED theme

Health and Social Care Sub-Committee

Meeting Date	Item
25 June 2019	1. **South London & Maudsley NHS Foundation Trust (SLaM): Quality Accounts & Update** 2. **Croydon Health Services NHS Trust (CHS): Quality Accounts & Update**
24 September 2019	1. **Review of the Adult Social Care Budget** 2. **Croydon CCG & Croydon Health Service Integration, to include:-** - Shadow Arrangement for Integration between the CCG & CHS - Health and Care Plan - Winter Preparedness
12 November 2019	1. **Review of Workforce Planning across Health & Social Care** 2. **Winter Preparedness** 3. **Immunisation Review** To include workforce immunisation and wider community immunisation.
28 January 2020	1. **Croydon CCG & Croydon Health Service Integration, to include:-** - Timetable and Approach to integration with Social Care - Integration of the CCG & CHS Work Force - ICN Neighbourhood Plans
10 March 2020	1. **Question Time: Cabinet Member for Families, Health & Social Care** 2. **Croydon CCG & Croydon Health Service Integration: Scrutiny of Plans for Further Integration** 3. **Review of Winter Preparedness**
21 April 2020	1. **Annual Report of the Director of Public Health**

Others items to be considered for scheduling in the work programme:

1. End of Life Care

2. Substance Misuse Services (possible joint session with CYP Sub-Committee)

3. Update on the Community Dental Service

4. Winter Preparedness

5. Review of Commissioning

6. Social Isolation

Streets, Environment and Homes Sub-Committee

Meeting Date	Item
2 July 2019	1. Update from Rail Service Providers
1 October 2019	1. Question Time: Cabinet Member for Clean Green Croydon 2. South London Waste Partnership Annual Review 3. Update on the Grounds Maintenance Service To include the outcomes of Service Review
19 November 2019	1. Question Time: Cabinet Member for Environment, Transport & Regeneration 2. Sustainable Croydon, to include Climate Change and Air Quality
4 February 2020	1. Question Time: Cabinet Member for Homes & Gateway Services 2. Annual Review of Brick by Brick 3. Budget options for the Housing Revenue Account
17 March 2020	
28 April 2020	

Others items to be considered for scheduling in the work programme:

1. Review of Housing Maintenance Contract

2. Affordable Homes Programme

3. Accommodation & Assets Strategy

4. Fire Safety

5. Future of High Streets

6. Social Infrastructure

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For general release

REPORT TO:	Scrutiny & Overview Committee
	16 July 2019
SUBJECT:	**Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities**
LEAD OFFICER:	**Simon Trevaskis – Senior Democratic Services & Governance Officer - Scrutiny**
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	**Councillor Sean Fitzsimons – Chair of the Scrutiny & Overview Committee**

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:
One of the roles of the Scrutiny and Overview Committee is to scrutinise the implementation of the Corporate Plan.
Corporate Plan for Croydon 2018-2022

ORIGIN OF ITEM:	This report is a follow-up to the report on the new Statutory Scrutiny Guidance considered by the Scrutiny and Overview Committee on 11 June 2019.
BRIEF FOR THE COMMITTEE:	The Committee is asked to consider whether it wishes to make any recommendations on the new Scrutiny Guidance for the consideration of the Governance Review Panel.

1. EXECUTIVE SUMMARY

1.1 Included on the agenda of the Scrutiny and Overview Committee meeting held on 11 June 2019 was a report summarising the 'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities', which had recently been published by the Ministry for Housing, Communities and Local Government.

1.2 From the discussion of this item by the Committee, a general level of support for the intentions of the guidance was indicated. It was also acknowledged that some of the more practical elements of the guidance such as that pertaining to work programming would be useful to implement going forward.

1.3 It was also recognised that parts of the guidance, such as those focussed upon organisational culture would be outside of the control of Scrutiny to directly effect. As there is currently an ongoing review of the Council's governance, it was agreed that an item on the Guidance would also be included on the next Committee agenda for 16 July, to allow time for the Committee to consider whether they wished to make any recommendations on the guidance for the consideration of the Governance Review Panel.

1.4 A full copy of the guidance is set out in Appendix A.

1.5 The Committee is asked to consider whether there is any part of the Guidance it would like to recommend to the Governance Review Panel to take account of as part of its review of governance at the Council.

Appendices

Appendix A: Ministry of Housing, Communities & Local Government – 'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities'

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BACKGROUND DOCUMENTS:

Scrutiny & Overview Committee 11 June 2019: Report on 'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities'

https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=166&MId=1936&Ver=4

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

OGL

Contents

Ministerial Foreword

The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Conversely, poor scrutiny can be indicative of wider governance, leadership and service failure.

It is vital that councils and combined authorities know the purpose of scrutiny, what effective scrutiny looks like, how to conduct it and the benefits it can bring. This guidance aims to increase understanding in all four areas.

In writing this guidance, my department has taken close note of the House of Commons Select Committee report of December 2017, as well as the written and oral evidence supplied to that Committee. We have also consulted individuals and organisations with practical involvement in conducting, researching and supporting scrutiny.

It is clear from speaking to these practitioners that local and combined authorities with effective overview and scrutiny arrangements in place share certain key traits, the most important being a strong organisational culture. Authorities who welcome challenge and recognise the value scrutiny can bring reap the benefits. But this depends on strong commitment from the top - from senior members as well as senior officials.

Crucially, this guidance recognises that authorities have democratic mandates and are ultimately accountable to their electorates, and that authorities themselves are best-placed to know which scrutiny arrangements are most appropriate for their own individual circumstances.

I would, however, strongly urge all councils to cast a critical eye over their existing arrangements and, above all, ensure they embed a culture that allows overview and scrutiny to flourish.

Rishi Sunak MP
Minister for Local Government

About this Guidance

<u>Who the guidance is for</u>
This document is aimed at local authorities and combined authorities in England to help them carry out their overview and scrutiny functions effectively. In particular, it provides advice for senior leaders, members of overview and scrutiny committees, and support officers.

<u>Aim of the guidance</u>
This guidance seeks to ensure local authorities and combined authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

As such, it includes a number of policies and practices authorities should adopt or should consider adopting when deciding how to carry out their overview and scrutiny functions.

The guidance recognises that authorities approach scrutiny in different ways and have different processes and procedures in place, and that what might work well for one authority might not work well in another.

The hypothetical scenarios contained in the annexes to this guidance have been included for illustrative purposes, and are intended to provoke thought and discussion rather than serve as a 'best' way to approach the relevant issues.

While the guidance sets out some of the key legal requirements, it does not seek to replicate legislation.

<u>Status of the guidance</u>
This is statutory guidance from the Ministry of Housing, Communities and Local Government. Local authorities and combined authorities must have regard to it when exercising their functions. The phrase 'must have regard', when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

Not every authority is required to appoint a scrutiny committee. This guidance applies to those authorities who have such a committee in place, whether they are required to or not.

This guidance has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009, which requires authorities to have regard to this guidance. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

<u>Terminology</u>
Unless 'overview' is specifically mentioned, the term 'scrutiny' refers to both overview and scrutiny.[1]

Where the term 'authority' is used, it refers to both local authorities and combined authorities.

Where the term 'scrutiny committee' is used, it refers to an overview and scrutiny committee and any of its sub-committees. As the legislation refers throughout to powers conferred on scrutiny committees, that is the wording used in this guidance. However, the guidance should be seen as applying equally to work undertaken in informal task and finish groups, commissioned by formal committees.

Where the term 'executive' is used, it refers to executive members.

For combined authorities, references to the 'executive' or 'cabinet' should be interpreted as relating to the mayor (where applicable) and all the authority members.

For authorities operating committee rather than executive arrangements, references to the executive or Cabinet should be interpreted as relating to councillors in leadership positions.

<u>Expiry or review date</u>
This guidance will be kept under review and updated as necessary.

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[1] A distinction is often drawn between 'overview' which focuses on the development of policy, and 'scrutiny' which looks at decisions that have been made or are about to be made to ensure they are fit for purpose.

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1. Introduction and Context

1. Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.

2. Overview and scrutiny committees have statutory powers[2] to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and scrutiny committees can also play a valuable role in developing policy.

   > Effective overview and scrutiny should:
   > - Provide constructive 'critical friend' challenge;
   > - Amplify the voices and concerns of the public;
   > - Be led by independent people who take responsibility for their role; and
   > - Drive improvement in public services.

3. The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011.

4. The Localism Act 2011 amended the Local Government Act 2000 to allow councils to revert to a non-executive form of governance - the 'committee system'. Councils who adopt the committee system are not required to have overview and scrutiny but may do so if they wish. The legislation has been strengthened and updated since 2000, most recently to reflect new governance arrangements with combined authorities. Requirements for combined authorities are set out in Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

5. Current overview and scrutiny legislation recognises that authorities are democratically-elected bodies who are best-placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives them a great degree of flexibility to decide which arrangements to adopt.

6. In producing this guidance, the Government fully recognises both authorities' democratic mandate and that the nature of local government has changed in recent years, with, for example, the creation of combined authorities, and councils increasingly delivering key services in partnership with other organisations or outsourcing them entirely.

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[2] Section 9F of the Local Government Act 2000; paragraph 1 of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

2. Culture

7. The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.

8. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.

9. Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.

10. Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often considered by external bodies such as regulators and inspectors, and highlighted in public reports, including best value inspection reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.

How to establish a strong organisational culture

11. Authorities can establish a strong organisational culture by:

    a) **Recognising scrutiny's legal and democratic legitimacy** – all members and officers should recognise and appreciate the importance and legitimacy the scrutiny function is afforded by the law. It was created to act as a check and balance on the executive and is a statutory requirement for <u>all</u> authorities operating executive arrangements and for combined authorities.

       Councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.

    b) **Identifying a clear role and focus** – authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority (see chapter 6).

       Authorities should ensure a clear division of responsibilities between the scrutiny function and the audit function. While it is appropriate for scrutiny to pay due regard to the authority's financial position, this will need to happen in the context of the formal audit role. The authority's section 151 officer should advise scrutiny on how to manage this dynamic.

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While scrutiny has no role in the investigation or oversight of the authority's whistleblowing arrangements, the findings of independent whistleblowing investigations might be of interest to scrutiny committees as they consider their wider implications. Members should always follow the authority's constitution and associated Monitoring Officer directions on the matter. Further guidance on whistleblowing can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf.

c) **Ensuring early and regular engagement between the executive and scrutiny** – authorities should ensure early and regular discussion takes place between scrutiny and the executive, especially regarding the latter's future work programme. Authorities should, though, be mindful of their distinct roles:

> In particular:
>
> - The executive should not try to exercise control over the work of the scrutiny committee. This could be direct, e.g. by purporting to 'order' scrutiny to look at, or not look at, certain issues, or indirect, e.g. through the use of the whip or as a tool of political patronage, and the committee itself should remember its statutory purpose when carrying out its work. All members and officers should consider the role the scrutiny committee plays to be that of a 'critical friend' not a de facto 'opposition'. Scrutiny chairs have a particular role to play in establishing the profile and nature of their committee (see chapter 4); and
>
> - The chair of the scrutiny committee should determine the nature and extent of an executive member's participation in a scrutiny committee meeting, and in any informal scrutiny task group meeting.

d) **Managing disagreement** – effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee.

It is the job of both the executive and scrutiny to work together to reduce the risk of this happening, and authorities should take steps to predict, identify and act on disagreement.

One way in which this can be done is via an 'executive-scrutiny protocol' (see annex 1) which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful and unproductive ways. The benefit of this approach is that it provides a framework for disagreement and debate, and a way to manage it when it happens. Often,

the value of such a protocol lies in the dialogue that underpins its preparation. It is important that these protocols are reviewed on a regular basis.

Scrutiny committees do have the power to 'call in' decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.

e) **Providing the necessary support** – while the level of resource allocated to scrutiny is for each authority to decide for itself, when determining resources an authority should consider the purpose of scrutiny as set out in legislation and the specific role and remit of the authority's own scrutiny committee(s), and the scrutiny function as a whole.

Support should also be given by members and senior officers to scrutiny committees and their support staff to access information held by the authority and facilitate discussions with representatives of external bodies (see chapter 5).

f) **Ensuring impartial advice from officers** – authorities, particularly senior officers, should ensure all officers are free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by 'statutory officers' – the monitoring officer, the section 151 officer and the head of paid service, and where relevant the statutory scrutiny officer. These individuals have a particular role in ensuring that timely, relevant and high-quality advice is provided to scrutiny.

g) **Communicating scrutiny's role and purpose to the wider authority** – the scrutiny function can often lack support and recognition within an authority because there is a lack of awareness among both members and officers about the specific role it plays, which individuals are involved and its relevance to the authority's wider work. Authorities should, therefore, take steps to ensure all members and officers are made aware of the role the scrutiny committee plays in the organisation, its value and the outcomes it can deliver, the powers it has, its membership and, if appropriate, the identity of those providing officer support.

h) **Maintaining the interest of full Council in the work of the scrutiny committee** – part of communicating scrutiny's role and purpose to the wider authority should happen through the formal, public role of full Council – particularly given that scrutiny will undertake valuable work to highlight challenging issues that an authority will be facing and subjects that will be a focus of full Council's work. Authorities should therefore take steps to ensure full Council is informed of the work the scrutiny committee is doing.

One way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council's capacity to consider and respond in a timely manner. Such

reports would supplement the annual report to full Council on scrutiny's activities and raise awareness of ongoing work.

In order to maintain awareness of scrutiny at the Combined Authority and provoke dialogue and discussion of its impact, the business of scrutiny should be reported to the Combined Authority board or to the chairs of the relevant scrutiny committees of constituent and non-constituent authorities, or both. At those chairs' discretion, particular Combined Authority scrutiny outcomes, and what they might mean for each individual area, could be either discussed by scrutiny in committee or referred to full Council of the constituent authorities.

i) **Communicating scrutiny's role to the public** – authorities should ensure scrutiny has a profile in the wider community. Consideration should be given to how and when to engage the authority's communications officers, and any other relevant channels, to understand how to get that message across. This will usually require engagement early on in the work programming process (see chapter 6).

j) **Ensuring scrutiny members are supported in having an independent mindset** – formal committee meetings provide a vital opportunity for scrutiny members to question the executive and officers.

Inevitably, some committee members will come from the same political party as a member they are scrutinising and might well have a long-standing personal, or familial, relationship with them (see paragraph 25).

Scrutiny members should bear in mind, however, that adopting an independent mind-set is fundamental to carrying out their work effectively. In practice, this is likely to require scrutiny chairs working proactively to identify any potentially contentious issues and plan how to manage them.

Directly-elected mayoral systems
12. A strong organisational culture that supports scrutiny work is particularly important in authorities with a directly-elected mayor to ensure there are the checks and balances to maintain a robust democratic system. Mayoral systems offer the opportunity for greater public accountability and stronger governance, but there have also been incidents that highlight the importance of creating and maintaining a culture that puts scrutiny at the heart of its operations.

13. Authorities with a directly-elected mayor should ensure that scrutiny committees are well-resourced, are able to recruit high-calibre members and that their scrutiny functions pay particular attention to issues surrounding:
   - rights of access to documents by the press, public and councillors;
   - transparent and fully recorded decision-making processes, especially avoiding decisions by 'unofficial' committees or working groups;
   - delegated decisions by the Mayor;
   - whistleblowing protections for both staff and councillors; and
   - powers of Full Council, where applicable, to question and review.

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14. Authorities with a directly-elected mayor should note that mayors are required by law to attend overview and scrutiny committee sessions when asked to do so (see paragraph 44).

3. Resourcing

15. The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority.

16. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it.

17. Authorities should also recognise that support for scrutiny committees, task groups and other activities is not solely about budgets and provision of officer time, although these are clearly extremely important elements. Effective support is also about the ways in which the wider authority engages with those who carry out the scrutiny function (both members and officers).

> When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:
> - Scrutiny's legal powers and responsibilities;
> - The particular role and remit scrutiny will play in the authority;
> - The training requirements of scrutiny members and support officers, particularly the support needed to ask effective questions of the executive and other key partners, and make effective recommendations;
> - The need for ad hoc external support where expertise does not exist in the council;
> - Effectively-resourced scrutiny has been shown to add value to the work of authorities, improving their ability to meet the needs of local people; and
> - Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions.

Statutory scrutiny officers

18. Combined authorities, upper and single tier authorities are required to designate a statutory scrutiny officer,[3] someone whose role is to:
   - promote the role of the authority's scrutiny committee;
   - provide support to the scrutiny committee and its members; and
   - provide support and guidance to members and officers relating to the functions of the scrutiny committee.

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[3] Section 9FB of the Local Government Act 2000; article 9 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017

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19. Authorities not required by law to appoint such an officer should consider whether doing so would be appropriate for their specific local needs.

Officer resource models

20. Authorities are free to decide for themselves which wider officer support model best suits their individual circumstances, though generally they adopt one or a mix of the following:

- Committee – officers are drawn from specific policy or service areas;
- Integrated – officers are drawn from the corporate centre and also service the executive; and
- Specialist – officers are dedicated to scrutiny.

21. Each model has its merits – the committee model provides service-specific expertise; the integrated model facilitates closer and earlier scrutiny involvement in policy formation and alignment of corporate work programmes; and the specialist model is structurally independent from those areas it scrutinises.

22. Authorities should ensure that, whatever model they employ, officers tasked with providing scrutiny support are able to provide impartial advice. This might require consideration of the need to build safeguards into the way that support is provided. The nature of these safeguards will differ according to the specific role scrutiny plays in the organisation.

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4. Selecting Committee Members

23. Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority.

24. While there are proportionality requirements that must be met,[4] the selection of the chair and other committee members is for each authority to decide for itself. Guidance for combined authorities on this issue has been produced by the Centre for Public Scrutiny[5].

> Members invariably have different skill-sets. What an authority must consider when forming a committee is that, as a group, it possesses the requisite expertise, commitment and ability to act impartially to fulfil its functions.

25. Authorities are reminded that members of the executive cannot be members of a scrutiny committee.[6] Authorities should take care to ensure that, as a minimum, members holding less formal executive positions, e.g. as Cabinet assistants, do not sit on scrutinising committees looking at portfolios to which those roles relate. Authorities should articulate in their constitutions how conflicts of interest, including familial links (see also paragraph 31), between executive and scrutiny responsibilities should be managed, including where members stand down from the executive and move to a scrutiny role, and vice-versa.

26. Members or substitute members of a combined authority must not be members of its overview and scrutiny committee.[7] This includes the Mayor in Mayoral Combined Authorities. It is advised that Deputy Mayors for Policing and Crime are also not members of the combined authority's overview and scrutiny committee.

Selecting individual committee members

27. When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve.

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[4] See, for example, regulation 11 of the Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020) and article 4 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

[5] See pages 15-18 of 'Overview and scrutiny in combined authorities: a plain English guide': https://www.cfps.org.uk/wp-content/uploads/Overview-and-scrutiny-in-combined-authorities-a-plain-english-guide.pdf

[6] Section 9FA(3) of the Local Government Act 2000.

[7] 2(3) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009

28. Authorities should not take into account a member's perceived level of support for or opposition to a particular political party (notwithstanding the wider legal requirement for proportionality referred to in paragraph 24).

Selecting a chair

29. The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working.

30. The attributes authorities should and should not take into account when selecting individual committee members (see paragraphs 27 and 28) also apply to the selection of the Chair, but the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.

> Chairs should pay special attention to the need to guard the committee's independence. Importantly, however, they should take care to avoid the committee being, and being viewed as, a de facto opposition to the executive.

31. Given their pre-eminent role on the scrutiny committee, it is strongly recommended that the Chair not preside over scrutiny of their relatives[8]. Combined authorities should note the legal requirements that apply to them where the Chair is an independent person[9].

32. The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. Combined Authorities should be aware of the legal requirements regarding the party affiliation of their scrutiny committee Chair[10].

Training for committee members

33. Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively. Authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.

34. When deciding on training requirements for committee members, authorities should consider taking advantage of opportunities offered by external providers in the sector.

Co-option and technical advice

35. While members and their support officers will often have significant local insight and an understanding of local people and their needs, the provision of outside expertise can be invaluable.

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[8] A definition of 'relative' can be found at section 28(10) of the Localism Act 2011.
[9] See article 5(2) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).
[10] Article 5(6) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

36. There are two principal ways to procure this:
- Co-option – formal co-option is provided for in legislation[11]. Authorities must establish a co-option scheme to determine how individuals will be co-opted onto committees; and
- Technical advisers – depending on the subject matter, independent local experts might exist who can provide advice and assistance in evaluating evidence (see annex 2).

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[11] Section 9FA(4) Local Government Act 2000

5. Power to Access Information

37. A scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively.

38. This need is recognised in law, with members of scrutiny committees enjoying powers to access information[12]. In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for councillors to have access to information to perform their duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

39. When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny's role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.

40. Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk. Where this information exists, and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.

41. Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.

> While each request for information should be judged on its individual merits, authorities should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.

42. The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision[13]. However, members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they provide, for reasons of party political or reputational expediency.

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[12] Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.
[13] Regulation 17(4) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(4) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

> Before an authority takes a decision not to share information it holds, it should give serious consideration to whether that information could be shared in closed session.

43. Regulations already stipulate a timeframe for executives to comply with requests from a scrutiny member[14]. When agreeing to such requests, authorities should:
    - consider whether seeking clarification from the information requester could help better target the request; and
    - Ensure the information is supplied in a format appropriate to the recipient's needs.

44. Committees should be aware of their legal power to require members of the executive and officers to attend before them to answer questions[15]. It is the duty of members and officers to comply with such requests.[16]

Seeking information from external organisations

45. Scrutiny members should also consider the need to supplement any authority-held information they receive with information and intelligence that might be available from other sources, and should note in particular their statutory powers to access information from certain external organisations.

46. When asking an external organisation to provide documentation or appear before it, and where that organisation is not legally obliged to do either (see annex 3), scrutiny committees should consider the following:

    a) **The need to explain the purpose of scrutiny** – the organisation being approached might have little or no awareness of the committee's work, or of an authority's scrutiny function more generally, and so might be reluctant to comply with any request;

    b) **The benefits of an informal approach** – individuals from external organisations can have fixed perceptions of what an evidence session entails and may be unwilling to subject themselves to detailed public scrutiny if they believe it could reflect badly on them or their employer. Making an informal approach can help reassure an organisation of the aims of the committee, the type of information being sought and the manner in which the evidence session would be conducted;

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[14] Regulation 17(2) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(2) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.
[15] Section 9FA(8) of the Local Government Act 2000; paragraph 2(6) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.
[16] Section 9FA(9) of the Local Government Act 2000; paragraph 2(7) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

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c) **How to encourage compliance with the request** – scrutiny committees will want to frame their approach on a case by case basis. For contentious issues, committees might want to emphasise the opportunity their request gives the organisation to 'set the record straight' in a public setting; and

d) **Who to approach** – a committee might instinctively want to ask the Chief Executive or Managing Director of an organisation to appear at an evidence session, however it could be more beneficial to engage front-line staff when seeking operational-level detail rather than senior executives who might only be able to talk in more general terms. When making a request to a specific individual, the committee should consider the type of information it is seeking, the nature of the organisation in question and the authority's pre-existing relationship with it.

> Following 'the Council Pound'
> Scrutiny committees will often have a keen interest in 'following the council pound', i.e. scrutinising organisations that receive public funding to deliver goods and services.
>
> Authorities should recognise the legitimacy of this interest and, where relevant, consider the need to provide assistance to scrutiny members and their support staff to obtain information from organisations the council has contracted to deliver services. In particular, when agreeing contracts with these bodies, authorities should consider whether it would be appropriate to include a *requirement* for them to supply information to or appear before scrutiny committees.

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6. Planning Work

47. Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.

48. Authorities with multiple scrutiny committees sometimes have a separate work programme for each committee. Where this happens, consideration should be given to how to co-ordinate the various committees' work to make best use of the total resources available.

Being clear about scrutiny's role

49. Scrutiny works best when it has a clear role and function. This provides focus and direction. While scrutiny has the power to look at anything which affects 'the area, or the area's inhabitants', authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary, which means that there might be things that, despite being important, scrutiny will not be able to look at.

50. Different overall roles could include having a focus on risk, the authority's finances, or on the way the authority works with its partners.

51. Applying this focus does not mean that certain subjects are 'off limits'. It is more about looking at topics and deciding whether their relative importance justifies the positive impact scrutiny's further involvement could bring.

52. When thinking about scrutiny's focus, members should be supported by key senior officers. The statutory scrutiny officer, if an authority has one, will need to take a leading role in supporting members to clarify the role and function of scrutiny, and championing that role once agreed.

Who to speak to

53. Evidence will need to be gathered to inform the work programming process. This will ensure that it looks at the right topics, in the right way and at the right time. Gathering evidence requires conversations with:

- *The public* – it is likely that formal 'consultation' with the public on the scrutiny work programme will be ineffective. Asking individual scrutiny members to have conversations with individuals and groups in their own local areas can work better. Insights gained from the public through individual pieces of scrutiny work can be fed back into the work programming process. Listening to and participating in conversations in places where local people come together, including in online forums, can help authorities engage people on their own terms and yield more positive results.

Authorities should consider how their communications officers can help scrutiny engage with the public, and how wider internal expertise and local knowledge from both members and officers might make a contribution.

- *The authority's partners* – relationships with other partners should not be limited to evidence-gathering to support individual reviews or agenda items. A range of partners are likely to have insights that will prove useful:
  - o Public sector partners (like the NHS and community safety partners, over which scrutiny has specific legal powers);
  - o Voluntary sector partners;
  - o Contractors and commissioning partners (including partners in joint ventures and authority-owned companies);
  - o In parished areas, town, community and parish councils;
  - o Neighbouring principal councils (both in two-tier and unitary areas);
  - o Cross-authority bodies and organisations, such as Local Enterprise Partnerships[17]; and
  - o Others with a stake and interest in the local area – large local employers, for example.

- *The executive* – a principal partner in discussions on the work programme should be the executive (and senior officers). The executive should not direct scrutiny's work (see chapter 2), but conversations will help scrutiny members better understand how their work can be designed to align with the best opportunities to influence the authority's wider work.

Information sources
54. Scrutiny will need access to relevant information to inform its work programme. The type of information will depend on the specific role and function scrutiny plays within the authority, but might include:
  - Performance information from across the authority and its partners;
  - Finance and risk information from across the authority and its partners;
  - Corporate complaints information, and aggregated information from political groups about the subject matter of members' surgeries;
  - Business cases and options appraisals (and other planning information) for forthcoming major decisions. This information will be of particular use for pre-decision scrutiny; and
  - Reports and recommendations issued by relevant ombudsmen, especially the Local Government and Social Care Ombudsman.

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[17] Authorities should ensure they have appropriate arrangements in place to ensure the effective democratic scrutiny of Local Enterprise Partnerships' investment decisions.

> As committees can meet in closed session, commercial confidentiality should not preclude the sharing of information. Authorities should note, however, that the default for meetings should be that they are held in public (see 2014 guidance on '*Open and accountable local government*':
> https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf).

55. Scrutiny members should consider keeping this information under regular review. It is likely to be easier to do this outside committee, rather than bringing such information to committee 'to note', or to provide an update, as a matter of course.

Shortlisting topics

> Approaches to shortlisting topics should reflect scrutiny's overall role in the authority. This will require the development of bespoke, local solutions, however when considering whether an item should be included in the work programme, the kind of questions a scrutiny committee should consider might include:
> - Do we understand the benefits scrutiny would bring to this issue?
> - How could we best carry out work on this subject?
> - What would be the best outcome of this work?
> - How would this work engage with the activity of the executive and other decision-makers, including partners?

56. Some authorities use scoring systems to evaluate and rank work programme proposals. If these are used to provoke discussion and debate, based on evidence, about what priorities should be, they can be a useful tool. Others take a looser approach. Whichever method is adopted, a committee should be able to justify how and why a decision has been taken to include certain issues and not others.

57. Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that, if work programming is robust and effective, there might well be issues that they want to look at that nonetheless are not selected.

Carrying out work

58. Selected topics can be scrutinised in several ways, including:

a) **As a single item on a committee agenda** – this often presents a limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue;

b) **At a single meeting** – which could be a committee meeting or something less formal. This can provide an opportunity to have a single public meeting about a

given subject, or to have a meeting at which evidence is taken from a number of witnesses;

c) **At a task and finish review of two or three meetings** – short, sharp scrutiny reviews are likely to be most effective even for complex topics. Properly focused, they ensure members can swiftly reach conclusions and make recommendations, perhaps over the course of a couple of months or less;

d) **Via a longer-term task and finish review** – the 'traditional' task and finish model – with perhaps six or seven meetings spread over a number of months – is still appropriate when scrutiny needs to dig into a complex topic in significant detail. However, the resource implications of such work, and its length, can make it unattractive for all but the most complex matters; and

e) **By establishing a 'standing panel'** – this falls short of establishing a whole new committee but may reflect a necessity to keep a watching brief over a critical local issue, especially where members feel they need to convene regularly to carry out that oversight. Again, the resource implications of this approach means that it will be rarely used.

7. Evidence Sessions

59. Evidence sessions are a key way in which scrutiny committees inform their work. They might happen at formal committee, in less formal 'task and finish' groups or at standalone sessions.

> Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.

How to plan

60. Effective planning does not necessarily involve a large number of pre-meetings, the development of complex scopes or the drafting of questioning plans. It is more often about setting overall objectives and then considering what type of questions (and the way in which they are asked) can best elicit the information the committee is seeking. This applies as much to individual agenda items as it does for longer evidence sessions – there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session.

> Chairs play a vital role in leading discussions on objective-setting and ensuring all members are aware of the specific role each will play during the evidence session.

61. As far as possible there should be consensus among scrutiny members about the objective of an evidence session before it starts. It is important to recognise that members have different perspectives on certain issues, and so might not share the objectives for a session that are ultimately adopted. Where this happens, the Chair will need to be aware of this divergence of views and bear it in mind when planning the evidence session.

62. Effective planning should mean that at the end of a session it is relatively straightforward for the chair to draw together themes and highlight the key findings. It is unlikely that the committee will be able to develop and agree recommendations immediately, but, unless the session is part of a wider inquiry, enough evidence should have been gathered to allow the chair to set a clear direction.

63. After an evidence session, the committee might wish to hold a short 'wash-up' meeting to review whether their objectives were met and lessons could be learned for future sessions.

Developing recommendations

64. The development and agreement of recommendations is often an iterative process. It will usually be appropriate for this to be done only by members, assisted by co-optees where relevant. When deciding on recommendations, however, members should have due regard to advice received from officers, particularly the Monitoring Officer.

65. The drafting of reports is usually, but not always, carried out by officers, directed by members.

66. Authorities draft reports and recommendations in a number of ways, but there are normally three stages:

  i.   the development of a 'heads of report' – a document setting out general findings that members can then discuss as they consider the overall structure and focus of the report and its recommendations;

  ii.   the development of those findings, which will set out some areas on which recommendations might be made; and

  iii. the drafting of the full report.

67. Recommendations should be evidence-based and SMART, i.e. specific, measurable, achievable, relevant and timed. Where appropriate, committees may wish to consider sharing them in draft with interested parties.

68. Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.

> Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense-check.

Annex 1: Illustrative Scenario – Creating an Executive-Scrutiny Protocol

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Cabinet can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

Annex 2: Illustrative Scenario – Engaging Independent Technical Advisers

This example demonstrates how one Council's executive and scrutiny committee worked together to scope a role and then appoint an independent adviser on transforming social care commissioning. Their considerations and process may be helpful and applicable in other similar scenarios.

Major care contracts were coming to an end and the Council took the opportunity to review whether to continue with its existing strategic commissioning framework, or take a different approach – potentially insourcing certain elements.

The relevant Director was concerned about the Council's reliance on a very small number of large providers. The Director therefore approached the Scrutiny and Governance Manager to talk through the potential role scrutiny could play as the Council considered these changes.

The Scrutiny Chair wanted to look at this issue in some depth, but recognised its complexity could make it difficult for her committee to engage – she was concerned it would not be able to do the issue justice. The Director offered support from his own officer team, but the Chair considered this approach to be beset by risks around the independence of the process.

She talked to the Director about securing independent advice. He was worried that an independent adviser could come with preconceived ideas and would not understand the Council's context and objectives. The Scrutiny Chair was concerned that independent advice could end up leading to scrutiny members being passive, relying on an adviser to do their thinking for them. They agreed that some form of independent assistance would be valuable, but that how it was provided and managed should be carefully thought out.

With the assistance of the Governance and Scrutiny Manager, the Scrutiny Chair approached local universities and Further Education institutions to identify an appropriate individual. The approach was clear – it set out the precise role expected of the adviser, and explained the scrutiny process itself. Because members wanted to focus on the risks of market failure, and felt more confident on substantive social care matters, the approach was directed at those with a specialism in economics and business administration. The Council's search was proactive – the assistance of the service department was drawn on to make direct approaches to particular individuals who could carry out this role.

It was agreed to make a small budget available to act as a 'per diem' to support an adviser; academics were approached in the first instance as the Council felt able to make a case that an educational institution would provide this support for free as part of its commitment to Corporate Social Responsibility.

Three individuals were identified from the Council's proactive search. The Chair and Vice-Chair of the committee had an informal discussion with each – not so much to establish their skills and expertise (which had already been assessed) but to give a sense about

their 'fit' with scrutiny's objectives and their political nous in understanding the environment in which they would operate, and to satisfy themselves that they will apply themselves even-handedly to the task. The Director sat in on this process but played no part in who was ultimately selected.

The independent advice provided by the selected individual gave the Scrutiny Committee a more comprehensive understanding of the issue and meant it was able to offer informed advice on the merits of putting in place a new strategic commissioning framework.

Annex 3: Illustrative Scenario – Approaching an External Organisation to Appear before a Committee

This example shows how one council ensured a productive scrutiny meeting, involving a private company and the public. Lessons may be drawn and apply to other similar scenarios.

Concerns had been expressed by user groups, and the public at large, about the reliability of the local bus service. The Scrutiny Chair wanted to question the bus company in a public evidence session but knew that she had no power to compel it to attend. Previous attempts to engage it had been unsuccessful; the company was not hostile, but said it had its own ways of engaging the public.

The Monitoring Officer approached the company's regional PR manager, but he expressed concern that the session would end in a 'bunfight'. He also explained the company had put their improvement plan in the public domain, and felt a big council meeting would exacerbate tensions.

Other councillors had strong views about the company – one thought the committee should tell the company it would be empty-chaired if it refused to attend. The Scrutiny Chair was sympathetic to this, but thought such an approach would not lead to any improvements.

The Scrutiny Chair was keen to make progress, but it was difficult to find the right person to speak to at the company, so she asked council officers and local transport advocacy groups for advice. Speaking to those people also gave her a better sense of what scrutiny's role might be.

When she finally spoke to the company's network manager, she explained the situation and suggested they work together to consider how the meeting could be productive for the Council, the company and local people. In particular, this provided her with an opportunity to explain scrutiny and its role. The network manager remained sceptical but was reassured that they could work together to ensure that the meeting would not be an 'ambush'. He agreed in principle to attend and also provide information to support the Committee's work beforehand.

Discussions continued in the four weeks leading up to the Committee meeting. The Scrutiny Chair was conscious that while she had to work with the company to ensure that the meeting was constructive – and secure their attendance – it could not be a whitewash, and other members and the public would demand a hard edge to the discussions.

The scrutiny committee agreed that the meeting would provide a space for the company to provide context to the problems local people are experiencing, but that this would be preceded by a space on the agenda for the Chair, Vice-chair, and representatives from two local transport advocacy groups to set out their concerns. The company were sent in

advance a summary of the general areas on which members were likely to ask questions, to ensure that those questions could be addressed at the meeting.

Finally, provision was made for public questions and debate. Those attending the meeting were invited to discuss with each other the principal issues they wanted the meeting to cover. A short, facilitated discussion in the room led by the Chair highlighted the key issues, and the Chair then put those points to the company representatives.

At the end of the meeting, the public asked questions of the bus company representative in a 20-minute plenary item.

The meeting was fractious, but the planning carried out to prepare for this – by channelling issues through discussion and using the Chair to mediate the questioning – made things easier. Some attendees were initially frustrated by this structure, but the company representative was more open and less defensive than might otherwise have been the case.

The meeting also motivated the company to revise its communications plan to become more responsive to this kind of challenge, part of which involved a commitment to feed back to the scrutiny committee on the recommendations it made on the night.

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