
New Model for Scrutiny - Supporting Information

1. Introduction/Background

- 1.1 At its meeting on 9 May 2017 Council agreed to a new model for scrutiny based on retaining the Overview and Scrutiny Management Commission (OSMC) and integrating policy development work (one aspect of the scrutiny function) into existing work being undertaken by a number of “informal” Groups across the Council. The Proportionality Rules need to apply to all these appointments.
- 1.2 The Local Government Act 2000 requires Local Authorities to have a scrutiny function as part of its formal decision making governance structures. Scrutiny is not just about holding the Executive to account but is also about policy development.
- 1.3 The Council has a comprehensive governance structure (formal and informal) which includes significant policy development activities across a range of programme boards and task groups. To date, a significant number of these Groups/bodies have never been considered to be or regarded as scrutiny activities.

2. Proposals

- 2.1 Given the financial challenges faced by the Council which includes a reducing workforce it was considered appropriate to look again at the model of scrutiny being operated so as to increase accountability but also to engage the much valued experience held by non-Executive Members. This review has also been conducted arising from the comments from the LGA Peer review which suggested that the Council appeared not to place a great deal of focus on scrutiny. However, in noting this comment, it must also be recognised that at present scrutiny is supported by part of one fourth tier officer's time and one part time policy officer.
- 2.2 To qualify as a formal “scrutiny” group the “Proportionality Rules” will need to apply.

Overview and Scrutiny Management Commission

- 2.3 It is proposed to retain the OSMC with this meeting on a quarterly basis to consider, amongst other things, the quarterly performance reports (specifically areas of poor performance) and financial management reports and to monitor the progress of any improvement plans (Ofsted etc) across the Council.
- 2.4 OSMC would also be responsible for managing the call-in process. Working through Corporate Board and Operations Board it is proposed to develop a robust work programme notwithstanding the limited resources available to support this function.
- 2.5 A draft Councillor Scrutiny Role Description (Appendix C) has been developed for the purposes of providing some direction for scrutineers.

Policy Development Groups

- 2.6 It is proposed that scrutiny (policy development) activities be integrated into work already ongoing across the Council. This will mean that the Council does something once but uses the output from this many times. A list of the various Groups which lend themselves to “scrutiny” work is attached as Appendix “B”. The Groups listed in Appendix B cover a range of Council services and are intended to provide opportunities for scrutineers to provide either a challenge element or to help develop policy. Matching current non-Executive Member experiences and interests has taken place and Members (via their groups) have been allocated to appropriate groups.
- 2.7 In terms of proportionality it is suggested that a maximum of 4 Members be appointed to any one group and this would mean 3 Conservative Members and 1 Liberal Democrat Member being appointed. Where “scrutineers” are already in place in well established groups (ie Planning Policy Task Group etc) no changes are proposed to the numbers. However, the number of Members allocated to each group should be proportionate to the size of the overall group.

Governance

- 2.8 In order to support this new model, services will need to ensure that basic governance arrangements are put in place, namely, agendas are circulated in good time and notes are taken of the meetings. This will provide evidence of the work of non-Executive Members which can be used to evidence the value of scrutiny should the Council subject itself to a further LGA Peer review in the future. It is also proposed that an Annual Scrutiny Report be produced.
- 2.9 The Chairs of each of the Groups have been briefed on the requirements to integrate non-Executive Members into their work. In the case of an existing group the chair will be required to provide a briefing note including the terms of reference of the group, its work to date and appropriate past minutes. This will provide scrutineers with an overview of the work of the group prior to attending their first meeting.

3. Conclusion

- 3.1 The Council is required by the Local Government Act 2000 to have a scrutiny function as part of its governance structure. The Council has tried different models of scrutiny over the years all with varying degrees of success. The new model of scrutiny seeks to build on the work already ongoing rather than develop new work streams for scrutiny purposes only. The new structure also recognises the limited resources available to support the scrutiny function.
- 3.2 In terms of the OSMC, it is important that all parts of the Council (both Members and Officers) embrace scrutiny and provide ideas which will be used to develop a robust work programme going forward.

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

X MEC – Become an even more effective Council

The proposals contained in this report will help to achieve the following Council Strategy priority:

X MEC1 – Become an even more effective Council

Officer details:

Name: Andy Day
Job Title: Head of Strategic Support
Tel No: 01635 519459
E-mail Address: andy.day@westberks .gov.uk
