COUNCIL

Report subject	**Overview and Scrutiny Annual Report**
Meeting date	15 October 2024
Status	Public Report
Executive summary	This is the annual report of the Statutory Scrutiny Officer on Overview and Scrutiny (O&S) activity within BCP Council. There is a requirement to report on the work of O&S to Council, to ensure good visibility of the function and Council ownership of activity and any improvements required. The annual report contains a summary and analysis of O&S activity during 2023-24, reflections on working practices and an action plan identifying strategic improvements to the O&S function. All O&S committees received the annual report for consideration, providing opportunity for comment prior to the supply of the final report to Council.
Recommendations	**It is RECOMMENDED that:** **1. Council consider and comment on the annual report and associated action plan.** **2. Council approve the proposed minor revisions to the O&S committee structure illustrated at figure 1b within this report.**
Reason for recommendations	The Constitution requires the Statutory Scrutiny Officer to report to Council on an annual basis on the work of Overview and Scrutiny, including recommendations for any changes that may be required to ensure the function remains fit for purpose. The report has been informed by consultation with the Chairs and Vice-Chairs of the O&S committees and referred to the four O&S committees for awareness and comment. Consideration of the annual report by the O&S committees and Council upholds principle b) of good scrutiny, as outlined in the Constitution, that O&S shall 'be a Councillor led and owned function that seeks to continuously improve through self-reflection and development'.

Portfolio Holder(s):	Not applicable – Overview and Scrutiny is a non-executive function.
Corporate Director	Graham Farrant - Chief Executive
Report Authors	Lindsay Marshall – Overview and Scrutiny Specialist
Wards	Council-wide
Classification	For Decision

Background

The Overview and Scrutiny Annual Report

1. 'Overview and Scrutiny: statutory guidance for councils and combined authorities' by the Ministry of Housing, Communities and Local Government (MHCLG) recommends that councils report annually on their Overview & Scrutiny (O&S) function and activity. The purpose of the report is to outline the activity and output of the O&S function over the previous year, and to identify improvements for the function to ensure it remains fit for purpose. This report is based on the municipal year of May 2023 - April 2024.
2. This is the report of the council's Statutory Scrutiny Officer, who is responsible for supporting and promoting O&S activity. Contribution has been made by other officers who provide support to O&S and Chairs and Vice Chairs of O&S committees.
3. The report was received by all O&S committees and is now supplied to Council for consideration and comment. Comments raised on the annual report during O&S committee consultation included:
    - support for the revisions to the O&S committee structure remits as set out at paragraphs 8-10 of this report.
    - the importance of the independence of the O&S function within the council.
    - acknowledgement that in some committees the number of agenda items had been reduced to be in keeping with good practice levels, allowing more time for impactful scrutiny to take place.
4. Provision of the report to the O&S committees and Council was delayed by the requirements of the pre-election period of the 2024 Parliamentary election, which necessitated the cancellation of public council meetings.

What is Overview and Scrutiny?

5. The purpose of overview and scrutiny, principles of good scrutiny and its role in supporting the ambitions and values of the council is set out in Appendix 1.

Summary - 2023/24 strategic O&S activity

6. During summer 2023, 36 new councillors were inducted into BCP Council following May 2023 local elections. O&S activity focussed on supporting these councillors with training and skills development, along with targeted support to those in chairing positions, many of whom were new to O&S chairing. The administration agreed that all O&S chairs would be drawn from opposition groups in line with good practice, to enhance the independence of O&S.

7. In September 2023, Council agreed revisions to its O&S committee structure, to remove the Corporate & Community O&S Committee and replace this with the O&S Board, along with some adjustments to the membership, remit and meeting frequency of committees. O&S committee remits were adjusted to align to the revised Cabinet Portfolios which changed following the May 2023 elections. The O&S Board also took on overall responsibility for all call-in matters and for O&S function oversight, development and reporting, previously the responsibility of O&S Chairs collectively.

8. In July 2024, Council agreed a new Leader and further changes were made to the number and remit of Cabinet portfolios. Although this occurred after the reporting period for this report, the council's Constitution makes provision for any changes to the O&S committee structure to be proposed to Council as part of this annual report. As the designation of functions across the four O&S committees is based on the division of Portfolio Holder responsibilities, adjustments to the wording and remit of O&S committees are now proposed to maintain an efficient fit and clear lines of accountability between O&S committees and Cabinet portfolios.

9. The changes proposed to the O&S committee functions are minor. All changes within the proposed revised structure reflect amended responsibilities and wording expressed within each Cabinet portfolio. All amended portfolio responsibilities have been included within the same O&S committee as per previous arrangements, with the exception of those items listed under the Environment & Place O&S Committee in red text. These were previously included within the O&S Board responsibilities. These changes are intended to provide a more effective fit with other similar responsibilities within the remit of this committee.

10. **Figures 1a and b below illustrate the current O&S committee structure alongside the proposed revised structure. Council is asked to approve these changes. O&S committees were asked to comment prior to Council approval of the structure and were content with the proposed revisions.**

Figure 1a – Current Overview & Scrutiny Committee Structure

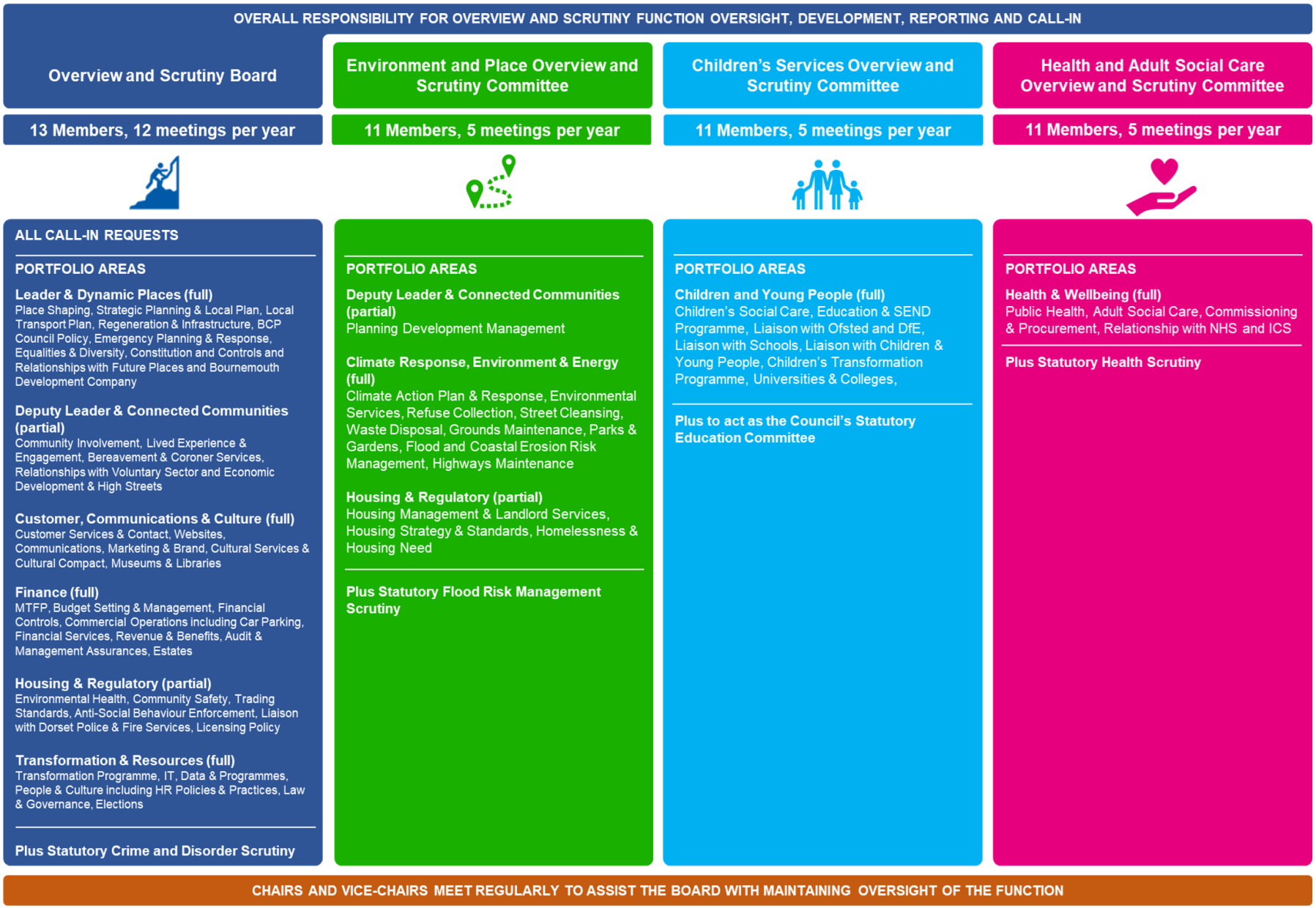


Figure 1b – Proposed Overview & Scrutiny Committee Structure

OVERALL RESPONSIBILITY FOR ALL CALL-IN PLUS OVERVIEW AND SCRUTINY FUNCTION OVERSIGHT, DEVELOPMENT AND REPORTING

Overview and Scrutiny Board

13 Members, 12 meetings per year

CRITICAL FRIEND FOR PORTFOLIO AREAS:

Leader (partial) - Political priority delivery, BCP Council policy, Strategic partnerships, Devolution, Community governance, Regeneration & infrastructure

Deputy Leader & Finance (full) - Finance, Budget setting, Financial controls, Financial Services, Revenue & Benefits, Audit & management, Estates

Transformation, Resources & Governance (full) - General procurement, Transformation, IT, data & programmes, People & culture, Law & governance, Elections BCP, Council Constitution and controls, Equalities, diversity & inclusion.

Customer, Communications & Culture (full) - Communications, marketing & brand, Consultation, Customer services & contact, Website, Emergency Planning & Response, Libraries, Culture and museums, Cultural activities.

Communities & Partnerships (partial) - Community involvement & Voluntary Sector, Lived experience & engagement, Bereavement & Coroner Services

Destination, Leisure & Commercial Operations (partial) - Economic development, Destination & high streets, Tourism & events, Seafront, Sport & leisure, Commercial Operations, Car parking.

Housing & Regulatory (partial) - Environmental health, Community safety, Trading standards, Anti-social behaviour enforcement, Liaison with Dorset Police & Fire Service, Licensing policy

Plus Statutory Crime and Disorder Scrutiny

Environment & Place Overview and Scrutiny Committee

11 Members, 5 meetings per year

CRITICAL FRIEND FOR PORTFOLIO AREAS:

Leader (partial)
Planning & Local Plan

Climate Response, Environment & Energy (full)
Climate, Environmental services, Refuse collection & waste disposal, Street cleansing, Grounds maintenance, Parks & gardens, Highways maintenance, Sustainable travel, Local Transport Plan, Strategic transport and Western Gateway, Flood and Coastal Erosion Risk Management (FCERM)

Communities & Partnerships (partial)
Play Strategy

Destination, Leisure & Commercial Operations (partial)
Road safety

Housing & Regulatory (partial)
Housing management & landlord services, Housing strategy & standards, Homelessness & housing need

Plus Statutory Flood Risk Management Scrutiny

Children's Services Overview and Scrutiny Committee

11 Members, 5 meetings per year

CRITICAL FRIEND FOR PORTFOLIO AREAS:

Children, Young People, Education & Skills (full)
Children's social care, Education & SEND, Liaison with Ofsted and DfE, Liaison with schools, universities and colleges, Liaison with children & young people, Children's transformation programme

Plus to act as the Council's Statutory Education Committee

Health and Adult Social Care Overview and Scrutiny Committee

11 Members, 5 meetings per year

CRITICAL FRIEND FOR PORTFOLIO AREAS:

Health & Wellbeing (full)
Public Health, Adult social care, Adult commissioning, Relationship with NHS & Integrated Care System

Communities & Partnerships (partial)
Carers, Integrated Neighbourhood Teams

Plus Statutory Health Scrutiny

11. The most significant of the committee revisions in September 2023 was the establishment of monthly meetings for the O&S Board, enabling better opportunity for the tracking of Cabinet activity and recommendations to Cabinet on forthcoming decisions. This change increased the overall scheduled O&S meeting numbers from 20 per year to 27, an uplift of 35%. The resourcing implications associated with this change are outlined in paragraphs 55 to 66 below.

12. All committees undertook annual work programming. Following O&S committee changes, the O&S Board and the newly named Environment and Place O&S Committee benefitted from supported action/learning workshops, led by the Centre for Governance and Scrutiny. The aim of this activity was to:

    - Develop O&S members' work programming skills to equip them to create work programmes rooted in good practice.
    - Refine the approach to scrutiny by articulating a more refined role for O&S. This saw the establishment of a 'sustainability lens' and a 'resident impact lens', to be used by the Environment and Place Committee and O&S Board respectively. The committees also developed a framework setting out their approach to topic selection.
    - Specifically address a recommendation arising within the council's Best Value Notice Action Plan to reduce the level of pre-decision scrutiny on O&S work plans and include more policy development work. Work was targeted towards these committees as they previously undertook the highest level of pre-decision scrutiny.
    - Generate a work plan based on the above good practices.

    The framework developed through this work is attached at Appendix 2. This provides a mechanism to support future work programming in all O&S committees, and communicate the aims of O&S to the wider council and stakeholders. The learning captured through this work will be applied to the other O&S committees in their next round of work programming.

13. Work was progressed against the O&S Action Plan, agreed by Council in September 2023. The action plan sets out strategic improvements required to bring O&S activity in line with statutory guidance. This work is secondary to the support of core functions for O&S such as supporting committee meetings and working groups in accordance with the constitution. Progress against the action plan is set out in more detail in paragraphs 47-54 below.

14. Chairs and Vice Chairs were supported in their leadership roles through regular meetings to share good practice, challenges and to provide strategic monitoring to the O&S function.

Summary - 2023/24 committee activity, statistics and analysis

15. A summary of work undertaken across all O&S committees is attached to this report at Appendix 3. Highlights included working groups on blue badge waiting times and the use of data to strengthen scrutiny; a focus on the safety valve programme relating to children's services, and a focus on climate change and sustainability.

Committee Statistics

16. Committee activity has been assessed to provide an understanding of the breakdown of work undertaken during 2023/24, the resulting outputs and potential areas for development. The following data is set out below:

- Average number of agenda items per committee, to assess against good practice levels.
- Working groups undertaken.
- Agenda item categories, to provide a breakdown of the type of work undertaken by each committee.
- Outputs – an assessment of the number of agenda items leading to substantive recommendations.

These have been analysed to provide a commentary on areas that align to good practice and those where further development is recommended to enhance the value provided by the O&S function.

17. It should be noted that this data provides an indication of where O&S has directed its resources in 2023/24 and the resulting output, however not all O&S benefit can be assessed in this way and reflected through data. Some O&S outcomes can be 'softer', for example:

    - Public demonstration of test and challenge on matters of community importance or concern.
    - Comments raised through scrutiny may be reported by O&S Chairs to Cabinet but not formulated into recommendations.
    - Actions raised through meetings and tracked by committees may not be captured as formal recommendations. Action tracking is particularly used by the Health and Children's O&S committees who undertake a closer monitoring role with their respective service areas.
    - Informal discussions between decision makers and O&S members can influence the early direction of travel for a policy.
    - The intention alone of an O&S committee to provide scrutiny to a certain area can trigger further work prior to reporting that can strengthen decision making.

Agenda item levels

18. The average number of agenda items, 'for information' items and working groups for each committee during the period is set out in table 1 below.

Table 1 – Agenda Items per O&S committee, 2023/24			
O&S Committee	Average number of agenda items	'For information' items, circulated outside of committee (annual total)	Working Groups
Overview and Scrutiny Board	2.1	0	1
Environment & Place	1.6	0	0
Children's Services	4.1	8	0
Health and Adult Social Care	4.0	3	1
Corporate & Community	1.5	0	0

Analysis

19. Attempting to scrutinise a large number of items can dilute the benefit of scrutiny. A 'deep dive' approach to a smaller number of items is encouraged over a 'broad brush' approach to a larger number of items. For this reason the recommended maximum number of items per committee agenda is two to three.

20. Prior to the 2023 local elections, legacy O&S Committees in BCP often held lengthy meetings with multiple agenda items, creating unmanageable workloads and in some cases additional monthly meetings as standard to accommodate the O&S work timetabled. This was particularly seen in the area of work covered by the O&S Board, with 33 additional meetings held by the previous O&S Board during 2019-21.

21. It is evident that the approach to scrutiny selection has changed in both the O&S Board and Environment & Place O&S Committee with levels falling into line with good practice. This is a significant improvement against previous years of O&S activity.

22. Children's Services and Health & Adult Social Care O&S Committees would benefit from refining workloads further to keep to the recommended levels and maximise the effectiveness of scrutiny undertaken with a greater focus on 'deep dive' work on a smaller number of topics.

23. Two investigative working groups were undertaken during 2023/24, on the topics of blue badge waiting times and data use in overview and scrutiny work. Both working groups led to a number of recommendations. The constitution allows for one working group to be undertaken per committee at a time, with this form of scrutiny work

being an ideal approach for proactive work which is likely to lead to the most valuable outcomes. Committee time can be used flexibly, for example as an evidence session to contribute to the scope of a working group, or in the form of an inquiry day, which may condense the inquiry of a working group into a focussed session. Proactive work of this nature is resource intensive and must be balanced against overall resources available to support the O&S function but should be prioritised wherever possible as a form of scrutiny that is likely to lead to more impactful outcomes.

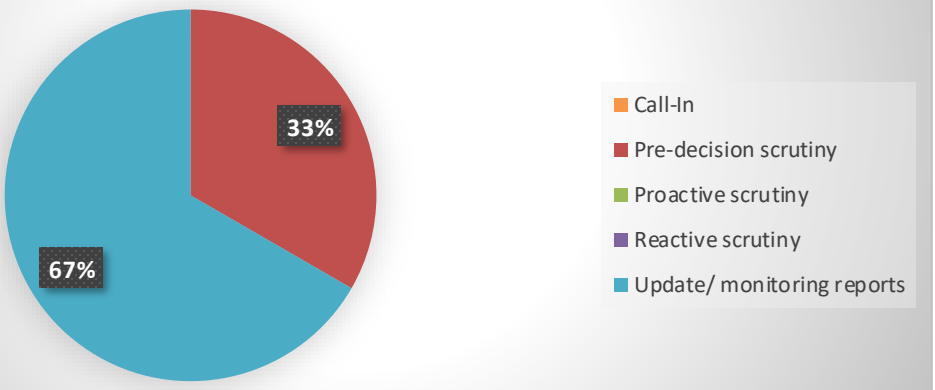
O&S work categories

24. A breakdown of the categories of scrutiny items considered by each committee are set out in the diagrams below. These are broken down as follows:

- **Call-in**
  Reports relating to the statutory right of O&S to 'call-in' an executive decision that has been made but not yet implemented. Revision to the remit of scrutiny committees placed all call-in responsibility with the O&S Board from September 2023 onwards.
- **Pre-decision scrutiny**
  Scrutiny of a report close to the point of decision making – eg. a Cabinet report.
- **Proactive scrutiny**
  Early policy development work and exploration of future options for service delivery.
- **Reactive scrutiny**
  Scrutiny of emerging issues that arise throughout the year and can't easily be planned for in advance.
- **Update/ monitoring reports**
  Information giving reports.

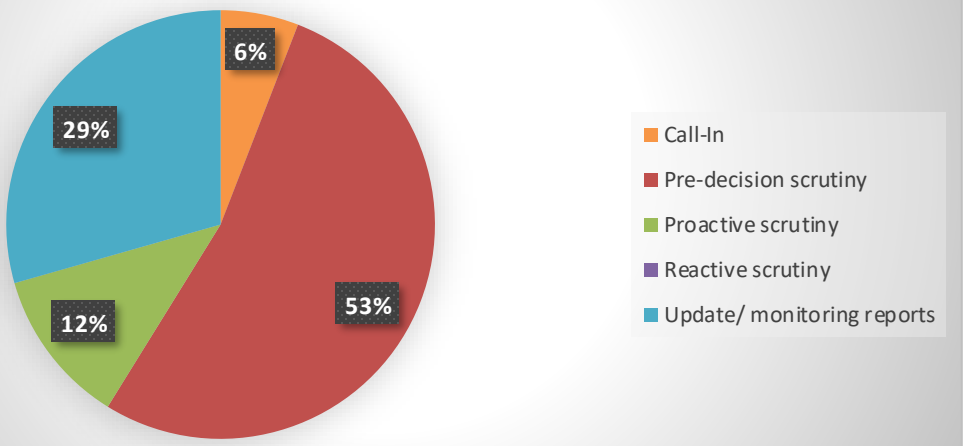
Corporate & Community O&S Agenda Item Categories

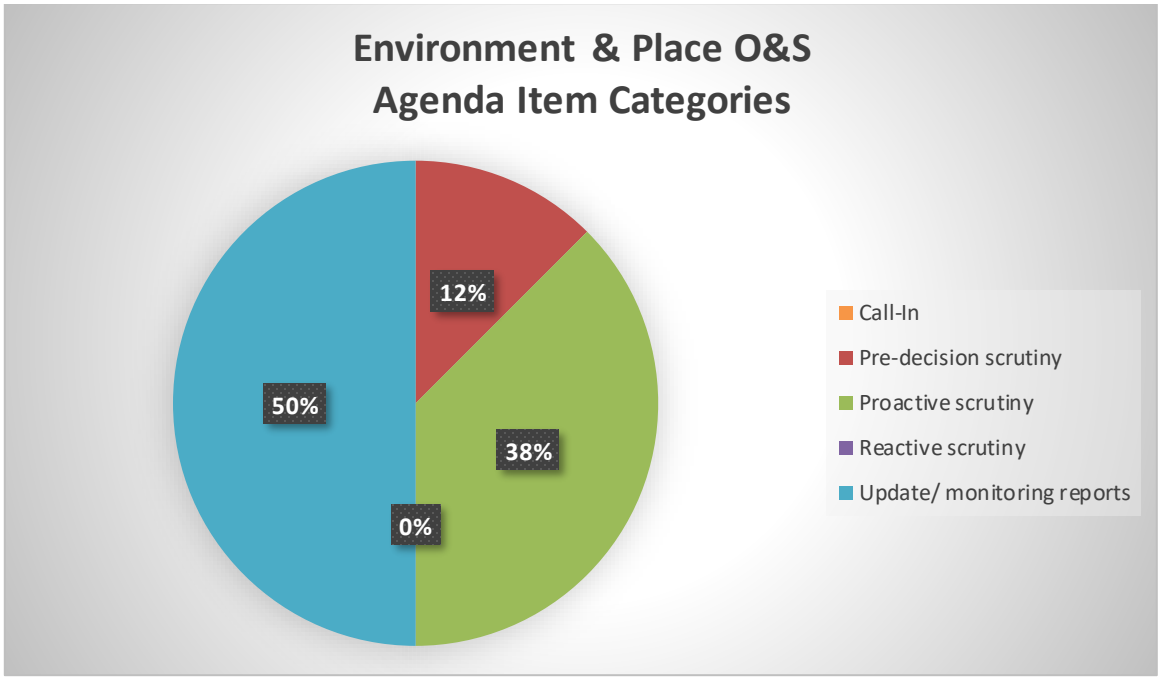
(decommissioned September 2023)

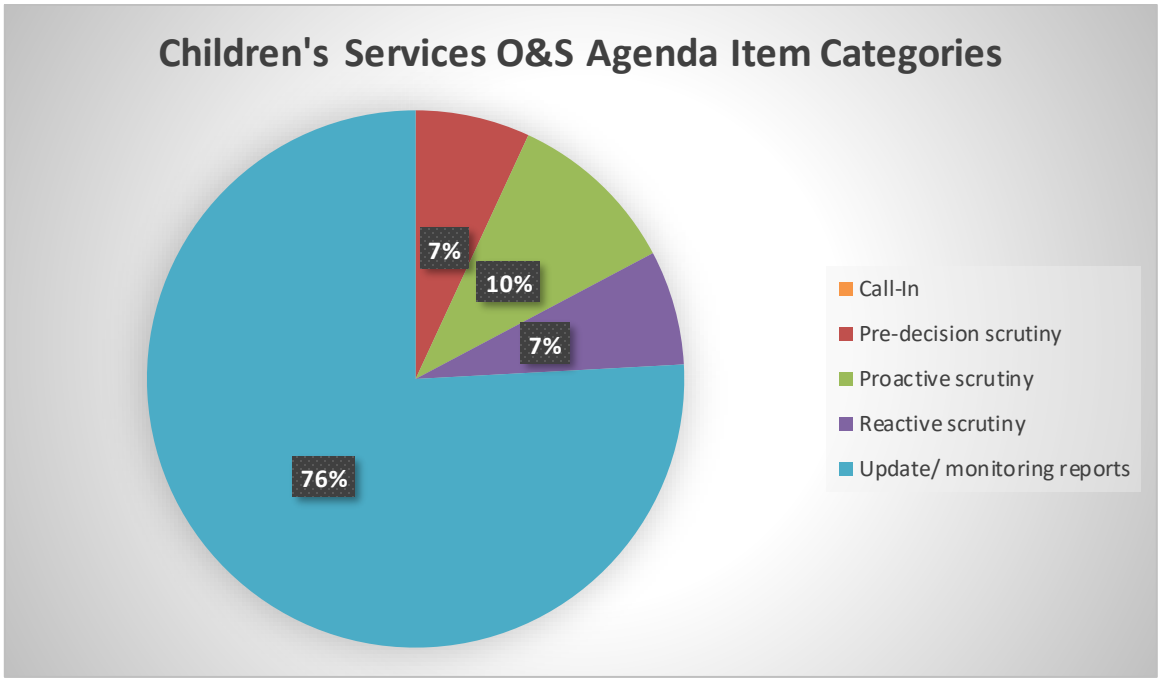


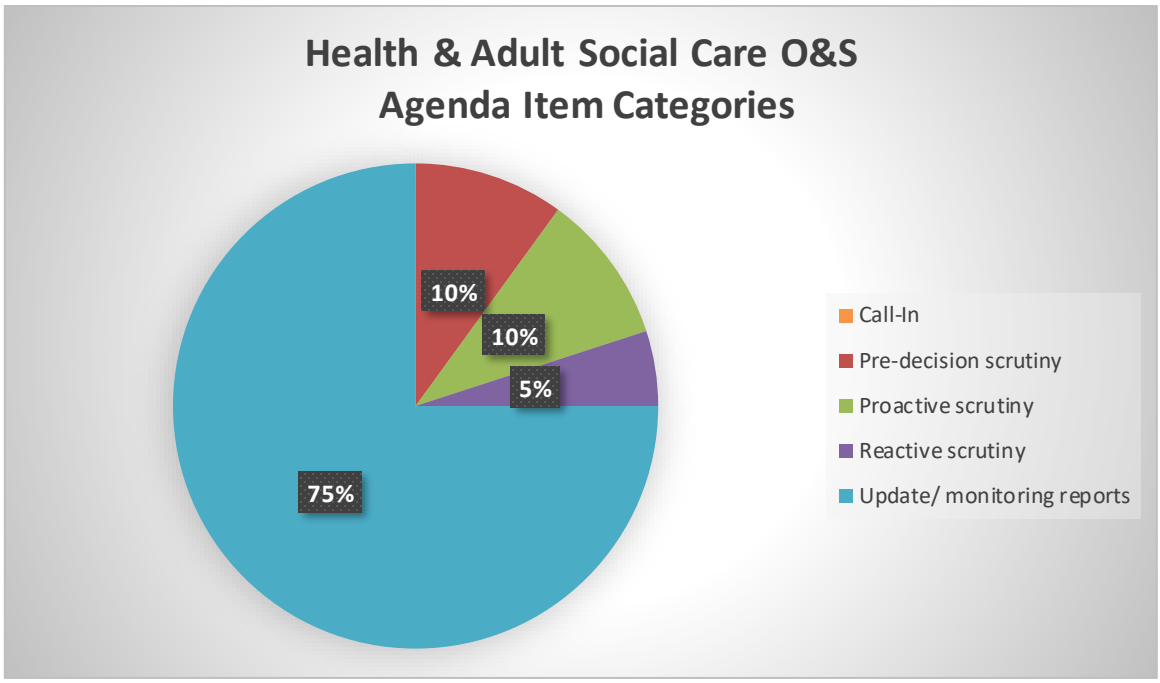
O&S Board Agenda Item Categories

(established September 2023)




Environment & Place O&S
Agenda Item Categories
12%
38%
0%
50%
Call-In
Pre-decision scrutiny
Proactive scrutiny
Reactive scrutiny
Update/ monitoring reports


Children's Services O&S Agenda Item Categories
7%
10%
7%
76%
Call-In
Pre-decision scrutiny
Proactive scrutiny
Reactive scrutiny
Update/ monitoring reports



Analysis

Call-In

25. O&S call-in should be used as a last resort where there is a concern that a decision has not been made in keeping with budget and policy framework of the council or the principles of decision making as set out in the council's constitution.

26. O&S guidance states:

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

27. There was one call-in item considered during 2023/24, in keeping with an average of one call in per year during the 2019-23 period. The level of call-in items in BCP therefore does not of itself indicate a concern with existing governance arrangements, or excessive use of call-in as a party-political tool. Low call-in levels may be an indication that governance arrangements in the council offer appropriate alternative opportunities to test and challenge decision making, such as a suitable level of pre-decision scrutiny opportunities and flexibility for all non- executive councillors to ask questions in O&S meetings and Cabinet meetings.

Pre-decision scrutiny

28. In 2023/24, greater refinement of O&S topics was strongly encouraged through work induction training, work programming activity and through ongoing support to chairs and committees. The aim was to create a more even balance between pre-decision scrutiny items and proactive scrutiny items.

29. The levels of pre-decision scrutiny in 2023/24 are now far lower than in previous years. Although these weren't assessed in the same way during the 2019-23 period it is known that, in some committees, pre-decision scrutiny dominated work programmes. The highest level of pre-decision scrutiny is now just under 50%, for O&S Board work. This is to be expected as the Board remit relates to a higher proportion of service areas and items which generate Cabinet decisions. Board meetings also align to the Cabinet timetable to specifically allow opportunity for pre-decision scrutiny before every Cabinet meeting.
30. A specific action to reduce the level of pre-decision scrutiny was incorporated into the council's Best Value Notice Action Plan and has now been completed as a result of the reduction in levels seen in committees.

Proactive scrutiny

31. Proactive scrutiny levels are limited across all committees and could be increased. Good practice indicates that proactive, 'deep dive' scrutiny is the form of scrutiny activity most likely to provide value- added outcomes. All scrutiny committees should aim to prioritise proactive scrutiny wherever possible.
32. The O&S Board and Environment and Place O&S Committee focussed heavily on proactive work suggestions during their annual work programming activity, and it is expected that these levels will increase in 2024/25 for these committees. The remaining O&S committees will be encouraged to take a similar approach during their next round of work programming.
33. Effective annual work programming, with minimal changes throughout the year and a reduction in the overall number of items considered by O&S would provide time to scope and undertake proactive work effectively.

Update/ monitoring reports

34. Reducing the level of update/ monitoring reports received by all committees would release capacity for more proactive work.
35. Monitoring reports took up the largest proportion of the work plan for four out of five committees operating during the 23/24 period. However good practice is for all information-based reports to be received outside of a committee setting, reserving committee time for value-added scrutiny that is likely to lead to recommendations. All committees should aim to reduce this level by receiving information items in other ways. Officers are actively encouraging this approach.

Reactive scrutiny

36. Reactive scrutiny is minimal but has occurred in some committees. An example of this is the Children's Services O&S Committee work on the Safety Valve Programme. All committees are encouraged to reserve room within their annual plans to provide flexibility to respond to arising issues throughout the year.

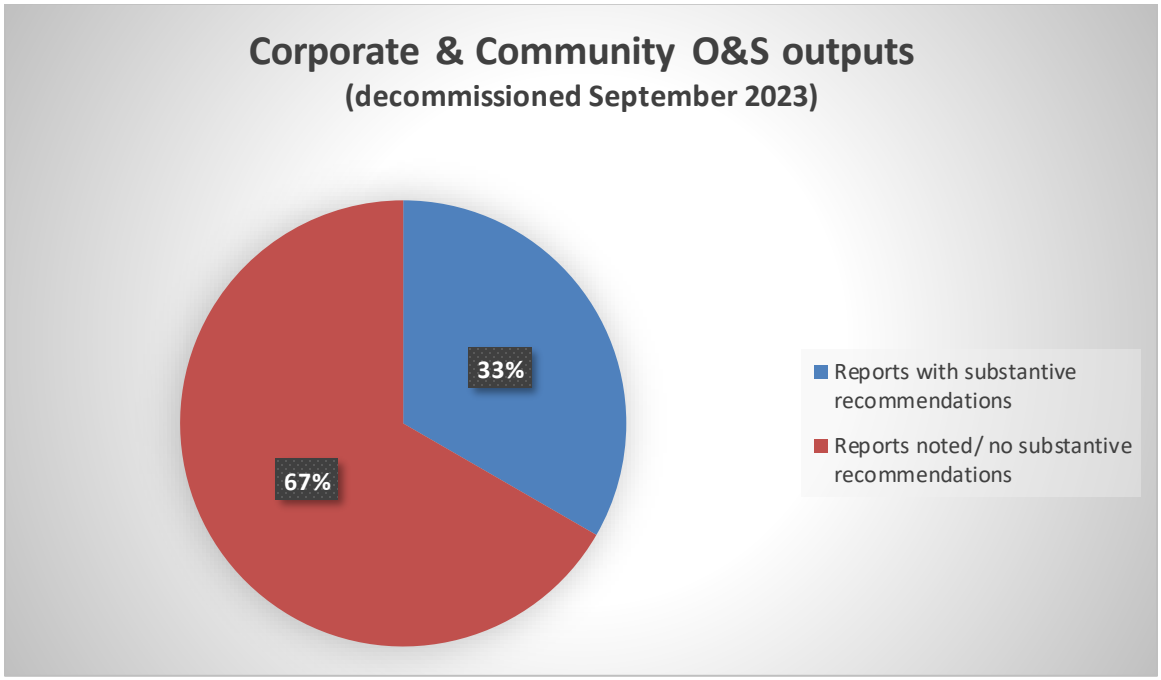
Outputs

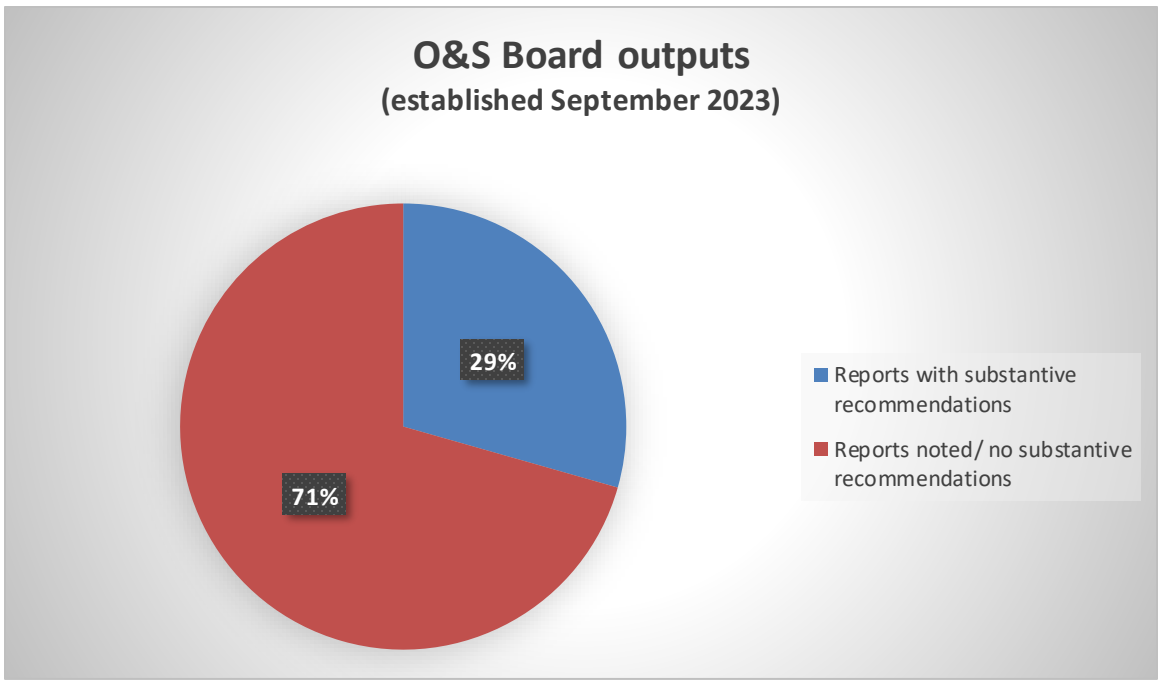
37. O&S agenda item outputs are set out in the charts below. These were assessed across all committees to establish:

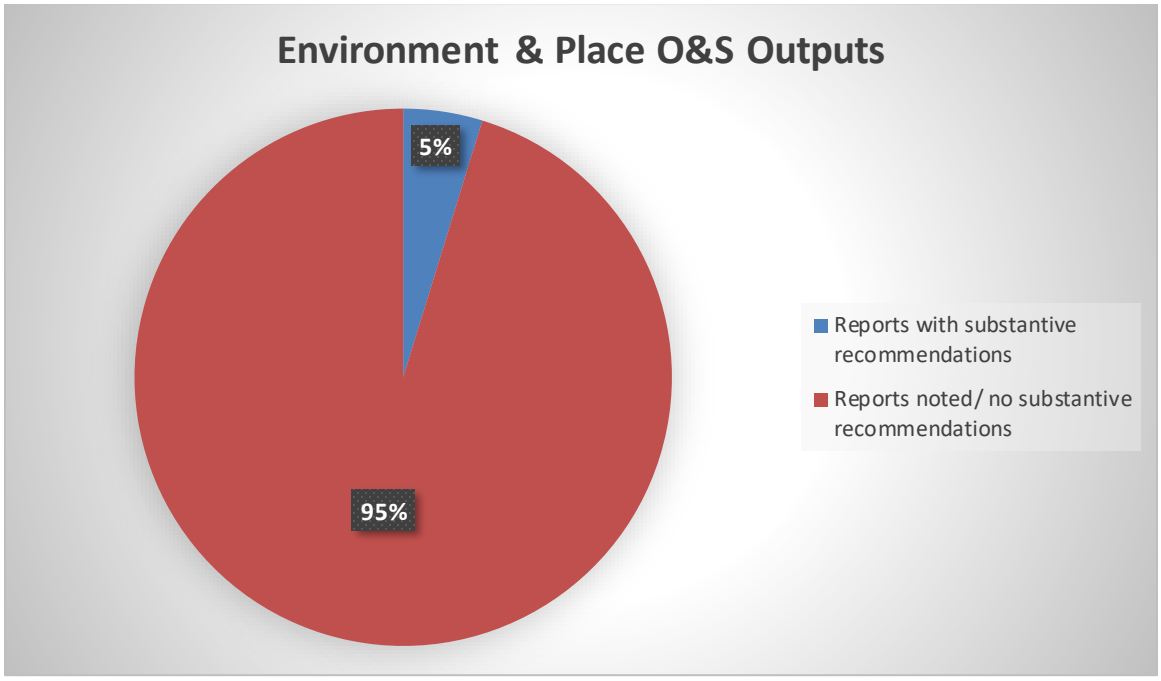
    - reports generating substantive recommendations to Cabinet, portfolio holders, officers or partners of the council;

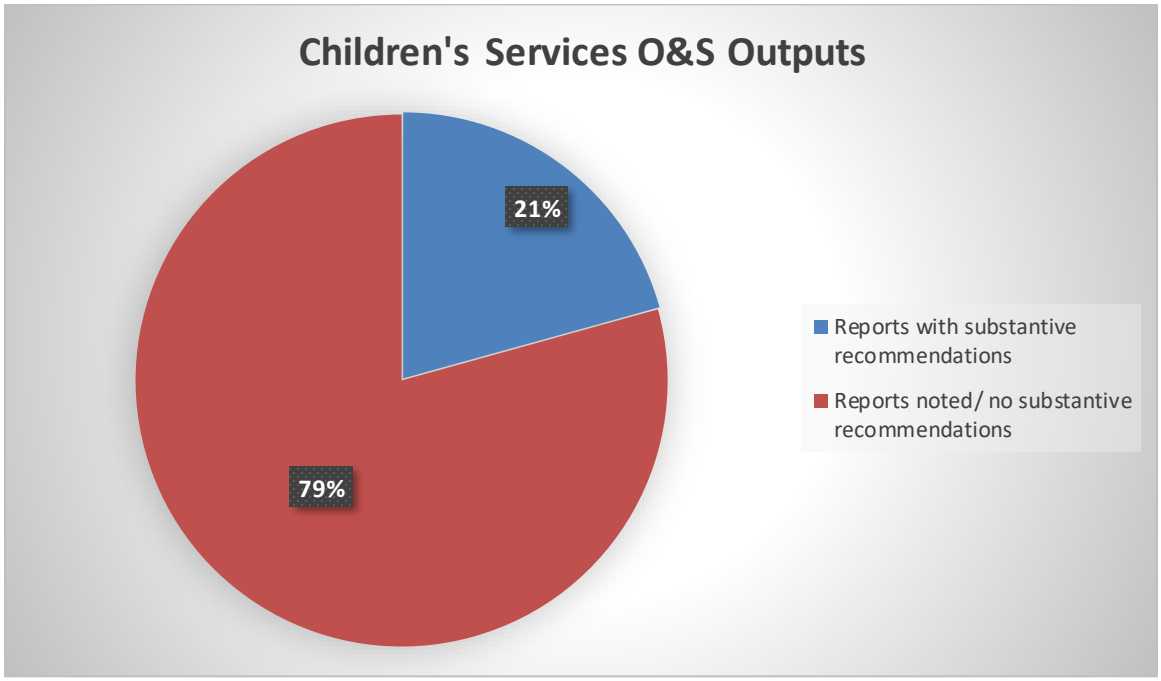
- reports that were noted or led to no substantive recommendations.

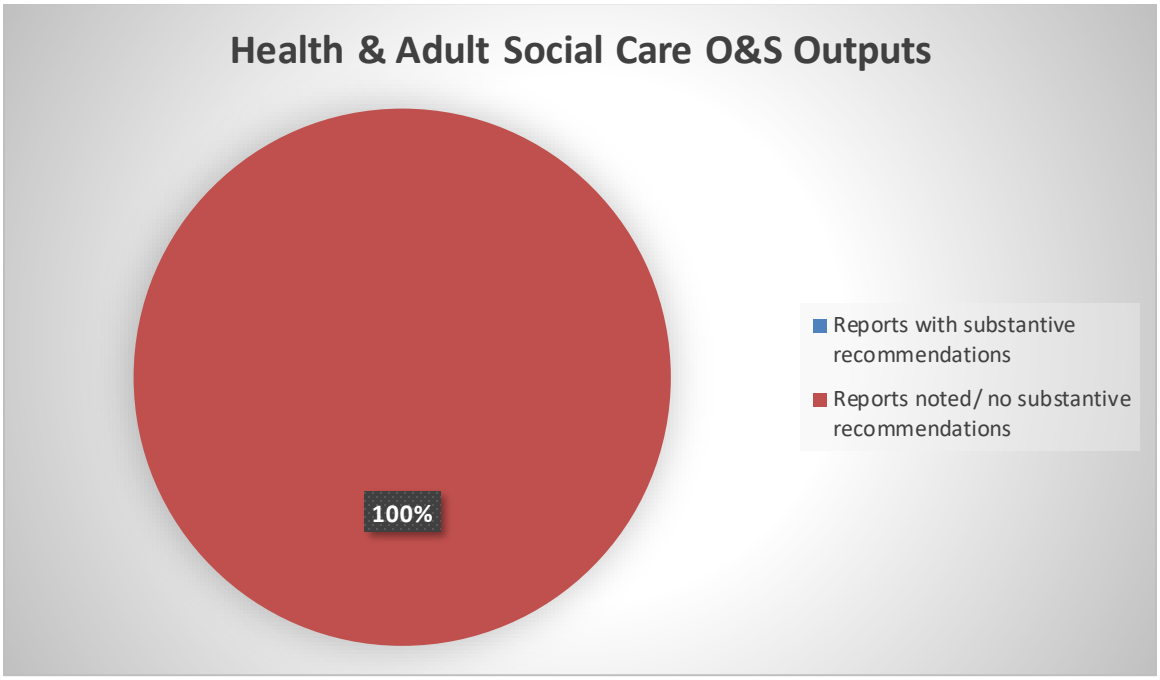
It should be noted that actions and comments raised by O&S, rather than formal recommendations, are not captured in the below data.






Environment & Place O&S Outputs
5%
95%
Reports with substantive recommendations
Reports noted/ no substantive recommendations


Children's Services O&S Outputs
21%
79%
Reports with substantive recommendations
Reports noted/ no substantive recommendations



Analysis

38. The highest level of substantive recommendations was generated by Corporate and Community O&S Committee at 33%, with the lowest generated by Health and Adult Social Care O&S Committee at 0%. To provide value through the work of O&S, all committees should look to increase the level of agenda items leading to substantive recommendations.

39. O&S comments gathered through pre-decision scrutiny may be reported to Cabinet to give a 'flavour' of councillor views to inform decision making. These may not always be captured by committees as formal recommendations and will not be reflected in the charts provided above. Where possible, committees should seek to strengthen comments into recommendations, to give weight to the view provided to Cabinet and clearer demonstrable output from O&S work. Clarifying the key lines of enquiry for scrutiny of a report can assist with the generation of clearer recommendations. This is explored further in paragraph 44 below.

40. A close alignment of proactive O&S work to the priorities of the council is likely to lead to the most value-added recommendations and outcomes. Substantive recommendations, and the resulting added value provided by the O&S function, could therefore be increased by a strengthened 'whole council' approach towards O&S in BCP Council. Work suggestions from Cabinet and Council to O&S were minimal during 2023/24, with proactive O&S work during this period largely driven by O&S member suggestions. By working more closely with the executive to identify opportunities for contribution to developing policy, O&S can have greater impact through its work, using unique statutory powers to surface issues, bring together stakeholders, explore issues in depth and test and challenge solutions. This approach has the potential to strengthen the decision and policy landscape of the council and support decision makers. Effective communications between O&S leads and executive members are essential for these opportunities to be identified, supported by a proactive approach to O&S engagement from lead officers. This is

in keeping with the strongest message set out in statutory guidance, that the culture of the council is fundamental to the success of the function:

> *"The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority."*

41. O&S members have been provided with training and regular guidance on work prioritisation and should continue to bear good practices in mind when considering the likely impact of work selected. Items that are not likely to generate substantive recommendations should wherever possible not be included within work programmes. This approach is encouraged by officers through annual work programming activity and regular support to committees when reviewing work programmes throughout the year. Topic prioritisation can be particularly difficult in a council with a wide range of political views and priorities and requires O&S members to make tough decisions, with Chairs and Vice Chairs leading in this respect. This robust approach to work programming could be strengthened across all committees.

42. Establishing a clear role and focus for O&S can be key to ensuring that work selected will add value to the organisation. O&S has wide ranging powers but guidance states that these are likely to be too wide to be meaningful if not refined to a key focus or set of priorities:

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

43. Acting on this good practice, the O&S Board and Environment & Place O&S Committee have now established lenses of 'resident impact' and 'sustainability' for their work respectively. This narrows the scope through which the committees intend to select and approach work with the aim of establishing a clearer role for the committees. This more refined focus for these committees was developed through action/ learning work supported by the Centre for Governance and Scrutiny (CfGS) and targeted specifically at these committees to embed good practices following the change in the O&S committee structure. The learning from this work will now be rolled out to Children's Services O&S and Health and Adult Social Care O&S Committees and strongly encouraged for all committees going forward to give clarity of purpose to the work of O&S.

44. All committees would benefit from refining the scope for all work items using documentation of Key Lines of Enquiry. This will ensure that the information request from O&S committees is considered, clear and is scoped with a likelihood of generating impactful outputs. This approach is now being encouraged with all committees. Through this process, the angle to be taken by scrutiny, and the possible outcomes of the work should be considered in advance to determine if recommendations will be likely. Even items of apparent high importance should not be prioritised if there is no likelihood of having impact through the scrutiny provided.

45. Pre-meetings, led by O&S Chairs, can encourage a clearer focus on Key Lines of Enquiry during committee debate, and provide another mechanism to clarify in

advance the intended outcome of the scrutiny sessions planned. This approach is regularly discussed with O&S Chairs as a way of strengthening O&S outcomes and has been adopted by the Environment & Place O&S Committee. All committees would benefit from the use of pre-meetings.

46. Some committees undertake a greater monitoring role than others. Whilst committee members may become well informed through monitoring reports, if the level of this is too high there is little work plan capacity remaining for proactive, value-added scrutiny. This is a particular challenge for the Health & Adult Social Care O&S Committee which receives information from both within the council and from partners such as the NHS on service design and delivery. Similarly, the Children's Services O&S Committee closely monitors the improvement journey within the children's services area. Establishing a critical set of monitoring areas and incorporating more diverse ways of working will help these O&S members to remain informed in priority areas, whilst reserving committee time for value added scrutiny. Alternative methods for information receipt could include:

    - informal briefings,
    - independent research and horizon scanning
    - receiving 'information reports' outside of meetings
    - establishing rapporteurs to maintain an overview of designated areas and report back to committee by exception.

    A mix of these information sharing methods have been used across committees, and a more consistent approach to information sharing will be encouraged in 2024/25, with the aim of reducing the overall level of 'for noting' reports across all committees.

O&S Action Plan

47. An O&S Action Plan was developed in 2023 to provide detail on strategic actions identified to improve O&S activity in BCP Council and bring practices in line with statutory guidance for O&S. The action plan was agreed by Council in September 2023.

48. The action plan also addresses O&S areas for development as identified through work which responds to the 'Best Value Notice' that was issued to the Council by the Department for Levelling Up, Housing & Communities (DLUHC) in August 2023. This was in response to the completion of an external assurance review carried out by DLUHC. The findings were in line with those of the Chief Executive's internal assurance review and all activity was monitored through the BCP Council Best Value Notice Action Plan. The recommendations have been welcomed in dealing with historical issues and setting a new tone for the Council. All actions relating to O&S within the Best Value Notice Action Plan have now been completed.

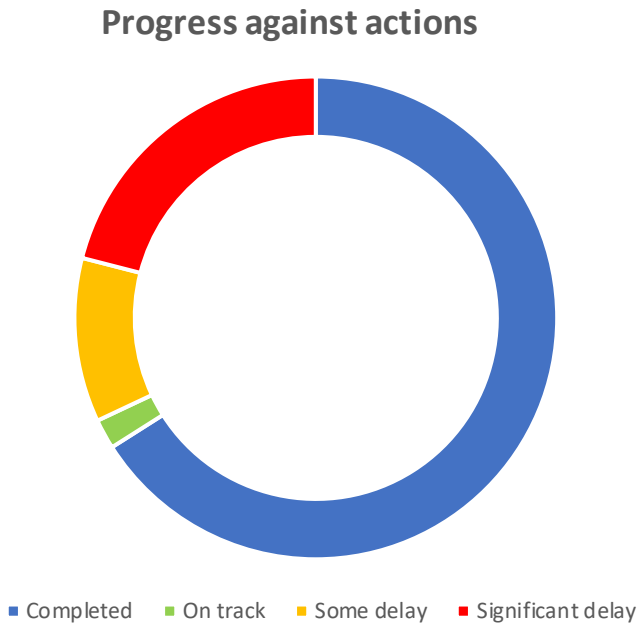
49. To establish improvement actions for O&S, all practices within the O&S function were assessed against the standards set out in 'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities' (2019) in a desktop exercise undertaken by the Statutory Scrutiny Officer in Spring 2023. The guidance provides a benchmark for good working practices in O&S and is statutory, meaning that guidance should be followed unless there is a good reason not to.

50. Much of the statutory guidance relates to ways of working and the council-wide approach to O&S. The clearest message is the need for a strong organisational

culture in which there is a collective ownership of the success of O&S, parity of esteem for O&S and value placed on the challenge that O&S can provide.

51. The O&S action plan follows the themes of the statutory guidance. All relevant paragraphs of the guidance have been included within the action plan, to aid reader's understanding of why actions have been identified, and the resulting plan for improvement is comprehensive. There are a total of **120** actions, some of which overlap. Where actions are similar (e.g. reflecting different aspects of councillor training required) they remain split into separate actions to demonstrate how these will uphold the statutory guidance. It should be noted that for this reason the action plan is highly detailed and serves as an operational tool to progress actions as well as for reporting on progress.

52. The action plan at Appendix 4 provides a detailed update against each of the actions as of June 2024. 66% of the actions have now been completed, a 21% increase since December 2023. Of the remaining actions, there has been an increase to those that are now significantly delayed with 21% now within this category. 11 % have experienced some delay and 2% are on track to complete as planned.



53. Improvement actions identified within the plan were set over a period of one year for completion. This time frame was ambitious and whilst good progress has been made in many areas, some actions have been impacted upon by other O&S activity taking place concurrently and have not progressed. In particular, the increase in meeting numbers following the changes made to O&S committees in September 2023 has impacted on resources available to progress strategic improvements to the O&S function. Core O&S functions such as support to committee meetings will continue to be prioritised during 2024/25 and work against the action plan will be progressed where resources allow.

54. Responsibility for monitoring the O&S Action Plan sits with the O&S Board, which is supported in this role by regular monitoring in O&S Chairs/ Vice Chairs meetings.

Progress on the Action Plan will also be reported annually to Council through this report.

Resourcing O&S

55. Council agreed revisions to the committee structure in 2023 which formally increased O&S committee meeting numbers. Along with special meetings called by committees to respond to urgent business, a total of 27 meetings were held during 2023/24.

56. Historically, O&S meeting levels have been high as a result of additional special meetings called by committees, however formalised committee meeting numbers are now at the highest level since the start of BCP Council. By the end of the reporting period, planned meetings per year were 35% higher than the level of O&S meetings planned for the same period in 2022/23.

57. Resources to support O&S are stretched. The Democratic Services team provides direct officer support to the O&S function. There has been no increase in officer resource to support the increase in O&S meeting numbers agreed by Council in September 2023.

58. The Democratic Services structure was designed to support the service approved by the Shadow Authority which anticipated 22 O&S meetings per year with a larger Democratic Services team to support this. Since the establishment of BCP Council, the officer support available to O&S has not been adequate for the level of O&S meetings held by the council, which, through many changes to the O&S committee structure, have predominantly been above the level anticipated by the Shadow Authority. In 2021 the service budget was reduced by 14.9% to support the corporate budget pressures. Following the most recent changes to the O&S structure the service is now considered to be operating above maximum capacity. Taking into account the increased meetings and reduction in manpower resources, the ratio of meetings per equivalent officer FTE to provide support has increased by over 28%. This is excluding any additional special meetings called by committees. This has an impact on the level of support that can be provided to the O&S function and the resulting outputs.

59. To illustrate the officer support available to O&S, activity has been broadly split into a range of areas in the following priority order:

    a. core functions of the service such as the servicing of meetings, agendas, minutes, advice and guidance, ongoing work planning support;

    b. support to proactive scrutiny such as annual work programming for all committees, scoping and research, working group support, planning and supporting evidence sessions;

    c. strategic improvements to the function in line with the O&S Action Plan.

60. An increase in meeting numbers without a match in the level of officer resource has required that support is diverted from activities within the ‘b’ and ‘c’ categories above, to ensure that core, statutory requirements within category ‘a’ are met. This will vary throughout the year according to additional pressures upon the team, which supports all decision-making bodies of the council in addition to O&S committees.

61. Additional O&S meetings also have implications council-wide for officer attendance and support to scrutiny activity.

62. Under the constitution, all O&S committees may undertake one working group at a time. These fall under category ‘b’ of the activity outlined above. In line with good

practice, working groups and other 'deep dive' inquiry mechanisms are encouraged as a means of providing the most effective O&S outcomes, however, it is fortunate that not all committees have chosen to take up this option during 2023/24 as this would have had a further impact on resources.

63. A 'whole council' approach to O&S, with working groups more fully scoped and overseen by service areas across the council rather than Democratic Services, would provide greater resource to support O&S work. It should be noted that service area - led approach to scrutiny carries a risk that the independent approach of scrutiny will be affected, as service areas will have an inherent viewpoint which may impact on the investigations undertaken by O&S.

64. In summary, councillors should note that the overall impact of the O&S function will continue to be limited by the dedicated levels of resource available to support it. Statutory guidance states:

> *"The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it."*

65. Councillors can take some action to mitigate the resource pressures upon the O&S function and promote valuable outputs:

    - Strong and realistic work planning, with minimal revisions and retained capacity for arising issues, will limit the need for additional meetings over and above the 27 planned per year.
    - Flexibility of approach to O&S resource, with committee meetings used for more deep dive work – such as to support a working group through a public evidence gathering session.
    - Monitoring reports can be received in other ways, outside of committee to free up meeting time for value- added scrutiny.
    - O&S councillors can undertake a higher level of research and horizon scanning independently, to review data and policy sources, maintain an overview of council activity and bring an evidence-led approach to their scrutiny. A Data Use Toolkit has been developed by the Health & Adult Social Care O&S Committee to support councillors in this respect with the aim of rolling out a similar toolkit for all other O&S committees.
    - Informal relationships with executive members and officers can be strengthened and shared across committees through the use of rapporteurs. This will keep O&S councillors informed of developing policy or concerns which may benefit from scrutiny and encourage the regular information sharing that is necessary to understand where the most value-added scrutiny opportunities lie.

    These actions are in line with the principle that the O&S function should be member-led.

66. The benefit of effectively resourcing scrutiny is explored in further detail within O&S guidance and set out more fully in the Action Plan at Appendix 4.

Options Appraisal

67. The Overview and Scrutiny Annual Report is for information and comment. An options appraisal is not relevant to this report.

Summary of financial implications

68. There are no direct financial implications related with the production of this report. The report explores the implications of resourcing O&S in paragraphs 55 to 66 above.

Summary of legal implications

69. Overview and Scrutiny is a statutory function of all councils operating an executive model of decision making. Improvements to the function, outlined in the report, will ensure that the work of O&S Committees in BCP Council complies with relevant legislation and upholds statutory guidance.

Summary of human resources implications

70. There are no human resources implications arising from this report.

Summary of sustainability impact

71. There are no sustainability implications arising from this report.

Summary of public health implications

72. There are no public health implications arising from this report.

Summary of equality implications

73. There are no equality implications arising from this report.

Summary of risk assessment

74. The improvements identified for O&S, as set out in the O&S Action Plan at Appendix 4, will ensure that statutory Government guidance is upheld. There is a risk that the guidance will not be properly upheld by the Council if actions identified are not taken.

Background papers

Published works:

'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities', Ministry of Housing, Communities and Local Government (MHCLG)

Best Value Notice Action Plan 2023/24

Corporate plan – 'A Shared Vision for Bournemouth Christchurch and Poole, 2024-28'

O&S Data Use Toolkit,
Health & Adult Social Care O&S Committee

Appendices

Appendix 1– Overview and Scrutiny statutory powers and BCP context

Appendix 2 – Overview & Scrutiny framework, developed by E&P O&S Committee and O&S Board.

Appendix 3 - Summary of O&S Activity 2023-24.

Appendix 4 – Overview and Scrutiny Action Plan 2023-24