

**OVERVIEW AND SCRUTINY COMMITTEE
19 SEPTEMBER 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 work programme for 2017/18 is set out below.

2. RECOMMENDATIONS

It is recommended that the Committee:

- comments on the attached work programme for Committee meetings;
- holds the annual Crime and Disorder Scrutiny Committee meeting in December; and
- gives the Chairman the authority to vary the Committee's agenda for future meeting if any changes are necessary.

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 resolved to widen 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 The Committee has decided to 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 hopes 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 The Scrutiny Officer will review some extra sources of information to identify possible agenda items to 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. The Committee will probably add only 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 minimal.

8. RELEVANT CONSIDERATIONS

- 8.1 A work programme is set out at **Appendix A** for the Committee's consideration. The Forward Plan for 22 August 2017 is attached at **Appendix B**.
- 8.2 The Crime and Disorder Scrutiny Committee usually takes place at the Committee's meeting in December and it is recommended that it does so again this year. Last year the Police and Crime Commissioner (PCC) for Hertfordshire and the Chief Inspector for North Hertfordshire attended. The Committee may wish to consider who to invite this year.
- 8.3 The Scrutiny Officer will review other potential topics and give a verbal update to the Committee to ensure the information is as up to date as possible. The Committee is advised to add one extra topic per meeting to its agenda. 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 attend.
- 8.4 In July, the Committee asked for an update on the Common Housing Allocation Scheme (CHAS) at this meeting. This will now come in March because further changes to the CHAS are very likely to go before Cabinet in March 2018 which will allow the Committee to receive an update on current CHAS activity and to examine the adoption of the updated CHAS.
- 8.5 As there are significant gaps between the meetings of the Committee, there may be items which are identified after the Committee has met or items which need to be moved to other meetings. The Committee is therefore asked to give the Chairman the authority to agree any changes to future agenda where necessary.

Scrutiny Workshop and the Task and Finish Group Programme

- 8.6 The Committee decided to hold a workshop involving the Cabinet to consider the value that scrutiny has to the Council and how it might be improved. It has not been possible to arrange a preliminary meeting between the Chairman of the Overview and Scrutiny Committee, the Leader of the Council and the Chief Executive until 26 September so there is no progress to report to this meeting.
- 8.7 The Committee's Task and Finish Group programme has been deferred until the Committee has held its workshop. **Consultation and Engagement** is the next topic.

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 7 and 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 7 and 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 – Programme for Committee Meetings
- 15.2 Appendix B – Forward Plan for 22 August 2017

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17. BACKGROUND PAPERS

17.1 None