

# East Herts Council Report

## Overview and Scrutiny Committee

**Date of Meeting:** 2 February 2021

**Report by:** Scrutiny Officer

**Report title:** Overview and Scrutiny Committee – Draft Work Programme

**Ward(s) affected:** All

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### Summary

- This report reviews actions included in the committee's existing Work Programme and seeks Members' views on any proposed amendments to the ongoing Work Programme.

### **RECOMMENDATION FOR OVERVIEW AND SCRUTINY COMMITTEE, that:**

**(A) The proposed Work Programme, included at Appendix A, be approved.**

#### **1.0 Proposal(s)**

1.1 Items previously required, identified or suggested for the Overview and Scrutiny (OS) Work Programme are as set out in **Appendix A**. The Appendix is now presented as a consolidated report to include those issues for consideration by Audit and Governance Committee. It was felt that consolidating the work of both Committees in one report would give all Members of both committees a better perspective from the viewpoint of scrutiny.

1.2 Scrutiny committees have the power of influence and are

entitled to review and scrutinise the functions of the Council's services and the decisions of the Executive. The Committee serves as a 'critical friend' and is not a decision-making body but can make recommendations to the Executive which must respond formally to recommendations within a given timeframe.

## **2.0 Background**

- 2.1 The draft agenda for 2020/21 meetings of Overview and Scrutiny Committee and Audit and Governance Committee is shown in **Appendix A**. The timing of some items shown may have to change depending on availability of essential data (e.g. from central government) external sources and officers.
- 2.2 Members are reminded that for a topic to be valid for Scrutiny, it needs to be relevant to the work of the council and impact on a number of residents / or the wider area. In addition, there needs to be evidence, whether readily quantifiable or anecdotal, that this is an issue requiring investigation.
- 2.1 Members are welcome to submit a scrutiny proposal at any time by completing a Scrutiny Proposal Form (Available from the Scrutiny Officer) which will provide officers with sufficient information to assess if it is appropriate for Scrutiny and to ensure their specific questions are addressed. The Scrutiny Officer will then liaise with officers and the Scrutiny Chairman to consider the best way to address the subject and complete a scoping document. Members should note however, that it is not open to either Audit and Governance or Overview and Scrutiny Committee to revisit a decision taken by Council to determine whether it is still a sound one, as the decision has already been taken.
- 2.2 Members are also asked whether there is any training relevant to scrutiny or to the function and remit of the OS Committee that they wish to suggest.

2.3 Members are asked to note that while the agenda for this meeting and the draft work programme is limited in terms of items for consideration, the Chairman and Vice Chairman of both O&S and A&G meet quarterly with the Leader and Deputy Leader to review both work programmes in the context of the Council's Forward Plan. Members are encouraged to review the Forward Plan which contains future items for consideration and decision by the Executive. The Centre for Governance and Scrutiny recommend that getting involved early in the review and decision making process is good practice and aids good scrutiny.

2.4 Appendix A has a number of reports for consideration "Looking Forward to 2021". A further update following this meeting will be provided by the Scrutiny Officer.

### **3.0 Reason(s)**

4.1 This report provides an update on the current situation in relation to issues raised by Members.

### **4.0 Options**

5.1 The Work Programme will be kept under review by the committee throughout the coming year.

### **5.0 Risks**

6.1 The establishment of an Overview and Scrutiny Committee is enshrined in the Local Government Act 2000 (section 9). The 2000 Act obliges local authorities to adopt political management systems with a separate Executive. Various sub sections (of the 2000 Act), set out the powers and duties for Overview and Scrutiny Committees including the right to investigate and make recommendations on anything which is the responsibility of the Executive. Legislative provisions can also be found in the Localism Act 2011 (Schedule 2) with options to retain or re-adopt a "committee system" (section

9B).

6.2 Potential risks arise for the council if policies and strategies are developed and/or enacted without sufficient scrutiny. Approval of an updated Work Programme contributes to the mitigation of this risk by ensuring key activities of the council are scrutinised.

## **6.0 Implications/Consultations**

7.1 Scrutiny is an important part of the local democratic process and represents the interests of residents. It holds the Executive to account on behalf of residents and helps review and improve services and functions run by the Council and its local partners.

7.2 The proposed Work Programme has implications for Members' time and the resources of the council devoted to scrutinizing the issues included.

## **Community Safety**

No

## **Data Protection**

No

## **Equalities**

Yes – scrutiny of the services provided eg by registered providers of social housing will investigate how some of the most vulnerable people in the district, including those with protected characteristics, receive housing services.

## **Environmental Sustainability**

Yes – although not subject to a further Task and Finish Group, the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's Environmental and Climate Forum.

## **Financial**

No

## **Health and Safety**

No

## **Human Resources**

No

## **Human Rights**

No

## **Legal**

Yes - scrutiny is enshrined in Statute (the Local Government Act 2000) as amended by the Localism Act 2011.

## **Specific Wards**

No

## **8.0 Background papers, appendices and other relevant material**

### 8.1 Appendix A – Draft Work Programme

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