

**OVERVIEW AND SCRUTINY COMMITTEE
6 JUNE 2017**

PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

16

OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME FOR 2017/18

REPORT OF THE SCRUTINY OFFICER

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

This report suggests how the Committee can improve its effectiveness by identifying important issues at an earlier stage. This will allow the Committee to make a more meaningful contribution to policy and service changes. To do so, the Committee must set its agenda more imaginatively by expanding its sources of information so it can decide its priorities better. Having done so, it can ask written questions or request that officers and Executive Members attend the Committee.

2. RECOMMENDATIONS

- That the Committee adopts the new approach set out in section 8 for 2017/18.
- That the Committee chooses its agenda for July.
- That if other agenda items are suggested after the meeting the Chairman be given the authority to consider them and finalise the agenda.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To allow the Committee to operate more effectively.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 The Committee has varied its approach to overview and scrutiny over the years. For most of this time, its agenda has usually been centred on the Forward Plan, with the remainder set by other means. These have included briefings from Executive Members on their portfolios, presentations from outsiders on particular topics, member's questions and more.

4.2 All of these have merit and can still play a role at times in the new approach. However the Committee wishes to cast its net wider when setting its agenda so it can enter the process of policy development earlier.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Committee is consulted about its work programme at every meeting. It also held a workshop on 19 April 2017 to discuss the best way forward.

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.

7. BACKGROUND

- 7.1 At its meeting in January, the Committee decided that, rather than receive a general briefing from Executive Members, it would focus on particular topics and invite the relevant Cabinet member and officer to attend.
- 7.2 The Committee also asked the Chairman of the Committee and the Scrutiny Officer to meet the then Executive Member for Policy, Transport and Green Issues, Cllr Cunningham, to discuss ways for the Committee to better influence policy making in the future. A meeting took place on 2 February and the Scrutiny Officer updated the Committee on its outcome at the Committee's meeting in March.
- 7.3 At its meeting in March, the Committee asked the Scrutiny Officer to bring a report to its meeting in June to set out options for change; and decided to hold a workshop to discuss the best way forward. The workshop was very useful and its outcome is discussed below. Attendees were keen to hold another one in the summer.

8. RELEVANT CONSIDERATIONS

The Current Situation

- 8.1 Presently the Committee examines many issues late in the process when there is limited scope for a meaningful contribution.
- Reports are usually seen the week before Cabinet. The most effective time to influence policy is several months beforehand.
 - There are relatively few key decisions, with most decisions being made by other, sometimes less visible means.
 - The Council's working definition of a key decision has changed.
 - Items can be added to or removed from the Forward Plan at short notice.
 - Some important aspects of the Council's routine business have little member oversight.
 - Members can be unaware of problems as much of reporting process is mostly concerned with decision making.
- 8.2 The Committee has asked how it might and contribute more effectively to issues and impending policy changes and some possible ways are set out below. The Scrutiny Officer will talk through some examples of how this might work in practice. These new ways should enable the Committee to identify problems and issues more quickly and enter the process of policy development and decision making earlier.

Workshop on 19 April

- 8.3 Cllrs Henry, Morris, Paterson, Green, Billing, Radcliffe, Dennis and Albert attended a workshop on 19 April, along with Cllr Cunningham and the Scrutiny Officer. The workshop was arranged to discuss how the Committee can have an earlier and more effective input into policy and other changes.
- 8.4 The workshop heard the Council's aim was to produce a Corporate Plan which better reflected the Council's objectives, with more emphasis on the Council's routine business. This change would provide the Committee with a tool to monitor how the Council was delivering its objectives. This will help the Committee by giving members a clearer idea of the main things the Council plans to do in 2017/18.
- 8.5 Alongside the Corporate Plan, the Committee will look at the individual service plans for 17/18. This will allow the Committee to make sure these align with the Corporate Plan and to enable members to see the main items of work coming up in 17/18. The Chief Executive will give a presentation to the Committee on this elsewhere on the agenda.
- 8.6 The workshop also considered which other sources of information the Committee can use, apart from the Forward Plan, to help inform its agenda. These are set out below. The Scrutiny Officer will speak to each of them, with examples, at the meeting.

Options for Change

- 8.7 **The Corporate Plan** - This is the high level document setting out the Council's priorities and policy framework, the basis of priority-led budgeting. The Council's aim is to produce a Corporate Plan which better reflected the Council's objectives, with more emphasis on routine business. This would provide the Committee with a tool to monitor how the Council was delivering its objectives and give members a clearer idea of the main things the Council plans to do in 2017/18. A new Corporate Plan will be considered by Cabinet on 25 July. Until then, the existing plan remains in place and is attached at **Appendix A**.
- 8.8 **Service Plans** - Each service area produces a plan summarising its work for the forthcoming civic year. Each service plan should have an action plan setting out the main areas of work for each service area and it is here that members should be able to identify important areas of work at an earlier stage. The Council's service plans are available on the Council's website at <https://www.north-herts.gov.uk/home/council-performance-and-data/corporate-objectives>
- 8.9 **Risk Assessments** - The Council's has a dedicated system called Covalent which lists (among other things) the Council's main corporate risks and grades the risk by likelihood and impact. Covalent also contains the comprehensive Risk Register which identifies and quantifies the risks in each service area. All Members already have access to this system.
- 8.10 **The Revenue Monitoring Report** - A quarterly report to Cabinet detailing major changes in the revenue budget.
- 8.11 **The Capital Programme Monitoring Report** - The Council's Annual Budget setting meeting includes the Capital Programme Report which details the capital projects for current and future years. Cabinet receives quarterly monitoring reports which can be one of the best ways to keep track of how money is - or is not - being spent.

- 8.12 **Key Projects Monitoring Report** - This monitors a selection of the Council's key projects, usually focusing on important, longer and costlier projects. The Committee now receives a quarterly report.
- 8.13 **The Forward Plan** - This document identifies upcoming key decisions. The latest version available at the time of writing is attached at **Appendix B**.
- 8.14 **Members' Questions** - These have featured more in the past and could be a useful tool once again.
- 8.15 Other possible sources of information are:
- SMT's minutes
 - Group Leader and OSC Chair's Briefings
 - Project Boards
 - Asset Management Group
 - Public concern
 - The Members' Information Service

Handling the New Approach

- 8.16 Whatever is decided, there will need to be:
- screening of the extra material - by the Scrutiny Officer and individual members if they choose to; and
 - a longer lead in time to identify issues and make sure they are on the agenda.
- 8.17 Possible steps could include:
- Identify the possible issues via new sources of information / members / public
 - Group Leaders & Chair/Vice Chair OSC to discuss via e mail
 - Scrutiny Officer obtains a briefing on any pertinent issues
 - Decision about which items to put on the agenda
 - Officers produce a report and officers / Executive Members attend the Committee.

July's Work Programme

- 8.18 The following topics are already scheduled to be looked at in July:
- an update on play area closures; and
 - the revised Corporate Plan.
- 8.19 Members are asked to suggest additional topics based on the presentation made this evening. They can also suggest other topics after this meeting and before the next one provided they give the Chairman the authority to finalise the agenda.

Task and Finish Groups

- 8.20 In January, members prioritised the following topics:
- a) Consultation;
 - b) Impact of the Grants Policy Review;
 - c) Section 106 Funding.
- 8.21 The Committee has already agreed to move to fixed dates for Task and Finish Groups. Given election priorities and the absence of the lead officer on maternity leave, the first of these will begin in **July or August 2017** with **consultation** the first topic.
- 8.22 The Scrutiny Officer will draft a scope and circulate it for comment.

9. LEGAL IMPLICATIONS

- 9.1 Under Section 6.2.5 of the Constitution the Committee is responsible for setting its own Work Programme.
- 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 report back to the Overview and Scrutiny Committee to make recommendations to the Cabinet.”
- 9.3 The legal implications at paragraphs 9.1 and 9.2 reflect that the Committee has some latitude in the Constitution to set its own work programme. However there are three important further considerations to take into account in relation to the content of the report. Firstly, the Committee must retain the capacity to undertake the statutory requirements included within its terms of reference. Secondly, the quarterly revenue and capital monitoring reports are constitutionally the responsibility of the Finance, Audit and Risk Committee to review. It would not be an effective use of time to also report on these to the Overview and Scrutiny Committee. Thirdly, any substantive change to the Committee’s approach which required a change in the Council’s Constitution would require approval by Full Council, as only Full Council can approve substantive changes to the Constitution.
- 9.4 Paragraph 6.2.4 of the Council’s Constitution states that “It is the responsibility of the Head of Paid Service to ensure appropriate officer support for the Overview and Scrutiny Committee” [underlining added for emphasis]. The proposals may require more support than is considered appropriate given the size and capacity of the Council workforce.

10. FINANCIAL IMPLICATIONS

- 10.1 The scope of the options presented in section 8 could be quite wide, depending on how they are applied in practise. As detailed in the Human Resources implications (section 14), there could be significant impacts on Officer time in terms of writing reports, analysing information and attending Committee meetings. The number of Officers has reduced over recent years in line with funding pressures, and this makes it unlikely that this could be absorbed within current workloads. Even if it could be absorbed, it would limit the time that Officers could spend on other activities. From a financial perspective this could reduce the amount of time that can be spent on identifying and delivering cost reductions, income generation and project management.
- 10.2 Whilst not significant, for Officers below Senior Management level there is a Committee Attendance Allowance that is payable at £24.20 per Officer per meeting. This is in addition to providing Time of in Lieu.

11. RISK IMPLICATIONS

- 11.1 Effective scrutiny of decisions and processes can help reduce the risk of making an incorrect decision. However this should always be balanced against the potential impacts of over-scrutiny which could lead to decisions not being made, or not being made at the right time.

- 11.2 Members of the Committee will always be reliant on Officers to summarise information so that there is a manageable amount to scrutinise. The proposals require the Scrutiny Officer to screen the additional information suggested in sections 8.7 to 8.15. It may be difficult for the Scrutiny Officer to ensure that this screening is both concise and captures all the relevant information. There is a risk that this could make the scrutiny less effective.

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. However the impact on the additional reporting to the committee may affect the ability of officers to discharge their deliver of services to the diverse community of North Hertfordshire.

13. SOCIAL VALUE IMPLICATIONS

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

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The change of approach suggested is likely to have a significant impact on Officer time in terms of reprioritisation of projects or their scope or their timetable and resources. Delivery of service plans to achieve the Council’s agreed Corporate plan objectives is the responsibility of the Head of Service. Projects often require significant support service contributions as well. There would also be additional resources for report writing, collecting and analysing information and attending Committee meetings.
- 14.2 The number of Officers actually in employment at the beginning of the financial year has reduced over the years of austerity from an FTE in 2008/9 of 367 to an FTE of 274 in 2017/18 due to the years of acute funding pressures. This makes it unlikely that these proposals could be absorbed within current workloads.

15. APPENDICES

- 15.1 Appendix A – Corporate Plan for 2017-21
- 15.2 Appendix B – Forward Plan for 16 May 2017

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1 None.