

STATEMENT OF INTENT - THE SCRUTINY MANAGEMENT BOARD (SMB)

Meeting: Scrutiny Management Board

Meeting date: Thursday, 16 June 2022

Report by: Statutory Scrutiny Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To seek the views of the Scrutiny Management Board (SMB) on the draft statement of intent which sets out the role and approach of the SMB.

The committee is invited to inform and constructively challenge the proposals for setting the strategic direction for the SMB.

Recommendation(s)

That:

- a) **The committee reviews, considers and discusses the Statement of Intent of the Scrutiny Management Board and may state any actions it wishes officers to take to update the Statement of Intent**

Alternative options

1. There are no alternatives to the recommendations; the Scrutiny Management Board is to provide strategic management, direction and coordination of Herefordshire Council's five scrutiny committees. In developing this remit, it will require scrutiny members to shape its priorities and work programming activities.

Key considerations

1. On 11 October 2019, Council resolved to review its governance arrangements to investigate and explore options for the future. The underpinning principles were set by the council:
 - a. To maximise member engagement and participation in decision-making.
 - b. To ensure decision-making is informed, transparent and efficient.
 - c. To welcome public engagement.
 - d. To enable members and officers to perform effectively in clearly defined functions and roles.
2. The review was undertaken by the member led 'Re-thinking Governance' working group whereby a number of operational changes were proposed and agreed by full Council in March 2022. Those changes came into force on 20 May 2022. One of the principal changes brought in was a restructure to its scrutiny committees, moving from three scrutiny committee to five.
3. Scrutiny is a statutory role fulfilled by councillors who are not members of the cabinet. The role of the scrutiny committees is to help develop policy, to carry out reviews of council and other local services, and to hold decision makers to account for their actions and decisions.
4. The new scrutiny structure has been designed to drive improvements in the process of scrutiny at Herefordshire Council. Including, development of responsive and evidence led work programmes, strengthen mechanisms for cabinet to provide an Executive Response to scrutiny recommendations and to create a more robust system for being able to track and monitor their implementation.
5. As part of the package of changes a new Scrutiny Management Board has been created. The remit of that board includes:
 - a. Undertaking scrutiny in relation to areas which are cross cutting nature e.g. corporate strategy and finance (budget), people and performance and corporate support.
 - b. Matters falling within the remit of one or more scrutiny committees,
 - c. Deciding which of the committees will consider whether a spotlight, task and finish or standing panel review is appropriate
 - d. The Budget and Treasury management
 - e. Approving an annual work programme for itself and the other scrutiny committees
 - f. Oversee communications to members and public in relation to scrutiny matters
 - g. The co-ordination of an annual effectiveness review and oversight of performance of Council's companies, e.g. Hoople
6. To assist in the development of the SMB a Statement of Intent document (Appendix A) has been developed to set out and enable all scrutiny committees to:
 - a. provide evidence led constructive critical friend challenge
 - b. drive improvement in public services
 - c. be an effective vehicle for non-executive members to contribute to policy development, and

- d. hold the council's executive to account, as, and where, scrutiny committee work programming determine to do so.
7. The statement of Intent, is a working document, it may be subject to change as the SMB develops its working practices. SMB members are encouraged and invited to influence any changes to those working practices, working with the statutory scrutiny officer, the SMB Chair and vice-chairperson.

Community impact

8. The council is committed to delivering continued improvement, positive change and outcomes in delivering key priorities.
9. In accordance with the principles of the code of corporate governance, the council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development, and review.

Environmental Impact

10. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
11. Whilst the Strategic Management Board will not detail specific environmental impacts, consideration is always made to minimising waste and resource use in line with the council's Environmental Policy. Service areas within the council, where required to do so, will be required to undertake specific environmental impact assessment for the service specific proposals being considered. The Scrutiny Management Board, where it deems appropriate to do so, will be able to scrutinise those proposals to ensure that minimise any adverse environmental impact and actively seek opportunities to improve and enhance environmental performance.

Equality duty

12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 14 The Scrutiny Management Board will be cognisant of this duty in planning, agreeing and delivering its remit and applying this duty appropriately and proportionately.

Resource implications

15 There are no resource implications associated with this decision.

Legal implications

16 .There are no legal implications arising from this decision. Further development of the Statement of Intent will be kept under review and any future legal or governance implications will be considered.

Risk management

17 There are no direct risks associated with this decision. The most substantial risks have been assessed as part of the Council decision taken in March 2022. Risks will continue to be monitored through the year.

Consultees

18 The Chair and Vice-Chairperson of the Scrutiny Management Board, in conjunction with the Statutory Scrutiny Officer have been consulted in the preparation of the Statement of Intent.

Appendices

Appendix A Statement of Intent – The Scrutiny Management Board

Background papers

None identified