

8 June 2009

Consideration of Panel Work Programme for 2009/10

Ward(s) All

Portfolio Holders:

Summary of report:

The purpose of this report is to provide relevant background information for Members so that the Panels work programme can be agreed for 2009/10.

It is important for Members to consider the wide range of potential issues within their remits that they could consider during the year which could range from council specific to completely external issues.

When agreeing items it is important that consideration is given to what, value the Panel can add and what tools and performance measures are available to support them in their work.

RECOMMENDATIONS:

That Member's consider the range of items within their remit available to them and agree a work programme for 2009/10 along with any potential working groups and their membership.

Background papers:

Scrutiny Annual Report 2008/09
Minutes of previous meetings

Resource and legal considerations:

In terms of resources it is important that the right balance and number of items and working groups are selected so that the work programme can be completed during the year without placing undue pressure on Member capacity.

Legal considerations for specific items will need to be addressed as and when necessary based on the items that are selected for inclusion on the work programme.

Citizen impact:

An effective work programme will enable the Panel to focus its work on the most important issues within its remit. Consideration of these issues and subsequent recommendations, if accepted, could improve the quality of services delivered to local residents.

Environmental impact:

The level of environmental impact will be dependant on which issues are selected to become a part of the panels work programme for 2008/09. The boroughs Sustainable Community Strategy places an importance on considering the impact of present decisions on future generations which includes environmental issues.

Performance management:

The report asks Members to consider performance management information when deciding on their work programme, and also to consider how they wish to use performance management information and tools in assisting them with their work over the course of the year.

Equality Implications:

Ensuring equality for all is a key theme in the boroughs Sustainable Community Strategy and Local Area Agreement as well as being one of the Council's core values. Members are advised to consider what, if any, equality implications there are for any items on their work programme.

Consultation:

Members may wish to consider the results of any formal or informal consultation exercises, including that with the public and partners, when considering what items they wish to include in their work programme. Whilst Council officers carry out a range of consultation activity on behalf of the Council, Members themselves engage with the public on a much more frequent basis and it is valuable to consider feedback from these sources as well.

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Introduction

At the start of each municipal year it is good practice for scrutiny and performance panels to spend some time discussing and agreeing its work programme for the year ahead for issues within its remit.

As Members will already be aware scrutiny and performance panel remits were amended by Council at its meeting on 18 and 20 May 2009. For information the Panels remit in Article 6 of the Walsall Council Constitution now reads as:

Community Services Scrutiny and Performance Panel

All aspects and general services related to serving the community, for example community safety, leisure and culture, the local strategic partnership, third sector co-ordination and to review or scrutinise decisions made or other actions taken in connection with the discharge by the responsible authorities of their crime and disorder functions (no less than twice in every 12 months) as required by the Police and Justice Act, 2006, within the functions set out in section 21 of the Local Government Act 2000.

Crime and Disorder Scrutiny

The Police and Justice Act 2006 proposed all local authorities had a designated crime and disorder committee to consider crime and disorder related issues that were the responsibilities of local crime and disorder reduction partnerships.

On 20 May 2009 Annual Council placed these new powers within the remit of the Community Services Scrutiny and Performance Panel. The Panel has the powers in the following key areas.

The Panel will have the power to co-opt members and give them full voting rights. These voting rights can be restricted to particular areas if required. If the Panel does choose to appoint co-opted members then they can only be from the 'responsible authorities' which the guidance defines as:

- The Council
- Police force
- Police Authority
- Fire and Rescue Authority
- Primary Care Trust

The guidance recommends that Crime and Disorder Committees appoint a Police Authority Member to their Membership if a Member of the Crime and Disorder Committee is not already a Member of the Local Police Authority.

The committee must meet at least once every twelve months to review or scrutinise decisions made, or other action taken in connection with the discharge of crime and disorder functions. The Panel's remit states that the Panel should consider these issues twice in any twelve month period. This was taken from the draft regulations but was left in for consideration by Council as it provided greater opportunities for scrutiny.

The Panel has the power to request information to be provided to it which must be provided by the requested date or as soon after as possible. Exclusions exist around

information that can identify individuals and anything that would prejudice legal proceedings and current or future operations.

The Panel can require that officers or employees of responsible or co-operating authorities attend their meetings so long as reasonable notice has been given.

Any reports and recommendations prepared by the committee must be responded to by responsible and co-operating bodies in writing within 28 days or as soon as possible thereafter.

It is suggested that a protocol defining the expectations of the scrutiny panel and crime and disorder reduction partnership be developed.

Work Programme

In agreeing its work programme for 2009/10 the Panel will be informed from a range of sources, including all 60 Members, last years Panel work streams and suggested carry over items , Council Officers, Partners and the Public.

When agreeing the items to be included in its work programme focus should be given to the range of performance management information available that could assist the Panel with each particular issue. A whole host of performance information is available on a range of subjects that Members could utilise to measure success or otherwise.

Working Groups

Members need to decide whether they want to operate any working groups for this year. Working Groups are at their most effective when they are considering broad policy areas that require detailed investigation time that cannot be completed at Panel level. The Panel will set the working group remit, its membership and once a working group has completed its investigations it will report its findings and recommendations to the Panel for consideration and adoption.

It is very important that Member capacity is considered when deciding on what working groups are formed as many members sit on more than one panel and their respective working groups. As such getting suitable dates in the municipal diary and getting suitable attendance at those meetings is difficult if too many working groups are formed. In previous years experience and given the increased number of Panel's in this years municipal diary, it is suggested that each Panel should look to run only one working group at any one time. Panels that wish to operate more than working group during the year could timetable the second to start as the first finishes.

A copy of the councils working group toolkit has been despatched separately to Members and is available to members of the public by request. Member's are asked to familiarise themselves with this toolkit ahead of deciding what, if any, working groups they wish to run.

Welfare Advice Working Group

Following a referral from Council last year the Corporate Scrutiny and Performance Panel resolved to undertake a holistic review of welfare advice provision within the

borough involving the statutory, voluntary and community sectors. Details of the proposed investigation are contained within Appendix 1 to this report.

The Corporate Scrutiny and Performance Panel recognise that this review will cut across the remits of other scrutiny and performance panels. The Community Services Scrutiny and Performance Panel is responsible for keeping an overview of 'third sector co-ordination' so with this in mind the Corporate Scrutiny and Performance Panel are seeking *one nomination* from the Panel to sit on the working group as a representative. Further representatives are being sought from the Regeneration and Social Care and Inclusion Scrutiny and Performance Panels due to cross over with their remits.

Anti-Social Behaviour Working Group Presentation at Council

As the majority of Members will be aware the former Neighbourhoods Scrutiny and Performance Panel operated an Anti-Social Behaviour Working Group that reported to a special meeting on 30 April 2009. The Panel recommended that the working groups report be presented to Council for debate. This has been organised to take place on 6 July 2009.

As the Panel is leading now leading on community safety and has a number of Members who were involved in the working group within its Membership it is suggested that those Members (Paul Bott, Des Pitt and Carl Creaney) are appointed to agree any amendments to the working groups final report and to led on its presentation at Council.

Value for Money Service Reviews

The Corporate Scrutiny and Performance Panel has developed a value for money (vfm) toolkit to assist Members if it is decided to complete a service review. Last year the Corporate Scrutiny and Performance Panel used the value for money toolkit to review the Councils Communication and Payroll and Pensions services. The two reviews were well received by both Members and Officers and resulted in positive recommendations for both services. The Corporate Panel recommended that other Panel's also look to use this toolkit and this recommendation was endorsed by the scrutiny working group of Chair's and Vice-Chairs.

The vfm assessment tool provides a framework for members in partnership with services to work through and is divided into 3 broad themes:

1. What does it cost to provide this service? (economy)
2. How is this service performing? (efficiency)
3. What quality is the service being provided? (effectiveness)

For each of these themes there is the opportunity/potential for scrutiny panels with the service being assessed to benchmark with other service providers to give a clearer picture of relative performance.

The aim is that on completing this assessment scrutiny members will be able to make a judgement regarding the vfm provided by the service and identify and recommend any potential further action.

The vfm toolkit can be used to support the investigations of working groups or independently. When used independently the Corporate Scrutiny and Performance

Panel appointed a lead member who liaised with the service area whilst the toolkit is completed and then reports back their findings to the Panel for agreement of recommendations and any other further action that may be necessary.

Suggested Items

Appendix One contains a number of suggested items completed on a standard template to assist Members with deciding what they wish to include on their work programme. This template requires the following points to be considered-

- o **What the Issue Is**
- o **Where it has come from-** for example it could be a carry over item from last year's panel, a suggestion from a Councillor or member of the public or it could be a new item officers are aware of that is coming up this year,
- o **Why it is important-** with limited time available to Members they need to be able to prioritise their work and concentrate on those things that really matter.
- o **Who it affects-** Does it impact on any particular ward or user group? Does it concern partner agencies or staff groups? Any potential equalities issues may be highlighted here if the item is likely to have a disproportionate affect on any particular group.
- o **How can scrutiny add value-** What specifically can Scrutiny do? E.g. provide feedback and recommendations ahead of a Cabinet (or partner executive) decision, support the development of policy, service review, public engagement etc. Suggestions have also been made here for if the item is particularly suited to a particular method of scrutiny such as a working group or value for money review.
- o **Timings-** This will highlight any critical timings that would need to be taken into consideration such as statutory deadlines which would dictate when scrutiny would need to have considered the item by if they are to have any valuable input
- o **Performance Information-** This includes any relevant performance indicators that can provide Members with a guide on current levels of performance and also give a benchmark to measure future improvement.

The items highlighted at appendix one are not an exhaustive list, but only those that it is possible to provide in advance of the meeting. Members should consider these alongside any items they wish to raise themselves and use them to develop a balanced work programme that concentrates on what is important to them and on where they believe they can make a difference.

Appendix two is a copy of the forward plan for May to September 2009.

Proposed Items for Scrutiny Work Programme

Issue	Libraries					
Who from	Previous years panel	Individual Member	Officers	Public	Other Council Committee	Other
Why is it important?	<p>Libraries are an important part of the lives of many residents in Walsall. By ensuring the most fit for purpose and sustainable way of delivering a modern libraries service the Panel can assist in the development of a modern library service and secure its long term future.</p> <p>During consideration of the budget setting process for 2009/10 the Panel identified that savings could be made by rationalising the number of libraries in the borough whilst still meeting the national library standards and recommended that this be investigated by Members.</p>					
Who does it affect?	All residents across the borough Library Users Library Staff					
Who needs to be involved?	Residents Library Users Library staff Other local authorities Museum, Libraries and Archive Council					
How can scrutiny add value?	Scrutiny will be able review current libraries provision and identify potential changes to the current offer that could make savings for the Council. As part of their considerations the further recommendations could be made for improvements to the services that libraries provide.					
Timings	If savings are to be made in the 2010/11 budget then recommendations will need to be finalised and be with Cabinet in advance of the draft budget being agreed. If changes to personnel are required then the affect of this on the timetable will also need to be taken into account.					
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline</i>					

<i>for future monitoring.</i>					
	PI Number	Description	Current Position	Current Rag	09/10 Target
	9	Use of Public Libraries	48.4%		

NI 9 Use of Public Libraries - NI 9 measures the % of the adult population (16+) in the local area who say they have used a public library service at least once in the last 12 months. Data comes from the Active People Survey undertaken nationally by Sport England. NI 9 has out-tuned 48.4% for Walsall. We rank 84/148 nationally, 16/36 against Mets. We sit just below average (48.9%). This indicator is not in the Walsall LAA and thus has no current targets set, but performance is judged by comparison as shown above.

Proposed Items for Scrutiny Work Programme

Issue	Alcohol in Walsall					
Who from	Previous years panel	Individual Member	Officers	Public	Other Council Committee	Other
Why is it important?	<p>Alcohol related anti-social behaviour is a problem that affects a wide range of residents. It affects the health and safety of local residents and can place a burden on local services in terms of resolving the problems that it can cause.</p> <p>During 2008/09 the Neighbourhoods Scrutiny and Performance Panel operated an Anti-Social Behaviour Working Group.</p> <p>The working group identified that there was a perception that there were problems with alcohol related anti-social behaviour in the borough that required further investigation.</p>					
Who does it affect?	<p>Local Residents Licensed Premises Off Licences Emergency Services Alcohol Support Services Alcohol Manufactures</p>					
Who needs to be involved?	<p>Safer Walsall Partnership Local publicans Off Licences Emergency services Alcohol support services Health, Social Care and Inclusion Scrutiny and Performance Panel</p>					
How can scrutiny add value?	<p>By reviewing the perceived problem of alcohol related anti-social behaviour in Walsall members will be able to make an assessment of the problem and make recommendations for improvements to related services. Reducing public perceptions of anti-social behaviour is a local target contained within the local area agreement. Reducing alcohol related problems is a high profile issue nationally.</p>					

Timings					
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline for future monitoring.</i>				
	PI Number	Description	Current Position	Current Rag	09/10 Target
	17	Public Perception of ASB	26.5%	Green	N/A
	21	Dealing with local concerns about anti-social behaviour and crime by the local council and police (PSA 23) (place survey)	20.80%		Not available until 10/11
	39	Alcohol harm related hospital admission rates (PCT)	Data not available		

NI 17 –

Perceptions of anti-social behaviour (ASB) in Walsall are mixed. One in four residents (26%) has a high perception of anti-social behaviour. Overall this has not changed significantly since 2006/07, and is in line with Black Country boroughs and other available national benchmarks. However, perceptions did improve significantly between 2003/4 and 2006/7, and when looked at in more detail across the individual strands of ASB there are much improved perceptions. Notable some issues are seen as less of a problem now than 3 years ago; teenagers hanging around the streets, and rubbish or litter lying around and people using or dealing drugs. There is therefore recognition of the success of Walsall Partnership in tackling these issues and tackling ASB remains an ongoing partnership priority. NI 17 is a priority in the LAA. Ragged GREEN on the basis that out-turn for NI 17 overall has not worsened following previous significant improvement and the fact that on individual strands there is notable lessening of some key ASB problems. There is also a target action in place; in future rags will reflect delivery of those actions.

NI 21 –

NI 21 accounts for the proportion of residents who strongly or tend to agree that the police and other public services are successful dealing with ASB issues, and includes 'don't know' responses in its calculation. One in five (21%) of residents in Walsall believe that the police and other local public

services are dealing with crime and ASB; in line with Black Country average but lower than available national benchmarks. This is despite the fact that NI 17 shows significant improvement across some key ASB strands. Ragged GREY on basis that despite having an indicative national average based on Ipsos MORI client data, confirmed national benchmarking is still awaited. Also as a new indicator we need to develop our understanding of the story behind the NI and hence actions to improve perceptions.

Proposed Items for Scrutiny Work Programme

Issue	Bryntisilio					
Who from	Previous years panel	Individual Member	Officers	Public	Other Council Committee	Other
Why is it important?	<p>During consideration of the budget setting process for 2009/10 the Panel identified the possibility of reviewing the Councils use of the Bryntisilio outdoor activity centre and the potential to identify cheaper alternative providers.</p> <p>The Council sends thousands of school children to the Bryntisilio facility each year the Panel can ensure that the offer of the facility meets the Councils cost and facility expectations. It has a full repairing lease with the Bryntysilio Camp Trust (which owns the building). The lease is up for renewal and decisions about its future need to be made.</p>					
Who does it affect?	Young People Schools Bryntisilio Bryntysilio Camp Trust					
Who needs to be involved?	Bryntisilio Schools Young People Bryntysilio Camp Trust Other alternative providers Children and Young Peoples Scrutiny and Performance Panel					
How can scrutiny add value?	By reviewing the existing long standing arrangement with the Bryntisilio facility it is possible that Members could improve the value for money that the Council gets for the provision of outdoor activity centres.					
Timings	If the Panel wish to make changes to the provider for 2010/11 then recommendations will need to be finalised and reported to Cabinet no later than November 2009.					
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline for future monitoring.</i>					

	PI Number	Description	Current Position	Current Rag	09/10 Target
	110	Young peoples participation in positive activities	71.9%		No targets

This is a national indicator which is measured using responses to a question in the annual TellUS survey i.e. The proportion of young people in School Year 10 responding 'yes' to the question: 'In the last 4 weeks, have you participated in any group activity led by an adult outside school lessons(such as sports, arts or a youth group) and said they participated in one or more of : sports club/class; youth club/youth group; art, craft, dance, drama...etc group or class; music group or lesson; Walsall's outturn in 2008 survey was above our statistical neighbours average of 66.9% and the national average of 69.5%; 5th best outturn nationally. Ragged amber as no targets set yet - however good comparative performance.

Proposed Items for Scrutiny Work Programme

Issue	Effectiveness of Community Action Tasking					
Who from	Previous years panel	Individual Member	Officers	Public	Other Council Committee	Other
Why is it important?	<p>The Community Action Tasking process is an important body as it makes decisions on how to address local problem issues. It is important that this process works in the most effective way possible to ensure the best outcomes for local people.</p> <p>The Panel has considered and made suggestions to the development of the community action tasking process during the last municipal year. There were some Member concerns around feedback and the involvement of local members in the process at the time of and soon after implementation, therefore the Panel resolved to consider the effectiveness of community action tasking process and the role of Members within it during the new municipal year.</p>					
Who does it affect?	Elected Members					
Who needs to be involved?	Community Action Tasking Managers Elected Members					
How can scrutiny add value?	By making suggestions for improvement to current community action tasking arrangements Members could help to improve outcomes for local people across the borough.					
Timings	It is suggested that the new processes be given time to sufficiently embed before being reviewed.					
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline for future monitoring.</i>					
	PI Number	Description	Current Position	Current Rag	09/10 Target	
	N/A					

Proposed Items for Scrutiny Work Programme

Issue	Councillor Call for Action					
Who from	Previous years panel	Individual Member	Officers	Public	Other Council Committee	Other
Why is it important?	<p>Councillor Call for Action is the process which elected Members use to raise issues of local concern that they have not been able to resolve by alternative means. Without an effective Councillor Call for Action process in place Members may will not be able to use the full range of tools available to them to resolve local problems.</p> <p>During from 2007-2009 the Neighbourhoods Scrutiny and Performance Panel played a part in the development of Councillor Call for Action concluding with the Panel providing feedback on draft Councillor Call for Action protocol and form before it was sent to Council for approval.</p> <p>The Panel expressed the wish to review the effectiveness of the new protocol and form after 12 months to ensure that they were fit for purpose.</p>					
Who does it affect?	Elected Members					
Who needs to be involved?	Performance and Scrutiny Team Legal and Constitutional Services Elected Members					
How can scrutiny add value?	By reviewing the effectiveness of the protocol and form Members can ensure that the procedures designed for their use are effective and fit for purpose.					
Timings	As proposed by the previous Panel it is suggested that the protocol and form are reviewed after 12 months to have allowed the process time to embed and be used.					
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline for future monitoring.</i>					
	PI	Description	Current	Current	09/10	

	Number N/A		Position	Rag	Target
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Proposed Items for Scrutiny Work Programme

Issue	Leisure Centre Strategy					
Who from	Previous years panel	Individual Member	Officers	Public	Other Council Committee	Other
Why is it important?	<p>Local leisure centres are an important part of the lives, health and wellbeing of local residents.</p> <p>The Panel has been anticipating a role in the strategic review of leisure centres which has been proposed for sometime now. The strategy work has been expanded to take into account wider development opportunities presenting themselves through the Building Schools for the Future programme. There is now an opportunity for a more holistic approach to community facilities.</p>					
Who does it affect?	<p>Local residents</p> <p>Leisure and Culture staff</p>					
Who needs to be involved?	<p>Residents</p> <p>Leisure and Culture Staff and Members</p> <p>Community Organisations</p> <p>Building Schools for the Future project team</p>					
How can scrutiny add value?	<p>Scrutiny will be able to contribute to the development of the strategy and the Building Schools for the Future programme by advocating the requirements for community facilities.</p> <p>Due to the cross cutting nature of this work with the Children's and Young Peoples and Regeneration Scrutiny and Performance Panels there will be a need to consider the best approach to scrutiny of this issue.</p>					
Timings	To be determined					
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline for future monitoring.</i>					
	PI	Description	Current	Current	09/10	

	Number		Position	Flag	Target
	NI 8	Adult participation in sport	14%		N/A

2008/9 NI 8 out-turn is confirmed as 14%. Performance ranks worst quartile nationally and for mets. The 2007/8 equivalent figure is 16.1%; this apparent reduction in out-turn in reality does not represent a statistically significant change over the year and hence performance can be said to be 'static'. Measurement of NI8 is based on the same range of sport and active recreational activities as currently measured in the C17 Comprehensive Performance Assessment (CPA) indicator. As with C17, NI8, measures participation in at least 3x30 minutes moderate intensity sport and active recreation for adults aged 16 and over. The only change from C17 is to include certain light intensity sports for those aged 65 and over. Those sports are: yoga, pilates, indoor and outdoor bowls, archery and croquet. This score hence differs from the original (C17) baseline of 16.4%. NI 8 is an LAA priority and a Target Action Plan has been developed. Improvement initiatives include Participation events, Walking programme, Weight management clinics, Time to Change exercise referral scheme. A Walsall Community Activity Network has also been established– a partnership between Walsall Council, Walsall tPCT, School Sports Partnerships, Wolverhampton University and Walsall College, focusing on increasing participation in sport and physical activity.

Issue	Welfare Advice Provision
Who from	Last years Corporate SPP (based on original referral from Council)
Why is it important?	<p>It is anticipated that in the current economic downturn there will be an upsurge in demand for welfare advice and the provision of this advice can play a valuable role in supporting vulnerable citizens in Walsall as well as helping stimulate the local economy.</p> <p>Whilst the Corporate Panel have previously taken an interest in the work of the Council's own welfare rights service and of a possible amalgamation with the fairer charging team, February's full Council meeting resulted in a referral to look at the level of funding given to the Citizens advice bureau. With this in mind, and in the knowledge that there are also other organisations in the borough providing similar advice it was recommended that a holistic review of welfare advice provision within the borough was undertaken, incorporating the statutory, voluntary and community sectors.</p>
Who does it affect?	<p>Welfare advice provision impacts on all communities across the borough, traditionally those in more deprived areas but increasingly in the current climate on other households as well.</p> <p>In carrying out the work it is likely the Panel will wish to see more detailed information on how different communities access welfare advice which may identify some equalities gaps.</p> <p>The item will require close partnership working with other organisations, notable the CAB, but also other voluntary and community groups providing welfare advice.</p>
Who needs to be involved?	<p>The item cuts across the remit of a number of Panels so whilst Corporate Scrutiny should act as lead panel for the work, invites to other panels to nominate representatives should also be considered.</p> <p>As mentioned above active involvement will also be required from the CAB, other organisations operating in this field and internal officers working in the welfare rights and fairer charging teams.</p> <p>Members may also wish to consider how to get public engagement in the working group.</p>
How can scrutiny add value?	In taking a holistic view of welfare advice provision in the borough the working group will be able to develop recommendations as to gaps in service provision and areas of duplication.

Timings	The CAB Service Level Agreement has been extended on current terms for additional 12 months, any working group findings before 31 March 2010 will help inform a new SLA and funding levels.				
Performance Information	<i>Include any relevant performance information that will inform members of current performance levels and provide baseline for future monitoring.</i>				
	PI Number	Description	Current Position	08/09 target	RAG
	NI152	Working-age population on out-of-work- benefit	16.30%	16.20%	Red
	Figures show that within the last year unemployment in the borough has risen by 84% and we have been identified regionally as being one of the hardest hit areas from the recession. We have seen job losses from a significant number of key manufacturers in the area particularly those who support the car industry and construction which are sectors that have been very badly hit by the recession. The target is due to be re-negotiated with GOWM (Government Office for the West Midlands) as part of the possible MAA (Multi Area Agreement) and in light of the affects from the recession.				