

## Review of Scrutiny Committee

### Changes to Scrutiny practices based on best practice

#### Motion submitted for Scrutiny Committee January 11th 2023

That the Cabinet/Council commission the Local Government Association to prepare a best practice guidance note for this Council (and the various town and parish councils within the district) regarding Scrutiny Committee role, rights and best practise, addressing the obligations of council officers and Councillors with specific regard to the actions of councillors as ward councillors and "critical friends" and that Council approve a budget of £30,000 to facilitate this work

By Chairman, Scrutiny

The Chief Executive referred the matter to full Council but included note of item in joint Scrutiny Committee in January 11<sup>th</sup> report by Finance Director

#### Recommendations for a Scrutiny TaFF

In December the Chairman asked Vice-Chair Jamie Kemp to lead a TAFF without Chair's involvement with the intention of achieving a non-adversarial lead and good range of people involved. He enclosed a suggested Terms of reference and asked if the VC could tell him if he would be willing to be involved which the endorsed

#### Proposed Terms of reference

To examine the function of Scrutiny Committee in light of the workshop led by Paul Cutter of CGfS and to suggest improvements in:

1. Selection of Projects: (CfGS has developed a scrutiny prioritisation tool that can be assessed by the group)
2. Processes of working
3. Style of working and culture
4. Budgetary Resources
5. Structure of Committee
6. Skills needed by Members and Democratic Services Officers

#### Background extract from CfGS presentation November 2022:

##### Scrutiny should...

- ü provide constructive "critical friend" challenge
- ü amplify the voice and concerns of the public
- ü be led by independent people who take responsibility for their role
- ü drive improvement in public services

##### The law says that a scrutiny committee can:

- Require a council officer or councillors to attend to answer questions
- Require information to be provided that is held by the council
- Require responses to recommendations
- Involve outside partners and members of the public in meetings and TAFFs

In general, scrutiny has a power in law to look at anything which affects

***"the area or the area's inhabitants"***.

The aim is to hold only one or two meetings between now and the March Scrutiny Committee Purdah deadline for reports

#### Last review of Scrutiny 2015

The Chairman informed the committee of excellent training recently undertaken by him alongside the Vice Chairman and the Democratic Services Officer. Following attendance of the event organised by Westminster City Council, changes to Scrutiny practice had been drafted in a report for the Committee's consideration. The changes included:

- Written updates from Portfolio Holders with the option for the committee to select specific elements for further discussion at a future meeting;
  - Sharing of forward plans of the Cabinet, Scrutiny Committee and Overview Committee to raise awareness of issues coming up;
  - Encouraging Single Member Studies for an elected member to research a specific topic to feed back to the committee;
  - Regular updates from Task and Finish Forums rather than only receiving a final report;
  - Seeking reasons from cabinet why a recommendation is not agreed or endorsed; • Written submission from external bodies or witnesses if they are not able to attend a meeting in person.
- RESOLVED To adopt the practices recommended as follows:
- Sharing of forward plans of the Cabinet, Scrutiny Committee and Overview Committee to raise awareness of issues for each; • Encourage Single Member Studies for an elected member to research a specific topic to feed back to the committee that include scope and regular update;
  - Receive regular updates from Task and Finish Forums prior to the final report;
  - Request written submission from external bodies or witnesses if they are not able to attend a meeting of the committee in person. RECOMMENDED That Cabinet recommend to Council that a) Portfolio Holder update reports are provided to the Scrutiny Committee in writing at least once each civic year, thereby giving the committee opportunity to invite the Portfolio Holder back to respond on specific issues of interest to the Scrutiny Committee; b) That Cabinet provide a reason to the Scrutiny Committee for not agreeing or endorsing a Scrutiny recommendation, in order for the Scrutiny Committee to reexamine and submit revised recommendation as appropriate. c) That the Council's constitution be amended to reflect these changes.