

Committee: Overview and Scrutiny Commission

Date: 7 July 2016

Wards: All

Subject: Overview and Scrutiny Commission Work Programme 2016/17

Lead officer: Julia Regan, Head of Democracy Services

Lead member: Cllr Peter Southgate, Chair of the Overview and Scrutiny Commission

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Recommendations:

That members of the Overview and Scrutiny Commission

- i) Consider their work programme for the 2016/17 municipal year, and agree issues and items for inclusion (see draft in Appendix 1);
 - ii) Appoint members to the financial monitoring task group, to meet on 26 July, 10 November, 2 March and a later date to be determined by the task group;
 - iii) Consider whether they wish to establish a task group review this year;
 - iv) Consider whether they wish to make visits to local sites; and
 - v) Identify any training and support needs.
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to support and advise Members to determine their work programme for the 2016/17 municipal year.
- 1.2 This report sets out the following information to assist Members in this process:
 - a) The principles of effective scrutiny and the criteria against which work programme items should be considered;
 - b) The roles and responsibilities of the Overview and Scrutiny Commission;
 - c) The findings of the consultation programme undertaken with councillors and co-opted members, senior management, voluntary and community sector organisations, partner organisations and Merton residents;
 - d) A summary of discussion by councillors and co-opted members at a topic selection workshop held on 25 May 2016; and
 - e) Support available to the Overview and Scrutiny Commission to determine, develop and deliver its 2016/17 work programme.

2. Determining the Overview and Scrutiny Commission Annual Work Programme

- 2.1 Members are required to determine their work programme for the 2016/17 municipal year to give focus and structure to scrutiny activity to ensure that it effectively and efficiently supports and challenges the decision-making processes of the Council, and partner organisations, for the benefit of the people of Merton.

- 2.2 The Overview and Scrutiny Commission has specific roles relating to budget and business plan scrutiny and to performance monitoring that should automatically be built into their work programmes.
- 2.3 Since 2012/13, the Commission has agreed each year to establish a financial monitoring task group to lead on the scrutiny of financial monitoring information on behalf of the Commission, with the following terms of reference:
- To carry out scrutiny of the Council's financial monitoring information on behalf of the Overview and Scrutiny Commission;
 - To advise on other agenda items as requested by the Overview and Scrutiny Commission;
 - To report minutes of its meetings back to the Overview and Scrutiny Commission;
 - To send via the Commission any recommendations or references to Cabinet, Council or other decision making bodies.
- 2.4 At the scrutiny topic workshop on 25 May 2016, members recommended that the Commission re-establish this task group. The Commission is therefore requested to appoint members to the group. It is proposed that the task group will meet four times during 2016/17 to enable the financial monitoring information to be examined on a quarterly basis as well as scrutinising a small number of budget areas in-depth and reporting back any recommendations to the Commission. The meetings will be held in public and the agenda and minutes will be published on the Council's website, alongside those of the Commission.
- 2.5 The Overview and Scrutiny Commission may choose to scrutinise a range of issues through a combination of pre-decision scrutiny items, policy development, performance monitoring, information updates and follow up to previous scrutiny work. Any call-in work will be programmed into the provisional call-in dates identified in the corporate calendar as required.
- 2.6 The Overview and Scrutiny Commission has six scheduled meetings over the course of 2016/17, including the scheduled budget meeting (representing a maximum of 18 hours of scrutiny per year – assuming 3 hours per meeting). Members will therefore need to be selective in their choice of items for the work programme.

Principles guiding the development of the scrutiny work programme

- 2.7 The following key principles of effective scrutiny should be considered when the Commission determines its work programme:
- **Be selective** – There is a need to prioritise so that high priority issues are scrutinised given the limited number of scheduled meetings and time available. Members should consider what can realistically and properly be reviewed at each meeting, taking into account the time needed to scrutinise each item and what the session is intended to achieve.
 - **Add value with scrutiny** – Items should have the potential to 'add value' to the work of the council and its partners. If it is not clear what the intended outcomes or impact of a review will be then Members should consider if there are issues of a higher priority that could be scrutinised instead.

- **Be ambitious** – The Commission should not shy away from carrying out scrutiny of issues that are of local concern, whether or not they are the primary responsibility of the council. The Local Government Act 2000 gave local authorities the power to do anything to promote economic, social and environmental well being of local communities. Subsequent Acts have conferred specific powers to scrutinise health services, crime and disorder issues and to hold partner organisations to account.
- **Be flexible** – Members are reminded that there needs to be a degree of flexibility in their work programme to respond to unforeseen issues/items for consideration/comment during the year and accommodate any developmental or additional work that falls within the remit of this Commission. For example Members may wish to questions officers regarding the declining performance of a service or may choose to respond to a Councillor Call for Action request.
- **Think about the timing** – Members should ensure that the scrutiny activity is timely and that, where appropriate, their findings and recommendations inform wider corporate developments or policy development cycles at a time when they can have most impact. Members should seek to avoid duplication of work carried out elsewhere.

Models for carrying out scrutiny work

2.8 There are a number of means by which the Overview and Scrutiny Commission can deliver its work programme. Members should consider which of the following options is most appropriate to undertake each of the items they have selected for inclusion in the work programme:

Item on a scheduled meeting agenda/ hold an extra meeting of the Commission	<ul style="list-style-type: none"> ■ The Commission can agree to add an item to the agenda for a meeting and call Cabinet Members/ Officers/Partners to the meeting to respond to questioning on the matter ■ A variation of this model could be a one-day seminar-scrutiny of issues that, although important, do not merit setting up a 'task-and-finish' group.
Task Group	<ul style="list-style-type: none"> ■ A small group of Members meet outside of the scheduled meetings to gather information on the subject area, visit other local authorities/sites, speak to service users, expert witnesses and/or Officers/Partners. The Task Group can then report back to the Commission with their findings to endorse the submission of their recommendations to Cabinet/Council ■ This is the method usually used to carry out policy reviews
Commission asks for a report then takes a view on action	<ul style="list-style-type: none"> ■ The Commission may need more information before taking a view on whether to carry out a full review so asks for a report – either from the service department or from the Scrutiny Team – to give them more details.
Meeting with service Officer/Partners	<ul style="list-style-type: none"> ■ A Member (or small group of Members) has a meeting with service officers/Partners to discuss concerns or raise queries. ■ If the Member is not satisfied with the outcome or believes that the Commission needs to have a more

	in-depth review of the matter s/he takes it back to the Commission for discussion
Individual Members doing some initial research	<ul style="list-style-type: none"> ■ A member with a specific concern carries out some research to gain more information on the matter and then brings his/her findings to the attention of the Commission if s/he still has concerns.

2.9 Note that, in order to keep agendas to a manageable size, and to focus on items to which the Commission can make a direct contribution, the Commission may choose to take some “information only” items outside of Commission meetings, for example by email.

Support available for scrutiny activity

2.10 The Overview and Scrutiny function has dedicated scrutiny support from the Scrutiny Team to:

- Work with the Chair and Vice-Chair of the Commission to manage the work programme and coordinate the agenda, including advising officers and partner organisations on information required and guidance for witnesses submitting evidence to a scrutiny review;
- Provide support for scrutiny members through briefing papers, background material, training and development seminars, etc;
- Facilitate and manage the work of the task and finish groups, including research, arranging site visits, inviting and briefing witnesses and drafting review reports on behalf on the Chair; and
- Promote the scrutiny function across the organisation and externally.

2.11 The Overview and Scrutiny Commission will need to assess how they can best utilise the available support from the Scrutiny Team to deliver their work programme for 2016/17.

2.12 The Commission is also invited to comment upon any briefing, training and support that is needed to enable Members to undertake their work programme. Members may also wish to undertake visits to local services in order to familiarise themselves with these. Such visits should be made with the knowledge of the Chair and will be organised by the Scrutiny Team.

2.13 The Scrutiny Team will take the Overview and Scrutiny Commission’s views on board in developing the support that is provided.

3. Selecting items for the Scrutiny Work Programme

3.1 The Overview and Scrutiny Commission sets its own agenda within the scope of its terms of reference. The Overview and Scrutiny Commission undertakes a coordinating role to ensure that any gaps or overlap in the scrutiny work programme are dealt with in a joined-up way.

The Overview and Scrutiny Commission has the following remit: -

- Formal crime & disorder scrutiny
- Safer communities: the role of the Crime and Disorder Reduction Partnership, safer neighbourhood teams, anti-social behaviour, drugs & alcohol treatment, domestic violence and road safety

- Stronger communities: community leadership, voluntary & community sector, public involvement & consultation; community cohesion, service delivery diversity & equalities
- Cross-cutting & strategic matters, inc. scrutiny of the budget & business plan and the approach to partnership arrangements
- Corporate capacity issues – communications, legal, human resources, IT, customer service
- The performance monitoring framework
- Financial monitoring
- Responsibility for keeping scrutiny under review

3.1 The Scrutiny Team has undertaken a campaign to gather suggestions for issues to scrutinise either as agenda items or task group reviews. Suggestions have been received from members of the public, councillors and partner organisations including the police, NHS and Merton Voluntary Service Council. Other issues of public concern have been identified through the Annual Residents Survey. Issues that have been raised repeatedly at Community Forums have also been included. The Scrutiny Team has consulted departmental management teams in order to identify forthcoming issues on which the Commission could contribute to the policymaking process.

3.2 A description of all the suggestions received is set out in Appendix 2.

3.3 The councillors who attended a “topic selection” workshop on 25 May 2016 discussed these suggestions. Suggestions were prioritised at the workshop using the criteria listed in Appendix 3. In particular, participants sought to identify issues that related to the Council’s strategic priorities or where there was underperformance; issues of public interest or concern and issues where scrutiny could make a difference.

3.4 A note of the workshop discussion relating to the remit of the Commission is set out in Appendix 4.

3.5 Appendix 1 contains a draft work programme that has been drawn up, taking the workshop discussion into account, for the consideration of the Commission. The Commission is requested to discuss this draft and agree any changes that it wishes to make.

4. Task group reviews

4.1 The topic workshops discussions did not identify any priority areas for task group review. The Commission is therefore asked to consider whether it wishes to carry out a task group review during 2016/17 and, if so, what issues it wishes to scrutinise.

4.2 The scrutiny team, in discussion with the equality and community cohesion officer, have suggested that a task group could investigate and make recommendations on how best to support new communities to build resilience and to participate in the community and civic life of the borough. The task group could hear from community groups and individuals from recently arrived communities in Merton as identified in the 2011 census, such as the Polish and South African communities. Issues to be discussed may include taking part in community forum meetings, becoming a school governor or councillor, recruitment of foster carers, reporting domestic violence and hate crime, access to council and health services.

4.3 Any suggestions approved by the Commission will be researched by the Scrutiny Team and draft terms of reference reported back to the Commission for further consideration.

5. Public involvement

- 5.1 Scrutiny provides extensive opportunities for community involvement and democratic accountability. Engagement with service users and with the general public can help to improve the quality, legitimacy and long-term viability of recommendations made by the Commission.
- 5.2 Service users and the public bring different perspectives, experiences and solutions to scrutiny, particularly if “seldom heard” groups such as young people, disabled people, people from black and minority ethnic communities and people from lesbian gay bisexual and transgender communities are included.
- 5.3 This engagement will help the Commission to understand the service user’s perspective on individual services and on co-ordination between services. Views can be heard directly through written or oral evidence or heard indirectly through making use of existing sources of information, for example from surveys. From time to time the Commission/Task Group may wish to carry out engagement activities of its own, by holding discussion groups or sending questionnaires on particular issues of interest.
- 5.4 Much can be learnt from best practice already developed in Merton and elsewhere. The Scrutiny Team will be able to help the Commission to identify the range of stakeholders from which it may wish to seek views and the best way to engage with particular groups within the community.

6. Training and visits

Training

- 6.1 The annual member survey asked what scrutiny related training and development opportunities councillors and co-opted members would like to have provided in the coming year.
- 6.2 Twenty one respondents agreed that they had a need for training and development opportunities in at least one of the core areas specified in the questionnaire:
- chairing and agenda management (7 respondents)
 - questioning skills (9)
 - how to monitor performance and interpret data (7)
 - finance/budget scrutiny (8)
- 6.3 *The report of the annual* member survey, elsewhere on this agenda, contains two recommendations on training:
- That the Head of Democracy Services will, in discussion with HR (who have responsibility for member development and training) ensure that appropriate training sessions are offered on all the areas identified by the survey.
 - That HR liaises with group offices throughout the year to promote awareness of upcoming training opportunities.
- 6.4 The Commission is asked to consider whether there are other training needs and to provide comments on how the training needs identified by the annual member survey could be met.

Visits

- 6.5 Commission members are asked to identify any visits that they would find helpful to provide a context for scrutinising service delivery or policy changes.

7. ALTERNATIVE OPTIONS

- 7.1 A number of issues highlighted in this report recommend that Commission members take into account certain considerations when setting their work programme. The Overview and Scrutiny Commission is free to determine its work programme as it sees fit. Members may therefore choose to identify a work programme that does not take into account these considerations. This is not advised as ignoring the issues raised would either conflict with good practice and/or principles endorsed in the Review of Scrutiny, or could mean that adequate support would not be available to carry out the work identified for the work programme.

- 7.2 A range of suggestions from the public, partner organisations, officers and Members for inclusion in the scrutiny work programme are set out in the appendices, together with a suggested approach to determining which to include in the work programme. Members may choose to respond differently. However, in doing so, Members should be clear about expected outcomes, how realistic expectations are and the impact of their decision on their wider work programme and support time. Members are also free to incorporate into their work programme any other issues they think should be subject to scrutiny over the course of the year, with the same considerations in mind.

8. CONSULTATION UNDERTAKEN OR PROPOSED

- 8.1 To assist Members to identify priorities for inclusion in the Commission's work programme, the Scrutiny Team has undertaken a campaign to gather suggestions for possible scrutiny reviews from a number of sources:
- a. Letter to partner organisations and to a range of local resident groups, voluntary and community organisations, including those involved in the Inter-Faith Forum and members of the Lesbian Gay and Transgender Forum;
 - b. Councillors have put forward suggestions by raising issues in scrutiny meetings, via the Overview and Scrutiny Member Survey 2016, and by contacting the Scrutiny Team direct; and
 - c. Officers have been consulted via discussion at departmental management team meetings.

9. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 9.1 There are none specific to this report. Scrutiny work involves consideration of the financial, resource and property issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific financial, resource and property implications.

10. LEGAL AND STATUTORY IMPLICATIONS

- 10.1 Overview and scrutiny bodies operate within the provisions set out in the Local Government Act 2000, the Health and Social Care Act 2001 and the Local Government and Public Involvement in Health Act 2007.

- 10.2 Scrutiny work involves consideration of the legal and statutory issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific legal and statutory implications.
- 11. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**
- 11.1 It is a fundamental aim of the scrutiny process to ensure that there is full and equal access to the democratic process through public involvement and engagement. The reviews will involve work to consult local residents, community and voluntary sector groups, businesses, hard to reach groups, partner organisations etc and the views gathered will be fed into the review.
- 11.2 Scrutiny work involves consideration of the human rights, equalities and community cohesion issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific human rights, equalities and community cohesion implications.
- 12. CRIME AND DISORDER IMPLICATIONS**
- 12.1 In line with the requirements of the Crime and Disorder Act 1998 and the Police and Justice Act 2006, all Council departments must have regard to the impact of services on crime, including anti-social behaviour and drugs. Scrutiny review reports will therefore highlight any implications arising from the reviews relating to crime and disorder as necessary.
- 13. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**
- 13.1 There are none specific to this report. Scrutiny work involves consideration of the risk management and health and safety issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific risk management and health and safety implications.
- 14. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**
- 14.1 Appendix 1 – Overview and Scrutiny Commission draft work programme 2016/17
- 14.2 Appendix 2 – Summary of topics relating to the Overview & Scrutiny Commission’s remit suggested for inclusion in the scrutiny work programme
- 14.3 Appendix 3 – Selecting a Scrutiny Topic – criteria used at the workshop on 25 May 2016
- 14.4 Appendix 4 – Notes from discussion of topics relating to the remit of the Overview and Scrutiny Commission, Scrutiny Topic Selection Workshop on 20 May 2016
- 15. BACKGROUND PAPERS**
- 15.1 None

Draft work programme 2016/17**Meeting date – 7 July 2016**

Item/Issue
Leader and Chief Executive – vision, key priorities & challenges for 2016/7
Merton Partnership annual report
Rehabilitation strategies
Report of shared and outsourced service scrutiny task group
Analysis of annual members' scrutiny survey
Discussion of questions for the Borough Commander

Meeting date – 20 September 2016

Borough Commander – policing in Merton
Disability hate crime
Customer contact programme - update
Volunteering and voluntary sector – pre decision scrutiny of draft strategy

Meeting date – 15 November 2016

Budget scrutiny round 1
CCTV
Enforcement
Equality and Community Cohesion Strategy 2017-20 (pre decision of draft strategy)

Meeting date 26 January 2017 – scrutiny of the budget**Meeting date 7 March 2017**

Customer contact programme update
Immunisation scrutiny task group – monitor implementation of recommendations
Shared and outsourced services task group – Cabinet response and action plan
Review of recruitment of co-opted members
Discussion of questions for the Borough Commander

Meeting date 28 March 2017

London Assembly Member – Mayor of London's policing priorities
Borough Commander – policing in Merton
Violence Against Women and Girls – progress report
Services for women and children in refuges
Overview and scrutiny annual report

Description of topic suggestions received in relation to the remit of the Overview and Scrutiny Commission 2016/17

The following topics were suggested by residents, local groups, councillors and officers, for consideration by the Overview and Scrutiny Commission, for their 2016/17 work programme.

POLICING IN MERTON

Who suggested this issue?

In previous years the Commission has received regular updates on crime and policing from the borough commander as a standing item.

Summary of the issue:

In 2015/16, the Commission has questioned the Borough Commander on two occasions, examined crime data and scrutinised the deployment of police officers in the borough.

What could Scrutiny do?

It is recommended that the Commission should continue to invite the Borough Commander to attend twice yearly. Identifying questions in advance of the meeting has worked well in the past year and it is recommended to continue this approach.

DISABILITY HATE CRIME

Who suggested this issue?

Merton Centre for Independent Living (MCIL) are concerned that hate crimes against disabled people are under-reported. They have suggested this issue for scrutiny last year and again this year.

Summary of the issue

A hate crime is defined as a crime committed against someone because of their disability, gender-identity, race, religion or sexual orientation. It is perceived by the victim or any other person as being motivated by prejudice or hate.

A new Metropolitan Police initiative called Disability Hate Crime Matters has been launched to tackle the acknowledged under-reporting of disability hate crime. Many victims choose not to report it as they are fearful of retribution, lack confidence in police response or simply view hate crime as an inevitable occurrence in day to day life.

In 2014, 233 offences of all categories of hate crime (i.e. across all equality strands not just disability) were reported in Merton to the Metropolitan Police Service. This increased to 312 offences in 2015. In Merton, there are over 25,000 disabled people and extrapolation from the Crime Survey figures suggest that at least 125 people are estimated to have been a victim of a disability hate crime. Comparison with the 6 recorded disability crimes in the 12 months to October shows the extent of under-reporting.

How could scrutiny look at it?

Merton Centre for Independent Living is working on hate crime against disabled people and have commissioned Stay Safe East to carry out research on hate crime in Merton, looking at disabled people's experiences and whether they report incidents, and how services respond to them, as well as the legal and policy background. The final report will look at how disabled people, the police and other services can work in partnership to ensure effective identification of hate crime against disabled people, and a positive response to victims so they get justice or resolution.

The Overview and Scrutiny Commission could ask Merton Centre for Independent Living to present its final report and discuss the most effective way to support work on this issue. Witnesses could include members of Safer Merton, the Borough Commander and equalities groups.

The Commission could review the hate crime care pathway, which would clarify procedures for detection referral, signpost relevant information to support victims and follow-up on reports. The Commission could also review the Hate Crime Action Plan 2009-2011 which dates from 2009-10.

ANTISOCIAL BEHAVIOUR

Who suggested this issue?

The Commission received a report in March 2016 setting out performance on dealing with cases of anti-social behaviour reported to the council's ASB team. The Commission requested a further report in 12 months time, to include ASB trend data by ward broken down by category level.

Summary of the issue:

Anti-Social Behaviour (ASB) is a broad term used to describe the day-to-day incidents of crime, nuisance and disorder that makes many people's lives a misery – from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours.

The Anti-Social Behaviour, Police and Crime Act 2014 provided the council with new duties and responsibilities to tackle ASB, working co-operatively with the police, social landlords and other agencies.

The Merton Annual Residents' Survey indicates that the level of public concern with anti-social behaviour has decreased in recent years – in 2014 42% of people surveyed stated that they were either very worried or fairly worried about ASB, compared with 44% in 2013, 45% in 2012 and 51% in 2011.

What could Scrutiny do?

If the Commission does still wish to receive an update, it is suggested that this report be programmed for March/April 2017 so a further 12 months worth of data can be included.

VIOLENCE AGAINST WOMEN AND GIRLS

Who suggested this issue?

The Commission received a report at its meeting in November 2015 to provide an overview of work carried out on violence against women and girls, including domestic abuse and violence, child sexual exploitation and female genital mutilation.

What could Scrutiny do?

The Commission requested a progress report in 12 months time on implementation of the four Multi Agency Risk Assessment Conference action points. It specified that this should include data, where available, on the number of offences and reoffending rates, based on actual numbers rather than extrapolations.

CCTV

Who suggested this issue?

The Environment & Regeneration Departmental Management team suggested the Commission request a follow up on the delivery of the CCTV Action Plan.

Summary of the issue:

CCTV in Merton is a staffed service run by Safer Merton within the Department of Environment and Regeneration, led from a secure control room. The cameras are run solely by the council, but often the council will work with partner organisations such as the police to provide footage of criminal activity.

In 2014/15 the Commission examined findings of an independent review and received update on measures taken to improve management of the service, procure new equipment and review existing contracts

What could Scrutiny do?

The Commission could receive a progress report on the delivery of the CCTV action plan. It could also look at any proposals for operational efficiencies or budget savings in the CCTV service.

CUSTOMER CONTACT PROGRAMME

Summary of the issue:

The Commission has scrutinised the development and implementation of this important programme over a number of years. The programme's key objective is to improve the way the council interacts with its customers, in line with the Customer Contact Strategy agreed in 2013, to improve customers' experiences as well as increase efficiency.

What could scrutiny do?

It is suggested that the Commission should continue to receive regular progress updates in 2016/17. This should include information on savings achieved through the customer contact programme, as requested by the Commission at its April 2016 meeting.

MONITORING THE COUNCIL'S EQUALITIES COMMITMENTS

Summary of the issue:

This has been a long standing item whereby the Commission receives an annual update on implementation of the Council's Equality Strategy Action Plan.

Work has started on the new Equality Strategy 2017-2021 so there will be an opportunity for the Commission to review and comment on this at draft stage should it wish to do so.

What could scrutiny do?

The Commission could receive the draft 2017-21 strategy at its meeting in November 2016 and request a final update on implementation of the 2013-17 action plan at the same meeting.

VOLUNTEERING

Summary of the issue:

The Commission received an annual update on the Volunteering and Community Strategy Action Plan at its meeting in March 2016. It was pleased to hear that significant progress had been made, including on matching volunteers to volunteering opportunities, providing a wider range of opportunities, assistance to young people and to those requiring specialist support.

The Commission asked to be kept informed on progress with this important work.

What could scrutiny do?

The Merton Partnership is planning to combine and refresh the volunteering and community strategy action plan and the voluntary sector strategy, with a view to finalising this in November 2016. This will include details of the council's priorities, level of support for the voluntary sector and policy on use of volunteers.

The Commission could receive the draft strategy at its meeting on 20 September 2016 so that its comments and recommendations could be taken into account in the production of the strategy.

IMPACT OF POPULATION GROWTH ON LOCAL SERVICES

Who suggested the issue?

The Conservative Group has suggested that scrutiny examine how the borough copes with the increasing numbers of new residents/families arriving in Merton (including via the asylum system and being housed here from other boroughs) and the effect on local services

Summary of the issue:

An analysis of demographic trends, presented to the Commission in November 2013, forecast population growth in Merton by 2017 of between 6,000 and 16,000 people. In particular there was forecast an increase of 20% in the number of children aged 5-9, a fall in the 20-35 age group and an 11% increase in over 65s. The report set out key implications for health services, schools, adult social care, housing and other local services. The report also included a projection of the impact on the council's budget.

What could scrutiny do?

The Commission could receive a presentation to set out the latest population projections, information on how services plan to address population changes and what the financial implications will be.

Note that the Children and Young People Panel's topic suggestions include proposals for scrutiny of secondary school places, unaccompanied asylum seeking children and pre-decision scrutiny of school admission arrangements.

IMMUNISATION TASK GROUP REVIEW

In November 2015 the Commission received a progress update setting out action achieved on implementation of each of this cross-cutting task group's recommendations. The commission welcomed the improvement in immunisation rates but noted that the performance on the pre

school booster for diphtheria, tetanus, polio, pertussis is below the London average. The Commission agreed to receive a further update in 12 months time.

REGISTRARS

Who suggested this issue?

The Corporate Services Departmental Management Team has suggested that scrutiny could assess the potential for a shared registrars service with one or more other local authorities and/or options for holding ceremonies at another location .

Summary of the issue:

The registrars service includes:

- registration of all births, deaths and stillbirths in Merton Registration district
- custody of the registers relating to births, deaths and marriages from the Merton district since 1837 and can, on request, issue copies of the entries.
- conduct and register all civil marriage ceremonies and all civil partnership registrations occurring within the Merton Registration district.
- support to clergy and authorised persons registering marriage throughout Merton registration district.
- a nationality checking service for prospective new British citizens from anywhere in the UK.
- conduct all citizenship ceremonies in the Merton Registration district.
- conduct Naming Ceremonies and Renewal of Vow Ceremonies.

What could scrutiny do?

A mini task group review could scrutinise information on costs and income generated from ceremonies at Morden Park House compared to alternative locations. It could also request information on options for alternative delivery models including a shared service.

Alternatively the Commission could delegate this work to the financial monitoring task group for one of its “deep dives”.

ASSET MANAGEMENT

Who suggested this issue?

The Conservative Group has suggested that scrutiny look at:

- asset management, and in particular looking at how many different premises LBM owns or leases and how these could be rationalised to minimise costs, maximise capital receipts and enhance service delivery
- review of the sale of development sites and alternatives for managing the Council's assets, including how best for the Council to become developer
- review of the commercial companies LB Merton owns

Summary of the issue:

The Council's Asset Management Plan 2011-15 sets out the decision making processes, management protocols and policies for corporate asset management:

http://www.merton.gov.uk/corporate_asset_management_plan_2011-2015.pdf

The financial monitoring task group received a report at its meeting on 23 February 2016 to provide an overview of non-operational estate owned by the council, how it is managed and the return of investment that is received.

What could scrutiny do?

The Commission could delegate detailed scrutiny of the council's estate management to the financial monitoring task group as the task group has prioritised estate management as an issue for scrutiny at its meeting on 5 July 2016.

The task group has requested a list of individual properties owned by Merton; the last date the property was valued and the value given; the current rental amount; the date on which the property rental can be renegotiated or any other agreed rental increases/ dates. It has also asked for further detail on benchmarking data that was provided on return on investment, setting out the assumptions behind the figures and how comparable they are.

PROCUREMENT

Who suggested this issue?

The Corporate Services Departmental Management Team has suggested that scrutiny review what is being done to save money by reducing the number of suppliers.

Members of the Commission have previously expressed interest in identifying ways in which the council could save money through procurement.

Summary of the issue

The Council's Procurement Strategy 2013-16 aims to ensure that ensure that procurement activities are undertaken efficiently and economically whilst contributing to the realisation of the economic, social and environmental benefits for the borough. It is based on development of the principles and good practice established through the National Procurement Strategy for Local Government.

http://www.merton.gov.uk/merton_2015_ps_procurement_strategy_final.pdf

The Strategy is supported by the Council's Contract Standing Orders (Part 4G of the Council's Constitution) which set out the regulations to be followed by council employees when engaged in procurement activities on behalf of the council:

<http://democracy.merton.gov.uk/documents/s2592/Part%204G.pdf>

What could scrutiny do?

The Commission could receive a report setting out what is being done to improve the council's performance on procurement, including by reducing the number of suppliers. The Commission could also follow up on previous information received of difficulties in recruiting procurement officers and review what is being done to address this, including consideration of alternative models of service delivery.

Alternatively the Commission may wish to set up a task group review to investigate and make recommendations on how to improve the council's performance on procurement.

OUTSOURCED AND SHARED SERVICES TASK GROUP REVIEW

The Commission will receive a report at its meeting in July 2016 that will present the findings, conclusions and recommendations of two consecutive task group reviews of shared and outsourced services. A further report will be received in November to set out cabinet's action plan for implementing the recommendations.

The task group has found that there are considerable benefits to be gained from shared and outsourced service arrangements. It has made recommendations aimed at ensuring more is done to provide rigorous challenge to choose the most appropriate delivery model for each service; that there is a standardised business case that should include financial modelling to set out options and alternatives; and that scrutiny continue to take an active role in this work by reviewing the draft business case template, inviting the Chief Executive to report annually to the Overview and Scrutiny Commission on how challenge has been embedded, and receiving reports on the proposed establishment of large or strategically important shared or outsourced services at a various points in time when there is an opportunity to have some influence on its development.

It is recommended that Mitcham Cricket Green Community and Heritage Group is invited to participate in discussion of the action plan in November 2016 because their suggestion that scrutiny examine how decisions to contract out key services are made, especially to ensure effective and transparent consideration of other options and appropriate community involvement, has been addressed to some extent by the work of the task group.

FINANCIAL MONITORING:

Summary of this issue

In previous years the Commission has delegated this work to a financial monitoring task group with the following terms of reference:

- To carry out scrutiny of the Council's financial monitoring information on behalf of the Overview and Scrutiny Commission
- To advise on other agenda items as requested by the Overview and Scrutiny Commission
- To report minutes of its meetings back to the Overview and Scrutiny Commission
- To send via the Commission any recommendations or references to Cabinet, Council or other decision making bodies

In 2015/16 the task group has scrutinised a number of areas in depth including staffing vacancies, commercial waste, transport services, council tax recovery and estate management.

What could scrutiny do?

It is recommended that the Commission should re-establish the task group in 2016/17 and ask it to carry out in-depth work on small number of services (as agreed by the Commission at its meeting on 5 April 2016) as well as continuing to receive quarterly financial monitoring reports.

The Commission, at its March 2016 meeting, recommended that the task group should carry out "deep dives" of a small number of service areas and report back to the Commission on how this has worked so that the Commission can identify any changes it wishes to make to the budget scrutiny process for the coming year.

The Commission further recommended that, in carrying out detailed scrutiny of service expenditure, the task group should look for revenue opportunities, procurement and efficiency savings and should draw on learning from the scrutiny task groups' work on shared and outsourced services and on commercialisation.

BUDGET SCRUTINY:

The Overview and Scrutiny Commission has a constitutional duty to coordinate the scrutiny responses on the business plan and budget formulation.

It is suggested that, as in previous years, the Commission should put aside some time in its meeting in November and prepare to devote the whole of its January meeting to budget scrutiny. This would be subject to review following report back by the financial monitoring task group on how the “deep dive” approach to scrutinising services’ budgets has worked.

The Commission, at its meeting on 23 March 2016, agreed to carry out pre-decision scrutiny of the proposals for public consultation on the budget, and specifically on the levy for adult social care. The Commission wishes to scrutinise the methodology and content of the questions to be asked.

REVIEW OF NON VOTING CO-OPTED MEMBERS

A new non voting co-opted member, Geoffrey Newman, was co-opted to the Commission for a period of twelve months from May 2015. This has been renewed by the commission for a further 12 months. It is suggested that the Commission review the skills and experience required from co-opted members towards the end of 2016/17 prior to making further decisions on recruitment of any new co-opted members for 2017/18.

ANNUAL REPORTS RECEIVED BY THE COMMISSION IN PAST YEARS:

- Analysis of Members’ survey – an annual survey of all councillors and co-opted members to collect views about how scrutiny is working and how it can be improved. The survey also evaluates satisfaction with the scrutiny function as a whole and with the different workstreams that make up overview and scrutiny. This will be reported to the Commission at its meeting on 7 July 2016.
- Overview and Scrutiny annual report – the council’s constitution requires the Commission to submit to Council an annual report outlining the work of the overview and scrutiny function over the course of the municipal year. This report is drafted by the scrutiny team in conjunction with the scrutiny chairs and is brought to the Commission for approval prior to submission to Council.

Additional suggestions received and laid round at the topic workshop on 25 May 2016

Services for women and children in refuges

Email received from Councillor David Williams:

Having visited the Homes for Women refuge (location in Merton closely guarded – which they took over from the Council) I am aware that women in the refuges get ‘stuck’ there for 2 years or more in one room, often with young children, because they cannot fulfil the criteria to get priority on the waiting list e.g. length of local connection or – just simply – that they are not homeless!

In my view we should be looking at the special circumstances (including the education of children) of families who are housed ‘temporarily’ in refuges because of DV, who by necessity become almost invisible to ‘the system’.

Vacant buildings

Suggestion received from Mitcham Cricket Green Community and Heritage:

there are too many vacant and run-down buildings in the area and Merton Council has both legal responsibilities and underused powers to address them. It is also not taking advantage of opportunities, such as guardianship schemes

Enforcement

At the Sustainable Communities topic workshop on 24 May, members discussed concerns that had been raised around building control and planning enforcement. They also discussed street trading licences and considered that the concerns raised were primarily an enforcement issue. They agreed to refer the matter to the Overview and Scrutiny Commission to consider whether to carry out a review of enforcement.

They also suggested that there could be discussion at Community Forum meetings of what the most common complaints are and whether these are actual breaches of planning conditions as only a small proportion are found to be.

Recruitment and retention of staff

There was also suggestion from the Children and Young People topic workshop on 24 May that problems with recruitment and retention of teachers (topic 6) be expanded to cover all categories of staff where we experience recruitment/ retention difficulties eg. social workers, lawyers, procurement specialists - at which point it would become an issue for the Commission.

Appendix 3

Selecting a Scrutiny Topic – criteria used at the workshop on 25 May 2016

The purpose of the workshop is to identify priority issues for consideration as agenda items or in-depth reviews by the Scrutiny Commission. The final decision on this will then be made by the Commission at their first meeting.

All the issues that have been suggested to date by councillors, officers, partner organisations and residents are outlined in the supporting papers.

Further suggestions may emerge from discussion at the workshop.

Points to consider when selecting a topic:

- Is the issue strategic, significant and specific?
- Is it an area of underperformance?
- Will the scrutiny activity add value to the Council's and/or its partners' overall performance?
- Is it likely to lead to effective, tangible outcomes?
- Is it an issue of community concern and will it engage the public?
- Does this issue have a potential impact for one or more section(s) of the population?
- Will this work duplicate other work already underway, planned or done recently?
- Is it an issue of concern to partners and stakeholders?
- Are there adequate resources available to do the activity well?

Note of the Overview and Scrutiny Commission topic selection meeting on 25 May 2016

Attendees:

Councillors Peter Southgate, Agatha Akyigyina, John Dehaney, Suzanne Grocott, Jeff Hanna, Joan Henry, Abigail Jones, Sally Kenny, Oonagh Moulton, Dennis Pearce, Marsie Skeete and David Simpson.

Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Councillor Edith Macauley, Cabinet Member for Community Safety, Engagement and Equalities

Caroline Holland, Director of Corporate Services

John Hill, Head of Public Protection

Neil Thurlow, Safer Merton Manager

Julia Regan, Head of Democracy Services (note taker)

Apologies:

Councillors Mike Brunt and David Williams

Policing in Merton

AGREED:

- to continue to invite the Borough Commander to attend twice yearly, to the meeting in September 2016 and again in Spring 2017.
- to invite the London Assembly Member to attend the Spring meeting to provide an update on the Mayor's policing policy and priorities.
- to have the reports on disability hate crime, violence against women and girls and anti social behaviour at meetings attended by the Borough Commander so that he can join in the discussion

Disability hate crime

AGREED to ask Merton Centre for Independent Living to present its final report and to discuss with them the most effective way in which the Commission could support its work on disability hate crime. Also agreed to ask Merton CIL to include information on the extent of under-reporting and reasons for this.

Antisocial behaviour

AGREED to receive an update in March or April 2017.

Members discussed the best way to find out what happens when complaints about antisocial behaviour reveal mental health issues. It was AGREED that this should be raised by Commission members as part of the discussion at its meeting on antisocial behaviour and that the Commission would make a reference on this issue to the Healthier Communities and Older People Overview and Scrutiny Panel for inclusion in its 2017/18 work programme if appropriate.

Violence against women and girls

AGREED to receive a progress report in November 2016

CCTV

The Head of Public Protection reported that the new system was currently being implemented and that he would be able to provide an update on its impact in due course. Members AGREED to receive a progress report in 6 months time.

Enforcement

This topic was a referral from the Sustainable Communities topic workshop the previous evening regarding enforcement concerns around building control, planning and street trading licences. The workshop suggested that the Commission could carry out a review of enforcement. They also suggested that there could be discussion at Community Forum meetings of what the most common complaints are and whether these are actual breaches of planning conditions as only a small proportion are found to be.

Members were reminded that the Commission had previously received a presentation providing an overview of all the strands of enforcement.

AGREED that the Commission should receive an update on enforcement action taken, highlighting the use of local press to publicise action taken and including information to explain why enforcement is not carried out on some issues. and to use that to identify any particular areas for further scrutiny.

Vacant buildings

This suggestion (inadvertently omitted from the topic pack) was received from Mitcham Cricket Green Community and Heritage, saying “there are too many vacant and run-down buildings in the area and Merton Council has both legal responsibilities and underused powers to address them. It is also not taking advantage of opportunities, such as guardian ship schemes.”

AGREED to refer the issue to the financial monitoring task group.

Services for women and children in refuges

This was a late suggestion received from a councillor expressing concern about the housing and education of women and children in the Homes for Women refuge. Neil Thurlow, Safer Merton Manager, explained that this was a complicated service and that many of the women and children housed in the Merton refuge are not Merton residents as there is a central pool to allocate places and they might also move on to other boroughs.

AGREED to receive a report setting out information on how the refuge system works and what services are available. Also agreed that this report should be received at the same meeting as the item on violence against women and girls.

Customer contact programme

AGREED that the Commission should continue to receive regular progress updates in 2016/17.

Monitoring the council's equalities commitments

AGREED to receive the draft 2017-21 strategy at the Commission's meeting in November 2016 and request a final update on implementation of the 2013-17 action plan at the same meeting.

Volunteering

AGREED that the Commission should receive the draft volunteering and voluntary sector strategy at its September meeting so that its comments could be taken into account in the final document.

Impact of population growth on local services

In discussing this topic proposal, members noted that the Children and Young People Panel are planning to scrutinise recruitment and retention of teachers as well as the provision of school

places. Also, the Director of Corporate Services advised, that, apart from the data that the Panel were already using, it was too soon to get reliable updates on other aspects of the 2011 census.

AGREED that the Commission should not take this issue forward at present.

Immunisation task group review

AGREED to receive further update on implementation of the task group's recommendations in November 2016.

Registrars

Members discussed this suggestion and were advised by the Director of Corporate Services that there were some early stage discussions taking place regarding potential for a shared services.

AGREED to take no further action at this point in time.

Asset management

Noted that the council owns just one commercial company – CHAS. Noted also that the financial monitoring task group is planning to scrutinise estate management at its meeting on 5 July 2016.

AGREED to refer the issue to the financial monitoring task group.
Councillor Jeff Hanna volunteered to join the task group.

Procurement

AGREED that the Commission should not receive a report at this stage but should continue to be sighted on difficulties that the council experiences in the recruitment and retention of particular groups of staff. This may include procurement officers, teachers, lawyers, social workers and social care staff.

Outsourced and shared services task group review

Noted that the Commission would receive the task group's report at its meeting on 7 July and would then make arrangements for it to be forwarded to Cabinet.

AGREED to receive action plan and implementation progress reports as is usual practice for scrutiny task group reviews.

Financial monitoring

AGREED that the Commission should re-establish the financial monitoring task group and that the task group should continue to carry out "deep dives" into particular aspects of the council's budget.

AGREED to strengthen links with the Panels by:

1. inviting Panel members to attend for specific items that are relevant to the Panel's remit
2. including a prompt in all Panel work programme reports asking members to identify any issues of concern to the financial monitoring task group

Budget scrutiny

AGREED that the Commission should put time aside at its November meeting and devote the whole of its January meeting to budget scrutiny.

REQUESTED that the Head of Democracy Services should remind the Leader of the question to be addressed at the July meeting on the proposed timetable for public consultation on the budget, specifically on the levy for adult social care.

Review of non voting co-opted members

Councillor Peter Southgate announced that, further to the discussion at the last meeting of the Commission, Geoffrey Newman had accepted the invitation to continue as a non-voting co-opted member for a further year. He added that his subsequent discussion with Geoffrey Newman highlighted the need for more care to be paid to ensuring an appropriate and thorough induction for new co-opted members.

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