

SCRUTINY IN A COMMISSIONING COUNCIL UPDATE

1.0 Introduction

In response to increased commissioning activity within the County Council, the Corporate Services Scrutiny Committee established a Task Group to examine the role of the scrutiny function in a council which commissions a large proportion of services from external providers.

The report and recommendations of the Task Group were published in March 2016, and were endorsed by the Corporate Services Scrutiny Committee and Cabinet.

This report provides an update on the work undertaken to date to support the recommendations.

2.0 Background

The Task Group met with County Council officers and Cabinet Members with responsibilities for commissioning, and with providers of some the Council's largest services. The Task Group Members also drew on their own and other Scrutiny Member's experiences of scrutinising commissioning processes and commissioned services, and information provided by other local authorities as to how they are meeting this challenge.

The Task Group concluded that there was still an important and valuable role for scrutiny in a commissioning council, although there were clear challenges around how this scrutiny should be carried out.

The Task Group made four key recommendations directed at County Council officers, Cabinet and Scrutiny Members, which would help to strengthen scrutiny's role and impact around commissioning.

3.0 Progress against recommendations

Councillor Parsons (Cabinet Member for Performance & Engagement) has been working with officers from the Council's Procurement, Legal and Democratic Services & Scrutiny teams to take forward the recommendations made by the Task Group. A number of practical ways forward have been established. Further details in relation to each recommendation are provided below.

Recommendation 1 - Strengthen communication and collaboration between Cabinet Members and Heads of Service and Scrutiny Committees, in relation to commissioned services.

At their September 2016 round of meetings, each Scrutiny Committee appointed a 'Commissioning Liaison Member'. The role of this Member is to work closely with the relevant Cabinet Members and Heads of Service, developing a fuller understanding of commissioning processes, and provide a link between Cabinet and Scrutiny on commissioning and commissioned services. The Commissioning Liaison Members are Councillor Radford (Place), Councillor Hannaford (People), Councillor Westlake (Health & Wellbeing) and Councillor Hosking (Corporate Services).

A key part of this role is to develop an in depth understanding of the Council's commissioning processes and priorities, and to this end, two commissioning training sessions have been held for the Commissioning Liaison Members, with Scrutiny Chairs and Vice Chairs also invited. The first session, held on 15th December, focussed on Adult Social Care Commissioning, and the second session held on 28th February looked specifically at Highways commissioning and Public Health commissioning.

Further commissioning training is planned for all Members of the new Council as part of the Member induction process. Scrutiny Committees will be asked to appoint Commissioning Liaison Members at their first meetings of the new Council, and further in depth commissioning training will be provided for these Members.

Recommendation 2 - For Scrutiny to engage with and contribute to the development of the re-commissioning of services, and the new commissioning of services, at the earliest possible stage

It was suggested that twice yearly, Scrutiny Committee Members receive a list of all upcoming commissioning activity relevant to their committee, and have the opportunity to put forward any of these pieces of commissioning activity to be looked at in more detail at their next Scrutiny Committee meeting and/or through a Task Group investigation. This would include both new commissioning, re-commissioning and mid-term reviews.

As such, Chief Officers and Heads of Service have been asked to provide Scrutiny Committee with details of upcoming commissioning activity for the March 2017 round of meetings, and (given the proximity of these meetings to elections), Members will have had the opportunity to recommend a topic for more in depth review by a future Scrutiny Committee.

Recommendation 3 - Ensure that the Council's 'joint venture partners' and external providers of large contracts, may be held to account and be subject to Scrutiny

New standard terms and conditions are being drawn up for the Council's contracts with external providers, and those with a value of more than £100,000 will include a clause requiring the provider to attend the Council's Scrutiny Committees and Cabinet at the reasonable request of the Council. This clause will apply for the duration of the contract and for six years after the contract termination or expiry. The new standard terms and conditions are expected to be in use for contracts let on or after April 2017.

In addition, the Council has also written to its most significant current service providers inviting a representative to attend future meetings of Scrutiny Committees at the request of Scrutiny Members, and to respond to questions on service delivery or performance.

Recommendation 4 - All Scrutiny Members to receive assurance and have the opportunity to scrutinise the performance of joint venture partners and large providers

The action taken in regard to recommendation 3 above will also go some way to giving Scrutiny Members the opportunity to scrutinise the performance of providers through their attendance at committee, including contributing to mid-term reviews. In October 2016, four Members of the Corporate Services Scrutiny Committee met with officers

undertaking the ten year review of NPS, who currently provide the Council's property consultancy services, to put forward their views on the Council's joint venture with NPS. The Corporate Services Scrutiny Committee are due to receive the results of this review in June.

People's Scrutiny Committee continue to receive detailed performance reports for services delivered by external providers.

Looking to the future, the Council is currently working to improve outcomes by reviewing its systems and processes. It is likely that the way that the Council measures, monitors and reports performance will be revised as part of this piece of work. After the May elections, Scrutiny Committees of the new Council may wish to review the performance information they receive and how it is used, for both in-house and externally provided services.

4. Conclusion

This report sets out the work undertaken to date to take forward the recommendations set out by the Scrutiny in a Commissioning Council Task Group. It will be for the Scrutiny Committees of the next Council to work with Cabinet Members and council officers to develop this work further.

Jan Shadbolt, County Solicitor

ELECTORAL DIVISIONS: ALL

Local Government Act 1972: List of Background Papers

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<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil