

# OVERVIEW AND SCRUTINY COMMITTEE

## Overview and Scrutiny Committee – Work Programme and Agenda Items

19<sup>th</sup> April 2018

### Report of the Interim Head of Legal and Democratic Services

#### PURPOSE OF REPORT

To enable Members to consider the processes for considering current and future scrutiny Work Programme topics and agenda items.

**This report is public.**

#### RECOMMENDATIONS

- (1) That the report be noted.
- (2) That the Committee considers the proposed processes for the development of the 2018/19 Work Programme.
- (3) That the Committee considers the number of standard items on the agenda, referred to in paragraph 5 of the report.
- (4) That the Committee considers the need for scrutiny appointments, referred to in paragraph 5 of the report.
- (5) That any recommendations that require Constitutional amendments be referred to and be considered by the Monitoring Officer for referral to Council Business Committee and/or Council.

#### 1. Introduction

On 7<sup>th</sup> March 2018 Cabinet informally presented the draft Council Plan to this Committee and Budget & Performance Panel Members, who had been invited to attend in order to provide feedback on the Plan. The Council Plan is scheduled to be considered by Cabinet on 24<sup>th</sup> April 2018.

In view of the information provided regarding the Council Plan the Committee is recommended to consider the processes to produce the Overview and Scrutiny Committee's Work Programme and the topics selected, with priority given to topics that are closely linked to the Council Plan.

The report takes account of Scrutiny training provided by North West Employers to Committee Members on 12<sup>th</sup> July 2017.

## 2. Background

The Committee currently has a Work Programme that is unachievable with the current officer resources, due to the number of items contained on the Plan.

Advice provided by the Centre for Public Scrutiny (CfPS) informs that: -

***“One of the main pitfalls that will lead to the failure of Overview and Scrutiny is to have an unrealistic and unmanageable work programme. It is therefore important for Members to not only be aware of this, but to take the lead and “own” the individual work programmes of each committee.”***

Members are recommended to consider whether, after recently being asked to provide feedback on the Council Plan, to have a Work Programme, with priority given to items closely linked to the Council Plan. The Committee is requested to consider the processes regarding how it selects topics for the Work Programme.

## 3. The Current Process

### Legislation/Constitution

The City Council’s Constitution Terms of Reference, amongst other things, advises that “the Overview and Scrutiny Committee has overall responsibility for the performance of all Overview and Scrutiny functions (under the Local Government Act 2000) on behalf of the Council and ensuring its effectiveness.”

The Overview and Scrutiny Committee has the power to review or scrutinise decisions made, or actions taken, in connection with the discharge of any of the City Council’s functions within its Terms of Reference. It also has power to make recommendations to the Council or Cabinet, and to consider any matters, which affects the City Council’s area, or its communities. The Committee also can play an important role in policy development/review and also encourages officers to include reporting to the Committee as part of their consultation processes.

As part of these responsibilities, the Overview and Scrutiny Committee sets an annual Work Programme, which is agreed early in each Municipal Year.

The Budget and Performance Panel, sets its own Work Programme, based on its own Terms of Reference, focusing upon performance monitoring, corporate financial monitoring, treasury management and other related issues.

The Chairman of this Committee and the Panel hold regular meetings to, amongst other issues, ensure that there is no cross over or duplication of items regarding their respective Work Programmes.

### Requests for the Work Programme

In accordance with Overview and Scrutiny Procedure Rules the Committee’s Work Programme is compiled after consulting with members of the public, all City Councillors and Management Team. Suggestions, with Management Team’s recommendations and comments, are then circulated and considered by the Overview and Scrutiny Committee.

Overview and Scrutiny Procedure Rules also advise on the processes for Members requesting items to be placed on the agenda.

The Committee is asked to consider processes for considering current and future Work Programme items.

#### Briefing Notes

These are provided by Officers when an issue arises and the Committee/Panel require more information prior to considering whether the issue should be included on the Work Programme. It is suggested that, in future, in some circumstances, this could be provided within an email to Members.

#### Budget and Performance Panel

The Budget and Performance Panel is requested to consider its own Work Programme, which is based on regular quarterly monitoring reports.

### **4. Alternative Work Programme Approaches**

In order to provide the Committee with possible alternative approaches in formulating and developing its Work Programme other Lancashire local authorities have been asked to advise on their processes in creating their Work Programmes.

In addition, other local authorities that are recognised as providing best practice have also been requested to provide details on their methods to prioritise Work Programme items.

More details have been provided for Overview and Scrutiny Committee Members.

The Committee is requested to consider the following regarding the Work programme: -

1. Arrange a meeting between the Chairman and Vice-Chairman of the Overview and Scrutiny Committee and members of the Council's Senior Management Team. This meeting will allow a preliminary prioritisation of submissions to be conducted and reported back to this Committee, or;
2. Items for the Work Programme should be submitted using a template form, which would aid the prioritisation and selection of submissions and make the process more straightforward for those who wish to suggest a topic for consideration. The Committee is asked to consider information obtained from other local authorities.
3. A joint informal Cabinet/Scrutiny evening to discuss and put forward items referred to or linked in some way to the Council Plan. Cabinet members and members, or representatives, of Management Team to also attend.
4. A one item Committee meeting where all the items that have been suggested are considered, or.
5. That an additional programme setting workshop should be arranged, at a date to be confirmed, prior to the Committee's meeting in June 2018.

**Note:** Options 1 and 3 are the officer preferred options.

### **5. Other issues**

#### Standing Agenda Items

The Committee is also requested to consider the standing items on the Agenda. These are-

- Councillor Call for Action (CCfA)
- Petitions\*
- Locality Working\*

\*Members may wish to consider whether these items should be included on each agenda, or only as required. Any amendments would need to be referred to the Monitoring Officer to consider the Constitutional issues arising.

**Note:** The officer preferred option is only to include Petitions and Locality Working on the Committee's agenda if and when items arise.

### Standard Issues/Items considered each Municipal Year

Cabinet Members - the Committee regularly requests Cabinet Members to attend meetings to inform and answer questions on their respective Portfolios. This is usually undertaken as part of a themed meeting.

Older People – the Committee holds a specific meeting each Municipal Year. This year this was undertaken as part of the Loneliness Summit arranged with Age UK and the Cabinet Member with Responsibility.

Community Safety - the Overview and Scrutiny Committee is required to hold at least one meeting as the Crime and Disorder Committee in each Municipal Year.

Health Scrutiny – regular updates from Better Care Together (BCT) are provided. The City Council's representative on the County Council's Health Scrutiny Committee is asked to attend these meetings.

The Committee is asked whether it still wishes to continue with these standard items.

**Note:** There is no officer preferred option. However, the Committee is advised that it should be able to focus on those areas where it is likely to add the most value.

### Overview and Scrutiny Appointments

A number of appointments are made annually, usually, at the first meeting of each Municipal Year. These are: -

Cabinet Liaison Members - Cabinet Liaison Members are appointed on an annual basis. These Members should ensure they keep in contact with their Cabinet Member to keep updated with the latest issues and developments within their portfolios.

Scrutiny Champion and a Pre-Scrutiny Champion - The Committee also appoints these each Municipal Year.

The Committee is asked whether these appointments are effective and should continue in the future.

**Note:** From considering the work of the Committee in the current Municipal Year there does not seem to have been any added value to the work of the Committee by appointing Cabinet Liaison members. The Committee may also wish to consider the other appointments.

## Council Appointments

Council also requests the Committee to appoint to a number of outside bodies on an annual basis. Those Councillors appointed are requested to report to the Committee, if and when necessary.

### **6. Task Groups**

In accordance with the Constitution Overview and Scrutiny Committee may appoint Task Groups. Formal Task Groups report directly to either Cabinet or Council. Informal Task groups must report back to the Overview and Scrutiny Committee. By reporting back to the Committee this creates additional work.

**Note:** Added value can be provided by task groups, which include the involvement of other (Non-Executive) Councillors, rather than having to undertake work as part of an Overview and Scrutiny Committee meeting.

### **7. Call-Ins**

Paragraph 16 of the Overview and Scrutiny Procedure Rules informs of the Call-in Arrangements, which should only be used in exceptional circumstances. The Committee is asked to be mindful, when setting its Work Programme, of the additional time and resources the Committee and Officers will need to provide when dealing with Call-ins.

### **8. External Scrutiny**

As well as scrutinising the City Council's functions, the Committee can and has scrutinised other organisations. Whilst this does have a resource implication for the City Council this is mainly for the external organisation(s) to resource.

### **9. Conclusions**

The Committee currently has a Work Programme that, due to the number of items contained on the Plan with the current officer resources, is unachievable.

The Work Programme ensures that the Committee is able to focus on those areas where it is likely to add the most value. It can do this through its formal meetings, or through the work of task and finish groups. The Programme is an evolving working document that will need to be amended throughout the year.

The role of scrutiny is to achieve positive outcomes for local people by undertaking a thorough, targeted examination of the Council's service provision and procedures. However, it is not possible to examine every service in detail, so it is important for the scrutiny committee to prioritise and plan its workload.

The Committee is also asked to consider an alternative Work programme approach that will help to prioritise items on the Programme and link closely to the Council Plan, consider the standing items on the Committee's Agenda, items that are considered each Municipal Year and appointments it currently makes annually.

Where possible Officer preferred options have been provided within the report.

## **RELATIONSHIP TO POLICY FRAMEWORK**

There are no direct implications as a result of this report. However the Committee is recommended to give priority to Work Programme items that are closely linked to the

Council Plan.

**CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

There are no direct implications as a result of this report.

**LEGAL IMPLICATIONS**

The Overview and Scrutiny Committee has overall responsibility for the performance of all Overview and Scrutiny functions (under the Local Government Act 2000) on behalf of the Council and ensuring its effectiveness.

Any recommendations that require Constitutional amendments will be referred to and be considered by the Monitoring Officer for referral to Council Business Committee and/or Council.

**FINANCIAL IMPLICATIONS**

There are no direct implications as a result of this report. Any further reports on specific issues contained within this report will require further consideration of the financial implications.

Members of outside bodies are entitled to travelling expenses, which are funded from within existing budgets.

**OTHER RESOURCE IMPLICATIONS, such as Human Resources; Information Services; Property; Open Spaces:**

None.

**DEPUTY SECTION 151 OFFICER'S COMMENTS**

The Deputy Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Interim Head of Legal and Democratic Services/ Monitoring Officer has provided comments contained within this report.

A current review of the Constitution is proposed and any alterations suggested by the Committee can form part of that programme of work.

**BACKGROUND PAPERS**

None.

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