

**NOTES OF OVERVIEW AND SCRUTINY REVIEW SEMINAR  
HELD ON 18 SEPTEMBER 2007  
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET EPPING  
AT 7.30 - 9.15 PM**

**Members Present:** R Morgan (Chairman), K Angold – Stephens, K Chana, Mrs A Cooper, D Stallan

**Officers Present** I Willett (Head of Research and Democratic Services, S Hill (Senior Democratic Services Officer, Z Folley, (Democratic Services Assistant)

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The review was requested by the Constitutional and Members Services Panel on 6 April 2007.

The session was intended to be an informal discussion on ideas for improving the OSC process. The aims was to focus on operational matters which could be implemented fairly easily.

The meeting had before them copies of:

- (a) feedback submitted by Councillors Mrs A Cooper and Mrs J H Whitehouse;
- (b) the OS procedural rules;
- (c) the updated OS work plan;
- (d) issues raised by officers.

The meeting considered each issues as follows:

**(a) OSC meetings – reporting of Panels**

Concern - It was noted that Councillor Mrs Whitehouse had expressed concern about the relationship between the OS Panels and the main OSC Committee. She was under the impression that the Panels were required to submit their reports to the OSC 'at the last minute' to enable them to consider whether further work was needed. Perhaps members of the OSC should receive a note of all the Panel meetings or regular written reports form the Chairmen.

Response - It was confirmed that the Panels were required to submit their reports to the OSC and that this practice was already being put in practice. It was **agreed** that written copies of the Chairmen's briefings should be circulated with the agenda to give all members advanced notice of the issues to be discussed and to enable non members of the Committee to receive the information.

**(b) Work Plan Monitoring**

The meeting considered the need to change the structure of the work plan and the operation of OSC meetings.

The meeting recommended that the full work plan should not be submitted to every

OSC as this often resulted in repetition in discussion. To avoid this and ensure effective use of time, the work plan should be scaled down to enable the Committee to focus on current issues and monitor deadlines to identify areas of slippage.

With this in mind, it was suggested that the revised work plan should simply:

- (a) specify the programme of meetings for the current OS cycle (ie time between the last and next OSC) to indicate whether the Panel was due to report to the next OSC;
- (b) ascribe deadlines to all of the items and identify whether or not they were on target;
- (c) if not provide a brief explanation of the reasons for the lack of progress;

**(c) Panel Chairmen Reports on Progress**

The meeting noted the need for the Chairmen of the meetings listed under (a) above to report feedback on those meetings to the next OSC. For this the agenda should provide a list of the reports expected and state that the respective Chairmen were due to report.

However aside from this requirement, the Panel Chairman should only be asked to report on an exception basis.

**(d) Quarterly Reviews**

It was also felt that the Committee should undertake quarterly reviews of the work plan. At this stage, the full work plan as it stands at present should be presented to the Committee to enable it to identify any significant slippage in deadlines and take action to ensure the work was on target and make any adjustments felt necessary. All Panels Chairmen should be invited to this review.

It was suggested that should a Panel not make a report to two consecutive OSC meetings, the OSC should receive a briefing on the reasons for such slippage. A trigger should be put in place to alert the OSC to such issues.

**(e) Task and Panels – Six month Timescale and Reporting Deadlines**

It was noted that 3 of the 4 current Panels had not yet started their work. The meeting asked about the reasons for this. It was explained that for example the Panels were awaiting the passage of legislation.

It was suggested that the six month reporting deadline for Task and Finish Reviews was too optimistic bearing in mind the complex nature of some of its work plan items. A timescale of one year for such reviews might prove more realistic.

It was stressed that the Panels should seek to ensure that their reviews were clearly focused to prevent them from becoming too wide-ranging and unmanageable. The Panels should ascribe realistic deadlines to each of their items and seek permission from the OSC for any plans to expand its work plan. They might wish to break down their reviews into smaller topics and report back on each separately.

**(f) OS Sub – Groups**

Councillor Mrs Whitehouse had suggested that if a specific task was allocated to a Standing Panel, it should set up a Sub – Group of interested Members to meet more frequently to complete the task in a shorter timescale.

It was noted that the Standings Panels had this power and from time to time set up Sub - Groups. However it was cautioned that the approach should be used carefully so as to avoid a proliferation of groups.

Previous attempts to set up OS Sub Groups had attracted little interest from Members. Invitations had been sent out in the Members Bulletin requesting members for Sub – Groups, however the response to this had been poor suggesting no real desire for the reviews. The Standing Panels should bear these problems in mind when determining the need for a new Sub – Group.

**(g) Scrutiny of Executive Work**

Councillor Mrs Whitehouse had also sought clarification of the purpose of the OS slot on the Cabinet agenda.

It was noted that this item enabled the OSC Chairman to report to the Cabinet on any issues in relation to its agenda which the OSC felt required consideration.

The meeting recommended that the slot should be retained.

However, the meeting felt there was a need to raise awareness of this provision to enable Members to make full use of scrutiny's pre - decision role. To ensure this, it was agreed that the wording on the OSC agenda for this item should be expanded to fully explain the provision.

It was reported that Councillor Mrs Whitehouse had also requested more scrutiny of Portfolio Holders and Council Services.

In relation to this, it was noted that the Portfolio Holders regularly attended the OSC/ Panel meetings for their Portfolio to answer questions and assist the reviews. The Panel also routinely scrutinised /Portfolio Holder Decisions and Cabinet reports before they were determined by the Executive. The OSC could also call – in a Cabinet decision.

The OSC also arranged meetings with the Leader to discuss their plans for the year and undertook reviews on their behalf. (Work Plan Item - Scrutiny of Cabinet Forward Plan). To address the Councillor's comments, it was suggested that the Cabinet forward plan be considered by the OSC on a six - monthly basis.

In view of the above, the meeting felt the existing provisions for Executive scrutiny were sufficient and would enable more scrutiny of that function if that was Members wish. It was agreed that no changes were required.

**(h) Services specific reviews**

In response to the request for more scrutiny of services, it was noted that Members were able to add such reviews to the plan. However, it was advisable to plan such reviews in advance and undertake them at specific points in the year (ie at the six monthly review stage) rather than on an 'ad – hoc basis' as and when they were

requested. It was also pointed out that the Finance and Performance Management Committee regularly reviewed the performance of key services and received performance indicators on their performance.

**(i) External Presentations**

It was reported that Councillor Mrs Whitehouse had suggested that the OSC should consider fewer outside presentations.

The meeting felt that this area of work was worthwhile as it enabled them to influence services outside EFDC's ambit of control – such as the issue of rural transport which was the subject of a current scrutiny bid. Given this, it was recommended that the OSC should not reduce its commitments in this area. However, it was stressed that any action to invite in an organisation should only be carried out if it had been requested by Members.

It was noted that the Committee carried out consultation with Members when determining the need to ask an outside organisation to address the OSC.

**(j) External Attendees**

It was **recommended** that the OSC should request the presence at presentations of the Head of Service/Key Officer for the service under scrutiny. It was anticipated that such officers would have the knowledge necessary to answer its questions whereas their support officers might not be in a position to cover all of the issues. The meetings stressed the need for full answers to questions at meetings.

It was **recommended** that deadlines be agreed for the receipt of any written replies sought at presentations before the meeting.

Officers referred to the proposals for OS in the new government white paper. The proposals would give OS the ability to require public bodies to appear before them and provide information. The meeting felt that this would address Councillors Coopers concerns and noted that the proposals would be considered at the October 2007 meeting of the Constitution and Member Services Standing Panel.

It was also **recommended** that the attendees of meetings be required to introduce themselves on their first appearance so that those present knew who they were. Chairmen of meetings should ensure this at the start of the meeting.

**(k) Call – Ins**

The meeting agreed that the existing rules for the above were satisfactory and that no changes should be made.