

APPENDIX

1. OS Chairman

Following wording be added to the constitution:

“The Chairman should have experience and understanding of our Scrutiny System.”

No other changes to the constitution including the current policy of having no political whips in Overview and Scrutiny.

2. Leader & Cabinet Liaison with OS

- (a) the Leader to attend the OS Committee at the start of the year (to present the Cabinet’s Forward Plan and secondly after 6 months to update the Committee. All members should be encouraged to attend;
- (b) the Leader to indicate, if appropriate, any work to be undertaken by OS at that first meeting on behalf of the Cabinet;
- (c) members to have the opportunity to ask Portfolio Holders questions on matters of concern at these OS meetings;
- (d) individual Portfolio Holders to attend an appropriate OS Standing Panel meeting dealing with matters relating to their Portfolios and to ask questions of them. This meeting is to be open to all members;
- (e) Portfolio Holders be encouraged to attend all of the appropriate Standing Panel meetings for their portfolio (where one exists);
- (f) the agenda item on Cabinet Review be placed earlier on each OSC Agenda;
- (g) calendar for OSC and Cabinet should be reviewed to allow more time for "call in" and review of Cabinet agenda business.

3. OS Work Programme

- (a) planning the annual OS Work Programme to include consideration of:
 - Forward Plan (to include all significant decisions not just Key decisions);
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 - Forward Plan to be the basis of Cabinet monitoring;
 - Business for future Cabinet meetings in the Forward Plan to be raised as part of the Cabinet review item on OSC agenda;

- use of "Pick" form;
 - complaints;
 - FOI topics;
 - Cabinet priorities;
 - outstanding T&F Panel work;
 - business plan digests from directorates;
 - petition information;
 - requests from the public.
- (b) rigorous use of the PICK work request form should be enforced, preferably through better training and/or by returning the form to members asking for more details;
- (c) higher priority to be given to follow up on scrutiny work;
- (d) OSC Chairman and Panel Chairman (with officers) to co-ordinate work on OS programme;
- (e) preparation to begin in February 2013 but a pause to be provided for the election period in April/May 2013 where EFDC elections take place;
- (f) training in budget scrutiny to be introduced for September each year prior to the start of the budget process.

4. Scrutiny Panels

- (a) the Constitution should be strengthened to say that Panel Chairmen are expected to attend the main O&S Committee to give progress reports on their Panel's work;
- (b) change to pro rata requirements for Standing Panels not considered to be a deliverable option.

5 "Call-ins"

Call-in process amended once the call in has been validated:

- (a) "Call in" sponsors or Cabinet member concerned to be able to request a pre-meeting to discuss the call-in before considered formally by the Overview and Scrutiny Committee;
- (b) definition of "major" or "minor" matters for validating "call-ins" not agreed with wording remaining as follows:

“Call-ins should be for the bigger and more important issues and not for small insignificant detail.”

- (c) the present deadline for calling-in a decision should be kept at 5 days, as electronic communication made this workable in terms of signing a call-in, if necessary by separate e mails;
- (d) members also had the time before a Cabinet meeting to study the reports on the agenda as well as the five working days after the decision had been taken to call-in a decision;
- (e) that electronic call-ins be investigated to speed up the process;
- (f) arrangements to be amended to allow “call in” sponsors to be able to withdraw their objections if, having met with the Portfolio Holder and Chairman of the O&S Committee, their concerns could be met;

OSC COMMENT: Would the call in still be reported to the Overview & Scrutiny Committee if it were withdrawn?

- (g) “Call in” protocol be revised to provide for only the lead call-in sponsor to present and for the Portfolio Holder to respond followed by a wider debate, with members of the committee speaking first, then non members and with the Portfolio Holder winding up.

OSC COMMENT: does this proposal mean that only the lead call in sponsor can speak to the call in? Would other signatories be excluded?

6. Scrutiny of External Organisations

- (a) change the layout of the Council Chamber so that representatives of outside organisations sit in the well and when making presentations and responding to questions receiving a presentation;

OSC COMMENT: New seating plan was queried but generally supported at the meeting.

- (b) new layout also to be used for call-ins;
- (c) members should be flexible whether outside organisations would be more appropriate to a Standing Panel than the O&S Committee;
- (d) more preparation for questioning including the order of questions and the avoidance of overlaps; and
- (e) more emphasis on follow up reporting by organisations.

7. Finance/Budget Scrutiny

- (a) new timetable to be produced at the start of the budget- setting process to enable the OS to plan ahead.
- (b) the timetable of the budget process should be publicised in the Council Bulletin.
- (c) OS should examine the financial issues paper/mid term financial strategy prepared at the first stage of the budget and concentrate on the policy issues and emerging trends, problems and themes raised rather than all the detailed figures
- (d) the Finance Scrutiny Panel's Terms of Reference should be altered to avoid duplication with the work of the Finance Cabinet Committee. There should not be any more joint meetings with the Cabinet Finance Committee.
- (e) the role of OS in reviewing the budget should not only cover future budgets but also at what had gone before in previous years;
- (f) the Scrutiny Panel's role should be to focused to target exceptions rather than budgets for services which are on track, ignoring what is going well;
- (g) new budget review timetable to be introduced, namely:
 - September – financial issues paper of Director of Finance;
 - November – draft growth lists/savings and DDF programme plus fees and charges
 - January - update of medium term financial strategy for next financial year
 - February - final form of draft budget
- (h) Finance & Performance management standing Scrutiny Panel to look at timetable for business plans to complement OS work programme.

8 Scrutiny of KPIs

- (a) review of KPIs to be co-ordinated through the Finance & Performance Management SSP;
- (b) any red or amber KPIs to be referred if appropriate, to an appropriate Panel (where one exists) for further review after officers/PFHs have explained the KPI information;
- (c) Finance & Performance Management SSP to deal with KPIs which are not covered by any Panel;
- (d) Finance & Performance Management SSP terms of reference to be amended to reflect these changes.

9. The Public Profile of OS

- (a) adopt a more proactive stance to engagement with the public;
- (b) amend OS rules in the constitution to introduce an opportunity for the public to ask questions at OSC and Panel meetings and to address those bodies on issues of concern, even if they are not otherwise on agendas;

OSC COMMENT: Concern was expressed that rules were needed to ensure that the public does not raise topics which are not relevant to the Panel concerned. Also queried whether the same matters could be raised at OSC and whether questions and items on which the public wish to address a meeting are restricted to those matters which are already on the agenda.

- (c) adopt a flexible approach to facilitating business from the public – including use of correspondence, e mail, website and the PICK form as appropriate;
- (d) use “The Forester” and the local press to heighten the profile of OS including (a) the annual work programme for OS, and (b) specific items due to be considered by OS or panels in order to encourage the public to submit evidence/comment – particularly where scrutiny of external bodies is planned;
- (e) maximise the use of Chairman’s discretion to allow the public to contribute.

10 Crime & Disorder/ NHS Scrutiny

Further work to be undertaken.

11 Training

- (a) introductory course to be reinstated in June when there are EFDC elections;
- (b) budget scrutiny training to be given in September immediately before the commencement of the budget process;
- (c) further training dependant on funding;
- (d) Tenants’ Federation to attend training – possible financial contribution from HRA to cost of the session.

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