

MEETING:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	27 JULY 2011
TITLE OF REPORT:	OVERVIEW AND SCRUTINY WORK PROGRAMME
REPORT BY:	ASSISTANT DIRECTOR – LAW, GOVERNANCE AND RESILIENCE

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To consider the Committee's work programme.

Recommendation(s)

THAT:

- (a) a workshop be arranged to consider the work programme and a proposed programme reported back to the Committee for approval; and
- (b) the subjects proposed for scrutiny listed at paragraph 10 of this report and the associated scoping statements be approved.

Key Points Summary

- The Committee is asked to agree arrangements for the development of its work programme and to approve the first subjects for scrutiny.

Alternative Options

- 1 It is for the Committee to determine its work programme as it sees fit. There are any number of subjects that could be included in the work programme. However, the Committee does need to be selective and ensure that the work programme is focused on the key issues, realistic and deliverable within the existing resources available.

Reasons for Recommendations

- 2 The Committee needs to develop a robust work programme to ensure that scrutiny is focused and effective.

Introduction and Background

- 3 A discussion paper on the new scrutiny model was presented to Members at their informal

meeting on 13 June. The following key features were noted:

- A strong focus on ensuring that clear outcomes are set for Scrutiny Work and that it can clearly be demonstrated that scrutiny involvement has added value so earning the function respect.
 - A closer working link between the Executive and Scrutiny to help provide focus to the work programme and to provide an opportunity for Scrutiny to involve itself early on in policy development if it wishes.
 - The development of a work programme that clearly identifies priorities while retaining flexibility to respond to events.
 - A recognition that less is sometimes more. The quality of the output is more important than the quantity.
4. The development of the work programme in line with these principles is key to the success of the new model.

Key Considerations

Proposals for the Development of the Scrutiny Work Programme

- 5 The discussion paper outlined the Overview and Scrutiny Committee's core functions as follows:
- Agree the Overview and Scrutiny work programme
 - Develop policy options for Cabinet (Overview)
 - Review existing policy (Overview)
 - Consider petitions as required by the petitions code. (Overview)
 - Consider any calls for action in accordance with the Councillor Call for Action Code (Overview)
 - Review the Council's performance (Scrutiny)
 - Review decisions made by the Cabinet or individual Cabinet Members. (Scrutiny)
 - Consider decisions proposed to be made by Cabinet or individual Cabinet Members.
 - Call-in decisions of Cabinet for review before they are implemented (Scrutiny)
 - Scrutinise the activities of external bodies, (Scrutiny)
 - Act as the Council's statutory Crime and Disorder Committee with power to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions.
 - Discharge the statutory health scrutiny powers including the review and scrutiny of any matter relating to the planning provision and operation of health services affecting the area and to make reports and recommendations on these matters.
- 6 This is an extensive remit. The Committee does need to be selective and ensure that the work programme is realistic and deliverable within the existing resources available. It is considered that an informal workshop would be the best vehicle for initial discussion of the work programme. It is therefore proposed that a workshop be arranged and a proposed programme reported back to the Committee for approval.
- 7 There are some issues that will need to be considered formally by the Committee and some issues that will be appropriate for Task and Finish Groups to undertake. In developing the work programme consideration will be given to how each piece of work included in the work programme is to be undertaken

Initial Proposals for Scrutiny

- 8 The development of the full work programme will clearly require further time. In the meantime the Chairman and Vice-Chairmen of the Committee have identified some topics which it is proposed should be undertaken in Task and Finish Groups.
- 9 The discussion paper presented to Members at their informal meeting on 13 June suggested the following general questions to be asked at the outset in identifying Scrutiny Topics for both in depth review and general consideration.
- What would be the purpose of the scrutiny on this topic? Is it a critical issue that scrutiny should be looking at? Is the issue strategic and significant? Is it one of the Council's priorities? Is it an issue that matters to the people of Herefordshire?
 - Does this issue have a potential impact for one or more section(s) of the population? Is there evidence to support the need for scrutiny?
 - What difference would we be hoping to make as a result of this piece of scrutiny? Is change a reality? Can scrutiny add value?
 - What would be the aims or outcomes for this piece of scrutiny? Are you likely to achieve a desired outcome?
 - What are the likely benefits to the council and its customers?

Criteria to Reject items

- issue is being examined elsewhere - e.g. by the cabinet, working group, officer group, other body
 - issue was dealt with less than 2 years ago
 - new legislation or guidance is expected within the next year
 - little or no scope for scrutiny to add value/ make a difference
 - the objective cannot be achieved in the specified timescale.
 - The topic selected is too broad
 - The rationale for scrutiny is unclear
 - The topic is of low public concern
 - The topic does not address aims and priorities
 - The topic duplicates work that is already in progress
 - The topic could be adequately addressed by other means and procedures
- 10 The following matters have been identified as the first subjects for scrutiny:
- Aspects of Income and charging proposals
 - Safeguarding Children/Adult Safeguarding
 - Review of Road Signage and potential effect on Tourism.
 - Local Procurement - Are the Council (and its sub-contractors eg Amey) fulfilling a commitment to purchase locally.
 - Review of the Operation of the Planning Committee system - in particular the Scheme of Delegation.
- 11 Scoping statements are being prepared for submission to the Committee and will be circulated as soon as they are available. These will set out the reason for the enquiry, a summary of the review and its terms of reference, potential outcomes and a proposed timetable for the review.

Community Impact

12 The topics selected for scrutiny should have regard to what matters to the County's residents.

Financial Implications

13 The costs of the work of the Scrutiny Committee will have to be met within existing resources. It should be noted the costs of running scrutiny will be subject to an assessment to support appropriate processes.

Legal Implications

14 The Council is required to deliver an Overview and Scrutiny function.

Risk Management

15 There is a reputational risk to the Council if the Overview and Scrutiny function does not operate effectively. The arrangements for the development of the work programme should help to mitigate this risk.

Consultees

16 There has been some initial consultation on topics for scrutiny with Directors and Members of the Cabinet. Further consultation will take place in developing the work programme. In developing the work programme account will also be taken of concerns of the public. There is provision for the public to suggest issues for scrutiny, via the website, agendas, Herefordshire Matters and at Scrutiny meetings.

Appendices

17 None.

Background Papers

- None identified.