

Tuesday 3 September 2024

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: OVERVIEW AND SCRUTINY COMMITTEE SCRUTINY CHARTER

REPORT OF THE SCRUTINY OFFICER

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: NOT APPLICABLE

1. EXECUTIVE SUMMARY

In the recent LGA Peer Review, a recommendation was made to develop and adopt a definition of what Scrutiny is at the Council. This Charter has been developed to address this recommendation.

2. RECOMMENDATIONS

That the Overview and Scrutiny committee:

- 2.1. Adopt the Scrutiny Charter for Scrutiny at North Herts Council, attached as Appendix A

3. REASONS FOR RECOMMENDATIONS

- 3.1. To ensure that the Overview and Scrutiny Committee members have a clearly defined purpose, objectives, and expectations of Scrutiny at North Herts Council.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. The 'do nothing' option of not defining Scrutiny at North Herts has been discounted, as the Council committed to implement the actions set out in the LGA Peer report 2023 and should seek to gain benefit from that process.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Charter has been developed through discussion between the current Chair and Vice Chair of the Overview and Scrutiny Committee, the Scrutiny Officer and the Committee, Member and Scrutiny Manager.
- 5.2 Members of the Overview and Scrutiny Committee will be provided a chance to consider and comment on the Charter at a meeting of the Committee.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 A Peer Review was conducted in 2020 by the LGA Corporate Peer Challenge (CPC), the review report and Action Plan were agreed through Cabinet on 24 March 2020 and 23 June 2020, respectively.

A follow up review was undertaken by (different) LGA CPC Peers during 2022 and a further LGA Peer Committee Support report was issued in January 2023. This concentrated on the Overview & Scrutiny and Finance, Audit and Risk Committees and detailed several recommendations to improve processes at the Council. These were considered and approved for action by the Committee at the meeting on Tuesday 20th June 2023.

One of the recommendations was to 'Define what you want your scrutiny panels to achieve' and this Charter has been developed to address this recommendation.

8. RELEVANT CONSIDERATIONS

- 8.1. The Charter has been developed alongside publications from the Centre for Governance and Scrutiny which provides best practice for scrutiny committees.

9. LEGAL IMPLICATIONS

- 9.1. Section 6 of the Council's Constitution at paragraph 6.2.7 details the full terms of reference for the Overview and Scrutiny Committee [Microsoft Word - CONSTITUTION - post DD 25.7.24 \(north-herts.gov.uk\)](#) (add hyperlink to Section 6) more specifically paragraphs 6.2.7 (s) and 6.2.7 (u) as noted below.
- 9.2. Section 6 of the Council's Constitution at paragraph 6.2.7 (s) - To review performance against the Council's agreed objectives / priorities and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or service areas. To consider risk to the achievement of those objectives/ priorities. To make recommendations to Cabinet.
- 9.3. Section 6 of the Council's Constitution at paragraph 6.2.7 (u) - 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.
- 9.4. Section 6 of the Council's Constitution at paragraph 6.2.5 - The Overview and Scrutiny Committee will be responsible for setting their own Work Programme and in doing so they should take into account wishes of members of that Committee who are not Members of the largest political group on the Council. The Work Programme should retain flexibility to deal with urgent issues.

- 9.5. The LGA Corporate Peer Challenge (CPC) is a voluntary process and therefore there is no legal obligation to act upon the recommendations. However, it is noted that at the meeting of Overview and Scrutiny Committee held on the 20 June 2023, proposed actions were recommended and referred to Cabinet for approval.

10. FINANCIAL IMPLICATIONS

- 10.1. There are no known financial implications that apply to this report.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.

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.

- 12.1. There are no known equalities implications or requirements that apply to this report.

13. SOCIAL VALUE IMPLICATIONS

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

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no known Human Resources implications that apply to this report.

16. APPENDICES

- 16.1 Appendix A – North Herts Council Scrutiny Charter 2024-25 v0.1

17. CONTACT OFFICERS

- 17.1 Jeevan Mann, Scrutiny Officer
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18. BACKGROUND PAPERS

18.1 Minutes of Overview and Scrutiny Meeting on Tuesday 20th June 2023, at which the LGA Peer Review actions were presented and endorsed by the Committee - [Agenda item - CORPORATE PEER CHALLENGE REPORT & ACTION PLAN | North Herts Council \(north-herts.gov.uk\)](#)

18.2 Centre for Public Scrutiny: Good Scrutiny Guide - [CfPS-Good-Scrutiny-Guide-v4-WEB-SINGLE-PAGES.pdf \(cfs.org.uk\)](#)

18.3 LGA Corporate Peer Challenge Report 2023 - [LGA Corporate Peer Challenge Final Report 2021 \(north-herts.gov.uk\)](#)