

East Herts Council Report

Overview and Scrutiny Committee – 12 September 2023

Report by: Scrutiny Officer

Report title: Overview and Scrutiny Committee - Draft Work Programme – 2023/24

Ward(s) affected: All

Summary

This report considers topics for inclusion in the Committee's Draft Work Programme. A Workshop was held on 27 July 2023 to give Members an opportunity to put forward suggested agenda items for inclusion in the work programme for the civic year and onwards. By establishing a work programme of topics for scrutiny Members are better able to plan their future workload, with an agenda which is focussed, maximising the efficacy of the scrutiny process by taking a longer term, strategic view of the issues facing the council.

Members' suggested topics are detailed in Appendix 1.

The Chairman subsequently reviewed the suggested topics and sought clarification from Officers in an effort to determine with Members, at this meeting, the best approach to be taken from the viewpoint of scrutiny (i.e. a rapid review, tasking and finish group, report, information bulletin etc).

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE that:

A) The work programme in Appendix 1 for 2023-24 be agreed.

- B) Members determine the suggested approaches in relation to topics for scrutiny and provide Officers with a reporting time-frame; and**
- C) Where a Rapid Review or a Task and Finish Group is the preferred approach, Members provide guidance as detailed in paragraph 2.3 (a) - (f)**

1.0 Proposal(s)

- 1.1 **Appendix 1** sets out the Draft Work Programme which may be reviewed at any time.
- 1.2 A key function of the Overview and Scrutiny Committee is to hold the Executive to account for its decisions, to review existing policies and consider proposals for new policies. In doing so, it will act as the Executive's critical friend in the process. The principle power of scrutiny is to influence policies and decisions made by the Council. Its aim should be to achieve positive outcomes for local people by undertaking a thorough targeted examination of the council's services and procedures and make recommendations for improvement.
- 1.3 It has no formal powers to make changes but where a recommendation is made to the Executive, the Executive is required to respond to the Overview and Scrutiny Committee if it decides not to accept a recommendation and the rationale for that decision. The Centre for Governance and Scrutiny (CfGS) recommends that the Executive has to respond to any recommendation within two months.

2.0 Background

- 2.1 At the workshop on 27 July 2023, the Chairman reminded Members that a main role of Overview and Scrutiny was to add

value to the functions of the council in terms of its policies and in optimising the provision of services to its residents. Items for consideration for scrutiny must be evidenced based with measurable outputs.

- 2.2 By holding a workshop to develop items for scrutiny, Members are better able to forward plan their work for the whole of the coming civic year, maximising the efficacy of the scrutiny process by taking a longer term, strategic view of the issues facing the council.
- 2.3 Members will note that, a number of items have been suggested for further investigation by the Overview and Scrutiny Committee. These are detailed in Appendix 1. It is for Members now to decide whether the suggested approach to each topic is appropriate and what the reporting time-frame should be. Should a rapid review or a task and finish group be proposed, Members should:
 - a) provide a clear terms of reference to guide the review;
 - b) decide on the membership of the rapid review or task and finish group (which needs to be politically proportionate)
 - c) appoint a chairman for the group
 - d) provide guidance as to who should be called as witnesses,
 - e) provide an overview of what the causes of a concern are which will help provide a focus to the organisation being called upon to respond.
 - f) provide a suggested reporting timeframe
- 2.4 Members should note that in volunteering to be a part of a Rapid Review or a Task and Finish Group, they should ensure that they are available for a review process to be held during the day. Additionally, in line with good scrutiny, only one Rapid Review or Task and Finish Group should be functioning at any one time.

2.5 To assist you in determining reporting timeframes, the next meetings of Overview and Scrutiny Committee will be held on:

7 November 2023

16 January 2024

5 March 2024

3.0 Reason(s)

3.1 Members are welcome to submit a scrutiny proposal at any time. This form is available in the Microsoft Teams channel and provides Officers with sufficient information to assess if it is appropriate for scrutiny and to ensure that specific questions are addressed. A Scrutiny Flowchart is also available which explains the processes involved in submitting a Scrutiny Proposal Form. The Scrutiny Officer will then liaise with Officers and the Chairman to consider the best way forward to address the subject and complete the scoping document.

4.0 Options

4.1 The work programme will be kept under review by the Committee throughout the coming year.

5.0 Risks

5.1 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 Committee 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

5.2 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 risk (and Call-Ins) by ensuring key activities of the council are scrutinised.

6.0 Implications/Consultations

6.1 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 the functions run by the Council and its local partners. With proper notification, members of the public can forward items for scrutiny (Section 5.19 of the Constitution) and if accepted by the Chairman, are allowed to address Members for a maximum of 15 minutes.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes – the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's environmental strategies.

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

7.0 Background papers, appendices and other relevant material

7.1 Appendix 1 - Draft Work Programme

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