



ANNUAL SCRUTINY REPORT



2013-2014

St Edmundsbury Borough Council Annual Scrutiny Report 2013-2014

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Introduction



Welcome to the twelfth Annual Report on the overview and scrutiny function at St Edmundsbury Borough Council.

Scrutiny is central to the decision-making process of the Council, and this Annual Report sets out the work of the two scrutiny committees during 2013-2014. The report is not intended to cover all the work of the committees in great detail, but to present some examples of where and how scrutiny has contributed to change, challenge and service improvements, and to give you a flavour of the work undertaken, in the hope that you will be encouraged to play more of a role in the scrutiny process in the coming year.

2013-2014 was a busy year for both scrutiny committees, with the Overview and Scrutiny Committee carrying out some policy and scrutiny reviews. Another dimension to this year's work programme saw the potential to build on the successful joint working that now takes place in West Suffolk through Cabinet working parties and committees, by commissioning pieces of joint scrutiny between this Council and Forest Heath's respective Overview and Scrutiny Committee. This would not preclude us from carrying out reviews on local issues relevant only to our authority, but where a topic was common to both, and a West Suffolk approach might be applicable, a joint scrutiny review could be a very effective option in delivering maximum impact.

The Performance and Audit Scrutiny Committee, in its seventh year of operation, continued to increase the scope of its internal and external audit monitoring role, and oversaw significant savings in the 2014-2015 budget, which will be good news for the Council Tax payers of the Borough.

2013-2014 was also another strong year for external involvement in our scrutiny reviews, with a number of representatives from partner organisations attending meetings or taking part in consultations to help the committees or Task and Finish Groups with their investigations.

We hope you find this Annual Report both informative and interesting, and that you will continue to follow the progress of the scrutiny function at St Edmundsbury Borough Council.

June 2014

What does Scrutiny do?

The scrutiny function of this and other councils was introduced under the Local Government Act 2000, which required councils to set up new structures to replace the old committee system. The aim of the Government's programme for modernising local government was for local people to know more about how their local council works and get more involved, and for Councillors to have more interesting and rewarding work. As part of this, councils were required to establish at least one "overview and scrutiny committee" to monitor decisions made and, where appropriate, to advise the Council on matters of policy or service delivery.

St Edmundsbury has two such committees. The Overview and Scrutiny Committee looks back at how and why decisions were made, how services are functioning and where improvements can be made, but in its role as community leader also looks at wider issues. It also examines new and evolving policies.

The Performance and Audit Scrutiny Committee has particular responsibility for monitoring the performance of services, as well as internal audit, risk management and procurement, and has responsibility for scrutinising the Council's budget, including any proposals for cost reductions.

Overview and Scrutiny Committee

Responsibilities:

- Community leadership
- Reviews
- Pre-decision scrutiny
- Post implementation review
- Policy development and review
- External and joint scrutiny
- Call-ins and Councillor Calls for Action
- Holding the Cabinet to account
- Scrutiny improvement

As the Council's critical friend, the Overview and Scrutiny Committee holds the Cabinet, full Council and staff to account by monitoring the decision making process and testing existing practices to check they are working properly. It can also call in Cabinet decisions to check them before they are put into practice. The Overview and Scrutiny Committee is able to stand back from the decision making process, look at the outcomes for the people of St Edmundsbury and contribute to ensuring improved performance.

The Committee also looks at the impact on the community of key plans and strategies within the Council's policy framework, investigating why things are as they are, researching options, challenging assumptions and suggesting improvements. When looking at a new policy, the Committee ensures it would contribute to the Council's corporate priorities, and that any links to other Council policies demonstrate continuity. When reviewing existing policies, the Committee investigates how successful it has been, whether it achieved its objectives within budget and to timescale, and what needs to change. In all its policy development, the Committee aims to enhance services and make life better for people living and working in St Edmundsbury, as well as those visiting us.

The Committee has eight scheduled meetings per year.

Performance and Audit Scrutiny Committee

- Performance management
- Internal and external audit
 responsibilities
- Strategic risk management
- Budget monitoring and budget development
- Capital programme monitoring and review
- Procurement

Scrutiny also has an important role to play in monitoring the performance of services. The Performance and Audit Scrutiny Committee looks at how well the Council's services are performing by considering a range of information such as performance indicators and reports from external inspectors, and by monitoring action plans. It does not carry out reviews, but may recommend that a review is carried out by the Overview and Scrutiny Committee or another appropriate committee or working group where a need has been identified.

This Committee also leads on improvement planning and risk management, as well as monitoring the Council's budget, and approving the Council's Annual Statement of Accounts in accordance with the powers delegated to it under the Council's Constitution. It also leads on achieving a sustainable forward budget. It has four quarterly monitoring meetings per year, plus a special meeting to consider the annual accounts.

How does Scrutiny work?

The Overview and Scrutiny Committee has a rolling work programme which prioritises the investigations it will carry out over the coming months. The Performance and Audit Scrutiny Committee sets its work around the quarterly budget and corporate planning cycle. Further information on how the committees set their work programmes is set out in the Scrutiny Guide available on the Council's website, or by calling (01638) 719729. The committee gathers evidence from a variety of sources including the Council's own information, other local authorities, partner organisations, service users, expert witnesses or research carried out by the committees themselves.

Once they have their evidence the committees make their reports, complete with recommendations, usually to the Cabinet. The committees' work programmes include time to check progress on the actions that have been taken following acceptance of scrutiny reports.

Call-in

Any decision by the Cabinet, or a key decision taken by an officer with delegated authority from the Cabinet, may be "called in" by at least five members of the Council, or the Leader of any political group on the Council which has five or more members (with the support of a further three members of that group).

Call-in is used where Councillors have evidence which suggests that a decision was not taken in accordance with the principles of good decision making set out in the Constitution, or in the context of the Council's policy or budget framework, and is only used in exceptional circumstances.

The Council sees an average of one call-in per year, however, none were considered during 2013-2014.

Councillor Call for Action

Councillor Call for Action (CCfA) is a relatively new scrutiny power which came into force on 1 April 2009, which enables any Member of the Council to refer to the Overview and Scrutiny Committee any local government matter or any crime and disorder matter which affects their ward/division, within certain limitations. These limitations are set out in the Councillor Call for Action Protocol, which is available as part of the Council's Constitution, on our website, or by calling (01638) 719729.

Four Councillor Calls for Action were submitted during the first year of operation of the new power, in 2009-2010, but none have been submitted since.

Training and Development

We recognise the importance of training and development for both Councillors and officers who support the scrutiny role at St Edmundsbury. Regular targeted training, both internally and externally, has facilitated the development of a successful scrutiny function. In November 2013, the Chairman and Vice-Chairman of Overview and Scrutiny attended a "Chairing Scrutiny: Workshop for Councillors", at the University of Birmingham.

Meetings

Meetings of both scrutiny committees are held in public (except when exempt or confidential material is being discussed), and in order to prevent whole meetings being taken up by a single topic, "Task and Finish" groups are often set up to carry out major reviews and report back to the main committee with their recommendations.

Engaging the Public and Stakeholders

The scrutiny committees work hard to develop and improve the scrutiny process at St Edmundsbury, and continually aim to increase the involvement of stakeholders and public engagement. To this end committees often gather evidence with the involvement of external witnesses, and over the past year, in addition to extensive targeted consultations carried out as part of reviews, the committees have formally invited several people to attend meetings and assist in investigations, including:

- Members from Forest Heath District Council
- Representatives from Ernst and Young (External Audit)

Organisations and individuals contacted as part of a review included:

- Members of the public
- Cambridgeshire County Council (Transport and Infrastructure, Policy and Funding)
- Forest Heath District Council
- Suffolk County Council (Highways)
- Taylor Wimpey (Joint Task and Finish Group)

If you would like to assist the committee in any future work or reviews, you should obtain a copy of the Council's Abridged Scrutiny Guide from the Council's website, or by calling (01638) 719729.

Review of Past Year – Overview and Scrutiny Committee



Joint working with Forest Heath District Council's Scrutiny Committee

A new dimension to the 2013-2014 work programme is the potential to build on the successful joint work that is taking place in West Suffolk through Cabinet working parties and committees, and to commission pieces of joint scrutiny between St Edmundsbury and Forest Heath's respective Overview and Scrutiny Committee.

This way of working will not preclude either Committee from carrying out reviews on local issues relevant only to their own districts, but where a topic is common to both areas and a West Suffolk approach might be applicable, a joint scrutiny review can be a very effective way of potentially delivering maximum impact from valuable councillor and officer time.

Informal Joint Overview and Scrutiny Meetings

The Committee held for the first time, two Informal Joint Overview and Scrutiny Committee meetings with Members of Forest Heath's Overview and Scrutiny Committee on 22 January 2014 and 5 February 2014.

The informal joint meetings were convened to enable informal discussions to take place between the two authorities on the Draft Strategic Plan 2014-2016 and the Medium Term Financial Strategy.

Following the informal discussions, the two Overview and Scrutiny Committee's then met separately and voted on the recommendations for consideration for each council's respective Cabinet.

Due to the success of the informal joint scrutiny sessions, it is intended that more will be held during 2014-2015.

Scrutiny Reviews completed during 2013-2014

This section describes some of the key scrutiny topics covered during the year (May 2013 to April 2014), and their associated outcomes.

Reviews carried out in Task and Finish Groups

Joint review of new housing development sites

This joint review was agreed by the Committee at its June 2013 meeting following a request from a Councillor for an investigation into the "unacceptable length of time taken by housing developers to bring highways, footpaths and community facilities (landscaping, open space, drainage and sustainable urban drainage) up to adoption standards on new developments".

The Committee on 22 January 2014 received a progress report from the Joint Task and Finish Group, which provided information on a round table discussion held with a developer on the use of Section 37 and 38 Agreements. The outcome from the round table session with the developer was that a letter be sent to the Director of Economy, Skills and Environment at Suffolk County Council (SCC), setting out the Groups observations on Section 37 Agreements, and Officers were asked to look at what could be achieved corporately from a planning perspective.

Members noted the progress report on the work of the Joint Task and Finish Group to date and that a further report will be presented in due course.

Single-meeting reviews / presentation

Car Park Tariffs 2014-2015

The Committee received on 4 September 2013, which referred to Cabinet Report D190 (21 September 2012, section 5(b)) which recommended that the Overview and Scrutiny Committee receive a report each September outlining any recommendations from officers for changes to car park tariffs, including supporting evidence and justification for changes. The resulting recommendations would be considered by the Performance and Audit Scrutiny Committee as part of the budget setting process.

Members considered the proposed recommendations and the justifications for changing the car park tariffs for 2014-2015, which was in line with the Committee's review carried out in 2012.

Future developments for regional transport in West Suffolk (A1307)

The Committee in July 2013 received a request from a Councillor to look at regional transport in West Suffolk. Members agreed to invite representatives of external organisations to a future meeting of the Committee to discuss future proposals

around regional transport in West Suffolk, specifically links between Cambridge and Haverhill.

On 5 March 2014, the Committee received a presentation from Cambridgeshire County Council summarising transport challenges facing Cambridgeshire and the sounding area and a report detailing progress made to date with regard to the A1307 Haverhill to Cambridge corridor.

Significant growth was planned for Haverhill and this side of Cambridge; therefore there was a need to develop an action plan to deliver High Quality Public Transport along this corridor.

The report included a draft brief for a study into the A1307 corridor called "Scheme Definition Work", prepared by Cambridgeshire County Council; the "Draft Cambridge and South Cambridgeshire Transport Strategy"; and feedback from a meeting held on 21 February 2014, arranged by Matthew Hancock MP, with representatives from each of the Districts, County Councils and other interested parties who discussed progress on the Cambridge City Deal; the Cambridge and South Cambridgeshire Transport Strategy; the potential for other works; and the draft brief of work for the Haverhill to Cambridge Corridor.

Members discussed the presentation in detail; in particular discussions were held on the park and ride service and whether the hours could be extended; whether the park and ride service could be extended to Haverhill near to the research park; the viability of dualling the A1307 between Haverhill and Fourwentways; toll roads; guided busways; and transport needs for the elderly and people with disabilities.

Community Leadership

The Committee received its annual report on the work of the **West Suffolk Partnership** (WSP). The aim of the WSP is to allow a wide range of organisations, from the public, private, voluntary, charitable and not-for-profit sectors; to work together to ensure that West Suffolk takes full advantage of changes in national policy and market conditions.

The Committee discussed the changes made to the St Edmundsbury representation on the WSP; the leadership of its Strategic Group and the further evolution of the WSP where the focus was now on the Network element of the partnership and its future role which will be reviewed in 12 months.

Call-ins and Councillor Calls for Action

This year no CCfAs were submitted, and there were also no call-ins. The Committee attributes the lack of CCfAs to its new process whereby any Member of the Council is able to bring an item to the attention of the Overview and Scrutiny Committee for consideration.

Policy Development

The Committee inputted into the preparation of a **West Suffolk Families and Communities Strategy.** The joint strategy enables St Edmundsbury and Forest Heath to develop the framework for reshaping the relationship between the Council, its communities and their families.

The joint strategy aims to foster resilience in local communities and seeks to address the dependency culture which can build up when the Council is seen as the first port of call for any issue. Both councils are committed to supporting families and strengthening communities to enable them to become more resilient and more able to help themselves in the knowledge that the wider benefits in terms of better health outcomes, less crime and disorder and improved life chances will help manage future demand for services.

The Committee on 22 January and 5 February 2014, received the **Draft Strategic Plan 2014-2016** and the **Medium Term Financial Strategy 2014-2016** at its Extraordinary Informal Joint Overview and Scrutiny meeting held with Forest Heath District Council's Overview and Scrutiny Committee. The report sought the Committee's input into the development of a draft West Suffolk Strategic Plan 2014-2016 and Medium Term Financial Strategy (MTFS) 2014-2016.

The Strategic plan represented a revision of the existing St Edmundsbury Borough Council (SEBC) Corporate Plan 2012-2016 and the Forest Heath District Council (FHDC) Strategic Plan 2012-2016. The report summarised the work which had been carried out so far on the development of a draft West Suffolk Strategic Plan and MTFS.

Follow-up Work and Post Implementation Review

External Joint Scrutiny

A Member of the Committee, Councillor Beckwith, was reappointed to the **Suffolk Health Overview and Scrutiny Committee**, which is responsible for the scrutiny of health provision across the County.

Nominations to other joint county scrutiny committees are made by Annual Council alongside other outside bodies.

Cabinet Liaison

At its June 2013 meeting, the Committee discussed the **Annual Report (2012-2013)** with the Leader of the Council. The report highlighted the key activities and developments which had been achieved against the Council's priorities as detailed in the 2012-2016 Corporate Plan.

The Committee also discussed the **Cabinet's Decisions Plan** at each meeting, and requested further information or involvement as necessary.

<u>Other</u>

From June 2010, the Committee was given responsibility for scrutinising the Authority's use of its **surveillance powers** under the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010, and received quarterly reports on the use of these powers. During 2013-2014, no such surveillance had been authorised.

Review of Past Year – Performance and Audit Scrutiny Committee



This section describes some of the key scrutiny topics covered during the year (July 2013 to May 2014) by the Performance and Audit Scrutiny Committee, and their associated outcomes.

Scrutiny of Budget Savings

The Performance and Audit Scrutiny Committee plays an integral role in delivering a sustainable budget for the Council. There were again significant levels of savings to be achieved, and the Committee scrutinised all proposals for growth and savings in the 2014-2015 budget before making recommendations to Cabinet. This work commenced at the meeting in September 2013 with a report setting out the context of the 2014-2015 budget, including details of savings targets for 2014-2015 to 2016-2017. The key strategy to deliver savings over the coming years is through the shared services initiative with Forest Heath District Council, together with a range of other local savings initiatives. The Committee scrutinised a number of proposals for savings both through shared services and local savings, all of which were incorporated into the Budget and Council Tax Setting report considered by Cabinet on 11 February 2014.

Performance Management

The Committee continued to monitor the Council's **Key Performance Indicators.** Additionally, at its 29 January 2014 meeting, the Committee received an **Interim Annual Performance Report for The Apex.**

The Committee received a **Biannual Corporate Complaints and Compliments Digest**, which enabled it to monitor the Council's effectiveness at responding to complaints and learning from any mistakes which may have been made. Throughout the year the level of corporate complaints was outweighed by the number of compliments received.

Audit Responsibilities

The Committee scrutinised the work of the **Internal Audit Team** towards achieving the 2013-2014 audit plan, with updates during the year at which the results of completed audits were discussed. At its 21 May 2014 meeting, the Committee approved an **Internal Audit Plan for 2014-2015**.

The Accounts and Audit (England) Regulations 2011 require a **review of the effectiveness of internal audit** once a year. The review forms part of the review of the overall system of internal control required for the **Annual Governance Statement**. The Committee noted the report's conclusion, that internal audit was operating effectively and could be relied upon as a key source of evidence in the Annual Governance Statement

The Council is required to produce and publish an **Annual Governance Statement** (AGS), which covers six core governance principles, and approved by the Committee, and signed, by the Leader of the Council and the Chief Executive Officer. A statement had been prepared by a Joint Governance Group and a self-assessment covering the six core principles of corporate governance was completed by the Group. Arising from the assessment an Action Plan for 2012-2013 was produced. The Committee approved the AGS for signing by the Chief Executive and the Leader of the Council.

Various reports from **Ernst & Young (EY)** were considered over the year. In September 2013 EY presented the **2012-2013 ISA 260 Annual Governance Report** to the Committee, which set out the key messages arising from the audit of the Council's financial statements, and included an assessment of the Council's arrangements for securing value for money in its use of resources. At the same meeting, EY presented the **Annual Audit and Certification Fee Letter 2013-2014** which confirmed the audit certification work which EY proposed to undertake in the 2013-2014 financial year and the estimated fee for that work.

In May 2014 the **External Audit Plan and Fees 2013-2014 and 2014-2015 Indicative Fees** was received from EY which covered the work they planned to perform in order to provide the Council with an audit opinion on the Council's financial statements, and a statutory conclusion on its arrangements to secure economy, efficiency and effectiveness. The report summarised EY's proposed audit approach and scope for the 2013-2014 audit along with the planned fees to complete the work for 2013-2014 and included indicative fees for 2014-2015. At the same meeting the **Annual Certification Report 2012-2013** was considered, which summarised the results of the certification work which had been undertaken as part of the annual audit of grant claims to government departments.

Budget and Risk Management

The Committee received quarterly **Corporate Risk Register** monitoring reports and focussed its attention on those risks showing higher residual risks (the risk levels remaining after certain actions had been put in place to reduce them). Various changes were made to the Register across the year. Whilst a single risk register for West Suffolk had not yet been compiled, the development of a single management and service structure across Forest Heath and St Edmundsbury had seen considerable similarity between the risk registers of the respective councils.

Budget Monitoring reports were also brought to the Committee quarterly, in order for it to flag up any areas of concern to the Cabinet.

The Committee received a **budget outturn and financial highlights report 2012-2013** at its meeting on 31 July 2013, following the 30 June deadline for production of the draft accounts for audit. The report included a financial commentary on the year, details of revenue and expenditure including budgeted and actual expenditure and an explanation of the main variances, and details of how services were paid for. Capital income and expenditure was also discussed, as well as reserves and treasury management.

The Committee scrutinised and approved the Council's **2012-2013 Annual Statement of Accounts** at its meeting on 26 September 2013. At the same meeting it scrutinised the External Auditors **Draft 2012-2013 ISA 260 Annual Governance Report** to those charged with governance and recommended delegating the sign-off of this report, including approval of the Council's letter of representation, to the Chairman or the Vice Chairman of the Committee.

The Committee is responsible for monitoring the Council's procurement activities, and on 21 May 2014, members considered a revised **West Suffolk Procurement Strategy.** Currently both Forest Heath District Council and St Edmundsbury Borough Council had their own Procurement Strategy and it was desirable that these be replaced by a West Suffolk Procurement Strategy that addresses the issues of procuring services, supplies and work across the West Suffolk region. The Committee recommended to Cabinet that the West Suffolk Procurement Strategy be approved.

At the same meeting, the Committee considered the **West Suffolk Anti-Fraud and Anti-Corruption Policy**. The council's current Strategy was last revised in 2011. The main changes to the Strategy had been to include a section on Social Housing Fraud, including reference to the Prevention of Social Housing Fraud Act 2013. Minor adjustments had also been made to the document to reflect it was now a joint West Suffolk Policy between St Edmundsbury Borough Council and Forest Heath District Council. The Strategy had also been renamed as a Policy. The Committee recommended to Cabinet that the revised draft Policy be adopted.

The **Treasury Management Sub-Committee** of three Members, who fulfil the enhanced monitoring and scrutiny requirements of treasury management, held 4 meetings, at which scrutiny of the treasury management strategy, investment activity and performance and monitoring reports took place. In addition to these reports, the Sub-Committee also carried out a review of the **Council's Treasury Management Strategy** and **Treasury Management Code of Practice**. Officers continue to find this specialised scrutiny of the Council's treasury management activity extremely useful, and value being able to obtain Members' views on this important area of work.

Portfolio Holder Presentation

On 31 July 2013, Members received a presentation from the Portfolio Holder for Performance and Resources, who had been invited to the meeting to discuss his portfolio and performance issues. The Committee discussed the presentation in detail and asked a number of questions. In particular discussions where held on shared services savings, business rates, on-line customer access and the expansion of the Anglia Revenues and Benefits Partnership.

2014-2015 Work Programmes

The Overview and Scrutiny Committee carries out some of its work in "Task and Finish" groups, which carry out investigations and reviews and report back to the main Committee. This enables a greater number of Councillors to engage in scrutiny, as well as ensuring a Councillor lead on, often, controversial issues, right from the beginning of their review. The Performance and Audit Scrutiny Committee works differently in that the bulk of its work is set around its quarterly budget and performance monitoring responsibilities.

A joint budget of £5,100 will be available to the Committees to assist them in their work, which can be used, for example, in engaging specialist assistance, obtaining evidence, carrying out site visits, and paying for meeting accommodation, training and development. This budget provides an opportunity for the Committees to build upon their successes to date and to develop innovative approaches to scrutiny in St Edmundsbury, and constructive relationships with the Cabinet and the Council's partners.

Overview and Scrutiny Committee

As set out above, the Overview and Scrutiny Committee now has a rolling work programme, set a few meetings ahead, to enable it to be more reactive to changing priorities. There are, however, certain pieces of work which take place on an annual basis, and these can be programmed further ahead in the work programme.

In addition to any call-ins or Councillor Calls for Action which may arise, and additions to the rolling work programme at each meeting, the Overview and Scrutiny Committee will consider the following issues during the coming months. Annual work is also included.

Indicative timescale	Review	Anticipated outcomes
(Extraordinary Informal Joint Committee) 13 May 2014	Joint Annual Report (2013- 2014)	To jointly provide an input into this important document, as required by the Constitution.
(Informal Joint Committee) 23 July 2014	Monitoring the Community Safety Partnership	To jointly review the progress of the Strategy and the work of the partnership on an annual basis.
23 July 2014	Draft West Suffolk Housing Strategy	To jointly provide an input into this joint Strategy being developed with Forest Heath District Council.
23 July 2014	Directed Surveillance (Quarter 1)	To jointly scrutinise the Council's use of its surveillance powers.

Indicative timescale	Review	Anticipated outcomes
3 September 2014	Car Park Tariffs 2015-2016	To receive a report each September outlining any recommendations from officers for the changing of tariffs.
22 October 2014	Directed Surveillance (Quarter 2)	To scrutinise the Council's use of its surveillance powers.
17 December 2014		
21 January 2015	Directed Surveillance (Quarter 3)	To scrutinise the Council's use of its surveillance powers.
11 March 2015	Annual Report on the West Suffolk Partnership	To review the work of the West Suffolk Partnership on an annual basis.
22 April 2015	Directed Surveillance (Quarter 4)	To scrutinise the Council's use of its surveillance powers.

In addition to the above annual items, additional Extraordinary Informal Joint Scrutiny Sessions will be called, as necessary, with members of Forest Heath District Council's Overview and Scrutiny Committee to enable common issues to be scrutinised jointly.

Performance and Audit Scrutiny Committee

The Performance and Audit Scrutiny Committee will have the following responsibilities and will consider quarterly monitoring reports along these lines, as well as scrutinising the Council's annual accounts, and making recommendations on delivering a sustainable budget for 2015-2016.

- Performance Management
- Strategic Risk Management
- Budget Monitoring and Budget
 Development
- Internal and external audit
- Capital programme monitoring and review
- Procurement

For more information about how scrutiny works at St Edmundsbury Borough Council, please contact the Scrutiny Officer on (01638) 719729.





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