

**BRIGHTON & HOVE CITY COUNCIL
OVERVIEW & SCRUTINY COMMISSION
4.00PM 31 JANUARY 2012
COUNCIL CHAMBER, HOVE TOWN HALL
MINUTES**

Present: Councillors Mitchell (Chair); Janio (Deputy Chair), Brown, Follett, Morgan, K Norman, Rufus, Summers, Sykes and MacCafferty

PART ONE

60. PROCEDURAL BUSINESS

The Chair reminded the meeting that the proceedings were being webcast live and the recording would be saved.

60a Declarations of Substitutes

Councillor Sykes was substituting for Councillor Powell and Councillor MacCafferty for Councillor Littman.

60b Declarations of Interests

There were none.

60c Declaration of Party Whip

There were none.

60d Exclusion of Press and Public

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

RESOLVED: That the press and public be not excluded from the meeting.

61. MINUTES OF THE MEETING HELD ON 13 DECEMBER 2011

61.1 The minutes of the meeting held on 13 December were agreed and signed by the Chair.

62. CHAIR'S COMMUNICATIONS

62.1 There were none.

63. PUBLIC QUESTIONS/ LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/NOTICES OF MOTION REFERRED FROM COUNCIL

63.1 Councillor Phelim MacCafferty introduced his request for scrutiny, referring to the murder of Andrea Waddell and describing the discrimination and misunderstanding faced by the Trans community. Trans issues were excluded from the Stonewall equalities index. A scrutiny panel would be timely in view of new government guidelines, work to be done during the year on Trans issues by the LGBT Workers' Forum, and the setting up of an LGBT health inclusion project and LGBT community safety forum. At a meeting earlier this month with FTM Brighton and the Clare project, a joint work programme had been established and the Leader of the Council had indicated support for a scrutiny review.

63.2 Councillor MacCafferty said public institutions continued not to challenge transphobia effectively and the Council should be taking the lead with best practice to help change attitudes in the City. He asked that OSC agree to set up a Scrutiny Panel that would bring in key witnesses to highlight the needs of the Trans community.

63.3 Some Members directly supported the scrutiny request. Councillor Warren Morgan, Chair of Environment and Community Safety O&S Committee said this was an area that had not taken priority and was due for review.

63.4 Some Members were not against the proposal but were concerned that any scrutiny should not duplicate work that was already planned or under way. Following discussion the Commission unanimously agreed to ask for a full scoping report to the next meeting.

63.5 RESOLVED that a scoping report be brought to the 27 March OSC meeting.

64. CITY PERFORMANCE PLAN AND ORGANISATIONAL HEALTH REPORT

64.1 Paula Black the Head of Analysis and Performance, gave a presentation on the 6-monthly reports on the City Performance Plan and Organisational Health and circulated a diagram of the performance and risk management framework. It was a difficult time of uncertainty in resources for the Council and partners, to report on achievements, targets and future activity against the framework.

64.2 This was a move towards outcome-led and away from indicator-led reporting with explanation of progress rather than the use of suite of indicators.

64.3 There had been good progress on some of the City's priorities as set out in the report, including for example the visitor economy, conference economy, reductions in first-time entrants to the youth justice system and Decent Homes. Key areas of concern included child poverty, young people not in education employment or training and homelessness. The report gave some reasons for targets not being met at the 6-month stage, plus work to mitigate some of the effects.

64.4 The Organisational Health report was being 'tweaked' to take into account the Corporate Plan. The exceptions report showed the 'red' areas of performance where targets were not being met; 5 of top 5% of earners who declare they have a disability and number of Local Government Ombudsman complaints.

64.5 RESOLVED that the report be noted and recommendations 2.1 – 2.7 be agreed.

65. CITY PERFORMANCE PLAN TARGETS

65.1 In introducing the City Performance Plan targets report, the Head of Analysis and Performance outlined that though focussing on outcomes rather than indicators, following consultation some targets had been agreed for some of the key indicators. Slides in the presentation gave criteria for including targets (using 2010/2011 as baseline); ie where statutory targets had been adopted, where targets had already been included in policy or strategies, or where past performance was a useful guide.

65.2 The Head of Analysis and Performance answered questions on Member involvement; using the CPP and OH report to help identify potential areas of benefits and savings or costs via shared resources and joint working with other public organisations; the extent to which indicators could change in-year; target-setting for different years; and how performance reporting would change with a move to a Committee system. She was looking to bring relevant key performance indicators to future committees and also providing a picture of progress towards shared outcomes with partners across the City.

65.3 Andy Edwards Senior Performance Analyst explained that the Local Area Agreement had included 35 key indicators and a further 30 local indicators. The City Performance Plan included 30 indicators but the focus was more towards achieving outcomes. A suite of indicators was used by the Thematic Partnerships to micromanage delivery of the outcomes, but it was not intended to report these. He invited Members to suggest other areas where key indicators would be useful.

65.4 Members commented that more detail was required in places eg: Action Progress on Strategy 4.3.5 (Page 50 refers): expanding electric vehicle charging point network in Strategy 7.1.1 (page 63); and the cost, effectiveness and timetable for 'share-the-road-share-the-responsibility' messaging under 'Barriers' in Strategy 7.3.1 (page 68). The relatively high target for 'stopping smoking' was queried.

65.5 Deputy Chair Councillor Tony Janio said additional text would be helpful; including where indicator descriptions could be changed to plain English, making clear whether a high or a low result indicates progress. Members noted that full details on performance were available on request.

65.6 **RESOLVED:** that the report be noted.

66. PEOPLE STRATEGY

66.1 The Head of Human Resources and Organisational Development Charlotte Thomas introduced a brief and answered questions on developing the People Strategy, starting in Summer 2011 that would replace the Workforce Development Plan. It aimed at researching how much the Council's employees wished to engage with important employment issues and linked with the recently-completed staff survey and investors in people assessment that was due in March.

66.2 This was a new approach and more open method of responding to staff issues and included 10 questions over 10 weeks that had a broad appeal eliciting more than 600 comments. Focus groups followed for around 500 people. A 'world Café' event with city Partners was held, investigating working with Council officers and potential improvements in collaboration and openness. Focus groups had developed a momentum and would continue until all staff with an interest had been able to attend.

66.3 Around 20 broad themes were emerging and being investigated further. Analysis of the information would feed into the development of the People Strategy followed by a series of action plans. Milestones had not been set for this work but a draft Strategy would be available before Easter.

66.4 The Head of Human Resources and Organisational Development said the process was an outcome in itself, that benefitted staff in terms of productivity, performance, engagement and commitment. She answered questions on the staff survey (3,000 – 4,000 people involved), and the range of participation by staff in responding to the 10 questions and joining focus groups. There would be further engagement with staff in developing the Strategy; there was commitment to a positive outcome from the process, she confirmed.

66.5 Members asked whether officers' raised expectations can be met, the resources needed for this type of engagement and the effectiveness of the investment, plus how representative were the respondents, of the workforce as a whole. Members said that in the 'next steps,' it was important that respondents should have the opportunity to contribute to suggested solutions.

66.6 The meeting heard that the process did not have a budget and had not been costed but had been set in the context of the current economic climate with costs being kept to a minimum.

66.7 The Commission agreed that this important matter warranted a formal report setting out in particular the staff numbers involved and implications regarding finance, risk/opportunity and corporate outcomes.

66.8 RESOLVED that a detailed formal report on the full draft People Strategy with implications be presented to the next meeting of OSC, 27 March.

67. EQUALITIES UPDATE

67.1 Sarah Tighe-Ford Equalities Coordinator presented the regular Equalities update to Scrutiny. She said the remit of the Communities and Equality Team included Geographical Neighbourhoods through Community Development Commissioning; Citywide work on Discretionary Grants as well as Equalities responsibilities.

67.2 Equalities covered both the internal role of compliance with the law and meeting the commitment of reducing inequality, and externally working with Partnerships, communities of interest and community and voluntary sector groups across the City.

67.3 The Equalities Coordinator outlined the new Equality and Inclusion Policy and the Council's equality duties and went on to summarise the latest work on: equality impact assessment of the Council's budget proposals; the City Inclusion Partnership; Needs Assessments; engagement, community development commissioning, corporate activities and supporting the review of the Council's Traveller Strategy.

67.4 Answering a question the Equalities Coordinator set out the current work on equalities implications of proposals for neighbourhood councils pilots.

67.5 The Chair welcomed the report and especially the Countability project on barriers faced by disabled people. She thanked the officers for comprehensive information.

67.6 RESOLVED; that the report be noted.

68. CLIMATE CHANGE ADAPTATION

68.1 The Head of Sustainability and Environmental Policy Thurstan Crockett introduced the report on implementing the climate change adaptation scrutiny review recommendations. Rather than emergency planning and business continuity planning, this work was pro-active for the longer term to ensure a resilient Council and community, as part of the city Climate Change Strategy.

68.2 We frequently face severe weather; for example a City temporary emergency cold weather shelter had just been opened for homeless people. There had been about 60 severe weather incidents in the city in the last decade.

68.3 Action since the scrutiny review included progress with the surface water management plan: the preliminary flood risk assessment had been completed and published on the Environment Agency website. The risk assessment was in progress and due to be completed in 2013. The Climate Change Strategy had been to the Strategic Partnership and Cabinet and a task and finish work group was being set up to implement the local climate impact profile (LCLIP) report recommendations.

68.4 The Head of Sustainability and Environmental Policy summarised each of the actions against the scrutiny recommendations. Regarding recommendation 5 (performance); although the organisation remained at level 0, a number of actions did meet a higher level in this framework, and few local authorities were achieving more than level 1 when last benchmarked; and at recommendation 6 (external funding) bids had been made for Big Lottery funding. Members would be provided with details of the performance levels 0 – 5.

68.5 The Commission agreed that in a committee system, it was important that an elected Member would still undertake responsibility for climate change adaptation. Councillor Ollie Sykes emphasised the importance of both a political and technical lead from the Sustainability Team on climate change issues. He said the European Programme 'Coastal Communities 2150' would be relevant to this work.

68.6 Councillor Tony Janio, Deputy Chair who also served on the scrutiny panel supported the principle of the adaptation test generally being unsuitable for small businesses. (recommendation 8). He asked about the impact of recent Flood legislation and on funding of coastal and flood defence. Councillor Sven Rufus who served on the Regional Flood and Coastal Committee said there would be changes from 2013-2014.

68.7 Councillor Warren Morgan pointed out the value of working with neighbouring authorities, and said a regional government agency would have been ideally placed to coordinate these actions.

68.8 Summarising, the Chair Councillor Gill Mitchell, also a Member of the scrutiny panel said the activity needed monitoring in the future and this was agreed.

68.9 RESOLVED that a further monitoring report be presented to a future scrutiny meeting.

69. BUDGET SCRUTINY PANEL

69.1 Councillor Ken Norman Chair of the Budget Scrutiny Panel introduced the report of the review. He had enjoyed the process. He thanked the Members serving on the Panel – Councillors Mary Mears, Gill Mitchell, Anne Pissaridou, Christina Summers and Ollie Sykes and was pleased that Joanna Martindale had also been an active member as the Community and Voluntary Sector Forum co-optee.

69.2 This had been a challenging review and a more detailed budget scrutiny than before. The Panel had heard from all the Cabinet Members and had asked a wide range of questions in a series of five meetings. Councillor Norman thanked all the witnesses for providing information and for sending written replies afterwards where necessary.

69.3 The Panel had made 13 recommendations to refer to Cabinet; these related more to organisational issues for the future rather than to specific budget areas in this year's proposals. Councillor Norman looked forward to budget Council and meanwhile asked that the Commission approve the Panel's report.

69.4 Councillor Gill Mitchell, Chair of OSC and a Member of the Panel, said this had been the best budget scrutiny yet. It had focussed on individual areas of the budget as well as the general approach to the proposals.

69.5 Councillor Janio commented that the budget scrutiny process had been open and handled much better than previously. It was helpful that the Panel was able to question Cabinet Members directly, for example. This approach should be used for future budget scrutiny he said.

69.6 Members felt that the Budget Panel had been an effective in-depth method of scrutiny, allowing consistent cross-party challenge and more constructive than previous alternatives (i.e. the whole budget presented to OSC; or relevant sections of the budget considered separately by each Overview and Scrutiny Committee). It was helpful that the papers had been published well in advance.

69.7 The background to recommendation 8 (funding to the third sector) and recommendation 9 (partnership approach) was discussed by the Commission. Councillor Norman explained that proposals to transfer public health funding to the Council had, in the event, been unavailable for scrutiny comment. He hoped there would be wider involvement and more information from health and other public sector partners to enable closer examination of proposals in future.

69.8 Councillor Warren Morgan asked how proposals for savings via joint commissioning would be coordinated. He said that the process needed to be clear and timescales should be agreed in good time to meet future budget deadlines. The Head of Policy Performance and Analysis told Members a cross-partnership group had been set up by the PSB and an update on this work would be provided for OSC Members.

69.9 On behalf of the Commission, Councillor Mitchell put on record thanks to Cabinet Members and officers for giving information and answering questions and to Councillor Norman and the other Panel Members and the scrutiny team for their work on the scrutiny review.

69.10 RESOLVED: that the Budget Scrutiny Panel report be endorsed and referred to the Cabinet.

70. UPDATE FROM CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE: HOSC (VERBAL)

70.1 Councillor Sven Rufus, Chair of HOSC, outlined the Committee's involvement in the many changes in the NHS, both locally and as part of a regional HOSC network. These included abolition of Primary Care Trusts and creation of Clinical Commissioning Groups, creation of Healthwatch, transfer of public health responsibilities to local authorities, and establishing of Health and Wellbeing Boards.

70.2 Local issues that HOSC had considered included the reduction in the number of acute mental health beds at Mill View Hospital. Members were interested in more information re; the clinical task force that had been established.

70.3 Councillor Rufus detailed some of the plans for future health scrutiny. He said HOSC would be holding scrutiny workshops on NHS 'quality' and end of life care; Members expressed an interest in attending.

70.4 RESOLVED: that the report be noted.

71. OSC DRAFT WORK PLAN

71.1 Members noted the work plan.

72. ITEMS TO GO FORWARD TO CABINET, CABINET MEMBER MEETING OR FULL COUNCIL

72.1 The Budget Scrutiny report would be referred to 9 February Cabinet.

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of