

OVERVIEW AND SCRUTINY PERFORMANCE AND VALUE FOR MONEY SELECT COMMITTEE
Overview & Scrutiny Committee
Agenda

Date Thursday 28 June 2018

Time 6.00 pm

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Fabiola Fuschi at least 24 hours in advance of the meeting.
 2. CONTACT OFFICER for this agenda is Fabiola Fuschi Tel. 0161 770 5151 or email Fabiola.fuschi@oldham.gov.uk
 3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12 noon on Monday, 25 June 2018.
 4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

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MEMBERSHIP OF THE OVERVIEW AND SCRUTINY PERFORMANCE AND VALUE FOR MONEY SELECT COMMITTEE
Councillors Ahmad (Chair), Curley, Davis, Harkness, Malik, Phythian, Qumer and Stretton

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 6)
The minutes of the Overview and Scrutiny Performance and Value for Money Select Committee meeting held on 8th March 2018 are attached for approval
- 6 Minutes of the Overview and Scrutiny Board to note (Pages 7 - 24)
The minutes of the Overview and Scrutiny Board meetings held on 16th January and 6th March 2018 are attached for noting
- 7 Election of Vice-Chair
The Committee is asked to nominate a Vice-Chair for the duration of the Municipal Year 2018/19
- 8 Overview and Scrutiny Toolkit (Pages 25 - 52)
For noting
- 9 Council Motion - Street Lighting (Pages 53 - 62)
- 10 Exclusion of the Press and Public
That, in accordance with 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 they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.
- 11 Oldham Community Leisure Limited (Pages 63 - 86)



Present: Councillor Wrigglesworth (Chair)
Councillors Ahmad, Ali, Fielding and Phythian

Also in Attendance:

Jill Beaumont	Director of Children's Social Care and Early Help, Oldham Metropolitan Borough Council (OMBC)
Ed Francis	Assistant Director of Safeguarding and Partnership, OMBC
Superintendent Daniel Inglis	Greater Manchester Police, Oldham Division
Merlin Joseph	Interim Director of Children's Services, OMBC
Jayne Stephenson	Director of Finance, Police and Crime, Greater Manchester Combined Authority
Mark Stenson	Head of Corporate Governance, OMBC
Fabiola Fuschi	Constitutional Services Officer, OMBC

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M. Bashforth, Harkness and Sheldon.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF THE LAST MEETING**

RESOLVED that the minutes of the Overview and Scrutiny Performance and Value for Money Select Committee meetings held on 25th January 2018 and on 6th February 2018 be agreed as a correct record.

6 **MINUTES OF THE OVERVIEW AND SCRUTINY BOARD TO NOTE**

There were no minutes of the Overview and Scrutiny Board meetings to note.

7 **POLICE PERFORMANCE AND THE EFFECTS OF FUNDING CUTS**

Consideration was given to a presentation of the Director of Finance, Police and Crime Greater Manchester Combined

Authority, on the budget for the policing and crime function for Greater Manchester.



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The report author attended the meeting with a representative of the Greater Manchester Police, Oldham division, to present the information and address the enquiries of the Select Committee.

It was reported that the Police Grant for 2018/19 (i.e.: £8.6 bn) remained the same amount as 2017/18. Therefore, no extra funding had been provided to cover demand on pay raises. A further increase in top slices from the Police Grant for nationally funded projects had been agreed (i.e.: £945m). In Greater Manchester, this meant that £55m had been top sliced from the Police Grant. Policing in Greater Manchester relied upon Government for 80% of their funding; 38% real term reduction in funding had occurred over the past seven years.

For what concerned the local context, it was reported that an increased and more complex demand for policing had been registered in Greater Manchester, especially between June and September 2017. The sharp increase in crime and the unchanged level of Police Grant explained the proposal to increase the Police precept on the Council Tax bill. This had been implemented with reluctance by local administrators who wanted to explain how the additional monetary resources would be used in Greater Manchester:

- Recruitment of a minimum of 100 additional police officers over the next two years with at least 50 additional police officers recruited in 2018/19;
- Investment in extra resources that would be able to respond to the challenges year on year increases in public protection incidents and the increasing complexity of investigations;
- Maintenance of Police Community Support Officers number;
- Investment in the digital forensic unit to ensure that evidence was gathered quickly and cases progressed, improving the service for victims of crime;
- Additional funding to support the policing of particularly serious incidents and crimes;
- The transformation of Greater Manchester Police through the Target Operating Model;
- A Mayoral Investment Fund – increasing the pace of improvements to how members of the public contacted the police including 101 line and reducing levels of sickness absence;
- The cost of additional 1% pay award.

Member sought and received clarification / commented on the following points:

- £55m re-distributed from local policing in Greater Manchester to national projects – It was explained that some of these resources would return to Greater Manchester in the form of Police Technology Programmes and Police Transformation Fund;

- Residents' complaints about the 101 system (Police non-emergency number) – It was explained that a project was in place to improve how the public contacted the Police. In addition to this, provisions had been made for digital crime reporting;
- Private Finance Initiative (PFI) buildings and reliance on their credit;
- Use of reserves and capital programme;
- Launch of Standing Together, partnership working and use of community safety grants.

RESOLVED that, in accordance with 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 they contain exempt information under paragraphs 7 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

The Select Committee considered and asked questions on crime statistics and received information on crime reporting and partnership working.

RESOLVED that:

1. The information provided on the Mayoral Policing and Crime budget be noted;
2. A further update be provided in March 2019.

RESOLVED that, in accordance with the Local Government Act 1972, the press and public be permitted during the consideration of the remaining agenda items.

8

UPDATE ON ADOPTION PERFORMANCE IN OLDHAM

The Select Committee gave consideration to a progress report of the Director of Children's Social Care and Early Help on the performance of the adoption service in relation to the adoption scorecard. The report also provided an update on national and local developments concerning adoption.

The author of the report attended the meeting to present the information and address the enquiries of the Select Committee.

The objectives of Oldham's Adoption Services were outlined. These aimed to ensure that adoption was the placement of choice for Looked After Children and that the process took place speedily and safely, with high quality support services for adoptive families.

It was explained that, in December 2017, the Department for Education (DfE) in England had reported that the number of Children Looked After continued to increase. However, the percentage of children who had ceased to be looked after through adoption was lower than previous years.

In Oldham, Looked After Children population continued to increase. The percentage of children who had ceased to be

looked after through adoption was lower than previous years. The data linked to the targets of the Adoption Scorecard year to date had fallen.

The targets set by the Department of Health for children who had a plan of adoption were outlined. These referred to the period of time that elapsed between a child entering care and moving with the adoptive family and the capacity of the local authority to match speedily and safely a child with the adoptive family.

It was explained that as the targets were measured over a three year rolling period, the service was not yet able to present full data for 2015 to 2018 until the end of the financial year. However, the data at the end of January 2018 for target A1 – average time between a child entering care and moving in with the adoptive family - showed improved performance.

With regards to target A2 – average time between a local authority receiving authority to place a child for adoption and the match to the adoptive family - Oldham's performance in the past three years had been below target. However, data to the end of January 2018, although below target, showed improved performance.

With regards to target A3 – children with a plan for adoption who wait less than 14 months between entering care and moving in with the adoptive family, - Oldham had improved its performance.

The Adoption Scorecard also measured performance in relation to adopters. In Oldham, 62% of adopters waited three months or more from approval to being matched with a child. Year to date figures from January 2018 showed an improvement. With regards to “hard to place” children (i.e.: sibling groups, 5 plus, children from black or minority ethnic backgrounds and disabled children), Oldham's position was in line with national trends. Adoption Now recruitment strategy focused on this children group when recruiting new prospective adopters.

It was also reported that Adoption Now, the new Regional Adoption Agency (RAA) had started operating in November 2017, bringing together the adoption services of six local authorities, including Oldham.

Members sought and received clarification / commented on the following points:

- Better performance and working ethos – It was explained that the ethos had not changed and social workers were dedicated to find the best possible match between a child and an adoptive family with a strong focus on hard to place children.
- Sharing best practice with other local authorities about hard to place children – It was explained that this was one of the main objectives of the RAA.

- Records of adoption breakdown – It was explained that this data was kept and it represented a low percentage. However, post adoption support services were in place. Matching children and adoptive families was considered critical.

RESOLVED that:

1. The content of the report be noted;
2. A progress report, including information on the new working structure, be presented in March 2019.

9

"GETTING TO GOOD" CHILDREN SOCIAL CARE YEARLY REPORT

Consideration was given to a progress report of the Assistant Director of Safeguarding and Partnership on the improvement journey Children's Services had undertaken since the Ofsted SIF (Single Inspection Framework) inspection of May-June 2017. As per request of the Select Committee, the report included the Getting to Good Plan, the local assessment protocol containing the required timescales for assessment.

The author of the report, accompanied by the Interim Director of Children's Services and the Director of Children's Social Care and Early Help attended the meeting to present the information and address the enquiries of the Select Committee.

The measures that had been put in place as part of the action plan were outlined. Amongst these, a focus on reducing caseload numbers and giving support to newly qualified social workers through Practice Learning Mentors, reducing the number of agency staff, improving quality of practice and recording, evidence of learning from quality assurance being embedded in practice.

As part of the action plan, a peer review and an annual conversation with Ofsted had taken place. An independently led review of Children's Services had also taken place in January 2018 in order to receive a view of how the authority has progressed on the improvement journey so far. The draft final report was in the process of being completed.

Members sought and received clarification / commented on the following points:

- Oldham's target for social workers' caseload and comparison to national data – It was explained that the service aspired to a target of 18 cases per social worker; newly qualified social workers would be allocated a maximum of 15 cases. This was in line with national parameters. There had been a significant increase in demand for services in Greater Manchester and nationally.
- Request to clarify the current issues with South Link - It was explained that the work space was very constrained as Children and Adults' Services teams were co-located. The car park was also an issue as well as the accessibility of meeting rooms. However, a plan was in place to address the

matter and a refurbishment of the building was scheduled to take place in June 2018.

- Review findings and children who were home educated or those attending licensed schools – It was explained that there were safeguarding measures in place to ensure that young people who were electively home educated, did receive satisfactory education.
- Getting to Good Action Plan and use of technology to communicate with young people – It was explained that 60 local authorities had adopted MOMO (Mind Of My Own) instant messaging application for smartphones and tablets. However, MOMO did not currently meet Oldham’s IT security requirements. Other measures were in place to ensure that children and young people’s voice was listened to (e.g.: independent review officers visited children before the review and review minutes were written as directed to the child and in a child friendly language, the independent review officer sent a letter to the child to introduce herself/himself before the review took place, etc.).
- Getting to Good Action Plan Objective 10 – Strengthening transition planning for children and young people with complex needs – It was explained that, although progress had been made on this action, transition issue was much wider and substantial work remained to be done. A dedicated worker (i.e.: Special Educational Needs and Disability Partner) – would take on issues regarding the transition process at an earlier stage. A written statement of actions had been completed to address this objective.
- Recruitment retention – It was explained that, as more resources had been invested in children’s services, more managers had been employed as well as social workers and higher grade social workers.

RESOLVED that:

1. The content of the report be noted;
2. A progress report be presented in six months.

10 **CORPORATE PERFORMANCE REPORT QUARTERS TWO AND THREE**

RESOLVED that the Corporate Performance reports, quarters three and four, be noted.

11 **WORK PROGRAMME 2017/18**

RESOLVED that the Work Programme 2017/18 be noted.

As this was the last meeting for Councillor Joy Wrigglesworth, Councillor Ahmad, on behalf of all members of the Select Committee, thanked Councillor Wrigglesworth for her commitment and dedication in chairing the Select Committee since 2011.

The meeting started at 6.00 pm and ended at 7.20 pm



OVERVIEW AND SCRUTINY BOARD
16/01/2018 at 6.00 pm

Present: Councillor McLaren (Chair)
Councillors Dean, Goodwin (Vice-Chair), Williams, Harkness
(Substitute) and J Larkin

Also in Attendance:

Dami Awobajo	Head of Business Intelligence
Ray Ward	Executive Director, Corporate and Commercial Services
Andrew Hunt	Strategy Partnership and Policy Manager
Sarah Whittle	Community Services Innovation Project Officer
Peter Wood	Head of Strategic Assets and Facilities Management
Tom Stannard	Director of Economy and Skills
Caroline Lee	Head of Revenues, Benefits and Business Support
Sheena McFarlane	Head of Heritage, Libraries and Art
Subnum Hariff-Khan	Library and Information Manager

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Toor and Williamson.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

Councillor Dean declared a personal interest on item 20 – Smart Project, by virtue of his appointment as a member of the Unity Partnership Board.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Overview and Scrutiny Board meeting held on 28th November 2017 be approved as a correct record.

6 **MINUTES OF THE HEALTH SCRUTINY SUB-COMMITTEE**

RESOLVED that the minutes of the Health Scrutiny Sub-Committee meeting held on 19th December 2017 be noted.

7 **MINUTES OF THE OVERVIEW AND SCRUTINY
PERFORMANCE AND VALUE FOR MONEY SELECT
COMMITTEE**

RESOLVED that the minutes of the Overview and Scrutiny Performance and Value for Money Select Committee meeting held on 21st November 2017 be noted.

8 **MINUTES OF THE GREATER MANCHESTER COMBINED AUTHORITY (GMCA) ECONOMY, BUSINESS GROWTH AND SKILLS SCRUTINY COMMITTEE**

RESOLVED that the minutes of the Greater Manchester Combined Authority (GMCA) Economy, Business Growth and Skills Scrutiny Committee meetings held, respectively, on 8th September and 13th October 2017 be noted.

9 **MINUTES OF THE GREATER MANCHESTER COMBINED AUTHORITY (GMCA) HOUSING, PLANNING AND ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE**

RESOLVED that the minutes of the Greater Manchester Combined Authority (GMCA) Housing, Planning and Environment Overview & Scrutiny Committee meetings held, respectively, on 7th September and 18th October 2017 be noted.

10 **MINUTES OF THE GREATER MANCHESTER COMBINED AUTHORITY (GMCA) CORPORATE ISSUES AND REFORM OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the Greater Manchester Combined Authority (GMCA) Corporate Issues and Reform Overview and Scrutiny Committee meeting held on 17th October 2017 be noted.

11 **GENERATION OLDHAM UPDATE**

Consideration was given to a progress report of the Strategy Partnership and Policy Manager on the Generation Oldham community programme which had been established in 2014.

It was reported that all objectives agreed at the commencement of the scheme had been achieved. A new set of objectives had been developed as part of a Green Oldham Strategy.

It was reported that Solar PV systems were installed on all Phase 1 sites of the scheme as follows:

- Blackshaw Lane Primary School – Royton district
- Mather Street Primary School – Failsworth & Hollinwood district
- Medlock Valley Primary School – West Oldham district
- Beever Primary School – East Oldham district
- Holt Street Community Centre (NEON Hub) – East Oldham district
- Whitegate End Primary School – Chadderton district

Phase 1 required £250,000 from the sale of community shares which had been launched in June 2016 and had run until mid-August 2016, in which Oldham Community Power (OCP), Oldham's community energy scheme, had raised around £35,000 from Oldham residents and £15,000 from a Pioneer Share Holding taken by the Council. The Council had provided a secured bridging loan for the remainder, to enable Phase 1 installation to go ahead, on the basis that this loan would be repaid from a second share or any loan amount remaining

unpaid after a period of two years (summer 2018) would be converted into normal shares.



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The second share offer had been launched in April 2017 and would run until summer 2018. So far OCP had repaid £70,000 of the Council loan and further promotions in Spring 2018 were planned to raise further funds.

Future phases for OCP could include further Council buildings such as libraries and secondary schools (including independent schools), and also the roofs of industrial buildings and other privately owned sites across the borough.

The Council and OCP were in discussion with Electricity North West, who might be able to source some funding from the Office of Gas and Electricity Markets (OFGEM) for a pilot scheme using remotely controllable solar PV for grid balancing activities.

Members sought and received clarification / commented on the following points:

- Decreasing profitability of solar panels and opportunities for a Phase 2 of the programme – It was explained that, initially, Phase 2 was going to be funded entirely by the Council. However, Electricity North West had expressed an interest in supporting the initiative. If this offer was successful, it would be possible to implement Phase 2 and 3 of the programme simultaneously.
- Regeneration programme and future housing projects and opportunities to incorporate this energy scheme – It was explained that community energy schemes were more suited for commercial projects.

RESOLVED that:

1. The progress on the Generation Oldham programme be noted.
2. A progress report be presented in January 2019.

12

STREET CHARTER

Consideration was given to a progress report of the Community Services Innovation Officer on the implementation work that had been taking place following agreement by Council in March 2017 to adopt the “Who Put That There” Street Charter for Oldham which sought to make Oldham more accessible for visually impaired and partially sighted people.

The author of the report was in attendance to present the information and address the enquiries of the Committee.

A working group had been formed to look at the action plan that had been written 12 months ago to refresh it and to embed it in the Council’s business. The group was formed by Officers from different Council’s services such as Regeneration, Licensing, Policy, Environment, Resident First, representatives of the charity Henshaws and Elected Members. The aim was to promote the Street Charter through a strong communication campaign and incorporate its main principles into the Town

Centre Master Plan, the regeneration process for Oldham's Town Centre.

The group would meet every six months to evaluate the progress against the reviewed action plan.

Members sought and received clarification / commented on the following points:

- Obstructions on pavements and Enforcement – An effective campaign had been conducted a few years ago and this had led to significant actions. It was agreed that this could be added in the action plan as a further strand of work.

RESOLVED that:

1. The progress report on Street Charter be noted;
2. The progress outlined at page 70 of the report be noted;
3. A progress report be presented in September 2018.

13

REVIEW OF TOWN CENTRE PARKING STRATEGY

The Committee gave consideration to a report of the Head of Strategic Assets and Facilities which provided an update on the Town Centre Car Parking Strategy previously submitted in December 2016.

The author of the report and the Director of Economy and Skills were in attendance to present the information and address the enquiries of the Committee.

It was explained that, due to the closure of a number of car parks, the car parking capacity in the town centre had been reduced by 55% in the last four years. To mitigate this issue, several measures had been put in place in the last year:

- The construction of a new surface car park at Hobson Street that provided 104 car parking spaces. This opened on 9th January 2017.
- A temporary car park was opened at Princess Gate, Oldham Mumps, on 19th June 2017 currently providing 262 car parking spaces.
- A temporary car park at the old leisure centre site currently providing 240 car parking spaces;

It was also reported that, to assist with traffic enforcement measures and to encourage residents to use more public transport, bus lanes enforcement had been introduced to three main roads in the Borough. Furthermore, work was being undertaken with Strategic Transport Planning Infrastructure Section to submit a bid for grant funding to improve the on street parking across the town centre. It was also highlighted that the regeneration programme of the town centre might also lead to the loss of parking spaces. However, this would be balanced by a new multi-storey car park that would be constructed as part of the Town Centre regeneration plan to meet future demand.

The Committee sought and received clarification / commented on the following points:

- Promoting Park and Ride schemes in Oldham – It was explained that Oldham was different from other town centres as the traffic flow was less intense. The success of Park and Ride schemes depended on the publicity given by Transport for Greater Manchester as well as local signposting and advertising. Conversations were ongoing between the Council and Acute Trust at Royal Oldham Hospital to look at the implementation of a Park and Ride scheme that could connect the town centre and the hospital.
- Outcome of the parking review in the town centre and private car parking provision – It was explained that private car parking provision had been considered in the assessment of parking spaces available in the town centre. Furthermore, the Committee was informed that there were significant areas of land in the town centre that could be dedicated to public or private car parking provision.

RESOLVED that:

1. The content of the report be noted.
2. An update on the Town Centre Parking Strategy be presented in conjunction with the progress report on the Town Centre Master Plan in November 2018.

14

UNIVERSAL CREDIT

Consideration was given to a progress report of the Head of Benefits and Business Support on the roll out of Universal Credit Full Service in Oldham.

The author of the report was in attendance to present the information and address the enquiries of the Committee.

It was explained that the roll out of the full service Universal Credit (UC) from April 2017 was a new entirely online based system and claimants had to apply for and manage their claim on line. Currently, there were 8,709 Universal Credit claimants in Oldham (as at November 2017). These figures had been doubled since June 2017 when Oldham had 4,334 Universal Credit claimants.

Since the introduction of UC, the Housing Benefit caseload had reduced as new claimants claimed UC rather than HB. The number of Council Tax Reduction (CTR) claims had also reduced and this could be because residents now needed to make a separate claim for help towards paying Council Tax. Under the HB system, HB/CTR and Free School Meals (FSM) entitlement was dealt with via one claim to the Council. Residents eligible for UC now needed to claim this support directly from the DWP and also claim CTR and FSM separately from the Council. The Council had worked to raise awareness of this for residents in a number of ways including launching radio campaigns and working closely with the DWP to ensure full entitlement to benefits were claimed. As at December 2017, the Council had a CTR caseload for claimants who were in receipt of UC of 2,568 which was an increase of 1,910 since the

introduction of UC at the end of April. This caseload figure was less than the overall number of UC claimants in the borough as not everyone will be liable for Council Tax or entitled to CTR as well as those residents who might be unaware that a separate claim needed to be made.

A number of changes to UC had been announced in November 2017 by the Chancellor of Exchequer in the Autumn Budget. Consequently, from February 2018, the seven day waiting period for UC claimants (no payment at all was made for the first week of a new claim) would be abolished and all new claimants would be eligible from UC from the first day they claimed it. Other changes were outlined in the report.

RESOLVED that:

1. The content of the report be noted;
2. The date to present a progress report on Universal Credit be agreed following the visit of the Committee to the Department of Work and Pension.

15

OLDHAM COUNCIL LIBRARIES SAVINGS AND IMPACT UPDATE

Consideration was given to a progress report of the Head of Heritage, Libraries and Arts on the impact of budget savings to Oldham Council Libraries. The report also outlined the service's current challenges and developments.

The author of the report and the Library Information Manager attended the meeting to present the information and address the enquiries of the Committee.

It was reported that following a period of service review, a restructure had taken place which had led to the achievement of savings, recruitment of volunteers and decentralisation of the service. An issue had been identified with regards to residential homes and a plan was in place for the Library Service to enhance the opportunities to engage with the residents. Following work with the Trade Unions, it had been possible to move successfully to single staffed libraries in Greenfield, Northmoor and Chadderton.

The summary of the Library and Information Service Strategy 2020 was outlined as well as the statistics showing the Oldham's Library Service position against the other local authorities in Greater Manchester. New initiatives and projects, funded by successful bids to external funding streams were presented: Reading Friends, Live@theLibrary, Comics and Cosplay: Caring for Young Minds and other initiatives that showcased innovative practice in Oldham Libraries and raised the profile of the service nationally.

Members sought and received clarification / commented on the following points:

- Was the Book Fund still being maintained? – It was explained that the Book Fund was still in use and it had been rather popular in the last few years.
- Oldham’s Library Services was performing well compared to other local authorities in Greater Manchester – It was explained that there was a strong focus to make the Library Service more accessible to residents.
- Can the use of volunteers in libraries be increased? – It was explained that the recruitment of volunteers was an ongoing activity and that resources were dedicated to this task; currently, teenage volunteers were being recruited to give young people opportunity to experience work in the libraries.
- E-book offer in the libraries – It was explained that Oldham Libraries were already offering e-books and e-magazines which were available to download free from the web-site.
- Libraries, capital programme and small scale intervention – It was explained that Libraries were part of the Resident First programme. Therefore, training and resource were currently being considered in order to support the Council with new ways of providing services to residents. The next project would look at the library environment.

RESOLVED that:

1. The content of the report be noted.
2. A progress report be presented in January 2019.

16

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME 2017/18

Consideration was given to the Work Programme of the Board for the current Municipal Year. The Chair informed the rest of the Committee of the following points:

- Following a conversation with the Planning and Infrastructure Team, the workshop on the Greater Manchester Spatial Framework (GMSF) would take place in June 2018 due to the revised timetable for GMSF.
- The workshop on the Multi-Agency Safeguarding Hub (MASH) would need to be rescheduled after 19th February 2018. This was necessary as a review of Children’s Services would take place at the end of this month.
- Communication with the Department for Work and Pension was in progress to find suitable dates for a visit to the Job Centre Plus in Oldham.

RESOLVED that the update on the Overview and Scrutiny Board Work Programme 2017/18 be noted.

17

GENERAL EXCEPTIONS AND URGENT DECISIONS

The Board gave consideration to one decision authorised under Rule 16 of the Council’s Constitution concerning Greater Manchester Waste Disposal Authority’ levy.

RESOLVED that the General Exception Decision concerning Greater Manchester Waste Disposal Authority’s be noted.

KEY DECISION DOCUMENT

The Board gave consideration to the latest Council's Key Decision Document published on 21st December 2017.

RESOLVED that the content of the Key Decision Document published on 21st December 2017 be noted.

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that, in accordance with 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 they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

SMART PROJECT

Consideration was given to a commercially sensitive report of the Executive Director Corporate and Commercial Services which informed the Board of a project concerning Unity Partnership Ltd.

The Board Members raised questions on some of the matters outlined in the report and commented on various aspects of its content. The report author was in attendance and addressed the Members' questions and comments.

It was agreed that a progress report would be presented at the next meeting of the Board.

RESOLVED that:

1. The content of the report be noted.
2. A progress report be presented at the next meeting of the Board, on 6th March 2018.

DATE OF NEXT MEETING

RESOLVED that the next meeting of the Overview and Scrutiny Board take place on Tuesday 6th March 2018 at 6pm as per the 2017/18 Municipal Calendar.

The meeting started at 6.00 pm and ended at 7.39 pm

OVERVIEW AND SCRUTINY BOARD
06/03/2018 at 6.00 pm



Present: Councillor McLaren (Chair)
Councillors Dean, Goodwin (Vice-Chair), Toor, Williams and Harkness

Also in Attendance:

Lori Hughes	Constitutional Services
Neil Crabtree	Head of Service - Public Protection
Merlin Joseph	Interim Director of Childrens Services
Maggie Kufeldt	Executive Director - Health and Wellbeing
Andrew Sutherland	Director of Education and Early Years
Joe Davies	Interim Assistant Director - Commercial

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A. Hussain, Larkin and Williamson.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Overview and Scrutiny Board held on 16th January 2018 be approved as a correct record.

6 **MINUTES OF THE OVERVIEW AND SCRUTINY PERFORMANCE AND VALUE FOR MONEY SELECT COMMITTEE**

RESOLVED that the minutes of the Performance and Value For Money Select Committee held on 14th December 2017 be noted.

7 **MINUTES OF THE GREATER MANCHESTER COMBINED AUTHORITY (GMCA) ECONOMY, BUSINESS GROWTH AND SKILLS SCRUTINY COMMITTEE**

RESOLVED that minutes of the Greater Manchester Combined Authority (GMCA) Economy, Business Growth and Skills Scrutiny Committee meetings held on 10th November 2017, 8th December 2017 and 19th January 2018 be noted.

8 **MINUTES OF THE GREATER MANCHESTER COMBINED AUTHORITY (GMCA) HOUSING, PLANNING AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes the Greater Manchester Combined Authority (GMCA) Housing, Planning and Environment Overview and Scrutiny Committees held on 16th November 2017, 13th December 2017 and 15th January 2018 be noted.

9 **MINUTES OF THE GREATER MANCHESTER COMBINED AUTHORITY (GMCA) CORPORATE ISSUES AND REFORM OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the Greater Manchester Combined Authority (GMCA) Corporate Issues and Reform Overview and Scrutiny Committee meetings held on 21st November 2017, 19th December 2017 and 16th January 2018 be noted.

10 **REVIEW OF VIRTUAL SCHOOL ANNUAL REPORT AND AUTUMN TERM UPDATE**

The Board gave consideration to an overview and update on the role of the Virtual School and recent educational outcomes for Oldham's Looked After Children.

The role of the Virtual School was to promote the educational achievement of Oldham's Looked After Children (LAC) whether they were educated in Oldham or elsewhere in Great Britain. Following amendments made to the Children and Social Work Act 2017, the statutory duty of the Virtual School was expanded to cover 'previously Looked After Children'. The changes would become statutory at some point in 2018. Under the new guidance there was a greater emphasis on supporting emotional wellbeing and mental health and understanding attachment needs and the impact of trauma. The Virtual School worked collaboratively with a range of professionals and agencies involved in supporting the needs of Looked After Children ensuring that education needs remained a high priority as a proven link to improving life chances.

The Corporate Parent Panel acted as the governing body and critical friend of the Virtual School to promote high standards of educational achievement and supported the challenge to schools.

The outcomes in 2016 varied across the key stages and were outlined in the report.

Members were informed of Personal Educational Plans (PEPs) which formed part of every Looked After Child's care plan and was completed every term. Oldham had moved to an electronic PEP (ePEP). This was completed by the Designated Teacher and Social Worker. The benefits and challenges of the ePEP were outlined in the report.

Members were informed that the Virtual School Headteacher had redesigned work, set a comprehensive plan which had demonstrated a significant impact and was building strong relationships with the schools. The Corporate Parent Panel was strong and support was continually improving. The increase in the number of Looked After Children (LAC) was noted. Performance around areas of development had improved. Key Stage 4 was still a challenge but this related to all data and not just LAC. Reallocation of resources was highlighted. From April 2018, the funds were increasing, negotiations would be made with the schools for the distribution of resources to allow targeted support and interventions where it had the biggest impact.

Members asked about the challenge at Key Stage 4 and it was clarified that performance was across the piece. There was a cultural challenge across the borough. Other challenges included engagement and attendance. Personalised support was offered and was key. Supplementary curriculums were being added as well as opportunities around mental health support and health and wellbeing. Three mental health officers were being recruited to help schools as well as additional training for teachers to provide an understanding of the physiological impact and identify social emotional challenges. Another element being developed was around a sporting/physical offer to improve health and wellbeing.

Members asked when the next inspection was due and the number of exclusions compared to other authorities. It was explained that the next inspection was due soon and lot of work was ongoing to prepare. The number of exclusions were not far from the Greater Manchester average and permanent exclusions had reduced.

Members asked about concerns with the growing number of Looked After Children, if there was a solution to get to a reasonable level or would it grow. It was explained that the increase was due to the local authority identifying support, if it reduced there would be concerns if the authority was focussed enough. It was complicated as to how targets could be set.

Members asked about intervention with families with the level of austerity. It was explained that Children's Services was being resourced and partners carried out interventions which the Council had recognised as investments had been made.

Members sought and received clarification on how the ePEP worked and an app would be developed in the future. Members asked about additional support to children from BME communities and languages and it was confirmed that funding had been received to support work across the borough in that area. The detail was still being developed.

RESOLVED that:

1. The report and update on the Virtual School be noted.
2. An update on the Virtual School be received in 12 months' time.
3. Any Ofsted results be reported in a short briefing note to the Overview and Scrutiny Board during the next municipal year.

11

CHILDREN'S SOCIAL CARE 'GETTING TO GOOD' IMPROVEMENT PLAN UPDATE

The Board gave consideration to a report which detailed progress of the improvement journey Children's Services had been on since the Ofsted Single Inspection Framework (SIF) inspection in 2015. A review had taken place earlier in 2018, the final report had not yet been submitted but the Board were informed of headline findings.

In response to the judgement and recommendations from Ofsted, an improvement plan had identified key actions to deliver improved outcomes. The activity and developments as outlined in the report had been delivered against rising demand. Since June 2017, the number of children on child protection plans had increased by 17.8% and the number of Looked After Children had risen by 5.3%. A key change had also been the new inspection regime introduced by Ofsted which meant that future inspections would be completed under the Inspection of Local Authority Children's Services (ILACS) framework.

Members were informed of progress on the improvement priorities as identified to the Board in June 2017. This included reduction of caseloads per social worker, more team managers, reduction in the number of agency staff; and turnover rate was down. With regard to practice and recording, there was some improvement needed. Strong progress was noted in the safeguarding unit. Some process of recording also required improvement. Quality assurance framework had been embedded as well as a significant amount of auditing around casework. Domestic abuse was highlighted as a key issue and there was an emerging priority around children missing from education with a number of whom were educated at home and where schools had encouraged home education. A draft plan would be available at the end of April. Members were informed of another Ofsted two day inspection week during week commencing 12 March and this would form part of the update.

Members asked for a view on the rating expected and it was clarified that it would probably be "requires improvement" due to the challenges around demand and high caseloads.

Members asked if there was capacity to deliver more in-depth training, clarification on a 7-minute briefing and how home educated students were monitored. It was clarified that a range of training had been identified and this would be provided by the Council's own development services as well as outside suppliers. The challenge was the release of staff. It was also

clarified that the 7-minute briefing was a short and quick way to get learning out to the workforce, i.e., what they needed to know quickly. A contract provider had been established for the monitoring of home education which included the nature of the provision, a range of indicators and best value.

Members remarked about staff retention and asked if budgets allowed for the recruitment of more staff. It was clarified that there were significant pressures in Children's social care. Investments had been made to upgrade pay and recruit more social workers which had made a difference. The number of looked after children and deprivation was raised. Demand would need to be established before permanent investment was made. Members commented on the high caseloads of social workers and were informed that the review had found that morale and confidence of staff was good and support was received from other agencies. There was good participation in the Local Safeguarding Children's Board (LSCB). There were also regular meetings with the police and health agencies.

Members raised the issue of domestic abuse and it was clarified that intervention was made when abuse became apparent.

The Chair commented that this would be the Executive Director of Health and Wellbeing's last visit to the Overview and Scrutiny Board as she was leaving the Council on 20th March. The Board thanked her for the work she had done in Oldham and wished her well in the future.

RESOLVED that:

1. The report which provided an update on the Children's Social Care 'Getting to Good' Improvement Plan be noted.
2. A further report be received in the new municipal year following the sign-off by Ofsted.

12

UPDATE ON SOCIAL VALUES IN PROCUREMENT

The Board gave consideration to a report which provided an update on the implementation on the inclusion of social values into the commissioning life-cycle. The report outlined the background, principles and current status of the implementation and included details on the Council's Social Value Framework together with an example of a Contract Award Notice which identified some of the social values that would be monitored and measured over the course of this contract.

Work had continued on the implementation of the framework and a set of procurement principles had been developed to guide the approach to social value, which were aligned to the Oldham Plan. For each procurement opportunity over £5,000, a Social Value 'Opportunity Assessment' was undertaken. The level of cooperation from stakeholders remained variable and was slowly improving. It was also ensured that processes were compliant under procurement law. Responses were evaluated

and monitored. The social value element was appropriate to each tender.



Members queried the use of the CHEST System and local companies who felt they were inhibited in being able to access the system. Members referred to the system in Preston whereby use of local businesses had grown with more money being spent locally. Members had received representations from companies who were unable to bid. It was clarified that work was ongoing to encourage local companies to bid and develop their capability to bid on contracts. Members raised the road surfacing contract whereby two companies bid on the contracts and asked if the Council was getting good value. Members were informed that this would be reviewed. Members asked that the organisation's approach be reviewed to encourage more Oldham companies to bid.

Members queried how values were measured and how realistic they were. It was clarified that there had been a lack of sophistication how questions were phrased and this was being reviewed to ensure that questions and responses reflected what could be measured as well as contract monitoring.

RESOLVED that:

1. The update on the Social Values in Procurement report be noted.
2. The ability of local companies to access the Chest system be discussed at the next Link meeting and a date be agreed to come back to the Overview and Scrutiny Board.

13

SELECTIVE LICENSING SCHEME UPDATE

The Board gave consideration to an update on the progress of the Selective Licensing Scheme. All designated Selective Licensing areas were in Year 3 of the 5 year scheme. Members were informed of the number of applications received and number of licences issued. Members were also informed that warning letters had been issued to properties where no application had been received. Members were informed that 26 landlords had been prosecuted for failing to licence their rented property with another 143 cases where the landlord had received a warning letter but not yet submitted an application.

Members were informed of the timeline of the application approval process through Greater Manchester Police and Licensing. Members were informed of findings and work being completed around warrants which included work with Immigration Enforcement and United Utilities where tenants had tampered with electric and gas supplies.

Members were also provided with an update on the management of properties and condition audits.

The Housing Act 2004 stated that the operation must be reviewed from time to time. In addition, government guidance stated that after a making a designation, local housing authorities must continue to monitor designations to show that the desired effect was being achieved. A review would be carried out and compared with analysis from previous year on the criteria as set out in the report. It was felt that progress had been made. The scheme may need to be extended to other areas in other years. It was recommended that a workshop be convened to that a full review could be commissioned.

Member expressed disappointment on the number of applications, and expressed concern on the staffing levels required to maintain the services. The Selective Licensing Scheme also needed to link with the Housing Strategy and Homelessness.

RESOLVED that:

1. The progress on the Selective Licensing Scheme be noted.
2. A workshop be held on Thursday, 22 March 2018 at 5.00 p.m.

14

COUNCIL MOTION: COMBATting ACID ATTACKS

On 8th November 2017, Full Council referred a motion to the Overview and Scrutiny Board which requested that Trading Standards and retailers' associations examine merits and practicalities of the introduction of a voluntary schemes related to the sales of corrosive products which contain acids or ammonia to under 21 year olds in advance of future legislation.

The Home Office had announced a new action plan aimed at the reduction on the number and impact of acid attacks. Given the widespread availability of products which contained acids, there was no identifiable group to consult. It was understood that Government had consulted nationally on this issue. It was confirmed that there were ongoing discussions related to the regulation of acid sales. The Counter Terrorism Team advised raising the issues at a local resilience forum rather than introducing a scheme at this time.

Members were informed of the plethora of products available. The enforcement powers were with the police. Three changes were proposed related to restrictions on the sale of acid to members of the public; new criminal offences related to possession of acid; and sentencing. Government was sponsoring the legislation but the timetable was not known. The problem needed to be tackled by national legislation. A voluntary scheme would need to be led by the Council which had resourcing issues.

RESOLVED that after taking into consideration the report and information provided at the meeting and the House of Commons Briefing Paper, it was agreed that a voluntary scheme not be introduced at this time. However, the issue would remain on the



Overview and Scrutiny Board Work Programme and would be reviewed when legislation had been approved.

15

RESIDENT FIRST PROGRAMME UPDATE

The Board gave consideration to an update on the progress on the Resident First Programme and planned resident improvements. The report provided information on:

- Progress to date on Phase One of the Programme which included Flytipping, new website launched; Registrars; Highways; Revenues and Benefits; Contact Centre; Licensing; and In-Year Transfers.
- Benefits being seen by Phase One to date;
- Member engagement which included four member briefings;
- Financial position; and
- An overview of Phase Two.

RESOLVED that the update on the Resident First Programme be noted.

16

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

The Board gave consideration to the latest Overview and Scrutiny Board Work Programme for 2017/18.

Members noted that an update on Prince's Gate was not yet available as the report had not yet been agreed at Cabinet.

Members noted the outcome of the visit to the Department for Work and Pensions. A future visit would be scheduled in June or July 2018.

RESOLVED that:

1. The Overview and Scrutiny Board Work Programme be noted.
2. A future visit be scheduled with the Department for Work and Pensions in June/July 2018.

17

GENERAL EXCEPTIONS AND URGENT DECISIONS

The Board gave consideration to a decision authorised under Rule 17 of the Council's Constitution.

RESOLVED that the General Exception and Urgency Decision related to Earl Mill Business Centre be noted.

18

KEY DECISION DOCUMENT

The Board gave consideration to the Council's Key Decision Document.

RESOLVED that the Council's Key Decision Document be noted.

The meeting started at 6.00 pm and ended at 7.54 pm



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Report to Performance and Value for Money Select Committee

Overview and Scrutiny Toolkit

Portfolio Holder: Chair of Committee

Officer Contact: Executive Director Corporate and Commercial

Report Author: Mark Stenson
Ext. 4783

28 June 2018

Purpose of the Report

To highlight to Members the Overview and Scrutiny Toolkit attached as Appendix 1

Executive Summary

The purpose of this toolkit is to provide assistance to those involved in the Overview and Scrutiny Process at Oldham Council.

Recommendations

Members note the toolkit developed to assist them undertake their future role as Scrutiny Members.

Overview and Scrutiny Toolkit

1 Background

1.1 This Committee is one of the two bodies appointed by the Council whereby non-executive members can examine how the Council provides its services, question how and why decisions are made and play a pivotal role in shaping future Council policies.

1.2 The Terms of Reference of this Committee are:

- a. To monitor and hold to account the performance of service delivery within Oldham MBC (OMBC), and its partners such as Unity Partnership, Oldham Community Leisure Limited (OCLL), etc. with particular reference to the Corporate Plan and all other strategic plans.
- b. To monitor and hold to account those responsible for implementing scrutiny recommendations that have been accepted by Cabinet.
- c. To monitor the performance of Healthwatch and other associated health organisations and other appropriate bodies.
- d. To monitor the efficiency of OMBC to assess whether efficiency savings are achieved.
- e. To scrutinize the annual budget setting and monitoring process.
- f. To identify areas for in depth scrutiny for referral to the Overview and Scrutiny Board where performance is weak and to require the Board to scrutinize policy/ service delivery change.
- g. To scrutinize issues identified as requiring improvement by external assessors (e.g. Ofsted, Care Quality Commission (CQC) etc. and on education matters, ensuring that there is appropriate statutory representation of co-opted members.
- h. To make recommendations to the Cabinet or to any partner organization on issues scrutinized relevant to those bodies.

2 Current Position

2.1 The purpose of the toolkit is to enable Members involved in Scrutiny to understand the process and provide guidance in undertaking their role. It is subject to regular review and attached at Appendix 1 to this report.

3 Key Issues for Overview and Scrutiny to Discuss

3.1 Whether this toolkit supported by the training given at the beginning of the meeting is sufficient at the first meeting of this new Committee to prepare Councilors for the role they are expected to undertake.

4 **Key Questions for Overview and Scrutiny to Consider**

4.1 None at this stage.

5. **Links to Corporate Outcomes**

5.1 Effective Scrutiny supports the delivery of the Corporate Objectives detailed in the Corporate Plan.

6 **Additional Supporting Information**

6.1 None

7 **Consultation**

7.1 None

8 **Appendices**

8.1 Appendix 1 Overview and Scrutiny Toolkit.

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OLDHAM COUNCIL



OVERVIEW AND SCRUTINY TOOLKIT

January 2017

Oldham Council

Overview and Scrutiny Toolkit – List of Contents

- 1. Introduction**
- 2. Political Management of the Council**
- 3. What is Overview and Scrutiny?
What Overview and Scrutiny cannot do.**
- 4. How Overview and Scrutiny operates in Oldham**
- 5. The Work of Overview and Scrutiny**

Appendices

- A. Questioning to Gain the Most from Witnesses**
- B. Call-In Procedure**

1. Introduction

The purpose of the toolkit is to explain the framework for Overview and Scrutiny at Oldham Council. It is for the use of anyone who has any involvement in the Scrutiny process including:

- The Chairs and Members of Overview and Scrutiny Committees
- Cabinet members and committee members who may be required to attend scrutiny review meetings
- Staff involved in the scrutiny process, those who are required to give evidence as part of scrutiny or those involved in the development or review of decisions/policies.
- Members of the public, partners and external organisations who may attend scrutiny meetings, be co-opted onto panels or who are invited to give evidence to support scrutiny reviews.

2. Political Management of the Council

Oldham Council is a metropolitan borough providing services to the people of Oldham and its surrounding districts. This includes childrens and adults services, education, environmental services such as trading standards, street cleaning and refuse collection, strategic housing, cultural and leisure services, revenues and benefits.

The Council's ambition is to deliver a co-operative future where everyone does their bit to create a confident and ambitious borough.

The full Council, involving all 60 Councillors, meets approximately seven times a year. There are decisions that only full Council can make which include decides on the Constitution and any amendments, agrees the Council's budget, agrees the policy framework and appoints the Leader, Members of Committees and Outside bodies. Full Council also appoints the Mayor, Deputy Mayor and the Chief Executive.

3. What is Overview and Scrutiny?

- 3.1 Overview and Scrutiny was introduced under the Local Government Act 2000 which modernised the political management arrangements of local authorities. It provides opportunities for non-executive members of the Council to examine the way the Council provides its services, question how and why decisions are made and plays a pivotal role in the shaping of future Council policies. The Local Government & Public Involvement in Health Act 2007 further enhanced the role and powers of Overview and Scrutiny Committees as well as the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and the Health and Social Care Act 2012.

3.2 There are key roles for scrutiny which include:

- Holding the Cabinet to account – acting as a check and balance on the decision making powers of the Cabinet.
- Policy Development and Review – acting as a ‘critical friend’ to the Cabinet by reviewing policy, decisions, performance, annual budget and contributing to policy formulation.
- Challenging and improving performance
- Supporting the achievement of value for money
- Support the role of the Council in community leadership, reporting on issues affecting the area and its citizens, and on the work of public bodies in the area including local health services.

3.3 The Committees do not make decisions, but try to influence those who do by considering the major issues affecting the borough and make recommendations about how services can be improved.

3.4 The focus of Overview and Scrutiny is on the quality of Council services and other strategic borough-wide issues that affect the lives of Oldham’s residents. Overview and Scrutiny Committees must have regard to the Oldham Plan which sets up the vision for the borough that is shared with the Council’s partners and the Corporate Plan which set out the how the Council contributes to the Oldham Plan and how the Council will achieve the co-operative ambition for the borough.

3.5 What Overview and Scrutiny Cannot Do

Overview and Scrutiny does not get involved in minor matters or matters affecting individuals. The Committees do not deal with complaints or regulatory matters such as planning applications or applications for licences. Procedures exist elsewhere for handling such matters such as the corporate complaints procedure. Overview and Scrutiny cannot deal with matters which are still subject to court proceedings.

4. **How Overview and Scrutiny Operates in Oldham**

4.1 The Council’s Overview and Scrutiny function was reviewed in 2011 with the result that the function is now structured as follows:

An Overview and Scrutiny Board, which also has the responsibility for “call-ins”, and a Performance and Value for Money Select Committee, the detail of which is set out below. Overview and Scrutiny allows citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery. Overview and Scrutiny also monitors the decisions of the Cabinet.

They can ‘call-in’ a decision which has been made by the Cabinet but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Cabinet reconsider the decision. They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

4.2 The Terms of Reference are reflected below:

“ARTICLE 6 – OVERVIEW AND SCRUTINY

6.1 Terms of Reference

The Council will appoint the overview and scrutiny bodies set out in the table below to discharge the functions conferred by section 21 of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000 or relevant provisions of the Localism Act 2011 in relation to the matters set out below

The following Overview and Scrutiny bodies will be appointed by the Council at its Annual Meeting:

- **Overview and Scrutiny Board**
- **Performance and Value For Money Select Committee**

In addition, Council will appoint the Chair of the above bodies and approve their terms of reference, together with the roles of the Chairs and the list of substitute Members.

Council may also appoint, for a fixed period, any other body it considers appropriate to carry out its overview and scrutiny function, at the expiry of which that body will cease to exist.

6.1.1 Overview and Scrutiny Board

To discharge the functions conferred by section 21 of the Local Government Act 2000, Regulations under section 32 of the Local Government Act 2000 or relevant provisions of the Localism Act 2011 in relation to the matters set out below:

- a. To manage and lead the development of the overview and scrutiny process in Oldham Metropolitan Borough Council;
- b. To be responsible for Member development with regard to overview and scrutiny;
- c. To appoint a Health Scrutiny Sub-Committee at its first meeting of the new Municipal Year.
- d. To decide upon issues for overview or scrutiny having regard to the Prioritisation Framework (significant policy/service change or underperformance, or an area of public or local interest). Such issues may relate to:
 - i. Strategic Service Delivery Partnership (SSDP)

- ii. Oldham MBC
 - iii. Association of Greater Manchester Authorities (AGMA)
 - iv. Education (ensuring there is appropriate statutory representation of co-opted members)
 - v. Health and Wellbeing
 - vi. Community issues which would include crime and disorder, cohesion, housing and environment and regeneration issues etc
 - vii. Area based issues (District Executives)
 - viii. City Regional developments
- e. To assign overview and scrutiny work as it considers appropriate to the Performance and Value For Money Select Committee or District Executives (or their potential successor bodies);
 - f. To hold to account the Performance and Value For Money Select Committee and the Health Scrutiny Sub-Committee
 - g. To establish and monitor Task & Finish groups, co-opting members of the Youth Council as appropriate;
 - h. To scrutinise Oldham's overview and scrutiny function (including Member participation in all overview and scrutiny constituted bodies and at Project Panels)
 - i. To consider requests for scrutiny on issues from the Oldham Healthwatch (or their potential successor bodies) and assign them to the appropriate place for scrutiny;
 - j. To consider all Call-Ins (In the event a call-in related to an education issue, the statutory co-optees would be invited to participate in that matter at the meeting);
 - k. To make recommendations to the Cabinet or to any partner organisation on issues scrutinised relevant to those bodies, and where appropriate, direct to Council;
 - l. To scrutinise a policy/service delivery change directly;
 - m. To allocate two specific Task & Finish groups each year on matters identified by the Youth Council.

6.1.2 Performance And Value For Money Select Committee

- a. To monitor and hold to account the performance of service delivery within Oldham MBC (OMBC), and its partners such as Unity Partnership, Oldham Community Leisure Limited (OCLL), etc with particular reference to the Corporate Plan and all other strategic plans;
- b. To monitor and hold to account those responsible for implementing scrutiny recommendations that have been accepted by the Cabinet;
- c. To monitor the performance of Healthwatch and other associated health organisations and other appropriate bodies.
- d. To monitor the efficiency of OMBC to assess whether efficiency savings are achieved;
- e. To scrutinise the annual budget setting and monitoring process;
- f. To identify areas for in depth scrutiny for referral to the Overview and Scrutiny Board where performance is weak and to require the Board to scrutinise policy/service delivery change;
- g. To scrutinise issues identified as requiring improvement by external assessors (eg Ofsted, Care Quality Commission (CQC) etc) and on education matters, ensuring that there is appropriate statutory representation of co-opted members.
- h. To make recommendations to the Cabinet or to any partner organisation on issues scrutinised relevant to those bodies.”

5. **The Work of Overview and Scrutiny**

5.1 Topics for the Overview and Scrutiny Board are identified from a variety of sources. These can include:

- The Council’s priorities and challenges;
- Topics suggested for review by Cabinet;
- Matters referred from Full Council;
- Topics put forward by Overview and Scrutiny Councillors;
- Topics suggested by the public;
- The Key Decision Document for Cabinet; and
- Overview and Scrutiny Link Meetings.

5.2 The setting of the Work Programme is an important part of the Scrutiny process. Each committee is responsible for setting its’ own work programme. Cabinet Members and senior officers of the Council have an influential role in

this process by outlining the priorities for the year ahead. Time spent making sure that the right topics are chosen ensures that outcomes are targeted at improving performance.

5.3 The work programme is a living document and should be subject to regular review. The programme must be manageable within the resources available and should have sufficient space built within it to consider matters referred to Overview and Scrutiny. Overview and Scrutiny Committees have to be flexible and responsive to the needs of the organisation. The work programme will include ongoing issues such as performance management and annual budget monitoring. One off issues may be referred to smaller Task and Finish Groups for in depth investigation.

5.4 OMBC Scrutiny Prioritisation Framework

5.4.1 *Stage 1 – Deciding If Scrutiny Is Merited*

Other than in exceptional circumstances no issue should be placed upon the scrutiny programme unless all of the following questions can be answered positively:

1. does this issue have a potential impact for one or more section(s) of the population?
2. is the issue strategic or significant to a locality?
3. is there a clear objective for scrutinising this topic?
4. is there evidence to support the need for scrutiny?
5. are we clear about what we hope to achieve?
6. what are the likely benefits to the council and its customers?
7. are you likely to achieve a desired outcome?
8. do the potential risks outweigh the benefits?
9. are there adequate resources available to do the activity well?
10. is the Scrutiny activity timely?

Even where all of these questions can be answered positively, it may still be appropriate to reject a prospective issue, and it is proposed that scrutiny would not normally be appropriate if one of the following conditions applied:

- a) the issue is being examined elsewhere - e.g. by the Cabinet, working group, officer group, other body
- b) the issue was concluded less than 2 years ago
- c) new legislation or guidance expected within the next year
- d) there is no scope for scrutiny to add value/ make a difference

- e) the objective cannot be achieved in the specified timescale.

5.4.2 Stage 2 – Prioritising The Caseload

It is anticipated that even applying these criteria there will be a significant prospective caseload, and it will therefore be necessary to score the items in some way to establish a priority rank for each issue on the work programme.

It is proposed that 3 tests be applied to items which it has been agreed merit scrutiny, and that points be awarded for each criterion which is met. The total points score will be used to rank the issue on the scrutiny programme.

Members' views are sought on the appropriate points score that should be allocated to each issue (Scoring should be between 1 and 5, with 5 being the highest score).

Public Interest

Issue	Score
Issue identified through District Executives	5
issue identified by 2 or more Members through surgeries and other contact with constituents	4
market surveys/citizens panels (e.g. an aspiration to have something new or different)	4
user dissatisfaction with service (e.g. pattern of user dissatisfaction with a service)	3

Internal Priority

Issue	Score
Issue referred by Executive Members, Steering Group or Link Meeting	5
pattern of large budgetary overspends	4
poor performing service (evidence from performance indicators/benchmarking)	4
council corporate priority area	3
high level of budgetary commitment to the service/policy area (as a percentage of total expenditure)	2

External Drivers

Issue	Score
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issues raised by External Audit Management Letters/External audit reports	5
central government priority area	2
new government guidance or legislation	2
key reports or new evidence provided by external organisations on a key issue	2

It is anticipated that as new issues arise some items may never achieve a score high enough for them to be added to the Overview and Scrutiny Board's active programme. It is therefore proposed that the work programme be reviewed annually and items not short listed which have been on the work programme for more than 6 months should be re-scored or deleted from the programme by the Overview and Scrutiny Board.

5.5 Key Decision Document

Overview and Scrutiny bodies will in any event have access to the Key Decision Document and timetable for decisions and intentions for consultation. Where the overview and scrutiny function has not scrutinised an item on the Key Decision Document, but that item has implications for policy/service development, then the overview and scrutiny body will have full opportunity to be able to submit any comments to the relevant Cabinet Member/Chief Officer during the course of the consultation process in relation to any key decision.

5.6 Agenda items

Overview and Scrutiny Board must consider any request for scrutiny made by a Councillor who has been unable to resolve an issue of concern, and in considering the request, the Overview and Scrutiny Board must have regard to the Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008 (and any successor legislation) and the Councils scrutiny prioritisation framework. In the event that Overview and Scrutiny Board decides not to undertake scrutiny of the matter referred to them they shall ensure that the reasons for this decision are minuted and that the referring Councillor is informed.

In respect of the Overview and Scrutiny Board and the Performance and Value For Money Select Committee, any non-executive member or any five members of the Council shall be entitled to give sufficient notice to the Chair that he/she wishes an item relevant to the functions of that body to be included on the agenda for its next programmed meeting, subject to an appropriate review of the work programme.

Overview and Scrutiny Board, Performance and Value for Money and Health Scrutiny Sub-Committee may take into consideration reports which contains exempt or confidential information relevant to an action they are scrutinizing.

Members are expected to treat as confidential all papers that they receive in the course of council business unless made public by law or by the authority's express or implied consent. Where the transaction of business was likely to involve disclosure of confidential information, local authorities may, by resolution, close meetings. A resolution for the purpose of excluding the public on the grounds that exempt information would otherwise be disclosed must be identified in the proceedings and the description stated in terms of Schedule 12A to the Local Government Act 1972.

5.7 Rights of Overview and Scrutiny Members to documents

Overview and Scrutiny Board, Performance and Value for Money Select Committee, Health Scrutiny Sub-Committee or any subsequent scrutiny group may take into consideration reports which contain exempt or confidential information relevant to an action they are scrutinizing. Members are expected to treat as confidential all papers that they receive in the course of council business unless made public by law or by the authority's express or implied consent. Where the transaction of business was likely to involve disclosure of confidential information, local authorities may, by resolution close meetings. A resolution for the purpose of excluding the public on the grounds that exempt information would otherwise be disclosed must be identified in the proceedings and the descriptions stated in terms of Schedule 12A to the Local Government Act 1972.

5.8 Overview and Scrutiny Member Role Description

Members of Overview and Scrutiny Management Board, Performance and Value For Money Select Committee and their sub committees will:

- a. Play a positive role in developing and scrutinising the Council's policies, budget, strategies and services;
- b. Participate fully in the activities of Scrutiny, and the delivery of its work programme and any associated project panels;
- c. Evaluate the validity of executive decisions and challenge any inappropriate decisions through call in;
- d. Monitor the performance of partners, internal and external providers against standards and targets;
- e. Contribute to the identification and mitigation of risk;
- f. Investigate and address the causes of poor performance; and,
- g. Demonstrate an objective and evidence based approach to scrutiny.

Successful scrutiny relies upon member involvement. In order for the Council to maintain and develop successful scrutiny, councillors must take a leading role in the process. Councillors must act in a non-partisan, a-political manner, encompassing the appropriate skills and competencies required to be able to influence a wide range of public bodies with the aim of improving services for local people.

Overview and Scrutiny presents Councillors with an opportunity to experiment with the way in which they conduct business and have a powerful role to play in policy

initiation and development. It is important that a wide range of councillors are involved in scrutiny activity in order for their views to be taken into consideration.

5.9 Chair and Vice Chairperson Role Description

This description applies to all councillors who act as the chair/vice-chair of a formally constituted body of the Council, including district executives, overview and scrutiny, planning and licensing committees, appeals panels etc.

Chairs will:

- a. Work with other members and officers to develop work programmes and agendas which are appropriately focused and which contain clear objectives and outcomes;
- b. Manage the progress of business at meetings, ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to;
- c. Ensure that all participants have an opportunity to make an appropriate contribution; and,
- d. Work with officers to ensure that actions agreed at meetings are delivered appropriately.

The Chair of the Board and Select Committee has a pivotal role in maintaining the focus of scrutiny activity. The Chair not only has to encourage the committee to operate in an open, robust manner but to make certain that witnesses and visiting officers are treated with respect and courtesy.

5.10 Co-opted Members

Non-Councillors may be co-opted onto Overview and Scrutiny Committees. There is a statutory responsibility to include co-opted members from the Diocesan Boards and Governor representatives where education matters are being dealt with.

5.3 Officers

Officers from any of the Council's Directorates can be called to give evidence to the Overview and Scrutiny Committee or Task and Finish Group by answering questions or providing written and oral statements. Officers are only required to give factual statements explanations related to policies and decisions as appropriate based upon their professional experience. Officers should not be drawn into political contentious matters. Likewise, Councillors should be aware that an officer's role at Overview and Scrutiny is to provide objective factual information and therefore should avoid putting officers in a position where they are being asked to comment inappropriately on politically sensitive matters. Officers will be given, in advance, details of the subject under review. Officers are expected to cooperate fully with an inquiry. Officers attend Overview and Scrutiny with the understanding that the aim of the process is to ensure that service improvements will result from an inquiry.

5.4 Cabinet Members/Deputy Cabinet Members

The Centre for Public Scrutiny in its “Good Scrutiny Guide” advises that “Non-executives and executives need to agree appropriate working arrangements for ‘ground rules’”.

On the question of establishing roles and relationships, the guide states that “Public scrutineers should be confident of the ground on which they stand – which does not need to be approved or sanctioned by the Executive. This formal independence from the Executive is an important principle which underpins the scrutiny role”.

There are eight Cabinet Members who form the Cabinet involving the Leader of the Council and seven portfolio holders. The Cabinet can take decisions on behalf of the Council collectively and the Cabinet Members have delegated powers to take decisions in consultation with Executive Directors. The Cabinet is assisted by eight Deputy Cabinet members, who, although they have no powers to take decisions themselves, do act in an “executive capacity” and there are treated as Cabinet Members in relation to the Overview and Scrutiny process.

It is the role of Cabinet Members and Deputy Cabinet Members to develop relationships with Overview and Scrutiny and to influence work programmes and priorities, to review business and to commission scrutiny to undertake policy development. This can be facilitated through the Link meetings.

Cabinet Members and Deputy Cabinet Members attend Overview and Scrutiny in an advisory role to listen and, as appropriate, contribute to the discussion and help to build constructive relationships with Overview and Scrutiny Board and the Performance and Value For Money Select Committee. Cabinet Members and Deputy Cabinet Members may contribute when asked to do so by the Chair of the respective Committee. The committees deal with a ‘called in’ decision, Cabinet Members or Deputy Cabinet Members may attend the meeting to explain the background to the decision and to answer any questions.

O&S Member Knowledge and Skills Framework

Factor	Knowledge	Skills	Support
Holding decision takers to account (being a critical friend)	<ul style="list-style-type: none"> • Knowing where expertise lies • Awareness of the context of issues being considered • Awareness of community aspirations • Awareness of regional and local strategies and priorities • Awareness of the Executive work plan • Awareness of organisational procedures (including call in, finance etc) 	<ul style="list-style-type: none"> • Research methods (E) • Communication skills (E) • Questioning/ & investigative skills • Diplomacy • Objectivity • Assertiveness • ICT 	<ul style="list-style-type: none"> • Executive summaries of relevant background information provided (E) • Summaries of protocols & procedures for agencies involved in the scrutiny process • Direct training in ICT, research and investigation • Briefings on 'local intelligence' • Easy access to the Key Decision Document
Shaping and influencing policy (setting priorities)	<ul style="list-style-type: none"> • Knowing where expertise lies • Awareness of the context of issues being considered • Awareness of community aspirations • Awareness of regional and local policies, strategies and priorities • Awareness of best practice 	<ul style="list-style-type: none"> • Managing and participating in meetings • Research methods (E) • Communication skills (E) • Questioning/ & investigative skills (E) • Diplomacy • Objectivity • ICT 	<ul style="list-style-type: none"> • Executive summaries of relevant background information provided (E) • Summaries of protocols & procedures for agencies involved in the scrutiny process • Direct training in ICT, research and investigation • Mentoring and support in

Factor	Knowledge	Skills	Support
Making the right difference (challenging performance)	<ul style="list-style-type: none"> • Awareness of the context of issues being considered • Awareness of Council priorities • Awareness of who it is appropriate to use as witnesses (E) • Awareness of performance management • Awareness of risk management 	<ul style="list-style-type: none"> • Critical analysis/reading skills (able to handle complex facts and figures) (E) • Cross examination & questioning (E) • Monitoring and challenging (E) • Project management 	<p>the management of and participation in meetings</p> <ul style="list-style-type: none"> • Direct training in Critical analysis/reading skills • Executive summaries of relevant background information provided (E) • Direct training on the principles of risk, performance and project management
Representing the public's view (being the public's voice)	<ul style="list-style-type: none"> • Awareness of relevant issues (E) • Understanding of consultation methods (E) • Awareness of information that impacts upon the issue under scrutiny 	<ul style="list-style-type: none"> • Giving feedback (E) • Analysis & interpretation of data/information • Managing and participating in meetings • Diplomacy • Objectivity • Assertiveness 	<ul style="list-style-type: none"> • Mentoring and support in the management of and participation in meetings • Executive summaries of relevant background information provided (E)
Bringing in external expertise (bringing balance to the debate)	<ul style="list-style-type: none"> • Knowledge of what expertise is available (E) 	<ul style="list-style-type: none"> • Analysis & interpretation of data/information • Objectivity • Cross examination & 	<ul style="list-style-type: none"> • Directory of voluntary groups, tenants and residents groups (E) • Meeting venues in the

Factor	Knowledge	Skills	Support
		questioning	community (and funding to hire venues) (E)
Restoring public confidence in local democracy (engaging the community)	<ul style="list-style-type: none"> • Awareness of issues of concern to the general public • Knowledge of mediums available for effective communication 	<ul style="list-style-type: none"> • Communication skills (E) • Concise report writing in easily understandable formats (E) • Ability to present information simply (E) 	<ul style="list-style-type: none"> • Training on how to communicate what we are doing • Distribution of reports to public places • Training in report writing and the simple presentation of information

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Those factors considered as being essential are marked thus: **(E)**”

6.0 Proceedings of Meetings

- 6.1 The Overview and Scrutiny Board and the Performance and Value For Money Select Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of the Constitution.
- 6.2 The Council will have Overview and Scrutiny Bodies which will have the status of Committees and will perform all overview and scrutiny functions on behalf of the Council. These will consist of non-executive Members of the Council and, in line with statutory requirements, co-opted Church and parent/governor representatives with voting rights, for educational matters only. The designated crime and disorder scrutiny committee (currently the Overview and Scrutiny Board) may appoint co-optees with voting rights in accordance with the Crime and Disorder Overview and Scrutiny Regulations 2009 (or any successor statute).
- 6.3 The Overview and Scrutiny Board and the Performance and Value For Money Select Committee may establish informal Task and Finish groups as they consider necessary.
- 6.4 All Members may sit on the Overview and Scrutiny Board, the Performance and Value For Money Select Committee and be involved in any Task and Finish Group, except members of the Cabinet and their Deputies. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

6.5 Meetings

The cycle of meetings will be as follows:-

- Overview and Scrutiny Board: Six weekly
- Performance and Value For Money Select Committee: Six weekly (plus up to six additional meetings to scrutinise Administration and Opposition Budget Proposals).

6.6 Quorum

The Quorum for all formally constituted overview and scrutiny bodies meetings will be 3 elected Members.

6.7 Holding enquiries and calling witnesses

Any body involved in delivering the Council's Overview and Scrutiny function may hold enquiries and investigate the available options for future direction in policy development and may appoint advisors and assessors to assist them in this process. They may ask witnesses to attend to address them on any matter under consideration. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations.

6.8 Reports on Projects instigated by Overview and Scrutiny bodies

In the event that a report on a project instigated by an overview and scrutiny body is submitted to the Cabinet, a copy of that report must also be submitted to the Council for information, notwithstanding whether the recommendations are accepted by the Cabinet.

6.9 Members and officers giving account

All Overview and Scrutiny bodies may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Cabinet, the Head of Paid Service and/or any Executive Director or their nominated officer(s) to attend before it to explain in relation to matters within their remit:

- i) any particular decision or series of decisions;
- ii) the extent to which the actions taken implement Council policy; and/or
- iii) their performance.

and it is the duty of those persons to attend if so required. However, in the case of an Executive Director, he/she may decide to send his/her substitute and will determine who that officer will be.

Should any Member or officer refuse a reasonable request to attend a meeting of any overview and scrutiny body, the Chair of that body will inform the Chief Executive/Council Leader. The Chief Executive/Council Leader or his/her nominated officer shall inform the Member or officer in writing, giving at least 5 working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account.

If the account to be given to the overview and scrutiny body requires the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

6.10 Attendance by others

An Overview and Scrutiny body may invite people other than those people referred to in paragraph 18 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend. Attendance by those persons is entirely optional, except where required by Statute.

6.11 Call-in requests

Any matter decided by the Cabinet or any key decision made by an officer/ individual Cabinet Member with delegated authority from the Cabinet, may be called in immediately after the decision has been made or by not later than five working days after the publication of the Minutes of the Cabinet meeting which decided the matter or the date the delegated decision was published.

Any 2 Members of the Council may apply, in writing, to the Chief Executive on the appropriate requisite form for the matter to be called-in. Any matter called-in must be considered at the next meeting of the Overview and Scrutiny Board which will have power to consider the decision. If the decision is rejected, the overview and scrutiny body may refer the decision back to the decision taker for further consideration.

Full Details related to Call Ins is attached at Appendix 2.

6.12 Declarations of Interests and ‘The Party Whip’

Members of Overview and Scrutiny bodies must have regard to the Members Code of Conduct and the regulations relating to the declarations of interests. Further details of this can be found in Part 5 of the Council’s Constitution.

“The Party Whip” means any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Council or any Committee/Overview and Scrutiny body or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote in any particular manner. When considering any matter in respect of which a member of an Overview and Scrutiny body is subject to a party whip the member must declare the existence of the whip, and the nature of it before the commencement of deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

6.13 Conducting Investigations

Where an Overview and Scrutiny body conducts investigations (e.g. with a view to policy development), it may ask people to attend to give evidence at its meetings which are to be conducted in accordance with the following principles:

- that the investigation be conducted fairly and all members of the body be given the opportunity to ask questions of attendees, and to contribute and speak;
- that those assisting the work of the body by giving evidence be treated with respect and courtesy; and
- that the investigation be conducted so as to maximize the efficiency of the investigation or analysis;
- that any the rules of confidentiality be maintained as and where necessary.

6.14 Matters within the remit of more than one area of the Council’s functions

If a matter falls within the remit of more than one theme or Council’s area, in terms of District Executives (or their potential successors), the Overview and Scrutiny Board will determine as to how that matter is to be considered and by whom and will also determine who will produce the final report.

6.15 Task and Finish Groups

“Task and Finish Groups” are informal, usually small, and time-limited bodies comprised of councillors. They are not mentioned in legislation, although most Councils make provision for them. The size of the groups can vary.

The length of a review and its scope will define how often a task group meets. It is usual to have one meeting at the start for planning and one (possibly two) to settle the reports’ findings and recommendations. At the end of the process, the task group’s report is submitted to the body that commissioned it, than forwarded to the relevant body.

QUESTIONING TO GAIN THE MOST FROM WITNESSES

One of the most important skills for Overview and Scrutiny Committees is the ability to extract information through questioning. The aim of questioning witnesses at scrutiny review meetings is to gather relevant information on which to base the recommendations of the review. Asking difficult questions should not be avoided but hostile questioning will prove to be counter-productive.

Members cannot be expert in every issue under scrutiny and may not feel confident in questioning expert witnesses. Asking simple questions in layman's terms can help ensure that the information is provided in a less complex way in future by highlighting the areas that are not easily understood.

Question examples are:

- Why do we have to offer this service?
- Why do we do it this way?
- What are the strengths and weaknesses doing it this way?
- Why is it not 'joined up'?
- What is the best practice elsewhere?
- Is it appropriate or desirable to adopt some of these practices in our organisation and if so how?
- What will the implications be if this authority changes the way it works?
- How should changes be implemented, monitored and reviewed?
- What difference has this made?
- How well does this reflect the community priorities?
- What are the things you would do to make a difference?
- What are the barriers that you want to break down?

Questioning Techniques

Closed Questions

A closed question usually receives a single word or very short, factual answer.

Open Questions

Open questions elicit longer answers. They usually begin with what, why, how. An open question asks the respondent for his or her knowledge, opinion or feelings. "Tell me" and "describe" can also be used in the same way as open questions.

Funnel Questions

This technique involves starting with general questions and then homing in on a point in each answer and asking more detail.

Probing Questions

Asking probing questions is another strategy for finding out more detail. Sometimes it is as simple as asking the presenter for an example to help you understand a statement they have made or you require additional information for clarification.

Questioning Do's and Don'ts

To make the best use of time available for a witness, it is important to think about not only the type of question, but also the way in which it is asked. The following suggest some issues to think about:

DO:

- Ask clear, concise questions covering a single issue
- Ask challenging questions that will stimulate thought
- Ask reasonable questions based on what presenters will know about
- Ask honest and relevant questions
- Ask a question
- Allow time for thoughtful responses

DON'T

- Ask rambling, ambiguous questions that cover a number of issues
- Ask questions that don't provide an opportunity for thought
- Ask questions about issues not in the witness's knowledge
- Ask 'trick' questions designed to confuse witnesses
- Make a personal statement or speech
- Let witnesses cross-examine each other
- Talk or leave the room when people are giving evidence

The IdeA published a document entitled 'A Councillor's Guide to Performance Management' which contains the following examples of questions members can use to dig deeper into performance reports and support action plans for improvement.

1. Why is performance at the current level?

Key Questions	Digging Deeper
Are we meeting our target, is any variance (above or below) within previously agreed limits? Why has this variance occurred?	<ul style="list-style-type: none">• Are you sure?• Is there any other reason?• What was our target based on?
Do we have a complete picture of performance?	<ul style="list-style-type: none">• Is this an appropriate measure?• What else should we know?
What performance do you predict for the next month/quarter?	<ul style="list-style-type: none">• How good was your forecast last time?

	<ul style="list-style-type: none"> • Have you identified all the risks to achievement?
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2. What difference does this make?

Key Questions	Digging Deeper
<p>What are the implications of not meeting this target:</p> <p><i>Or, where performance exceeds expectations</i></p> <p>Can we move resources from this to one of a higher priority?</p>	<ul style="list-style-type: none"> • What impact does this have on service users and/or the public? • Will this affect our corporate priorities? • Will it affect other services, our partners? • Is there an impact on equalities, sustainability or efficiency?

3. How can we make sure things get better?

Key Questions	Digging Deeper
How will performance be improved?	<ul style="list-style-type: none"> • How will the causes of underperformance be addressed? • Will that address the problem? • When will performance be back on track?
Do you need help?	<ul style="list-style-type: none"> • Are additional resources / training / support needed? • If additional funding / resources are needed where will they come from? • Does any additional investment line up with service / corporate aims?
Who else should be involved?	<ul style="list-style-type: none"> • Can other services or teams contribute to improvement? • Who else needs to be consulted? Staff / partners / users / the public?

4. What next?

Key Questions	Digging Deeper
What decisions do you need us to take?	<ul style="list-style-type: none"> • What do we need to know to make a decision? • What are the risks in the assumptions we might make? • When do we need to review progress?
What can we learn from this?	<ul style="list-style-type: none"> • How well are other councils / service providers performing in this area? What are they doing differently? • How will this change what we do? • Are there successes to share in the Council?

CALL IN PROCEDURE

Any matter decided by the Cabinet or any key decision made by an officer/ individual Cabinet Member with delegated authority from the Cabinet, may be called in immediately after the decision has been made or by not later than five working days after the publication of the Minutes of the Cabinet meeting which decided the matter or the date the delegated decision was published.

Any 2 Members of the Council may apply, in writing, to the Chief Executive on the appropriate requisite form for the matter to be called-in. Any matter called-in must be considered at the next meeting of the Overview and Scrutiny Board which will have power to consider the decision. If the decision is rejected, the overview and scrutiny body may refer the decision back to the decision taker for further consideration.

If it appears to the Overview and Scrutiny Board that the issue called-in falls outside the Council's Budget and Policy Framework, then that issue shall be referred to the Chief Executive who shall determine whether the issue should be considered by full Council.

The call-in procedure can only be used once in relation to any particular issue in a six month period. Once the procedure has been used and a decision considered by the Overview and Scrutiny body, the issue cannot be reconsidered. (If the Cabinet makes a further decision on the issue, then that issue will not be subject to the call-in procedure)

Once a call-in application is made, it cannot be withdrawn after the expiry of the call-in period, namely after five clear working days following the publication of the delegated decision of the relevant officer, the publication of the Minutes of the Cabinet or Council which decided the matter. A signature to a call-in application can, however, be withdrawn before the five days but will only take effect if it is withdrawn in writing to the Chief Executive. If a signature is withdrawn, the proposer will be advised of this and he/she will need to obtain an alternative signature and notify the Chief Executive within the five day period. If no signature is submitted within the five day period, then the call-in application will not be a valid application and as such, will be withdrawn.

The call-in procedure does not apply to Appeal Panels, regulatory committees or any committees acting in a quasi-judicial manner.

Decisions requiring immediate action and so specified in the Minutes of the Cabinet are also excluded from call-in.

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Briefing: Performance and Value for Money Committee

Date: 28th June 2018

Subject:
Council Motion – Street Lighting

For Discussion/

Report of:
Carol Brown

Portfolio holder:
Councillor Arooj Shah

Sign-off:
Helen Lockwood

Summary of the issue:

The purpose of this report is to respond to the issues raised through the motion agreed at the meeting of full Council on the 13th December 2017.

The motion proposed and agreed was as follows:

“This Council notes:

There are an estimated 7.5 million street lights in the UK. In 2014, the Green Investment Bank reported that only 10% of these are LED. It is estimated that switching all street lights to LED would:

- Save Councils over £200 million per year, paying for half a million children to have free school meals each year or for an extra 12 million hours of social care.
- Prevent over 600,000 tonnes of carbon dioxide from being emitted into the atmosphere every year, the equivalent of taking 400,000 cars off the road.
- Take 0.5 GW off peak electricity demand, the equivalent of a coal fired power station.
- Reduce light pollution as they are more directional and can employ sensors which determine when they are most needed and when they are not.

Further cost reductions can be provided through the use of LED lighting within Council buildings. Affordable financing is available to Councils to make the change to LED street lights through the Public Works Loan Board, the Salix Energy Efficiency Loans Scheme and the Green Investment Group amongst others. That the change is possible even in a situation where the street lighting service is provided via a Private Finance Initiative model

That the 10:10 climate change climate group is asking Council to sign up to the Lighten Up pledge and make a commitment to going fully LED within 5 years.

As a local authority committed to reducing its carbon footprint and providing residents with value-for-money services, Council recognises that a change to LED has merit, is worth investigating, and that a proposal to do so was approved by Performance and Value For Money sub-committee when it was presented as part of the alternate budget proposed by the Liberal Democrat Group in 2017.”

Recommendations:

It is recommended that Members note the report and the investment in energy efficient street lighting which has taken place to date.

It is also recommended that Members support the current approach to replace street lighting with LED as part of the ongoing maintenance programme which has been negotiated within the current PFI contract arrangements.

1 Report Details

- 1.1 Full Council resolved to ask the Performance and Value For Money Committee to examine:
- The practicality and affordability of replacing street lights and lighting in Council buildings with LEDs in whole or in part; and
 - The possibility of the Council making a commitment to replace all street lights with LEDs within five years and to making the Pledge as a signatory to the Lighten Up campaign
- 1.2 The Council has made a significant investment in the street lighting infrastructure from 2011 to 2016 which has seen 80% of the street lighting assets replaced with energy efficient lanterns having modern optics which have reduced light pollution. They also have the functionality to dim, this has substantially reduced both the energy consumption and CO2 Emissions.
- 1.3 The Council have a number of LED units installed including 1633 street lights, 483 illuminated bollards, 959 sign lights and have also de-illuminated 329 bollards.
- 1.4 The Council has recently carried out a high level review based on the current energy efficient apparatus as against replacing all apparatus with LED requiring a Capital investment of £ 6.5 Million. This model shows the payback on the investment to be 15 years.
- 1.5 In addition a review has also been undertaken to examine the most appropriate replacement lantern to be used within the contract as the original model has been superseded with more energy efficient lamps including LED's. A copy of the report presented to the Portfolio holder is attached at Appendix A.

2 Options (including recommended option)

- 2.1 The street lighting specification has been reviewed with the current provider and it has been agreed that LED technology will be used for both new installations and maintenance going forward. This approach is entirely consistent with the PFI
- 2.2 Approach the service provider with a view to investing circa £6.5m to replace all current lamps with LED lanterns.

3 Financial implications

- 3.1 The high level review, referred to in paragraph 1.4 above, was performed prior to the completion of the replacement program in 2016. It is predicated on a number of assumptions and data reflecting the position at that time. The key assumptions and comments relating thereto are set out in Appendix B.

-
- 3.2 The current lighting estate comprises mainly energy efficient Cosmoplis lighting but also contains a growing number of LED units as outlined in paragraph 1.3. There have also been changes in the overall size of the lighting estate as equipment has been added/ removed from service.
- 3.3 The model solution indicated that it would cost £6.5m to convert the Council's lighting estate to LED technology. This in turn produced a payback period of 15 years before the investment paid for itself. Given the passage of time since the model was prepared, the results must now be considered, indicative rather than definitive. Increased accuracy would only be gained by re-modelling the data using current information.
- 3.4 A review was performed of the model in its current form. It is considered to provide reasonable support to show that the Council would need to invest a significant capital resource to convert the rest of its lighting to using LED lanterns. It also points towards a lengthy payback period before that investment pays for itself (in a financial rather than environmental context). If anything, the model probably understates the payback period. This is because it utilizes a higher cost per Kilowatt hour for electricity than the Council currently pays which would tend to overestimate the efficiency saving achievable from LED conversion.
- 3.5 There is no provision within the capital programme at present to fund such a proposal. This would require the preparation and subsequent approval of a full Business Case for this project.
- 3.6 In any case, this paper recommends the Council avoids injecting capital resources into a full LED solution at this time. Furthermore, such a move is likely to bring with it significant risk/liability on the part of the Council because it impacts the running of the PFI contract.
- 3.7 The paper outlines a preferred way forward that involves a steady step by step approach to the replacement of lanterns at no additional cost to the Council. This accords with the existing PFI contract terms and thereby mitigates the likelihood of increased contractual risk. The time-line for completing the whole exercise, however, is not certain and is impacted by the following:
- The Service Provider is already programmed to replace 20% of the lighting estate using LED lanterns in 2023/24 as part of the PFI contract and at no additional cost to the Council;
 - As stated in Paragraph 2.1, existing non LED lanterns will be superseded by LED equivalents as part of the routine and reactive maintenance programme. By its nature, the programme of maintenance will be spread over a number of years.

(Nigel Howard)

4 Legal implications

When considering whether or not to reduce the level of luminosity for the street lighting in the borough the Council has a statutory duty to consider the impact of its decision on crime and disorder - section 17 Crime and Disorder Act 1998: "Duty to consider crime and disorder implications:

(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area; and

(c) re-offending in its area

Furthermore the Council has a responsibility to consider the evidence available with regard to lighting levels and road safety to ensure that the Council is acting reasonably in making its decision to reduce the lighting levels to ensure that its decision is capable of withstanding legal challenge by means of judicial review.

The Council will have to use the change control mechanism in the PFI Project Agreement to make an authority request for change and follow the procedures set out in the Agreement to effect the required change in lighting levels

(Elizabeth Cunningham –Doyle)

5 HR/people implications

5.1 N/A

6 Link to Co-operative Values

6.1 Energy street lighting provided by the Council and residents report faults to enable early repairs.

7 Strategic Links

7.1 The Council is committed to providing energy efficient street lighting

Street Lighting – Lantern Options Appraisal

Briefing note

Contact Officer: John McAuley ext. 1669

Date: 28th June 2017

1 Introduction

- 1.1 In March 2017 Urbis Lighting ceased production of their Evolo lantern which was the preferred lantern within the street lighting PFI contract and has been installed on 80 % of the street lights within the Borough, although the manufacturer has confirmed that they will supply spares for the lanterns for the remainder of the contract, however they will not be producing lanterns of this type for future sales.
- 1.2 There is a need to find a replacement lantern for usage within the Borough where we can get the benefit of current technology, there are various types of lantern available with a range of light sources including high pressure sodium, Cosmopolis and LED.
- 1.3 The Urbis Evolo is the current lantern which has a Cosmopolis light source and was widely used at the time of the contract being awarded in 2011, this light source in the main has been superseded by an LED light source throughout the United Kingdom.

2 Strategic Aims and Objectives

- 2.1 Providing high quality street lighting complying with the relevant British Standards
- 2.2 Improving the social wellbeing of the area through the reduction in local accidents and crime
- 2.3 Minimise light pollution
- 2.4 Maximising energy efficiency
- 2.5 Achieving value for money by optimising whole life costs of apparatus

3 Lantern Key Elements

- 3.1 The lanterns will have a thirty (30) year guarantee and are constructed so they can be easily dismantled for recycling at the end of their working life.
- 3.2 Energy efficient Luminaires, with a high level of recyclability and produced in a green ISO 14000-approved factory will contribute significantly to its' carbon reduction efforts.
- 3.3 Remote Monitoring System and Variable Lighting System for the Project, for all Lanterns. The Remote Monitoring System is a hosted system managed by the manufacturer and will communicate real time information for each item of Illuminated Apparatus. The system will immediately recognise any fault condition in any item of Illuminated Apparatus and flag this via the MIS.
- 3.4 Variable Lighting System will also provide the ability to vary lighting levels for all lanterns equipped with suitable ballasts.
- 3.5 To support the Authority in reducing its overall carbon footprint, the Service Provider will install a white light solution, for residential routes, operating on highly energy-efficient electronic control gear, thereby reducing consumption.
- 3.6 Luminaires will be sourced from manufacturers registered with a WEEE compliant scheme

4 Options Appraisal

- 4.1 A market evaluation has been carried out on various types of lantern where three types have been selected and will give a good overall appraisal of the lanterns to potentially be included in the street lighting PFI where a number factors have been considered.

Option 1 – Philips Iridum CPO Lantern



Pros:

- Established manufacturer.
- Already the reserve lantern on the project.

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- Satisfies the current PFI contractual spec.
 - Full lantern family in various different sizes to accommodate all street lighting requirements.

Cons:

- CPO light source energy efficiency compared with LED.
- High maintenance regimes compared with some lanterns.
- Life Span of production, with LED replacing CPO lamps in most major manufacturers.

Option 2 – Orangetek Arialed Led Lantern



Pros:

- LED technology energy efficiency.
- Control of upward light spill.
- Satisfies most of the PFI contractual spec.
- Full lantern family in various different sizes to accommodate all street lighting requirements.

Cons:

- Relatively new manufacturer compared with others.
- Warranties may require to be extended (purchase option).
- Type approval to be investigated.

Option 3 Holophane V max LED Lantern



Pros:

- LED technology energy efficiency.
- Satisfies current PFI contractual spec.

- Established manufacturer.
- One Lantern fits all with the availability of adding and detracting banks of LED's to accommodate all street lighting requirements.

Cons:

- Initial purchase costs to be investigated (Service Providers Risk)

Whilst the above pros and cons are not exhaustive we have outlined these to give an idea of the types of lanterns available and to give a comparison

Indicative Energy Savings

These are based on AIP original lighting columns being replaced with the units, with the control of these units turning on and off at 20 lux rather than 30 lux on and 70 lux off. They are also only indicative savings over the original units which can only be clarified once a lighting design as taken place and are for the total of the AIP construction phase. The details below also take into account dimming to 75% during the hours 12:00pm until 05:00am in residential areas only

Lantern Type	Indicative Energy % savings
Philips Iridium (Option 1)	44
Orangetek Arialed (Option 2)	54
Holophane Vmax (Option 3)	55

5 Recommendation

- 5.1 There are various lantern types available throughout the UK, with a range of different light sources of which the main types include high pressure sodium, Cosmopolis and LED. At the present time the Evolo lantern is using a cosmopolis light source and while this was the most widespread used lamp at the time of the contract being awarded, this lighting source has now been superseded by an LED light source throughout the UK
- 5.2 We need to consider which lantern complies with the current PFI specification and gives the best overall solution for the Council including the most energy efficient, with all criteria and factors considered we would recommended that the Holophane max LED be used as the preferred lantern on the street lighting PFI project in the future.

Appendix B

1 Key Points Underlying the LED Replacement Model

- 1.1 The model was developed prior to the replacement program in 2016
- 1.2 Full replacement of the existing lighting units would be on a phased basis and take three years to complete.
- 1.3 The Council receives the full benefit of Energy savings from changing to LED technology.
- 1.4 The Service Provider derives the full benefit of any reduction in lowered equipment maintenance costs.
- 1.5 The number of lighting units used in the base model was 22,845. This is likely to have increased overall as more new equipment has been added than has been deleted.
- 1.6 The unit cost of electricity was computed at 15p per Kwh against a current rate of about 12.7p per Kwh. Substituting in the current rate would likely increase the length of the payback period beyond 15 years.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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