

# Scrutiny Annual Report

2008  
to  
2009



# Contents

Introduction .....	3
What is scrutiny? .....	3-4
Scrutiny team .....	5
Democratic Services team .....	6
Call-in of Executive Decisions.....	6
Scrutiny Manager's Opening Remarks .....	6-7
Chair's foreword.....	8
Scrutiny Board .....	9
Key reports received .....	9
Consultation .....	9-10
Healthcare Commission – Annual Health Check 2008-09 .....	10
The East of England Joint Health Scrutiny Committee .....	10
Member Development .....	11
Children and Young People's Scrutiny Committee .....	11
Chair's foreword .....	11
Review .....	12
Key reports received .....	12
Consultation .....	12
Call-ins .....	12-13
Environment and Non Executive Functions Scrutiny Committee .....	14
Chair's foreword .....	14
Review .....	15-16
Key reports received .....	16
Consultation .....	16
Performance Resource and Assets Scrutiny Committee .....	17
Chair's foreword .....	17
Review .....	18
Key reports received .....	18-19
Budget Scrutiny .....	19
Call-ins .....	19-21
Regeneration and Citizenship Scrutiny Committee .....	22
Chair's foreword .....	22
Review .....	23
Key reports received .....	24
Consultation .....	24
Social Inclusion Scrutiny Committee .....	25
Chair's foreword .....	25
Review .....	25
Key reports received .....	26
Adult Social Care .....	26
Housing .....	26
Adult Social Care Commissioning Strategy .....	26
Disability Action Plan .....	26
Supporting People's Programme .....	27
Consultation .....	27
Care quality commission .....	27
Safeguarding of vulnerable adults .....	27
The Future Development of Scrutiny .....	28-29

# Introduction

## What is Scrutiny?

Scrutiny emerged in the Local Government Act 2000 as part of the Government's 'modernisation' agenda. Legally, Scrutiny has three roles, these are:

### 1. Holding the Executive to account

This involves scrutinising executive decisions at a number of different stages of the decision-making process. This includes prior to the decisions being made, as well as before and after their implementation.

### 2. Policy development and review

Policy reviews can take a number of different forms. These include 'big picture reviews such as reviewing the impact of housing policy within an authority; or more focussed reviews such as reviewing bullying in schools. Usually the focus is on examining whether the intended policy outcomes have been achieved, but scrutiny committees can explore other issues such as take-up of services, awareness and the process involved.

Policy development involves shaping the formulation of key policies, through examining alternatives set against needs, resources and other issues.

### 3. Scrutinising the work and impact of external agencies on the Council's community

External scrutiny involves scrutinising the work and impact of external agencies on a council's community. These may be other public agencies such as health service organisations and quangos, or voluntary and private sector organisations.

Local experience in undertaking external scrutiny is developing, with most reviews concentrating upon more 'internal' services and policies. The Council can currently scrutinise the work of the National Health Service and (from 1 April 2009), Council partners under the Local Government and Public Involvement in Health Act 2007.

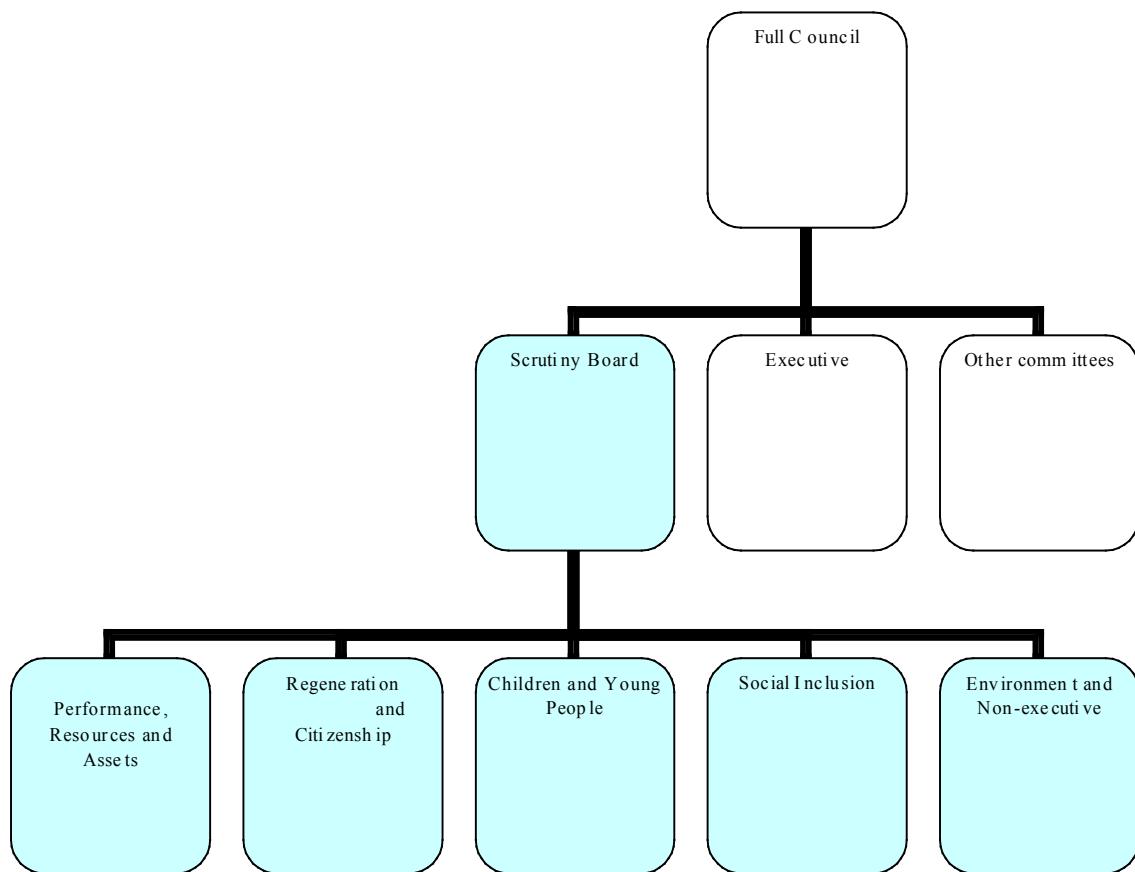
The Council is in the process of developing plans to make full use of this new power.

**Scrutiny at Luton Borough Council** is a member-led process. Members lead on the review of topics where issues are examined and policy options developed. Review recommendations are sent to the Councils Executive for consideration. Scrutiny committees are involved in setting work programmes to ensure they bring forward topics and issues, identifying who they want to hear from to inform their work.

Topics selected by scrutiny committee are identified from a variety of sources. Some of these topics include:

- critical issues for the council's improvement
- reviews suggested by the Executive
- topics forwarded by scrutiny committee Members
- the Forward Plan of the Executive (future decisions)
- issues raised by members of the public.

Scrutiny at Luton is currently carried out by six committees, which are appointed by Full Council. Scrutiny is structured as follows (Scrutiny Committees in blue):



# **ANNUAL REPORT 2008-9**

## **Scrutiny Board**



# Scrutiny Board

All Scrutiny Committees can make recommendations to the Executive, Full Council or external partners. Further information on what areas each committee is currently responsible for scrutinising can be found in the Council's constitution.

The team supporting and leading Scrutiny over the last year was structured as follows:

## Chairs and Vice-Chairs

### Scrutiny Board

Chair: Councillor David Taylor  
Vice-Chair: Councillor Norris Bullock

### Children and Young People Scrutiny Committee

Chair: Councillor Waheed Akbar  
Vice-Chair: Abdur Raquib

### Performance, Resources and Assets Scrutiny Committee

Chair: Councillor Raja Saleem  
Vice-Chair: Councillor Khtija Malik

### Environment and Non-Executive Functions Scrutiny Committee

Chair: Councillor Lynda Ireland  
Vice-Chair: Councillor Mohammad Riaz

### Regeneration and Citizenship Scrutiny Committee

Chair: Councillor Norris Bullock  
Vice-Chair: Councillor Jackqui Burnett

### Social Inclusion:

Chair: Councillor Sian Timoney  
Vice-Chair: Councillor Khtija Malik

## Scrutiny team

Mark Farmer, Scrutiny Manager (Appointed September 2008)  
Angela Fraser, Scrutiny Officer  
Bert Siong, Scrutiny Officer  
Fauzia Saeed, Scrutiny Officer  
Jenny Northwood, Divisional Support Officer (Appointed April 2009)

The Scrutiny Team's role is to manage and lead the Scrutiny process on behalf of Scrutiny members. This includes, managing the committee work programme, carrying out research, assisting members in developing questions to ask witnesses and developing Scrutiny procedures and processes.

## **Democratic Services team**

The role of the Democratic Services team is to provide agenda management and administrative support to the Scrutiny Committees, including issuing agendas, ensuring that reports are submitted to the committees and minute taking. Democratic Service also provides constitutional advice to committees as and when required.

## **Call-in of Executive Decisions**

The Executive at Luton Borough Council makes key decisions that are subject to call-in by any two Members of the Council within five working days of the publication date of any decision. Once an Executive decision has been called-in (usually by any two members of the Council) and forwarded to the appropriate Scrutiny Committee, the Committee can examine the decision and recommend that Executive reconsider or accept its decision, or refer it to Full Council for consideration.

During the 2008-09 year, five decisions made by the Executive were subject to the call-in procedure and were scrutinised by the appropriate scrutiny committees. The call-ins submitted over the last year were:

## **Performance Resources and Assets Scrutiny Committee**

- The Corporate Assessment of the Council
- Primary Capital Programme
- Performance and Finance Report – release and spend approvals for Luton and Dunstable Busway
- Aquatic Centre – Reference from East Luton Area Committee

## **Children and Young People's Scrutiny Committee**

- Community use of Schools

Most of the call-ins resulted in recommendations being sent to the Executive. Further information on the call-ins is included in the report of each committee.

# Scrutiny Manager's opening remarks

My first seven months at Luton Borough Council has certainly been challenging. Since starting at the end of last year, we have initiated a major review of Scrutiny which has also involved managing an external review of Scrutiny, carried out by the Improvement and Development Agency.

I am pleased to report that the review of Scrutiny is nearing its completion. Options for change will be presented to Scrutiny members this summer.

The internal and external review of Scrutiny shows that our future challenges are significant. Elected members, officers and partners will need to work closely together to ensure that Scrutiny is focused on challenging and developing evidence based proposals, with the focus on ensuring residents get the best outcomes from the Council and its partners. Scrutiny also needs to properly engage with the public. Implementing the Government is also implementing legal provisions, which have the potential to change the way Scrutiny operates, and there is more legalisation on the way.

I would like to thank the Scrutiny team for their hard work and determination in working to ensure that the scrutiny process is well managed. I would also thank the Democratic Services team for their working hard to ensure that the administrative processes run smoothly.



Mark Farmer  
Scrutiny Manager

# Chair's foreword

The past two years has seen the scrutiny board dominated by health service issues that needed scrutinising, which has meant little time spent by the Board on performing its overview function.

This has been one of the reasons why the Board sanctioned a total review of the scrutiny process at Luton. It is hoped that the outcome of the review will reveal the strengths and weaknesses of the scrutiny process that will allow us to improve on and move forward.

The Board will continue to expand the principles of good scrutiny to make the process more responsive that will include more member involvement and will ensure training opportunities are put in place for Members to pursue and keep updated on policy and new legislation that constantly affects scrutiny; especially as the role of scrutiny has been expanded to take on board the scrutinising of partners and agencies that work closely with the council. All of which will be a challenge to members that become involved in the scrutiny process at Luton.

The new municipal year will see a fundamental change in the way scrutiny and the Board works.

During the writing of this forward the scrutiny project group that consists of me, Councillors Timoney and Garrett, together with the Chief Executive and Scrutiny the Scrutiny Team are in the process of discussing the various options put forward following the visit from the Improvement and Development Agency (IDEA) on how scrutiny can be more effective at Luton. It is hoped the completed report will be available and published in June.



Chair of the Scrutiny Board  
Councillor Taylor

# Scrutiny Board

The Scrutiny Board manages and oversees the Scrutiny process at Luton. More recently the Board has taken over the responsibility for scrutinising the National Health Service with special emphasis on local health issues. During the course of the year the Board met five times with a majority of its time spent on scrutinising health issues following the dissolving of the Bedfordshire arrangements in 2007. As previously mentioned the Board commissioned a review of Scrutiny and established a review project board to lead and report back the outcomes that have been received on a regular basis, on the internal and external impact of Scrutiny. All of which have been project managed by Mark Farmer, Scrutiny Manager.

The Improvement Development Agency (IDeA) was invited to carry out the external review of the Scrutiny process at Luton. The investigation was conducted over three days where elected members, partners, officers and members of public were interviewed. The IDEA also reviewed a number of key documents produced by Scrutiny. Their findings will be produced in a draft report that is expected in May and will include recommendations and options to develop Scrutiny that will in turn make the service more efficient and effective. It is anticipated the final report along with the recommendations will be presented to members at the end of June and released to the press. Following the launch of the final report the Scrutiny team has arranged an away day to discuss the findings outlined in the IDEA report on Scrutiny in Luton in order to find a solution of the best way of moving scrutiny forward.

## Key reports received

The Board over the year has received a number of key reports from NHS Luton on Luton & Dunstable Hospital Foundation Trust, the Bedfordshire & Luton Mental Health and Social Care Partnership Trust and the East of England Ambulance NHS Trust on their operating plans and performance.

The Board has also been presented with a joint report from the NHS Luton and the Joint Strategic Needs Assessment from the Joint Director for Public Health on the 18-week referral to treatment targets in which the information was noted.

## Consultation

The Board has been consulted on various consultations that have taken place throughout the year by NHS Luton. For example its plan to procure a GP led Walk-In Health Centre and two new GP (or so-called 'Darzi') practices in the Marsh Farm and Farley Hill area of Luton. The consultation addressed issues relating to the lack of GP surgeries in Luton particularly in those areas culminating in poor health.

Other consultation papers considered by the Board relates to a number of service reviews by NHS Luton that are being undertaken e.g. the review of musculoskeletal, the Ear Nose & Throat and urgent care services. All have been welcomed and a particular note was made to the Trust's drive to respond to national best practice to improve efficiency and outcomes, while providing services closer to home or in the community that are tailored to individual needs. The final consultation considered by the Board relates to the draft Patient and Public Involvement review where Members noted the Trust's commitment to patients and public involvement and its ongoing dialogue with Scrutiny to enable earlier input into future proposals for service development.

## **Healthcare Commission - Annual Health Check 2008-09**

The Scrutiny Board considered and commented on the local NHS Trusts' compliance with the Department of Health core standards, in response to the Healthcare Commission annual health check 2008-09.

### **The East of England Joint Health Scrutiny Committee**

Luton took part in an East of England Joint Health Scrutiny Committee, set up to scrutinise the consultation by NHS, East of England (the Strategic Health Authority - SHA) on its strategic vision - "Towards the best, together – A Clinical Vision for our NHS, now and for the next decade". The proposed vision was the SHA's response to Lord Darzi's Next Stage Review. "Our NHS, Our Future". The Chair of the Scrutiny Board, Councillor David Taylor represented Luton, with Councillor John Titmuss being his nominated substitute.

The Joint Committee is broadly supportive of the SHA's proposals, but made a number of recommendations, which the SHA committed to address. The SHA operating framework is now the main driver behind all regional NHS Trusts' 5-year strategic plans.

Underperformance in the regional ambulance service was reported to the committee. The committee was concerned about issues relating to quality of the service and use of resources. The regional ambulance services performance last year was the worst in the country. The committee decided to refer the issue to the East of England Health Scrutiny Chairs Forum. The Chairs Forum recently examined the issue and was presented with an improvement action plan.

### **Member Development**

In November 2008, Members had the opportunity to attend a regional seminar, '*Health and Well-being - The Scrutiny Role*', organised by the East of England Health Scrutiny Chairs Forum, of which Luton is a member.

In March 2009, input was also provided for Members on the implications of the NHS 'World Class Commissioning' for the Council.

# **ANNUAL REPORT 2008-9**

## **Children and young people scrutiny committee**



# **Chair's foreword**

The Committee's work programme for the municipal year 2008-09 has been a full agenda resulting from a number of key issues reported. One that comes to mind was the multi agency child protection group presentation, following the tragic death of Baby P that received national media coverage and highlighted the failings of the London Borough of Haringey Council. The presentation addressed how the partnership arrangements work with the child protection team in the Children and Learning directorate to ensure Section 11 of the Children's Act 2004 are met and requires all authorities to promote the welfare of children and protect them from harm.

The Committee made a number of recommendations to the Executive that were accepted. Part of this committee's remit is to receive annual updates on key stages 1-4 results, the most recent result information shows that results are continuing to improve year to year. Many other reports have been received by the committee and mentioned later in the report. The main review conducted and completed by the committee in October 2008 was bullying. Scrutiny recommended to the Executive that the Council adopts the anti-bullying strategy and the Executive agreed this recommendation



Councillor Akbar  
Chair of Children and Young People's Scrutiny Committee

## Review

The Children's and Young People's scrutiny committee examined issues relating to 'bullying'. 'Bullying' is a topical subject that is talked about in the media every year and is one of the main reasons why the committee aim was to assist in the development of the Council's anti-bullying strategy and practices. Another aim of the review was to ensure that policies and practices fulfil the requirements of the Every Child Matters agenda on the safety and well being of children and young people. Evidence was received from partner organisations such as schools, police and Connexions that looked at the different forms of bullying that can manifest. The scrutiny review resulted in the Council producing a Bullying Strategy as guidance for schools to use alongside their existing policies and procedures and was accepted by the Executive. The Committee determined the strategy would need at least a year to embed before monitoring its progress.

## Key Reports Received

A number of key reports have been received by the committee during the year including:

- the report on succession planning for the expected increase in numbers of teachers reaching retirement age and the expected impact this will have on schools
- progress on Luton's safeguarding children's Board
- the behaviour support plan
- Luton's literacy strategy
- the commissioning strategy for children and young people with severe disabilities.

## Consultation

The Committee received a number of consultation documents during the year that were noted, including reports on developing the special educational needs strategy modern language teaching in primary schools and the Children and Young departmental reconfiguration proposals.

## Call-in

The Committee received one call-in during the year on the Executive decision (EX/114/08) that relates to the Community Use of Schools. The committee was asked to scrutinise the overspend within the Children and Learning Department regarding the letting of schools to the community to see if this can be reduced and to investigate if the wider community are informed of the facilities available in schools during the evening. It was found the current Schools Letting Policy introduced in 2004 enables the following groups to use school premises at no extra cost to themselves: -

- adult education
- voluntary youth organisations registered with the Council's Community and Youth Development Division
- meetings and activities organised by Luton Borough Council
- play schemes organised by the Council and registered voluntary groups, operating during school holiday periods.

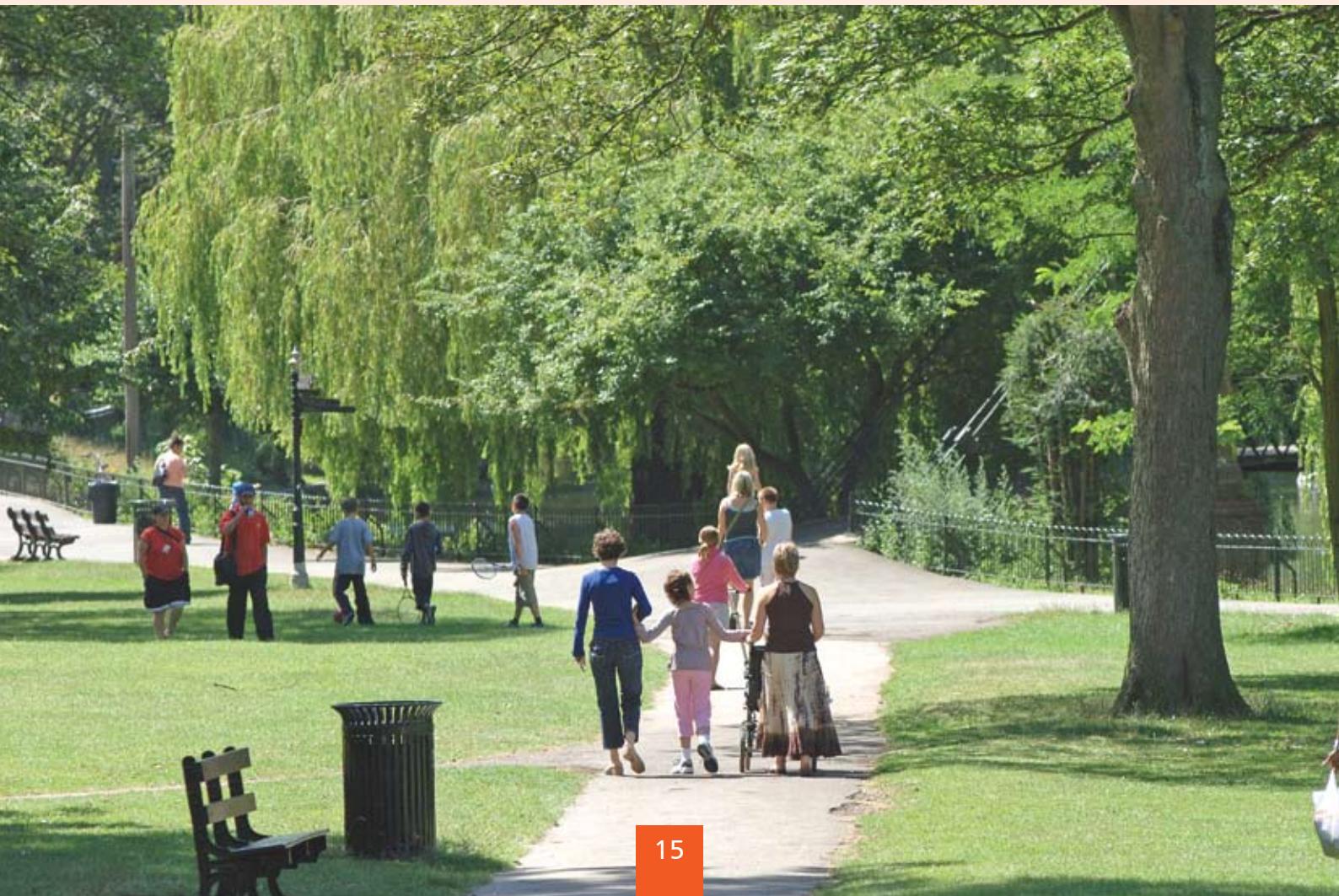
Other groups are able to hire school premises at concessionary rates of 50% of the normal letting charge. These are groups mainly from political, social or of a religious nature. All other users of school premises are charged the normal letting charge that is decided by the individual school.

## The Committee requested the Executive to:

- (i) Implement decision EX/114/08 (The original decision that made that was called in) for 2008/09 and 2009/10 only.
- (ii) Review the Letting of Schools Policy so that it is carried out in a more consistent and equitable fashion to enable schools to be used as often as possible by the community.
- (iii) Examine the future funding of non-Children and Learning Department activities that take place in schools so that the relevant departments of the Council are charged for using school facilities in the evening.
- (iv) Involve voluntary groups such as Voluntary Action Luton to enable community youth groups to obtain funding.
- (v) Review the Letting Policy in a much wider context and that the availability of school premises be advertised so that the community uses schools as often as possible and that community groups are made aware.
- (vi) Consult with schools and the Integrated Youth Support Service on the review of the Lettings Policy.

# **ANNUAL REPORT 2008-9**

## **Environment and non-executive functions scrutiny committee**



# Chair's foreword

The Environment and Non-Executive Functions Scrutiny Committee has had a busy year with recommendations made to the Council's Executive after considering reports and responding to consultations that cover a wide range of subjects that include: National Air Traffic Services Consultation, Controls of Handling the Transfer and Transport of Waste, the Government Consultation on Delivering a Sustainable Transport System and the Airport Surface Access Consultation. The Committee has also received regular updates and progress reports were made to the committee in relation to reducing the Council's Carbon Footprint.

Towards the end of last year the committee set up a Panel of Members to examine the traffic congestion at hot-spots areas identified in and around Luton town centre. The Panel's findings along with its recommendations were included in the Congestion Management report and accepted by the Executive. The main review conducted by the Committee on Electoral Services and best practice was completed and submitted to the Executive in December 2008, which accepted all of the recommendations.

For the current review of Hackney Carriages and Private Hire licensing, policy and procedures, a member panel has been established to oversee the work. The panel provides regular updates on progress to the committee; the review is due to conclude at the end of the summer.

I would like to thank the Scrutiny Team and other officers for the reports and advice given to the Scrutiny Committee during the year 2008/09 and look forward to the support continuing in 2009/10.



Councillor Ireland  
Chair of Environment & Non-Executive Functions

# Review

The committee completed the review of Electoral Services and best practice at Luton in September 2008. The final report with the committee's recommendations was submitted and agreed by the Executive in December 2008. The topic was chosen following the Local Elections in 2007 where a high proportion of postal votes were received in one ward that lead to speculations and media coverage of postal vote abuse. The council takes reports of postal abuse seriously and felt these allegations could not go unnoticed, which culminated in the matter being referred to the Police for further investigation. The Police investigation found no fraudulent activity had occurred that resulted in no further action.

The use of Postal voting was introduced in 2000 seen as a more convenient and alternative method for voters to access and be involved in the democratic process. However, since its introduction has seen an increase in reports of fraudulent activity. For example Birmingham City Council was found to be vote rigging in 2005 that resulted in a re-count in certain wards. Fortunately Luton has steered clear of such fraudulent behaviour. The key findings from the review are outlined below:

- The committee found that the current resources within the electoral services division at Luton is insufficient when compared to the resource allocation at other local authorities that have proven to make a significant impact in helping them to achieve Beacon status in the field of electoral services. By increasing the resource capacity within electoral services has meant they have a more proactive role that ensures registration rates of over 95% are consistently achieved year on year and that an accurate register is maintained at all times.
- The review also found that budget allocation varies among local authorities with some allocating large amounts (e.g. Hammersmith and Fulham) to ensure an effective electoral registration service is achieved whilst others place less of a priority in this area resulting in low to inadequate performance. For instance in Luton the budget allocated for electoral services has decreased year on year that has meant insufficient canvassers are employed resulting in some polling areas within the Borough being left uncanvassed due to the restriction in the amount of money available to ensure sufficient canvassers are employed to canvass the whole Borough.

The review scrutinise the robustness of the Electoral Service legislation especially areas that relate to postal voting. The main aim was to ascertain whether the Council's policy, procedures and practices are sufficient and effective enough to combat and alleviate fraudulent activity and comply with statutory legislation. Best practice evidence was included in the review as a checking mechanism to see what other authorities have implemented for them to achieve the accolade of Beacon Status. It is hoped that such mechanisms will be taken on board by Luton to improve on the existing provision.

## **Recommendations submitted and accepted by the Executive:**

- i) To significantly increase the electoral services budget to cater for an additional full time post and to allow for sufficient recruitment of canvassers to canvass the 42 polling districts within the Borough (previously the reduced budget provisions for electoral services has hindered the amount of canvassers employed resulting in some polling districts insufficiently being canvassed) and should be stipulated in the growth bid for 2009/10.
- ii) That subject to provision of funding being made available, it be noted that the additional post be created under the officer delegated authority approved by Council on 4 November 2008.
- iii) That the Electoral Services Manager be requested to:
  - review and update the information held on the Council's website that relates to electoral service in order that it be more inclusive and informative to engage and reflect the diverse communities in Luton
  - explore different/alternative ways to increase turnout rates at elections that is particularly apparent at European and local elections and seek all sources of revenue to maximise advertising
  - implement a comprehensive data sharing practice with internal and external service providers to ensure an accurate Register is maintained at all times, possibly by introducing a similar system that is used by Hammersmith and Fulham.

## **Key Reports Received**

The committee received a number of key reports throughout the year which have been mentioned in the Chairs opening remark.

## **Consultation**

The committee has also been involved and consulted on four reports prior to submission to the Executive that has resulted in various comments reported back to the Executive to take on board the views of scrutiny.

# ANNUAL REPORT 2008-9

## Performance resources and assets scrutiny committee



# **Chair's foreword**

Performance, Resources and Assets Scrutiny Committee looked at a wide-range of issues over the last year.

For instance the Council's Head of Human Resources reported back on the outcome of the review of the application of Human Resource policies and procedures. The committee was pleased to hear that there is now, as a result of their recommendations; more support for employees wishing to develop their careers has been implemented and rolled out throughout the council. There is more recruitment training available for staff, and that every effort will be made to ensure more representative interview panels are set up to include Black and Ethnic Minority (BME) employees on recruitment panels.

Another outcome reported to the committee, was that as a result of the committee's recommendations, there is now Leadership and People Management training available to managers and aspiring managers. The Committee will be receiving a further report on this review and an update on implementation of the recommendations later in 2009.

The Committee examined the overall budget strategy, and for the second year running, officers submitted value for money statements in accordance best practice.

More recently the committee examined the performance of the housing benefits service, dealt with Call-ins on the Luton Aquatic Centre and on the quarter three performance monitoring report.

The committee has been well supported by the Scrutiny Team and Democratic Services, for which I am very grateful.



Councillor Saleem  
Chair of the Performance, Resources and Assets Scrutiny Committee

# Review

In June 2008, the Committee scrutinised the response of the Head of Human Resources (HR) relating to the recommendations of its review of the Application of the Council's HR Policies and Procedures and advised the Executive of its observations. The Executive accepted the recommendations and the proposals for implementation.

The Committee notes progress achieved, such as the 'Ladder to Success' programme, providing aspiring managers an opportunity to develop and the increase in recruitment training to facilitate representative interview panels to be restored. It looks forward to a more comprehensive review of progress in late 2009.

Due to a heavy work programme, the Committee decided not to embark on any new in-depth reviews in 2008-09.

## Key Reports Received

During the year, the Committee received a number of reports from the Director of Customer and Corporate Services on the performance problems faced by the Revenues and Benefits Service. It also had the opportunity to scrutinise and endorse the actions being taken to deal with the situation. This matter remains one the Committee will continue to monitor, until satisfied with the quality of service offered.

The Committee received a report on the Corporate Assessment of the Council and made a number of recommendations to the Executive querying measures to improve performance.

The committee has continued to monitor the quarterly reports on performance and finance where under performing indicators are forwarded on to the relevant scrutiny committee to scrutinise in more detail to ensure improvements are made.

A number of presentations were provided for the Committee to keep it abreast of development in relation to Luton Excellence programme, designed to help the Council improve its methods of doing business.

The Committee received reports from the Head of Capital and Asset Management on the division's future Options, and its Strategy for achieving capital receipts.

The Committee had the opportunity to consider and make recommendations and comments to the Executive on the Feasibility Study on the Luton Aquatic Centre and the Building Schools for the Future preferred bidder approval. The Committee will continue to monitor development on both these matters.

The Committee received the Head of HR's report on the progress and objectives of the re-tender of the Council's managed service contract for the supply of temporary and contingent staffing and support to permanent recruitment.

The Committee considered the Luton Excellence report, 'Making it easier to pay Luton Borough Council', on the recommendations of the 'Paying Luton Council Project'. It welcomed the availability of a wider range of places and methods for people to pay their Council bills and made a number of recommendations to the Executive.

The Committee welcomed the report on the Council's new corporate plan, which it noted is designed to help the Council play its part in delivering the outcomes in the Local Area Agreement, it commended the commitment to encourage a more corporate approach to doing Council business.

It also considered and noted a report, which was going to the Council for approval, on the review of the Luton's Local Area Agreement, highlighting the changes made since the original agreement in July 2008.

## Budget scrutiny

The Committee reviewed the arrangements for scrutinising the budget for the forthcoming year, deciding against any major change to the protocol, which has been considered and agreed by all political parties. The committee endorsed the proposed strategy to deal with the known budget gap as the Government had already announced the 2009-10 grant settlement.

All scrutiny committees met again in December 2008 to consider the 2009/10 draft base budget and the options for change for 2009-10. The Performance, Resources and Assets Scrutiny Committee hosted the last budget scrutiny meeting in February 2009, examining the Council's overall budget 2009-10 and capital programme.

## Call-In

During the course of the year the Committee received four 'called in' items. The decisions made on these items are detailed below:

- On 14 May 2008, the committee considered the Executive Decision (EX/68/08) that related to the reference from Audit and Governance Committee concerning the Internal Audit Plan 2008/9. The reason for the call-in was that it was felt the Executive decision had been made without the committee fully discussing the proposals outlined in the Audit Plan 2008/9. The result of the debate on the decision taken by the Executive is that they had no objection to the decision being implemented.
- On 30 June 2008, the committee considered the Executive Decision (EX101-(iii) 08) on the Corporate Assessment of the Council. The committee discussed the decision taken by the Executive to:
  - note the results of the 2007 Comprehensive Performance Assessment of the Council
  - note the Audit Commission's Corporate Assessment of the Council
  - approve the release of funding from the 2008/09 contingency to enable the appointment to a new post of Head of Strategic Planning, Policy and Performance Management
  - note the long term aim of combining under this new Head of Service the functions of Strategic Planning, Performance, Policy, and all functions within the Scrutiny, equalities, inclusion and social cohesion section within the Chief Executive's department.

The committee made a number of recommendations back to the Executive for consideration. This included:

The committee made a number of recommendations back to the Executive for consideration. This included:

- i) The Executive are requested to advise the Performance, Resources and Assets Scrutiny Committee why no Executive Member was present at the meeting to answer questions on the called-in decision.
- ii) In light of the absence of any portfolio holder, the Performance, Resources and Assets Scrutiny Committee would ask the Executive for a response to the following questions:
  - a) Since the Luton Excellence team is to consider other options, what is the exit strategy in the event of a solution that does not include the appointment of a Head of Strategic Planning, Policy and Performance Management?
  - b) Could an explanation be provided as to how it is intended to ensure the abolition of the post of Director of Scrutiny would not mean further devaluation of the Scrutiny process?
- iii) The Executive receive and consider a report detailing the performance management framework, in respect of the responsibilities of Corporate Directors and heads of service, prior to any consideration of establishing a new post of Head of Strategic Planning, Policy and Performance Management.
- iv) That it be noted that the Performance, Resources and Assets Scrutiny Committee will be inviting the Portfolio Holder for Finance to their next meeting to respond to the committees questions on the establishment of the post of head of Strategic Planning, Policy and Performance Management.

The call-in decision on the Primary Capital Programme – Primary Strategy for Change was also considered at the 30 June 2008 meeting. The committee was asked to consider the Executive decision made on the way prioritisation of primary needs for capital programme initiative on educational achievement or lack of it. It was felt the criteria should be that: the estate was in poor shape and not fit for purpose.

The committee made a number of recommendations back to the Executive with regarding why no Executive Member was present at the meeting to answer questions on the called-in decision.

The recommendations were that:

- the Primary Capital Programme – Primary Strategy for Change be submitted to the Children and Young People Scrutiny Committee for deliberation.
- the Performance, Resources and Assets Scrutiny Committee would ask the Executive to explain why this issue has not already been reported to the Children and Young People Scrutiny Committee.

The final call-in considered by the committee was in relation to the Performance and Finance Quarter 3 2008/09. The committee failed to agree on what to do with the call-in. Therefore, the original decision of the Executive was implemented.

# ANNUAL REPORT 2008-9

## Regeneration and citizenship scrutiny committee



# Chair's foreword

The committee was scheduled to meet nine times during the 2008-09 municipal year. However, one meeting had to be cancelled due to severe weather in February 2009.

The committee had a packed work programme, receiving wide range of reports, including:

- reports on the new structure of the Crime and Disorder Reduction Partnership
- the progress of the Marsh Farm New Deal For Communities Master Plan (preferred option)
- various presentations from voluntary organisations that received grants from the Council
- an update on the work and performance of the Luton Drugs and Alcohol partnership.

The committee had the opportunity to comment on various consultation documents that are outlined in more detail later in this report.

I am grateful to my Vice-Chair, Cllr Burnett, and all the other members of the committee for all the work done this year. I would also like to thank the Scrutiny Officer, who has supported the work of the committee. My final thanks go to the authors of the many reports and presentations received.



Norris Bullock  
Chair of Regeneration and Citizenship Scrutiny Committee

# Review

The Committee completed the 'Tackling Criminal Damage' review that originally started in 2007-08, but was delayed due to the re-organisation of the Crime Disorder Reduction Partnership. The final report was agreed at the 16 April 2009 meeting. The outcome of the criminal damage review produced a number of recommendations, which were forwarded to the Executive for consideration on 1 June 2009. The recommendations were that:

- i) the Crime and Reduction Partnership (CDRP) continue to pursue a partnership approach, involving all local agencies to tackle criminal damage, along with other priority crime and disorder problems
- ii) the CDRP continue to engage and work continuously with local communities, to understand the nature of the criminal damage problem and to jointly devise appropriate and innovative ways of tackling it
- iii) the Council ensures all incidences of criminal damage (such as a deliberate or reckless act to Council property), including the nature, type and estimated cost of repairs, are recorded in a retrievable format (this information should also be shared with the CDRP so that an accurate pattern of problems can be established)
- iv) the Council ensures all incidences of criminal damage are reported to the Police to help build an accurate picture of the problem
- v) the CDRP continue to develop an information sharing system, within the data protection legislative framework, to ensure there is good incidence and intelligence recording, and analysis
- vi) CDRP agencies, particularly the Council and the Police, continue to ensure there is senior level commitment to tackle criminal damage offences to help Luton meet its crime reduction target
- vii) the Youth Offending Service and Integrated Youth Support Service continue their efforts aimed at diverting children and young people from offending, including the work in schools to help reduce truancy, exclusion and anti social behaviour
- viii) the Executive review its decision of 15 November 2004 relating to the 'Review of Enforcement' dealing with fly tipping on private land, and reconsider its subsequent decision to reject a budget growth bid to enable the recommendations from being implemented.

## Key Reports Received

The committee received and noted reports on many issues during the year, some having already been mentioned in the chair's forward. Other subjects reviewed and noted, include an update on major regeneration projects in Luton as well as on the work of the Luton Cultural Services Trust and Active Luton.

The committee also examined the proposed development of the Luton Equalities Agency and made a number of recommendations to the Executive. This included an investigation into the lack of progress and to start the process of providing the necessary support to enable the agency to develop

## Consultation

During the year the committee made comments for the Executive to consider on the government consultation documents that includes:

- From the Neighbourhood to the National: Policing Our Communities Together
- Transforming Places
- Changing Lives – Framework for Regeneration and Communities in Control
- Real people, Real power, the making and enforcement of byelaws.

The Committee also reviewed Luton's Sustainable Community Strategy 2026 produced on behalf of the Luton Forum.

# ANNUAL REPORT 2008-9

## Social inclusion scrutiny committee



# Chair's foreword

The Social Inclusion Scrutiny Committee has had a busy but interesting year. We have worked through a huge number of monitoring and update reports. Every meeting has had a full agenda resulting in a variety of topics being discussed. The role of the committee is to scrutinise the work of several departments within the council and this task is both challenging and demanding.

Several members of the committee are involved in the review of Sheltered Accommodation in Luton, which aims to plan the future needs of Sheltered Accommodation in the town by assessing current provision and developing a thorough plan for both existing and future sheltered homes. This review was undertaken in partnership with many external agencies and has included regular attendance by representatives of residents groups and older people's networks.

This particular piece of work follows on from the 'Future Living Needs' review produced by the committee in conjunction with similar agencies.

The review about to conclude and is hoped will be able to recommend an achievable and robust plan to the Executive that will ultimately provide an improved service to residents.

The committee is looking forward to the forthcoming year with the implementation of a new structure and ways of working for Scrutiny.



Sian Timoney  
Chair of Social Inclusion Scrutiny Committee

# **Review**

The key findings, including the recommendations of the sheltered accommodation review were discussed in detail at a special meeting of this committee on 14 May 2009.

## **Key Reports Received**

### **Adult Social Care**

The Committee received a report on the performance plan for improving adult social care that would improve the one star rating that the service received following the last Commission for the Social Care Inspection report. The performance improvement plan identified six objectives that needed to be achieved during 2008/09 to increase upon the one star rating. The committee received further reports on adult social care in October 2008 on direct payments made and thereafter six monthly updates on progress on achievement of the performance improvement plan targets.

### **Housing**

Throughout the year the committee also received and noted various reports relating to housing matters such as:

- the re-letting of local authority housing
- temporary accommodation for homeless households
- the draft Housing Strategy for Black and Minority Ethnic groups

### **Adult Social Care Commissioning Strategy**

The Committee had the opportunity to examine and comment on the draft adult social care commissioning strategy prior to approval by the Executive for public consultation. The Committee commended the officers' approach to consulting directly with community workers and community groups.

Later, the Committee was informed of the result of the consultation, which showed that most of those who responded felt the strategy would have an effect on their lives. They had concerns over the available resources and raised issues relating to the way the change would be implemented.

### **Disability Action Plan**

As a result of concerns from the Disability Advisory and Access Forum about the progress of the Disability Action Plan, the Committee reviewed and commented on the plan. Although developed in 2006, parts were added in December 2007 and February 2008.

There had been progress on some actions, but in the light of experience, some original targets considered achievable, have subsequently shown to be ambitious.

### **Supporting People's Programme**

The Committee reviewed and noted the progress made on the Luton Supporting People Programme. The committee was informed of the forthcoming new services that would be developed in the next 12 months and looked forward to reviewing the programme's performance indicators in due course.

# Consultation

## Care Quality Commission

The Committee was informed about the new combined regulator, the Care Quality Commission (CQC), and was given the opportunity to comment on a consultation on their proposed enforcement powers and how the Commission was planning to use them.

## Safeguarding of Vulnerable Adults

The committee commented on the consultation 'No Secrets Review' document received from the Department of Health, which is a multi agency policy and procedures document to protect vulnerable adults from abuse and agreed to:

- monitor the levels of referrals progress under Safeguarding of Vulnerable Adults (SOVA) and those deemed not to meet the criteria.
- establish links with the aims of the Dementia Strategy published in February 2009 and support this strategy locally in relation to safeguarding and protection
- plan further strategies in addressing the variation in number of referrals relating to individuals from BME communities
- clarify the interface between serious incident management / response and SOVA relating to all hospital settings that clarifies the duties and interfaces
- consider further improvements in recording who raised the initial concern rather than just checking who completed the AP1 form.
- continue to aggregate appropriate data to inform the SOVA board of the outcomes of investigations, compliance and effectiveness of the local policy.

## The future development of scrutiny

The 2009-10 Scrutiny years at Luton Borough Council will see the implementation new arrangements for overview and scrutiny in all areas.

The national legislative framework for Scrutiny is undergoing significant change. We are in the process of responding to the changes made by the Local Government and Public Involvement in Health Act 2007, which came into effect on April 2009. This act:

- gave Scrutiny powers to scrutinise external partners
- places a duty on partners to co-operate with the Scrutiny process and a requirement on them to respond and have regard to Scrutiny reports
- gave elected members the Councillor Call for Action power, which enables them to ask Scrutiny Committees to examine issues that they feel have not been adequately resolved by the Council or partners.

**Scrutiny now has the power to scrutinise the following partners:**

Arts Council	Chief Officer of Police (TBC)
English Heritage	Environment Agency
Fire and Rescue authorities	Health and Safety Executive
Highways Agency	Jobcentre Plus
Joint Waste Authorities and Waste Disposal Authorities	Learning and Skills Council
Local Probation Boards	Metropolitan Passenger Authorities
Museums, Libraries and Archives Council	National Park Authorities
Natural England	NHS Foundation Trusts
Police authorities (TBC)	Primary Care Trusts
Probation Trust and other providers of probation services	Regional Development Agencies
Sport England	Youth Offending Team
Any other organisations added by order	

Further Government announcements are expected shortly on their proposals to:

- ensure that all Councils have a committee to scrutinise Crime and Disorder issues
- ensure that all Councils have a dedicated Scrutiny resources with a statutory Scrutiny Officer post
- enable Councils to deal with and scrutinise petitions about Council and non-council issues
- enable members of the public to ask, through petition, the Council, to call a public meeting to hold Senior Officers and Senior representatives of partner organisations to account.

At the time of writing we are in the process of concluding the review of Scrutiny. This review is likely to recommend a significantly number of changes to the way that Scrutiny is structured and the way it operates. A report on the options for change will be reported to members towards the end of the summer 2009.