

OVERVIEW AND SCRUTINY COMMITTEE
18 JULY 2017

PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

16

TITLE OF REPORT: 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

The Committee's draft work programme for 2017/18 is set out below.

2. RECOMMENDATIONS

- That the Committee comments on the attached work programme for Committee meetings.
- That if other agenda items are suggested after the meeting the Chairman be given the authority to consider them and finalise the agenda for the next meeting.
- The Committee comments on the draft scope for the Task and Finish Group on Consultation and Engagement.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To allow the Committee to set its work programme and operate 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, Constitutional requirements and other regular topics. The Committee has now resolved 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 Following discussions at earlier meetings and a workshop in April 2017, the Committee decided at its meeting in June to supplement its approach to agenda setting. It would consider a wider range of topics as potential agenda items and look at those topics earlier in the policy development process. By doing so it hoped to be able to influence policy making at an earlier stage.
- 7.2 Alongside this, the Committee will continue with some elements of the traditional approach to setting its agenda by using the Forward Plan; and meeting the statutory obligations which have been delegated to the Committee to look at safeguarding, RIPA and crime and disorder.
- 7.3 In practice, the Scrutiny Officer will review some extra sources of information to identify possible agenda items which assist the Committee in its new approach - essentially to look at issues earlier while there is still time to say something meaningful about them to Cabinet.
- 7.4 There will still be six regular meetings a year and the meetings should not last any longer than before. The Committee will probably not add more than one extra item per meeting. Some extra officer time will be needed to produce an information note and attend the Committee; but this should be offset by the time saved by other officers not having to produce reports or briefing for Executive Members and not having to attend the Committee. The net effect of the new approach on officer time should be zero or something close to it.

8. RELEVANT CONSIDERATIONS

- 8.1 A draft work programme is set out at **Appendix A** for the Committee's consideration. The Forward Plan for 27 June 2017 is attached at **Appendix B**. The Committee chose to look at the Local Plan 2031 (New Settlement) at its meeting in July but officer absence means this has been deferred until September's meeting. The Channel Shift Project, which the Committee identified for later in the year, has therefore been brought forward to July's meeting.

- 8.2 The Scrutiny Officer will review the sources of information set out below and suggest topics which may be of interest to the Committee. He will give a verbal update to ensure the information is as up to date as possible. The sources of information agreed by the Committee at its last meeting were:
- The Corporate Plan;
 - Service Plans;
 - Covalent;
 - The Revenue Monitoring Report;
 - The Capital Monitoring Report;
 - The Key Projects Monitoring Report;
 - The Forward Plan;
 - Public concern;
 - The Members' Information Service.
- 8.3 The Committee is advised to choose one extra topic per meeting. In doing so it may be wise to select two or three topics of interest and to prioritise them in case officers are unavailable to speak to items as was the case for this meeting and the Local Plan 2031 (New Settlement) item.
- 8.4 In cases where items are identified after the meeting the Committee is ask to give the Chairman the authority to finalise the agenda.

Task and Finish Groups

- 8.5 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 August or September 2017 with **Consultation and Engagement** the first topic. A draft scope is attached at **Appendix C** for the Committee's consideration.

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. 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 – Work Programme
- 15.2 Appendix B – Forward Plan for 27 June 2017
- 15.3 Appendix C – Draft Scope for Consultation Task and Finish Group

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 None