

# **Report to the Overview and Scrutiny Committee**

**Date of meeting: 18 December 2018**



**Subject:** Overview & Scrutiny Select Committee Framework - Review

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## **Recommendations/Decisions Required**

- (1) That the Committee consider the results of consultation undertaken amongst all members of the Council, with regard to the proposed establishment of a new overview and scrutiny select committee framework;**
  - (2) That, subject to recommendation (1) above, the Committee:**
    - (a) agree the establishment of a Task and Finish Panel to consider options for the establishment of an appropriate select committee framework with effect from the commencement of the 2019/20 municipal year, in accordance with the Overview and Scrutiny rules of the Council's Constitution;**
    - (b) agree the draft terms of reference and work programme for the proposed Task and Finish Panel for the remainder of the 2018/19 municipal year;**
    - (c) make appointment to membership of the proposed Task and Finish Panel for the remainder of the 2018/19 municipal year;**
    - (d) make appointment to the positions of chairman and vice-chairman of the proposed Task and Finish Panel for the remainder of the municipal year; and**
    - (e) the recommendations of the proposed Task and Finish Panel be considered by the Committee at its meeting to be held on 19 April 2019.**
1. At its meeting on 29 October 2018, the Committee considered a proposal for the establishment of a new overview and scrutiny select committee framework to reflect the implementation of the Council's People Strategy.
  2. The report made to the Committee at its meeting on 29 October 2018, setting out the detailed proposal for the establishment of a new overview and scrutiny framework based on a structure of two cross-service select committees, is attached as Appendix 1 to this report.
  3. Members will be aware that the implementation of the Council's People Strategy has progressed as far as the appointment of new Strategic Directors and Service Directors. The Council's new senior management structure comprises seven new service directorates covering the operations of the authority and the Leader of the Council has recently realigned the responsibilities of the Cabinet to reflect the management

structure and achieve improved efficiency and effectiveness in the delivery of the Council's services. It therefore remains appropriate to also review the alignment of the overview and scrutiny framework with the executive and senior management structure going forward.

4. At that time, the Committee expressed concern at the perceived limitation of capacity for scrutiny activities arising from the proposed reduction in the number of select committees and deferred consideration of the proposed new framework to allow appropriate consultation on the proposal to be carried out amongst all members of the Council.
5. Consultation on the proposed new select committee framework was undertaken through the Council Bulletin commencing on 2 November 2018 and ran for a four-week period, closing on 30 November 2018. The consultation was promoted within the Council Bulletin on two separate occasions during this period and the results of the consultation exercise (as at the publication of this agenda) are attached as Appendix 2.
6. It is disappointing that only a limited response was received to the consultation and that no real direction has therefore resulted from the responses received, other than generally to support the retention of the current framework of the scrutiny committees. Arising from such responses to the consultation exercise, the following options for the future select committee framework appear to be available:
  - (a) No change. The retention of the existing framework of four select committees would appear to address the concerns raised by the Overview and Scrutiny Committee at its meeting on 29 October 2018 and in some of the consultation responses. However, the retention of the existing framework would mean that the select committees were not aligned with the new portfolio or service structures and that opportunities for increased efficiency and effectiveness in scrutiny activity might not be achieved;
  - (b) An alternative framework of four select committees aligned with the new portfolio and service structure. This would appear to address the concerns raised by the Overview and Scrutiny Committee and in some of the consultation responses. This approach would mean that some of the responsibilities of the existing select committees (and their titles) would need to be changed and that the select committees might have an imbalance of service areas, given that the portfolio and service structure comprises seven service areas. This approach would present opportunities for increased efficiency and effectiveness in scrutiny activity;
  - (c) A revised framework of two or three select committees aligned with the portfolio and service structure. This approach would mean that some of the responsibilities of the existing select committees (and their titles) would need to be changed and that the select committees might have an imbalance of service areas, given that the portfolio and service structure comprises seven service areas; and
  - (d) The establishment of a task and finish panel to consider (a) to (d) above and any other options for the select committee framework and to report to the Overview and Scrutiny Committee on proposals for the establishment of a new framework arrangement.
7. It is suggested that the establishment of a task and finish panel to consider all issues related to the proposed establishment of a new overview and scrutiny select committee framework and any other options for the framework that have not already been identified, would be the most sensible way forward. The task and finish panel approach was utilised in the development of the current select committee framework and draft terms of reference for a new task and finish panel are attached for consideration by the Committee as Appendix 3 to this report, together with an initial draft work programme for the remainder on 2018/19 (Appendix 4) . The terms of reference, membership and

work programme for a task and finish panel must be approved by the Overview and Scrutiny Committee.

8. Any task and finish panel would need to work quickly, in order that the establishment of an appropriate select committee framework with effect from the commencement of the 2019/20 municipal year could be considered by the Committee at its meeting in April 2019. The Overview and Scrutiny rules of the Constitution (Article 6) require that task and finish panels be flexible as to the number of councillors appointed to membership, although here is no restriction on the number of members that can be so appointed. Additionally, any councillor may be a member of a task and finish panel, save that a member of the Cabinet may not be a member of any panel which bears directly on their portfolio.
9. Task and finish panels cannot be comprised of members of a single political group and it is a requirement of the Overview and Scrutiny rules of the Constitution that a chairman and vice-chairman should be appointed to each panel.
10. Subject to consideration of the results of the consultation exercise, the Committee is requested to agree the establishment of a task and finish panel to consider options for the establishment of an appropriate select committee framework.

#### **Resource Implications:**

The recommendations of this report seek to enable scrutiny activity to more effectively meet work programme requirements.

#### **Legal and Governance Implications:**

The Council's constitution sets out rules for the management of its overview and scrutiny responsibilities.

#### **Safer, Cleaner, Greener Implications:**

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

#### **Consultation Undertaken:**

At its meeting on 29 October 2018, the Committee considered the proposed establishment of a new overview and scrutiny select committee framework. Consultation on the proposed new select committee framework was undertaken through the Council Bulletin commencing on 2 November 2018.

#### **Background Papers:**

None.

#### **Impact Assessments:**

#### ***Risk Management***

The Council's constitution sets out rules for the management of its overview and scrutiny responsibilities.

#### ***Equality:***

There are no equality implications arising from the recommendations of this report.