

**OVERVIEW AND SCRUTINY COMMITTEE
16 JUNE 2020**

***PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME
FOR 2020/21**

REPORT OF THE COMMITTEE, MEMBER AND SCRUTINY MANAGER

EXECUTIVE MEMBER: NOT APPLICABLE

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL /
RESPOND TO CHALLENGES TO THE ENVIRONMENT / ENABLE AN ENTERPRISING AND
CO-OPERATIVE ECONOMY

1. EXECUTIVE SUMMARY

- 1.1 This report highlights items scheduled in the Overview and Scrutiny Committee's work programme and items that may be considered in 2020/21. It includes details of those items that have yet to be assigned to a specific meeting.
- 1.2 The work programme includes both items previously agreed by the Committee and those that the Committee is required by the Constitution to consider.

2. RECOMMENDATIONS

- 2.1 That the Committee prioritises proposed topics for inclusion in the work programme attached as Appendix A and, where appropriate, determines the high level form and timing of scrutiny input.
- 2.2 That the Committee, having considered the Forward Plan attached as Appendix B, suggests a list of items to be considered at its meeting on 16 July 2020 and beyond
- 2.3 That the Committee, in light of the Covid 19 pandemic, consider the timing and method of undertaking the proposed Task and Finish Group Reviews regarding the Waste Contract.
- 2.4 That the Committee request the Committee, Member and Scrutiny Officer to prepare a proposed Protocol on Task and Finish Reviews, taking into account research and the Peer Challenge report, and present it to the Committee as soon as is practicable.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To allow the Committee to set a work programme which provides focussed Member oversight, encourages open debate and seeks to achieve service improvement through effective policy development and meaningful policy and service change.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Committee has varied its approach to overview and scrutiny activity over recent years. Currently it seeks to enter the process of policy development at an early stage and consequently may consider items associated with service action plans.
- 4.2 The need to observe Constitutional requirements and monitor the Forward Plan for appropriate items to scrutinise remains a key aspect of work programming.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Each Committee meeting includes the opportunity for Members to comment on and input to the Committee's work programme.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.
- 6.2 The Committee is asked to review the Forward Plan at each regular meeting to identify potential issues for inclusion in the work programme. Identification of a focus for the Committee's future activity should be identified at this stage wherever possible.

7. BACKGROUND

- 7.1 Executive Members no longer deliver regular general presentations on a rotational basis. Rather they are invited to either speak on an issue of specific interest or present a report being considered for constitutional reasons.
- 7.2 The Committee now considers a wide range of issues, where appropriate, commencing its reviews early in the policy development process. By doing this it seeks to ensure assumptions are challenged at an early stage, mistakes are avoided and eventual outcomes provide optimal benefit to the community.
- 7.3 The Committee seeks to ensure that consideration of agenda items minimises additional burdens on staff resources. Wherever possible, requests are made for the presentation of documents already in existence rather than the production of new documents specifically for the Committee.

8. RELEVANT CONSIDERATIONS

Work Programme

- 8.1 The Committee's work programme for the year requires reviewing at each meeting and direction is sought from the Committee on the items they wish adding. Appendix A contains the work programme for 2020/2021.

Forward Plan

- 8.2 The Forward Plan for 5 June 2020 is attached at Appendix B for consideration.

Other Topics for Consideration

- 8.3 Potential topics for consideration and inclusion in the Committee's work programme will be considered as part of this meeting. When considering additional topics, their risk assessment and prioritisation will ensure that the most appropriate items are taken forward to the work programme.

Review of Hitchin Town Hall and District Museum Project

- 8.4 The Panel's report and the additional comments of the Overview and Scrutiny Committee were considered by Cabinet on 17 December 2019. All recommendations were accepted by Cabinet.
- 8.5 The Committee, at the meeting held in January 2020, requested "That the Service Director- Commercial be requested to present the closure report regarding the Hitchin Town Hall and District Museum to the Overview and Scrutiny Committee for consideration." The Service Director – Commercial will be asked to present this to the July meeting of the Committee.

Task and Finish Group on the Waste Contract

- 8.5 The Committee resolved at its meeting on 17 September 2019 that:

That the Task and Finish Group for the Waste Contract be divided into two separate groups:

(i) Tender and Contract

(ii) Community Engagement; and

That for the balance of political proportionality, 5 Members would sit in each of the two Task and Finish Groups for the Waste Contract.

- 8.6 The Committee, Member and Scrutiny Manager was in the process of drawing up a draft scope for each of the Task and Finish Groups, taking into account the SIAS report findings.
- 8.7 The Committee, Member and Scrutiny Team are currently operating with two vacancies and the Covid 19 pandemic has required the team to divert all of its attention to finding new ways to ensure that decision making of the Council continues in difficult circumstances. The provision of virtual meetings is resource intensive and this has contributed to the Team being stretched.

- 8.8 The Waste Team have similarly been concentrating their efforts on ensuring that the collection of waste and recycling continued during the pandemic and subsequent lockdown.
- 8.9 This has meant that the Committee, Member and Scrutiny Officer and Service Manager- Waste and Recycling have been unable to allocate any time to preparing draft scopes for consideration by the Task and Finish Chairs.
- 8.10 This type of review will require evidence being gathered from many people and organisations from various areas including canvassing Members of the public and some thought should be given as to how this could be achieved in the current circumstances or whether the review should be postponed.
- 8.11 Chairing of Task and Finish Groups circulate round the political parties. Based on this the Labour and Cooperative Group will provide the Chair of the first Task and Finish Group and the Liberal Democrat Group will provide the Chair of the second.
- 8.12 The Committee, Member and Scrutiny Manager has contacted Group Leaders to ask for Panel Member and Chair nominations for both Task and Finish Groups. In accordance with the Committee's wishes the panels will be as politically proportional as possible as follows:

Task and Finish Group on the Waste Tender and Contract

- Councillor Mike Hughson (Chair)
- Councillor Kate Aspinwall
- Councillor Terry Tyler
- Conservative nomination
- Conservative nomination

Task and Finish Group on Community Engagement regarding the implementation of the Waste Contract and onwards

- Councillor Sam North (Chair)
- Councillor Daniel Allen
- Councillor Clare Billing
- Conservative nomination
- Conservative nomination

Protocol for Task and Finish Group Reports

- 8.13 The current Protocol for Task and Finish Groups was agreed in 2016 and since this time the Committee has opted to undertake Task and Finish Group Reviews using different methods and receiving reports in different ways, meaning that the protocol has not been adhered to by the Committee
- 8.14 It was envisaged that a proposed protocol for Task and Finish Groups would be considered at this meeting.
- 8.15 The Committee, Member and Scrutiny Officer has undertaken some research regarding protocols of other Local Authorities.

- 8.16 A Peer Challenge Review has been undertaken, part of which focussed on effective Scrutiny. The Committee will be receiving a report regarding this later in the meeting.
- 8.17 It seems sensible to consider the results of the Peer Challenge Review prior to drawing up a new protocol, as this may have an impact on how the Committee would wish future Task and Finish Groups are undertaken.
- 8.18 The Committee Member and Scrutiny Officer will prepare a proposed protocol, taking into account the research and any recommendations from the Peer Group and present it to the Committee as soon as is practicable.

9. LEGAL IMPLICATIONS

- 9.1 Under Section 6.2.5 of the Constitution, the Committee is responsible for setting its own work programme. However, it must ensure it retains sufficient capacity within the programme to meet its statutory obligations.
- 9.2 Section 6.2.7 (u) of the Constitution allows the Committee “to appoint time limited task and finish Topic Groups to undertake detailed scrutiny work and report back to the Overview and Scrutiny Committee to make recommendations to the Cabinet.”

10. FINANCIAL IMPLICATIONS

- 10.1 Dependent on how they are applied in practice, the scope of the options presented in Sections 7 and 8 have the potential to be wide reaching. As detailed Section 14, Human Resource Implications, the wider the reach, the more significant the impact on officer time in terms of report writing, data analysis and committee meeting attendance. Given recent funding pressures and the consequent reduction in officer numbers, significant requests to support scrutiny work will limit officer time available to spend on activities such as identifying and delivering cost reductions, income generation and project management.
- 10.2 Although not significant, a committee attendance allowance of £25.17 per officer per evening meeting is payable to officers in attendance. This is in addition to providing time off in lieu, or overtime as an alternative.

11. RISK IMPLICATIONS

- 11.1 Effective overview and scrutiny of policy, administrative, service delivery and expenditure decisions helps reduce the risk of an inappropriate decision being made. The scope and time frame for scrutiny interventions should be considered in the light of the potential impact of inappropriate scrutiny leading to decisions not being made, inappropriately made or not made at the right time.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 There are no direct equality implications arising from the report. Effective scrutiny is an essential part of ensuring that local government remains transparent, accountable and open which ensures that the delivery of public services benefits all aspects of the community, where practical.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and “go local” requirements do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The widening of the reach of scrutiny reviews has the potential to significantly impact on officer time in terms of the reprioritisation of already agreed projects, their scope or timetabling and resources. There is also the potential for additional resource requirements in relation to report writing, information collection and analysis and committee attendance. Delivery of service plans to achieve the Council’s agreed Corporate Plan objectives might, therefore, be potentially negatively impacted.

15. APPENDICES

- 15.1 Appendix A – Work Programme for future Committee meetings
15.2 Appendix B – Forward Plan for 5 June 2020

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1. Previous reports to the Overview and Scrutiny Committee and forward plans.