Overview and Scrutiny Handbook

All you need to know about Overview and Scrutiny in Durham County Council

Transformation and Partnerships
Planning and Performance
Overview and Scrutiny

June 2017
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Who is the Handbook for?

This handbook has been designed to provide information and guidance on Durham County Council’s Overview and Scrutiny arrangements. It is targeted at Members, Officers, the public, local partner organisations, regional and national organisations and agencies, who might wish to give evidence as part of Scrutiny review work, or who are interested in Overview and Scrutiny generally.

What is Overview and Scrutiny?

Overview and Scrutiny is an important part of the Government’s drive to modernise local government to ensure that we provide better public services, and is enshrined in legislation. The Local Government Act 2000 introduced changes to decision making and accountability within local authorities. This included separating executive and non-executive councillors. Executive councillors propose and implement policies, non-executive councillors review policy and scrutinise decisions.

The aim of overview and scrutiny is to make the decision-making process more transparent, accountable and inclusive and improving services for people by being responsive to their needs. For scrutiny to be effective, the process must be open, fair, constructive and positive. The aim is to challenge so improvements can be made, not apportion blame when things go wrong.

The scrutiny process should be inclusive and aim to give all those who wish to contribute, whether as Councillors, Officers, Co-optees, specialists or members of the public giving evidence, to feel valued and to be able to speak freely and openly.
The four principles of good scrutiny - Centre for Public Scrutiny (CfPS):

- Provides a construction “critical friend” challenge;
- Amplifies the voices and concerns of the public;
- Is led by independent people who take responsibility for their role;
- Drives improvement in public services.
Overview and Scrutiny Legislation


The Health and Social Care Act 2001
This Act extended the power of scrutiny to include local health services, this was updated in the NHS Act 2006, and the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act 2007 further strengthened the role of scrutiny.

Police and Justice Act 2006
The Police and Justice Act brought in powers for scrutiny committees to investigate work being undertaken by Crime and Disorder Reduction Partnerships (CDRPs), which have been renamed as Community Safety Partnerships (CSPs). It should be noted that this is a power to look at the work of the partnership as a whole rather than a power to scrutinise individual partners.

Local Government and Public Involvement in Health Act 2007
The Local Government and Public Involvement in Health Act 2007 expanded and enhanced the remit of Overview and Scrutiny, giving it a significant role to play in devolving power away from the Central Government, meeting today’s challenges of promoting prosperity, empowering citizens and communities and modernising local service delivery.

The main changes for Scrutiny were:

- **The ‘Councillor Call for Action’** - Councillors will be able to raise issues of local concern with Overview and Scrutiny Committees as part of expanding Councillor Calls for Action to cover all local Government services (subject to certain excluded matters).

- **Responses from the Council and Executive** - The Act requires the Council and the Executive to respond to recommendations from Overview and Scrutiny within two months and publish a response.
• **Bigger Policy Development Role** - The Act encourages a more mature and constructive relationship with the Executive, with a more proactive role for Scrutiny in helping the Executive with new developments, i.e. Sustainable Communities Act.

• **Petitions** - There is a duty on local authorities to respond constructively to petitions submitted by local people - by signposting, facilitating, monitoring and evaluating the outcome of the petitions process. Overview and Scrutiny hold the appellate role in the petitions process. The duty came into force on 15th June 2010.

**Local Democracy, Economic Development and Construction Act 2009**
The 2009 Act brought in major changes relating to regional government in England, curtailing the role of Regional Assemblies (and preparing the way for their abolition) and recasting the role to be played by Regional Development Agencies and Leaders' Boards.

Changes for scrutiny functions were quite minor but still significant. New provisions were brought in relating to joint committees under the 2007 Act, and also Guidance on petitions and e-petitions (March 2010).

**Localism Act 2011**
Through the Localism Act 2011 the Government is making a commitment to pass new powers and freedoms to local government, so that these are exercised at the lowest practical level, and closer to the people who are affected by decisions.

The Localism Act:
• contains a number of proposals to give local authorities new freedoms and flexibility.
• passes significant new rights direct to communities and individuals, making it easier for them to get things done and achieve their ambitions for the place where they live.
• contains provisions to make the planning system clearer, more democratic, and more effective.
• contains reforms which mean more decisions about housing are taken locally, and make the system fairer and more effective.

The Act enables any councillor to refer a matter to scrutiny providing that the matter is not one which would be excluded, and increases the scope of scrutiny to hold partners to account for a broader range of issues that relate to the local authority area. The Act also gives Overview and Scrutiny committees the power to review and scrutinise floods and coastal erosion risk management functions. The Environment and Sustainable Communities Overview and Scrutiny Committee scrutinises the work of the Flood Risk Management Authorities for County Durham.

**Police Reform and Social Responsibility Act 2011**
Elected Police and Crime Commissioners (PCCs) and Police and Crime Panels (PCPs) were introduced by the Police Reform and Social Responsibility Act 2011. Under the Act, the PCC is responsible for holding the Chief Constable to account, securing an efficient and effective local police force and carrying out functions in relation to community safety and crime prevention. Within the
Durham Constabulary area, the Durham PCP is responsible for publicly scrutinising the actions and decisions of the PCC.

Hosted by Durham County Council, the PCP’s membership consists of 10 elected Members (Durham County Council 7 and Darlington Borough Council 3 Members) and 2 independent members and its responsibilities include:

- Review and comment on the Draft Police and Crime Plan and Precept;
- Review the Commissioner’s Annual Report;
- Holding confirmation hearings for senior appointments of the PCC;
- Overseeing all complaints against the PCC, informally resolving non-criminal;
- Powers of veto on setting the precept and appointment of Chief Constable.

**Health and Social Care Act 2012**
The Health and Social Care Act 2012 contains a number of provisions which impact upon Health Scrutiny:

- Conferring review and scrutiny powers upon local authorities as a corporate entity;
- Extending local authorities’ formal powers to review and scrutinise all relevant NHS Bodies and relevant health service providers;
- As currently applies, local authority review and scrutiny powers are not to be the responsibility of an executive of the authority under executive arrangements, i.e. the Cabinet;
- Regulations under this section may authorise a local authority to arrange for its review and scrutiny functions to be discharged by an overview and scrutiny committee of the authority, including by way of a bespoke Health Scrutiny Committee as currently exists;
- Any decision to refer a substantial service change proposal to the Secretary of State for Health should be determined by the local authority (this was previously the responsibility of the Local Authority Health Scrutiny Committee).

Durham County Council has conferred its Review and scrutiny powers in relation to health services upon its Adults Wellbeing and Health Overview and Scrutiny Committee. A protocol for working together is being developed to reflect regulation and guidance issued by the Department of Health which includes the development of relationships with key partners including the National Commissioning Board and its Local Area team, North Durham Clinical Commissioning Group and Durham Dales, Easington and Sedgefield Clinical Commissioning Group, the Health and Wellbeing Board, County Durham HealthWatch and NHS Providers.

**New Legislation**
As new legislation and associated regulations and statutory instruments are published, the Overview and Scrutiny function and work programme will adapt accordingly.

Contact Scrutiny Office: Tel 03000 268145
Email scrutiny@durham.gov.uk
Overview and Scrutiny and the Council’s Constitution

The Scrutiny procedure in Durham County Council is set out in the Council’s Constitution. The Constitution sets out how the council operates, how decisions are made and the rules and procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The current version of the Constitution is available to view on the website: www.durham.gov.uk.

- Article 6 – Overview and Scrutiny Arrangements
- Part 4 – Rule of Procedure - Overview and Scrutiny Procedure Rules
- Part 5 – Protocol for responding to Petitions.

The Constitution is a ‘live document’, always under review, and changes as new legislation is introduced.

Key Issues within the Constitution for Overview and Scrutiny

Call-in

The Corporate Overview and Scrutiny Management Board has power to ‘call-in’ decisions made by the Executive (which also include a Joint Committee), but not yet implemented. The purpose is to consider whether to recommend that a decision be reviewed by the Executive. This is a power which should only be used in exceptional circumstances and cannot be used in respect of day-to-day management and operational decisions.

For details of the process to be followed in relation to call-in, see pages 154 and 167-171 of the Constitution, on the Durham County Council website, www.durham.gov.uk.

Co-opted Members (and other Interested Parties)

Non-councillors may be co-opted onto overview and scrutiny committees and working groups, and can help scrutiny to engage with the public. They are used:

- to act as a non-political voice for those who live or work in County Durham.
- to bring specialist knowledge and/or skills and an element of external challenge to the Overview and Scrutiny process.
- to take an interest in, attend and contribute to the committees or working groups to which appointed.
- to establish good relations with other members, officers and co-optees.
- where individuals are representatives of any particular organisation or group, to feed back any appropriate discussions or decisions of the relevant committee or working group to their respective organisation or group.
Co-optees must abide by the respective sections of the Council’s Constitution in relation to Committee procedure and act with due propriety according to standards laid down for conduct in local government. There is a Co-optees’ Protocol and recruitment procedure in place to assist with these appointments.

In addition Co-optees are offered the same development opportunities as Council Members including:

- in-house training/development relevant to their role as a Co-optee and the remit of the overview and scrutiny committee on which they serve.

- attendance at site visits relevant to the remit of the overview and scrutiny committee on which they serve as a Co-optee, and an opportunity to attend site visits of all overview and scrutiny committees subject to the approval of the Chairman or Vice-chairman of the relevant Committee and the availability of spare capacity on that visit (Members and Co-optees who serve on the respective overview and scrutiny committee will have priority when allocating spaces).

**Parent Governor/Faith Representatives**

Local authorities with responsibility for education issues can co-opt Parent Governor Representatives and Faith Representatives onto committees/working groups, the representatives are appointed via the Diocesan Board of Education (Faith Representatives) and a specific appointment process (Parent Governor Representatives). The role of the representative is to:

- act as a non political voice for parents in the area; representing to the local education authority the main education issues which concern parents of pupils maintained by the authority (Parent Governor Representatives);

- liaise with church schools operating in the area to ensure that their views and interests are represented during any scrutiny of education matters (Faith Representatives);

- liaise with other parent governor representatives on their own local education authority (Parent Governor Representatives);

- attend and contribute to the committees to which appointed;

- establish good relations with other members and officers;

- feed back the local education authority’s discussions of and decisions on education to parents and faith Communities.

These Co-optees must also abide by the respective sections of the Council’s Constitution in relation to Committee procedure and act with due propriety according to standards laid down for conduct in local government.

**Councillor calls for action** (CCfAs) have been introduced under two separate pieces of legislation - the Police and Justice Act 2006 and The Local Government and Public Involvement in Health Act 2007 – and aims to strengthen the role of the ward councillor. The CCFa is a process for a local councillor to act on behalf of residents to resolve a local issue of concern, and is to be used as a last resort for people who cannot get issues resolved in other ways.
Local Councillors should be looking to identify CCfAs in their community, but CCfAs can also be raised by local people directly with them, or with the Overview and Scrutiny team. It will be the responsibility of Councillors to recognise whether an issue is a CCfA and whether it is appropriate for them to champion that issue.

The CCfA process may not resolve the issue immediately, but will act as a spur for members and officers to work together to jointly develop policies to overcome the issues concerned.

For details of the process to be followed in relation to Councillor Calls for Action please visit the Durham County Council website, www.durham.gov.uk, and refer to pages 172-174 of the Constitution.

**Petitions**


- **Implications of the Petitions Scheme for Overview and Scrutiny**
  - **Undertaking reviews at the request of full Council**
    Where a petition receives the required number of signatures to trigger a council debate, Council can decide following the debate to:
    - take the action the petition requests;
    - take no action for the reasons put forward in the debate;
    - refer the petition for a full investigation by the Council’s overview and scrutiny committee.
  - **Hearing evidence from senior officers**
    A petition with a significant level of support can trigger a senior member of council staff to attend a meeting of the authority’s overview and scrutiny committee to answer questions on their work in relation to the delivery of public services.
  - **Holding an Officer to account**
    Petitions can be of three types: they can require debate on an issue; they can require that an officer be held to account; or they can merely require a response. A petition requiring an officer to be held to account needs to specify this requirement. Other petitions can be “petitions requiring debate” at Full Council.
    When a request is made to hold a specific officer to account, the officers which can be specified should be set out in the petition scheme. Where such a request is made an OSC in the authority must question the officer and submit a report on its findings as appropriate.
  - **Reporting the committee’s findings/recommendations**
    After a petition has been before the overview and scrutiny committee, the committee must make a report or recommendations to the Authority and send a copy of that report or recommendations to the petition organiser. If appropriate, the report should be published on the Council’s website.
Hearing appeals from petition organisers

The lead petitioner has the right to request that the Council’s overview and scrutiny committee review the steps that the Council has taken in response to the petition, if he/she feels that the petition has not been dealt with properly. The overview and scrutiny committee will decide whether the steps taken by the Council were adequate.

Should the Committee determine that the Council has not dealt with the petition adequately, it may use any of its powers to deal with the matter. These powers include:

- Carrying out a full review of the issues raised in the petition using powers under the Local Government Act 2000
- Making recommendations to Cabinet
- Arranging for the matter to be considered at a meeting of full Council, if the committee thinks that the authority is seriously neglecting its responsibility to listen to local people.

Once the appeal has been considered, the petition organiser must be informed of the results within five working days. The results of the review also need to be published on the Council’s website.

Durham County Council has a Petitions Protocol. For more information check the website (www.durham.gov.uk), for the Constitution (pages 359 and 365), or the Petitions web page.

A protocol for working together in relation to plans to make changes in health and social care services

The provisions of the Health and Social Care Act 2012 have required the Council to establish new relationships with key stakeholders including the Health and Wellbeing Board, Clinical Commissioning Groups, HealthWatch, NHS Partners and the Adults Wellbeing and Health service grouping. Accordingly a protocol for working together is being developed to reflect the provisions of the Health and Social Care Act and associated regulations and guidance.

Joint Working Arrangements between the Police and Crime Panel and Local Authority Scrutiny functions

The Council’s Safer and Stronger Communities Committee and Darlington Borough Council’s Monitoring and Co-ordinating Group has agreed a joint working arrangement with the Durham Police and Crime Panel (PCP) and is crucial to provide communication between the PCP and responsibilities of scrutiny of crime and disorder matters within respective Councils. The arrangement includes receiving update reports from the PCP at each Committee meeting and prior to undertaking an in-depth study into a crime and disorder issue, discussion takes place between both the Chairs of the PCP and Committee and Secretariat to avoid duplication of effort and resources.

Contact Scrutiny Office: Tel 03000 268145
Email scrutiny@durham.gov.uk
Overview and Scrutiny Committees

Durham County Council has a Corporate Overview and Scrutiny Management Board which works alongside five Overview and Scrutiny Committees who support the work of the Executive and the Council as a whole. They allow a greater involvement in Council business by involving non-councillors from the wider public sector and voluntary and community groups to help them in their work, and also work with Partners, including the County Durham Partnership, Community Safety Partnership (Safe Durham Partnership) and NHS. They may make reports and recommendations to the Executive and the Council as a whole on its policies, budget and service delivery.

The Corporate Overview and Scrutiny Management Board and its Committees also monitor the decisions of the Executive and can “call-in” a decision of the Executive which has been made but not yet implemented. They may recommend that the Executive reconsider their decision. They may also be consulted by the Executive or the Council on forthcoming decisions or the development of policy.

In 2009, Durham County Council became a single Unitary Council. The Unitary Council has developed a new vision to reflect the views and aspirations of the community and opportunities for improvement. This is focused around an Altogether Better Durham. This vision comprises two components being to have an Altogether Better Place which is Altogether Better for People. The themes are:

Altogether wealthier
- Thriving Durham City
- Vibrant and successful towns
- Sustainable neighbourhoods and rural communities
- Competitive and successful people
- A top location for business
Altogether better for children and young people
- Children and young people realise and maximise their potential
- Children and young people make healthy choices and have the best start in life
- A Think Family approach is embedded in our support for families

Altogether healthier
- Children and young people make healthy choices and have the best start in life
- Reduce health inequalities and early deaths
- Improve the quality of life, independence and care and support for people with long term conditions
- Improve the mental and physical wellbeing of the population

Altogether safer
- Reduce anti-social behaviour
- Protect vulnerable people from harm
- Reduce re-offending
- Alcohol and substance misuse harm reduction
- Implement measures to promote a safe environment
- Embed the Think Family approach.

Altogether greener
- Deliver a clean, attractive and sustainable environment
- Maximise the value and benefits of Durham’s natural environment
- Reduce carbon emissions and adapt to the impact of climate change

Altogether Better Council
- Putting the customer first
- Working with our communities
- Effective use of resources
- Support our people through change

The Council’s six Overview and Scrutiny Committees have now been aligned to the key priority themes of the vision.

The Council’s Overview and Scrutiny unit sits within Transformation and Partnerships. The aim of the Transformation and Partnerships Service is to provide strategic leadership and corporate guidance to the council in its delivery of services, ensuring efficiency and effectiveness and a one organisation approach by the council as it serves the people of County Durham.

The Overview and Scrutiny work programme is informed by the Council Plan, the Sustainable Community Strategy, The Council’s Forward Plan of decisions and other partnership plans and strategies.
The main **Corporate Overview and Scrutiny Management Board (COSMB)** has the following remit:

- To oversee and co-ordinate the work of Overview and Scrutiny and its committees
- To ensure effective liaison across the work of the committees re: cross cutting issues
- To be strategic driver of the Overview and Scrutiny function
- To consider as appropriate scrutiny member involvement in regional scrutiny arrangements within the context of any regional strategies.
- The establishment of appropriate liaison with the Executive in the interests of achieving common aims and continuous improvement for the Council
- To encourage appropriate community involvement in the Overview and Scrutiny role
- To consider the Council Plan and Notice of Key Decisions and to monitor performance against these plans
- To deal with petitions in accordance with the council’s protocol as set out in Part 5 of DCC’s Constitution
- Putting the Customer first
- Working with our communities
- Effective use of resources
- Support our people through change.

The **COSMB** works alongside the following Scrutiny Committees:

- **Children and Young Peoples** (Altogether Better for Children and Young People) - 21 Non-Executive Members of the County Council, together with up to 4 voting Faith representatives, 3 voting Parent Governor representatives and 2 non-voting Co-optees.
  - Children and young people realise and maximise their potential
  - Children and young people make healthy choices and have the best start in life
  - A Think Family approach is embedded in our support for families.

- **Environment and Sustainable Communities** (Altogether Greener) - 21 Non-Executive Members of the County Council and up to 2 non-voting Co-optees.
  - Deliver a clean, attractive and sustainable environment
  - Maximise the value and benefits of Durham’s natural environment
  - Reduce carbon emissions and adapt to the impact of climate change (including Flood or coastal erosion risk management functions)

- **Safer and Stronger Communities** (Altogether Safer) - 21 Non-Executive Members of the County Council, 5 non-voting co-opted employees or officers of a responsible authority within the Safe Durham Partnership and up to 2 non-voting Co-optees.
  - Reduce anti-social behaviour.
  - Protect vulnerable people from harm.
  - Reduce re-offending.
  - Alcohol and substance misuse harm reduction.
- Implement measures to promote a safe environment
- Embed the Think Family approach.

- **Economy and Enterprise** (Altogether Wealthier) - 21 Non-Executive Members of the County Council and up to 2 non-voting Co-optees
  - Thriving Durham City.
  - Vibrant and successful town.
  - Sustainable neighbourhoods and rural communities
  - Competitive and successful people.
  - A top location for business.

- **Adults, Well Being and Health** (Altogether Healthier) - 21 Members and up to 2 non-voting Co-optees
  - Children and young people make healthy choices and have the best start in life
  - Reduce health inequalities and early deaths
  - Improve the quality of life, independence and care and support for people with long term conditions
  - Improve the mental and physical wellbeing of the population

The **Corporate Overview and Scrutiny Management Board** holds eight meetings per year. The committees hold six meetings per year, plus specials as and when required. In general, the **Corporate Overview and Scrutiny Management Board** and its Committees will:

- Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions;
- Make reports and/or recommendations to the full Council and/or the Executive in connection with the discharge of any functions;
- Consider and make reports or recommendations on any matter affecting the area or its inhabitants;
- Exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive in accordance with the Overview and Scrutiny Procedure Rules.
- Work to ensure that communities are engaged in the scrutiny process; and consider and implement mechanisms to encourage and enhance community participation in the development of policy options.
- Promote equality and diversity across all of its work and the work of the County Council.

The majority of detailed in depth reviews are carried out by the Committees, but smaller working groups may be set up to carry out light touch reviews. One important element of scrutiny is to ensure appropriate input from members of the public (stakeholders) who are recipients of the Council’s services.
The Scrutiny Committees decide which areas they wish to examine. This may arise following representations by members of the public about a particular matter; be an issue identified by councillors themselves; or follow on from reports or performance assessment on the Council’s activities made by outside agencies, such as the Council’s External Auditors.

To do this the Committees may appoint smaller Working Groups, to:

- Establish the current position.
- Seek help from experts on the issue.
- Invite members of the public to give their views.
- Look at what is happening in other Councils.
- See how we compare to similar Councils and, if they are better than us in that area, establish why that is.
- Produce a report for the Overview and Scrutiny Committee.
- Make recommendations to the Cabinet/Council as appropriate.
- Monitor progress against any agreed recommendations to ensure that improvements are being achieved.

For further details of the Overview and Scrutiny Committees, and for details or previous reports and reviews – visit the County Council website, www.durham.gov.uk.

Contact Scrutiny Office: Tel 03000 268145
Email scrutiny@durham.gov.uk
Durham County Council
Overview and Scrutiny Committee Structure Post May 2017

Corporate Overview and Scrutiny Management Board

- To oversee and co-ordinate the work of Overview and Scrutiny and its Committees
- To ensure effective liaison across the work of the committees re cross cutting issues.
- To be the strategic driver of the Overview and Scrutiny function.
- To consider as appropriate scrutiny member involvement in regional scrutiny arrangements within the context of the Sub National Review/Single Integrated Regional Strategy and associated issues.
- The establishment of appropriate liaison with the Executive in the interests of achieving common aims and continuous improvement for the Council

Putting the Customer first
Working with our communities
Effective use of resources
Support our people through change

Economy & Enterprise
- Thriving Durham City
- Vibrant and successful town
- Sustainable neighbourhoods and rural communities
- Competitive and successful people
- A top location for business

Children and Young People
- Children and young people realise and maximise their potential
- Children and young people make healthy choices and have the best start in life
- A Think Family approach is embedded in our support for families.

Environment and Sustainable Communities
- Deliver a clean, attractive and sustainable environment
- Maximise the value and benefits of Durham’s natural environment.
- Reduce carbon emissions and adapt to the impact of climate change (including Flood or coastal erosion risk management functions)

Safer and Stronger Communities
- Reduce anti-social behaviour
- Protect vulnerable people from harm
- Reduce re-offending.
- Alcohol and substance misuse harm reduction
- Implement measures to promote a safe environment
- Embed the Think Family approach

Adults, Wellbeing and Health
- Children and young people make healthy choices and have the best start in life
- Reduce health inequalities and early deaths
- Improve the quality of life, independence and care and support for people with long term conditions
- Improve the mental health and physical well-being of the population
How Overview and Scrutiny Committees work

Work programme

The work programme is set within the context of the Council Plan, Forward Plan of decisions, Sustainable Communities Strategy and other plans and strategies accordingly.

Overview and Scrutiny is both proactive and reactive in its work programme planning.

For each topic, the committee will:

- Identify a good reason for doing the review
- Identify the benefits of the review
- Identify outcomes
- Identify constraints
- Specify how evidence will be collected
- Agree consultation
- Evaluate resource requirements
- Set a timetable for completion
- Involve stakeholders.

Evidence

Evidence can be collected from various sources, including County Council officers, employees from other Partner organisations and agencies, and voluntary organisations. It can be written, oral or acquired via site visits. Evidence is also gained by research and use of best practice.

Reporting

On completion of the evidence gathering, a report is drafted with conclusions and recommendations for Cabinet and or Partners Bodies /Organisations (NHS) to
agree/consider. Any reports from the Adults, Well-being and Health Scrutiny Committee on health consultations are taken to Cabinet for information only. The completed report is made available to all stakeholders involved in the review process, and the findings made public.

**Reviews**

Reviews on this year’s work programme (2015/16) include:
- Skills Development
- Alcohol and the demand on the Emergency Services
- Take up of Free School Meals and holiday hunger
- Light touch review of the new Customer Relationship Management (CRM) system

Previous reviews and Light Touch Reviews have included:
- 20 mph limits
- Review of the Customer First Strategy
- Use of Legislation to tackle Metal Theft within County Durham
- Road Safety for Children and Young People
- Flooding
- Impact of changes in Government policy and funding on the economy of County Durham.
- Tourism marketing
- Woodlands Management
- Childhood Obesity in Primary Aged Children
- Support for Children and Young People with Mental Health Issues
- Light touch review of Postal arrangements within DCC
- Light touch review of Telephone Calls

For further details of reports and reviews – visit the County Council website, www.durham.gov.uk.

Contact Scrutiny Office: Tel 03000 268145
Email scrutiny@durham.gov.uk
The Council works hard to provide the best services it can for people living in, working in, and visiting County Durham. To measure this and see where the council needs to improve, a corporate set of performance indicators has been developed to replace the National Indicator Set. This suite of indicators is based around the six ‘Altogether’ priority themes and is used to measure the performance of both the Council and the County Durham Partnership. The suite of indicators is made up of former National Indicators and local indicators which the council believes are important in managing local performance.

From April 2011, the Government replaced the National Indicator set with a single comprehensive list of data which local authorities will be expected to provide to central government departments. Many of the data listed are already collected by the authority and provided to government departments. Many of the former National Indicators have been retained by the authority and continue to be monitored by service groupings and through the corporate reporting process.

The corporate indicator set is compiled in the Council’s quarterly performance reports. As well as performance of services provided, the levels of customer satisfaction are also reported on.

The reports are organised by our Altogether Themes:

- Altogether Wealthier
- Altogether Better for Children and Young People
- Altogether Healthier
- Altogether Safer
- Altogether Greener
- Altogether Better Council

They contain:

- performance against an agreed corporate set of indicators
- graphs showing performance trends
- how are we doing against our key plans
- customer service & complaints
- key risks.
The quarterly reports are presented in their full form to Cabinet and Overview and Scrutiny Management Board. The full report is then dissected for each thematic Overview and Scrutiny Committee and presented at each of those committees.

A briefing paper is prepared for all Chairs and Vice-Chairs, focussing on areas of under performance, or areas of concern, and where deemed necessary, further investigation is carried out by the Members of the committee. All committees monitor performance for their own area, and discussions take place at each committee.

For further details of performance reports – visit the County Council website, www.durham.gov.uk.

Contact Scrutiny Office: Tel 03000 268145
Email scrutiny@durham.gov.uk
Guidance for Contributors

Guidance for Contributors to Overview and Scrutiny

An important element of overview and scrutiny is to ensure appropriate contributions from all stakeholders (partners; members of the public; external agencies) who are recipients of the Council’s services, or who work with the Council in providing services to the public, adding their views to the reports. This adds value, and contributors can be constructive critical friends.

Guidance has been produced for contributors, with the aim of making the process enjoyable and easy.

This includes:

- Overview and Scrutiny ensuring sufficient notice is given to contributors when inviting them to attend a meeting, and that all contributors are treated with courtesy and respect by all those involved with the inquiry;
- ensuring meetings will be conducted in a non-political, fair and non-aggressive manner that seeks out information rather than apportioning blame, and contributors can expect a positive and objective style from the committee and its officers with use of language which, whenever possible will be jargon free;
- taking Information either orally or written, and contributors can be assured that the views they wish to express are accurately recorded. Any written information provided will be publicly available. Where evidence is to be submitted confidentially, this should be mentioned to the Scrutiny Officers;
- where contributors have been engaged in Overview and Scrutiny views/activities, the draft report will be shared with them to check on factual accuracy issues and the final report will be copied to them for information and action where necessary;
- if a contributor requires the use of any technical equipment to present their information to the committee it is essential that they contact the scrutiny office seven days in advance of the meeting;
- if any contributor feels they have been treated unfairly and without courtesy and respect they should make their views known to the Overview and Scrutiny Manager in the first instance;
- contributors need to familiarise themselves with the relevant topic, so they can provide information that is likely to be useful to feed into the review.

Full guidance notes can be found on the website, www.durham.gov.uk, and contributors are asked to feedback, also via the website.

Contact Scrutiny Office: Tel 03000 268145
Email scrutiny@durham.gov.uk
Regional Scrutiny

The Local Government, Construction and Economic Development Act 2009 enables two or more Local Authorities to appoint Joint Overview and Scrutiny Committees. This will allow Councils to undertake joint Regional and Sub-Regional Scrutiny of non-health related matters. These powers may be particularly useful in scrutinising issues which cut across local authority boundaries such as Local Enterprise Partnerships, transport, Economic Regeneration.

In addition to this new power, the North East Regional Employers’ Organisation hosts a Joint Member/Officer Scrutiny Network to foster Regional and Sub-Regional Scrutiny. This network:

(a) provides a mechanism to share information on, for example: scrutiny best practice; outcomes of scrutiny investigations; benchmarking; service planning; performance indicators; conference feedback and funding streams;
(b) allows members and officers to share ideas on improving scrutiny processes and enhancing effectiveness;
(c) provides a conduit between the North East authorities and the Centre for Public Scrutiny for sharing up-to-date information, which would include inviting speakers to talk about recent national policy developments;
(d) provides a forum for elected members who have a role within the scrutiny function to meet, make useful contacts with other members and officers, and to share ‘experiences’.

Durham County Council’s Scrutiny Councillors and Officers play an active role in the Regional Network and constantly look for opportunities for networking.

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Regional Health Scrutiny

North East Regional Health Scrutiny Joint Committee

A joint North East Regional Health Scrutiny Committee with representation from all 12 local authority health scrutiny committees in the region was set up in 2010. It provides a mechanism for scrutiny oversight, and in-depth reviews on health and health inequalities issues in the North East region, and feeds into statutory health scrutiny consultations which impact upon all North East local authorities.

The Committee’s work may include activity in support of carrying out:

- Discretionary health scrutiny reviews, on occasions where health issues may have a regional or cross boundary focus, or
- Statutory health scrutiny reviews to consider and respond to proposals for developments or variations in health services that affect more than one health authority area, and that are considered “substantial” by the health overview and scrutiny committees for the areas affected by the proposals;
- Monitoring of recommendations previously agreed by the Joint Committee.

For each separate review the Joint Committee will prepare and make available specific terms of reference, and agree arrangements and support, for the enquiry it will be considering.

The Committee also aims to scrutinise:

- NHS organisations that cover, commission or provide services across the North East region, including and not limited to, for example, NHS North East, local primary care trusts, foundation trusts, acute trusts, mental health trusts and specialised commissioning groups.
- Services commissioned and/or provided to patients living and working across the North East region.
- Specific health issues that span across the North East region.

However, individual authorities will reserve the right to undertake scrutiny of any relevant NHS organisations with regard to matters relating specifically to their local population.

Latest Joint Health Scrutiny activity

The North East Regional Health Scrutiny Committee meets regularly to consider important health issues which affect the region, including proposals by NHS Commissioners and service providers which are considered to be substantial variations in or developments to health services.
Currently chaired by Councillor Ray Martin-Wells, Hartlepool Borough Council, the Committee has considered proposals for potential service changes in respect of:

- Northumberland, Tyne and Wear Sustainability and Transformation Plan;
- Durham, Darlington and Tees; Hambleton, Richmondshire and Whitby Sustainability and Transformation Plan;
- North East Urgent ad Emergency Care Vanguard;
- North East and Cumbria Learning and Disabilities Fast Track Transformation Plan;
- North East Commissioning Support = Regional Back Pain Programme;
- Specialised Commissioning – NHS England North
  - Congenital Heart Disease – Adults and Children
  - Neo-Natal Intensive Care
  - Paediatric High Dependency Care (Winter Pressures)
  - Vascular Surgery

Agendas, reports and presentations in respect of these issues can be accessed via Hartlepool Borough Council’s website – [https://www.hartlepool.gov.uk/info/20028/agendas_meetings_and_minutes](https://www.hartlepool.gov.uk/info/20028/agendas_meetings_and_minutes)

**Joint Regional Scrutiny Review of the Health of Ex-servicemen**

The committee carried out a discretionary review into the health needs of ex-servicemen and their families. The purpose of the review was to help improve health outcomes for ex-servicemen in North East England by identifying and making recommendations to tackle any inequalities to which they may be subject as a result of their service. The review examined the physical, mental and broader health needs of ex-servicemen and women, their families and communities, how they are being assessed and met across the range of agencies at regional and local level, and how far ex-service personnel and their families are aware of the support available to them.

The reviews findings and recommendations addressed the Ministry of Defence/NHS Partnership Board key themes for 2010:

- Veterans’ mental health services.
- The transition of Armed Forces personnel to NHS care following medical discharge.
- Ensuring equality of access for Armed Forces families.
- Promoting effective communication and coordination across agencies, providers and the third sector.

The review was finalised in January 2011, and was successful in winning the Centre for Public Scrutiny – Good Scrutiny Awards in the joint working category, and also overall award for Impact through Scrutiny, in June 2011.
Tees Valley Joint Health Scrutiny Committee

The five local authorities within the Tees Valley area, namely Darlington BC, Hartlepool BC, Middlesbrough BC, Redcar and Cleveland BC, Stockton BC have collectively established a Tees Valley Joint Health Scrutiny Committee to examine Health related issues that impact across their respective communities.

Durham County Council has been invited to participate in a number of review/engagement activities alongside Tees Valley colleagues where service reviews and potential changes impact upon residents of County Durham.

Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations – Provision for Joint Health Overview and Scrutiny Committee

The Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013 require the formation of a joint scrutiny arrangement, where an NHS body or relevant health service provider consults more than one local authority on proposals to make substantial variations or developments to services. They provide that all the local authorities whose residents receive such services must participate in the joint scrutiny arrangement for the purpose of responding to the consultation, using the method most appropriate to the areas and issues being considered.

Two such Joint Health Overview and Scrutiny Committees have been established involving Durham County Council.

- A joint Committee consisting of Durham County Council, Hartlepool Borough Council and Stockton on Tees Borough Council was established to examine proposals to review North Tees and Hartlepool NHS Foundation Trusts’ Emergency Medical and Critical Care services. This Committee’s work concluded in 2014.
- A joint Committee consisting of Darlington Borough Council, Durham County Council, Hartlepool Borough Council, Middlesbrough Borough Council, North Yorkshire County Council; Redcar and Cleveland Borough Council and Stockton-upon-Tees Borough Council was established in July 2016 to oversee the Better Health Programme. This work is ongoing.

Contact Scrutiny Office: Tel 03000 268145
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The Overview and Scrutiny Team

The main role of the Overview and Scrutiny Team is to support Scrutiny Committees (Members) and co-optees to develop policies and strategies of the Council, review and improve services, internal and external to the Council, hold the Executive to account and provide community leadership.

In June 2016, Durham County Council won the Municipal Journal Achievement Award for Excellence in Governance and Scrutiny. This was a great achievement for overview and scrutiny, and the authority as a whole.

Back row – Tom Gorman, Stephen Gwillym, Ann Whitton, Jonathan Slee
Front row – Liz Finnigan, Jenny Haworth, Diane Close

Contact Scrutiny Office: Tel 03000 268145
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Scrubitny team structure

Head of Planning and Performance
Jenny Haworth

Principal Overview and Scrutiny Officer
Stephen Gwillym
Adults, Well-being and Health and Housing

Overview and Scrutiny Officer
Jonathan Slee
Safer Stronger Communities and Police and Crime Panel

Overview and Scrutiny Officer
Diane Close
Economy and Enterprise and Environment and Sustainable Communities

Overview and Scrutiny Officer
Ann Whitton
Children and Young Peoples; Project support Environment and Sustainable Communities

Overview and Scrutiny Officer
Safer Stronger Environment and Children and Young Peoples

Scrutiny Support Assistant
Liz Finnigan
Support for COSMB; Project support AWBH and Environment