

Appendix 3

Exercising the Neighbourhood Challenge Duty

1 Introduction

The Constitution agreed by City Council in May 2015 sets out the new duty on District Committees to undertake “Neighbourhood Challenge”.

This note sets out the outline process for conducting a Neighbourhood Challenge, and should be read in conjunction with the Constitution (Volume B6 – see Appendix 4) which sets out principles for how District Committees should work.

2 What is Neighbourhood Challenge?

Neighbourhood Challenges are place-based inquiries focused on outcomes and priorities in Community Plans and ongoing performance review of public services at a local level.

The Neighbourhood Challenge is a duty on District Committees to “investigate, review and gather data on the performance of all local public services, working in a collaborative but challenging way with all service providers and seeking out and promoting new ways of improving services, in conjunction with the all Cabinet Members as appropriate.”

Through Neighbourhood Challenge, District Committees can advise or make representations to the Council, the Executive or an Overview and Scrutiny Committee on all matters affecting community interests.

Reports following Neighbourhood Challenge meetings can be:

- Issued to the Executive with recommendations or proposed actions;
- Submitted to an O&S Committee, to propose a city-wide investigation on the same topic.

A Neighbourhood Challenge is not:

- An alternative to an existing Council complaints system;
- A means to resolve individual casework issues.¹

3 Timetabling a Neighbourhood Challenge

It is envisaged that Neighbourhood Challenges will take place later in the municipal year (from October onwards), following the agreement of a Community Governance Framework and a Community Plan for the district.

¹ Where members have an issue that they cannot resolve, particularly where partners are involved, the Councillor Call for Action - in effect a referral to scrutiny – can be used.

A programme of Neighbourhood Challenge will be agreed in advance by the Committee, to allow proper planning. However, members may wish to reserve some time in their work programmes to respond to issues as they arise. These will be agreed by the Executive Member, in consultation with District Committee members, as necessary.

It will be important to be realistic about what can be achieved in one year, particularly given the resource constraints. Members will need to balance priorities and perhaps agreed to undertake two, or no more than three, Neighbourhood Challenges in a year, to ensure each is completed thoroughly and well.

4 Selecting a Neighbourhood Challenge

A Neighbourhood Challenge should be rooted in the local area and focused on outcomes.

Neighbourhood Challenges may be proposed in one of four ways:

- Identified by the Executive Member/other members of the committee;
- Referred by the Executive – to examine an issue that has arisen in a district and present options for the future based on community needs and views;
- Referred by an O&S Committee – to provide information or guidance, based on evidence gathered by District Committee, to support scrutiny work;
- Raised by local partners.

Members of the public would be able to propose issues by referring these (in writing) to the Executive Member to consider.

Neighbourhood Challenge topics should be selected following discussion by members of the District Committee. Under Neighbourhood Challenge, committees can consider any matter that is:

- a. A local issue rooted in the district; and
- b. Focused on outcomes for citizens in the district; and
- c. Linked to the Community Plan.

A local issue rooted in the District

A Neighbourhood Challenge enables members to drive forward service improvement, community empowerment, active citizenship and local partnership working in their district. It should therefore be centred on a matter that has arisen within a specific locality.

A balance needs to be struck between the need to properly reflect local concerns and effective use of resources. If the proposed challenge has arisen because of city wide council policy, or is an issue that is replicated across other districts, then this should

be referred to the relevant O&S Committee, which can then take a city-wide view of the issue. This would avoid the need for multiple neighbourhood challenges on the same topic across a number of District Committees.

When considering referrals of this type, the O&S Committee would take evidence from those districts affected; therefore District Committees could use a session to collate that evidence, as it relates to that district, in public.

For example, if a change in policy is perceived to have a negative impact on outcomes, such as the introduction of charging for a service, then any impact of that would be felt across the city, and so should be considered on a city-wide basis by the relevant scrutiny committee, using evidence collated from District Committees.

Focused on outcomes for citizens in the district

The District Committee role is to “ensure maximum influence over the use of service budgets and resources, to ensure they are aligned with local needs, with the ultimate outcome of improving the economic, social and environmental wellbeing of the local area”.

Therefore the Neighbourhood Challenge should be focused on achieving positive outcomes for citizens in that district. A Neighbourhood Challenge would arise where there were concerns that outcomes, particularly those identified as priorities in the Community Plan, were either not being achieved, or were in danger of not being achieved.

Evidence for this may come from:

- Performance monitoring reports;
- Strategic intelligence reports on outcomes;
- A high level of user / general public dissatisfaction with a service (e.g. through opinion surveys / complaints);
- Reports or new evidence provided by external organisations;
- Issues raised by external audit reports.

Additionally, members may wish to look forward to how policy changes at either national or local level may impact on outcomes, including where:

- City council policy or changes in delivery models, or policies/ changes in delivery models of a key partner, appears to be in conflict with the Community Plan or would put the achievement of the outcomes at risk;
- New Government guidance or legislation may/will have an impact on Community Plan priorities.

For example, strategic intelligence reports may reveal high child poverty levels in a district, or disproportionately high unemployment levels, and so the District Committee may initiate a challenge to all partners working in that district, asking

what that district's specific requirements were to address poverty/unemployment levels, or whether all partners had the right approach for that district.

Or

Members may be concerned that a proposed change in legislation may have an impact on outcomes, for example the proposed "right to buy" housing association homes. The Neighbourhood Challenge could focus on provision within that district and the likely impact.

Referrals from the Executive or Scrutiny may involve policy Overview work – where the Cabinet Members are developing, or are seeking to develop, new policy.

Linked to the Community Plan

Finally, any Neighbourhood Challenge should be linked to priorities identified in the Community Plan.

5 Preparing a Neighbourhood Challenge

A short outline should be prepared, stating:

- Purpose / key questions;
- Expected outcomes;
- Timescale;
- Witnesses;
- Background information needed – papers, data, case studies etc.

A lead member should be identified to lead on the work – this need not be the Executive Member, but could be another member of the Committee, or, if appropriate, a representative of a partner organisation (if co-opted on to the Committee).

The outline will be agreed by the Executive Member or Lead Member, in consultation with District Committee members.

Mindful of the need to be responsive and of the limited resources available, these outlines should be agreed (preferably two months, but at least one month) ahead of the meeting, to enable witnesses to be invited and information to be prepared.

Following agreement of this outline, a call for evidence can be issued, and an evidence pack pulled together ahead of the meeting.

Witnesses will be invited. District Committee members, in agreeing their Community Governance arrangements, may agree to create a standing panel of key partners, and witnesses could be drawn from this panel (though not exclusively).

All witnesses should receive written details of the evidence gathering event, including as appropriate:

- What objectives members are looking to get from the session;
- How evidence is expected to be gathered;

- Whether the meeting is in a public or private setting; and if public, whether the session will be live-streamed.

6 The Neighbourhood Challenge Session

The Neighbourhood Challenge will be held through a meeting of the District Committee. The expectation is that they will be held in public and live-streamed on the internet. Recordings of each meeting will be kept by Committee Services.

In-depth investigations – including gathering further information or visiting relevant organisations – could be undertaken by members prior to the session and reported back at the meeting.

A session plan will be prepared, based on the outline.

The outcomes from the meeting will be recorded on a report template, which will include:

- Reason for challenge;
- Summary of evidence received;
- Recommendations / proposed action.

As this will be the record of the meeting (along with the recording), formal minutes will not be taken.

Each Neighbourhood Challenge report will be published and placed on the web page for that Committee.

7 The Neighbourhood Challenge Report

Drafting the Report

The report will be agreed by members following the meeting.

Where witnesses are quoted within the report, a draft will be shared with them prior to publication, to allow them to comment on how their views have been represented.

Depending on the subject, a quick turn-around may be beneficial. However, any conclusions and recommendations should result from careful consideration of the analysed evidence. It is important in particular to avoid:

- Jumping to conclusions and making indefensible, rash statements that are not readily supported by the data;
- Over-reliance upon anecdotal evidence that cannot be readily substantiated one way or another;
- Expressing views that are not moderated (i.e. do not reflect a balanced view of the evidence presented).

On occasion, evidence may be conflicting since a range of people will have been consulted. Ultimately, this must be weighed up in a professional manner and

considered from a balanced perspective whereby the Committee's recommendations are derived from the evidence. This may involve checking the evidence again at source and could (resources permitting) involve external specialists or experts.

Recommendations

Where recommendations are made, these should ideally follow the SMART concept. They should be:

- **Specific** about what needs to be done or achieved;
- **Measurable**, enabling achievement against the recommendation to be quantified;
- **Achievable**, and based on a realistic appraisal of what can be done;
- **Relevant** in that the person recommended to take action can achieve the outcome required;
- **Time-Based** so that it is clear when the recommendation should be achieved by.

Identifying who is responsible for the recommendation is important, as is clearly indicating what success would look like.

In all matters, the City Council's (and partner's) budget position must be at the forefront of any Neighbourhood Challenge. The Executive is responsible for the financial management of the budget once Council sets it for the year. In making recommendations that have cost implications, members cannot assume that any additional resources needed to implement their recommendations would or could be made available.

Occasionally, members may wish to make recommendations to partnership bodies. This can be done either with the agreement of that body or through the relevant O&S Committee, by using the statutory powers available to O&S Committees in relation to some partners.

Agreement of the Report

The report and recommendations will be agreed by the Committee by majority. If any members dissent from the main findings, they shall have the right for this to be recorded in the report (at their request).

The report will then be referred for action. This will either be:

- Issued to the Executive with recommendations or proposed actions;
- Submitted to an O&S Committee, to propose a city-wide investigation on the same topic or to otherwise feed into the scrutiny work programme;
- Submitted to a partner body.

Where a report is submitted to the Executive, this could either be to the relevant Cabinet Member, or with the agreement of the chair, the report may be discussed at Cabinet.

It should be noted that Neighbourhood Challenges need not result in recommendations or further work; it may be that in the course of the challenge, partners or officers agree a course of action that the District Committee then monitors.

Submission to the Executive / Scrutiny / Partners

In determining whether a report should be referred to the Executive or Scrutiny or dealt with under delegated powers, the following guidance should be used:

- A local issue requiring local solution e.g. parking restrictions outside a school: where the action required can be taken by officers under delegated powers and within existing budget, the report should be referred to the relevant Strategic Director and Cabinet Member
- A local issue with wider implications for City Council policy: where the matter is applicable only to one or two districts, this should be referred to the Executive, either the relevant Cabinet Member or Cabinet (for the Chair of that committee to determine);
- A local issue with wider implications for City Council policy: where the matter is or may be applicable to a number of districts, this should be referred to the relevant O&S Committee;
- A local issue with budget implications: this should be referred to the Executive, either the relevant Cabinet Member or Cabinet (for the Chair of that committee to determine);
- A local issue with implications for the implementation of national policy should be referred to the relevant O&S Committee;
- A local issue with implications for partner organisations: these can be referred by letter to that organisation. Precise arrangements will depend on the relationship with that organisation and these will become clearer as the Partnerships work-stream of the Future Council is developed. Broadly speaking, recommendations can be made either with the agreement of that body or through the relevant O&S Committee, by using the statutory powers available to O&S Committees in relation to some partners.

Referrals from the Executive or Scrutiny may specify where the Neighbourhood Challenge report should be directed.

Where reports are submitted to the Executive, a response will be required within a set timescale.

District Committees will then have an “action tracker” for the outcomes (the “Neighbourhood Challenge Action Tracker”).

Where a report is submitted to the relevant O&S Committee, this will be taken to the next meeting. There will be a standard item on each O&S Committee agenda for Neighbourhood Challenge reports.

At the meeting, the O&S Committee will either:

- Note and feed it into the committee's work programme;
- Agree to undertake further work on a matter that has wider (cross-city) implications.

It will be for the O&S Committee Chair to determine how best to take the Neighbourhood Challenge forward as part of that Committee's work programme.

Publication of the Report

Whatever the destination, the process for publication shall be:

- Draft report agreed by members of the committee in the week following the meeting (the recommendations will have been agreed at the meeting)
- Draft report sent to the relevant cabinet members/scrutiny committee for comment on feasibility of recommendations/actions (8 working days).
- Committee agrees any changes (members have final word)
- The report is then submitted to the Cabinet Member/O&S Committee /Cabinet, who has 10 working days to provide a published response.

There may be occasions when a Cabinet Member or O&S Committee Chair has a number of Neighbourhood Challenges to respond to at the same time. If this is the case, then the timescales above shall be subject to review by both the Cabinet Member/O&S Committee and Executive Member for that District.

8 Reviewing the Neighbourhood Challenge

It is suggested that the Neighbourhood & Community Services O&S Committee receive a summary report on all neighbourhood challenges in April 2016 – a “health check” of the challenge. If required, a report could then be taken to City Council in June 2016, to highlight both the operation of the challenge and some of the issues addressed by the challenge.

The Corporate Resources O&S Committee will be reviewing the district and ward structures as a whole, and so the two may report together.