

## OVERVIEW AND SCRUTINY COMMITTEE

### PROTOCOL FOR TASK AND FINISH GROUPS

#### Part 1: Choosing topics and drafting the Scope

##### Constitutional position

1.1 Part 3 of the Constitution which covers responsibility for functions sets out the Terms of Reference for each Committee and paragraph 21 of the terms of reference for the Overview and Scrutiny Committee (henceforth known as “the committee”) enables the committee:  
to set up such task and finish groups as necessary to carry out the functions of the committee and to set their terms of reference.

##### Choosing Topics

1.2 The committee may decide to have a rolling programme of task and finish groups so that the work of scrutiny is not interrupted by the transition from one civic year to the next. As one task and finish group is in preparation, the scrutiny officer should ask the committee to consider whether there are any further topics it wishes to consider.

1.3 The scrutiny officer will draw up a list of possible topics based on previous expressions of interest by the committee and others. The committee will usually have a number of possible topics already set out in its work programme reports and may suggest others at its meetings. The scrutiny officer will maintain and keep updated a list of suggested topics and will seek the views of the Senior Management Team on timing implications of suggested topics prior to presenting these to the committee for consideration at each meeting. Additional topics may be suggested by any member, officer, portfolio holder or member of the public.

1.4 The committee will discuss the topics at one of its regular meetings or, if it chooses to do so, at a dedicated workshop. The committee chooses which topics it may wish to consider and prioritises them. The committee may decide that a topic is not suitable (or timely) and may either remove it from the list or leave it pending with a future date indicated. The committee should indicate which particular aspects of those topics it wishes to look at. The committee will ask the scrutiny officer to scope those topics which it has chosen.

##### Drafting the scope

1.5 The scrutiny officer will discuss the draft scope for each topic with the relevant lead officer first, then with the lead director for scrutiny who will seek SMT views before presenting a draft scope to the chairman of the committee. The draft scope shall include consideration of:

- The terms of reference for the task and finish group
- The nature of the expected outcomes, as far as this is practicable
- Its timeframe and availability of key officers
- How it links to the council's priorities, core business, other activities or to the interests of the people of North Hertfordshire
- Potential witnesses, including the option of consultation
- Key questions, including costs
- Information documents and other evidence
- Whether any visits might be included in the review
- Its membership, including the possibility of appointing outside members

- The portfolio holder
- The lead officer
- The support officer

1.6 The lead officer should comment on:

- Sources and usefulness of evidence
- Potential witnesses
- where the group might look for best practice
- any scheduling issues
- what officer resources will be required
- whether the review duplicates work already being carried out
- whether the review might consider other aspects of the subject
- any other issues or problems with conducting the review eg timing, availability of information or key personnel

1.7 Based on the committee's decision, and taking into account the comments of the lead officer and the lead scrutiny director, the scrutiny officer will draft the scope and agree it in principle with the lead officer, lead director for overview and scrutiny and the committee's chairman.

1.8 The draft scope will state whether the review is intended to last one day; or be conducted over a maximum of four meetings and eight weeks. It is intended that most reviews will be conducted in a single day whenever this is possible, unless there is too much ground to be covered or visits need to be included in the review.

1.9 The draft scope will be sent to SMT for its comments. It is important that any comments, particularly where alterations are requested, should be explained so that the scrutiny officer, lead scrutiny director and the chairman of the committee can understand why alterations might be needed.

#### Finalising the scope

1.10 The committee's chairman, or in his absence the committee's vice-chairman, shall represent the committee outside the formal committee meetings.

1.11 The scrutiny officer and lead scrutiny director will discuss SMT's comments with the committee's chairman. The chairman will decide whether or not they can be immediately incorporated into the draft scope or whether the views of the full committee should be sought. If the chairman agrees the suggested changes, the scrutiny officer will alter the scope accordingly and will note in the accompanying report that the views of SMT have been included in the draft scope. If the chairman wishes the full committee to make the decision, the draft scope will be presented to the committee at its next meeting unchanged with SMT's comments appended for the committee's consideration.

1.12 The committee will consider the draft scope and any comments from SMT and will approve it with or without alterations. The committee may direct that the task and finish group shall be able to re-consider certain aspects of the scope eg final choice of witnesses, sources of evidence and so on as a result of its engagement with the subject matter of the review. The Committee will need to delegate the power to make such changes to the chairman of the task and finish group and/or the lead scrutiny director.

## **Part 2 - Organising the task and finish group**

2.1 The scrutiny officer will write to the group leaders seeking nominations for the task and finish group. Political proportionality will apply. The chairmanship of the task and finish group will rotate between the parties.

2.2 Once nominations are received, the scrutiny officer in consultation with the lead officer will arrange a date for the meeting if it is a one day review; or set a date for the first meeting if the review is to be conducted over several sessions.

2.3 The conduct of the task and finish group will be decided by its chairman in consultation with its members and the lead officer, having regards to any directions from the committee.

2.4 The scrutiny officer will invite witnesses to attend. He will do so in writing giving them at least ten working days notice and as much detail as he can about which areas the task and finish group expects them to cover. Whilst it is recognised that executive members and officers of the council are obliged to attend if asked to do so by the committee by virtue of schedule 2, section 9FA (8) of the Localism Act, the Scrutiny officer will always endeavour to arrange a mutually convenient time for all parties. If a mutually convenient time cannot be arranged, the chairman of the committee will determine the arrangements that he or she considers to be acceptable.

2.5 The scrutiny officer will discuss with the members of the task and finish group and the lead officer what kind of supporting information would help inform the task and finish group's understanding of the topic. This might include information on performance, customer satisfaction, human and financial resources as well as national guidance and bespoke briefing on particular areas of interest if necessary. The scrutiny officer will collate material provided by the relevant responsible officers and circulate it to the task and finish group at least one week before the review starts.

### Handling issues or subsequent problems

2.6 There may be circumstances in which officers may seek changes to the scope of the task and finish group after it has been agreed by the committee. Such concerns should be raised with lead director for scrutiny and the scrutiny officer, and should be accompanied by an explanation of why any changes are needed. The lead director and the scrutiny officer will discuss these with the chairman of the task and finish group and the chairman of the overview and scrutiny committee who will decide whether any changes should be made to the scope. Any changes should be made under the powers delegated from the committee discussed in paragraph 1.12.

### Conduct of the meeting(s)

2.7 The chairman of the task and finish group will be responsible for the conduct of the meeting. The scrutiny officer will record the evidence given to the meeting along with the subsequent discussion in which the committee will weigh the evidence and reach initial conclusions and recommendations.

### Drafting the report

2.8 The scrutiny officer will draft the report on behalf of the members of the task and finish group. The members will comment on the draft report and subsequent drafts until they are satisfied the report reflects their views and the evidence given.

2.9 The scrutiny officer will seek the comments of all witnesses on the recorded evidence making changes as appropriate. Once the members are content with the report he will seek the comments of the lead officer.

2.10 The scrutiny officer will finalise the draft report and send it to the Senior Management Team so they can comment on and advise the committee on the resourcing implications of any recommendations. These comments should be appended to the report which goes to the scrutiny committee so that the committee has considered all appropriate information before making its final recommendations .

### **Part 3 - Finalising the report and subsequent steps**

3.1 The chairman of the task and finish group will present the draft report to the next scheduled meeting of the scrutiny committee. The committee will consider the report along with the comments of SMT and make any changes that it considers appropriate.

3.2 The scrutiny officer will prepare a report for Cabinet or Council as appropriate. Most reports will be sent to Cabinet for consideration as they will be considering functions of the Executive but in certain circumstances as outlined in the Constitution, reports may be more appropriately sent to Council. The chairman of the task and finish group will present the report to Cabinet (or Council).

3.3 Cabinet (or Council) will consider the report and comment on its recommendations. It may approve them in whole or in part; and may send suggestions back to the committee for it to re-consider.

#### Follow up to the report

3.4 Once Cabinet has accepted any or all of the recommendations, the lead officer should draw up an action plan for their implementation. The action plan should be discussed with the portfolio holder and the chairman of the task and finish group.

3.5 The lead officer should attend the committee approximately six months after Cabinet's consideration of the recommendations and report on the progress of the action plan to the committee.

**NHDC, May 2012**