REVIEW OF THE COUNCIL’S OVERVIEW AND SCRUTINY ARRANGEMENTS

Report of the Scrutiny Committee

April 2007
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1. INTRODUCTION

In June 2006, the Scrutiny Committee agreed to undertake a review of the Council’s overview and scrutiny arrangements. The Chairman and Group Representatives of the Committee acted as a working group to examine this issue in detail on behalf of the Committee.

The Committee would like to thank all the members of the Group for their time and effort in producing this report.

The review group comprised of the following people:-

Councillor Sheila Scott
Conservative Member for Orton with Hampton Ward

Councillor Stephen Lane
Independent Member for Werrington North Ward

Councillor Nick Sandford
Liberal Democrat Member for Walton Ward

Councillor Charles Swift
Minority Parties Member for North Ward

Councillor Ray Palmer
Labour Member for Stanground Central Ward

The Group was supported by Louise Tyers, Scrutiny Manager during the review.
2. SUMMARY OF RECOMMENDATIONS

Recommendation 1

That the Council approve the proposed overview and scrutiny committee structure to take effect from the Annual Council meeting on 21 May 2007:

**TASK AND FINISH GROUPS**

Recommendation 2

That the Council approve the terms of reference for the new committees as detailed in Appendix 1.

Recommendation 3

That the Council request that the necessary Constitutional changes be made by the Monitoring Officer and presented to Council for formal adoption at the Annual Council meeting on 21 May 2007.

Recommendation 4

That the Council request Scrutiny Committee undertake a review of the new arrangements within twelve months.
3. PURPOSE OF THE REVIEW

The purpose of the review was:

1. To seek a consensus from all the political groups on what overview and scrutiny should be trying to achieve.
2. To develop proposals for a preferred structure for overview and scrutiny.
3. To undertake a full review of the overview and scrutiny procedures and processes.
4. To consider how future items should be taken through the decision making process.
5. To consider the role of Full Council.

4. BACKGROUND TO THE REVIEW

The current overview and scrutiny arrangements were introduced in May 2003 and consist of the following committees:

- Scrutiny Committee
- Health Overview and Scrutiny Committee
- Adult Services Policy Overview Committee
- Best Value and Corporate Resources Policy Overview Committee
- Children’s Services Policy Overview Committee
- Community Well Being Policy Overview Committee
- Environment Policy Overview Committee

In May 2005, the Council’s external auditors, PricewaterhouseCoopers undertook a performance management review of the overview and scrutiny arrangements. The recommendations from that report included:

- The role of Scrutiny Committee should be clarified, including a co-ordinating role for the overview and scrutiny function.
- The Scrutiny Committee should produce, on at least an annual basis, a ‘long list’ of potential work for itself and the POCs.
- The Scrutiny Committee and each POC should draw together its work programme from this long list.
- Agendas for meetings should be reviewed to provide greater focus.
- The training and development of members is key to providing them with the confidence to challenge in a constructive manner.
- Being clearer about the role and purpose of overview and scrutiny will help to enhance its reputation both inside the Council and outside.

In response to the PricewaterhouseCoopers report, the Scrutiny Committee agreed that the Committee’s Chairman and Group Representatives would act as a Working Group to review the current arrangements.
5. OUTCOME OF THE REVIEW

The Review Group met on three occasions to discuss what areas of the current system were working and which areas needed improving. Following discussions, it was agreed to consult on the following structure:

**Scrutiny Committee**

- Business Efficiency Scrutiny Panel
- Children and Lifelong Learning Scrutiny Panel
- Community Development Scrutiny Panel
- Environment and Community Safety Scrutiny Panel
- Health and Adult Social Care Scrutiny Panel

**TASK AND FINISH GROUPS**

**Recommendation**

That the Council approve the proposed overview and scrutiny committee structure to take effect from the Annual Council meeting on 21 May 2007.

Roles of the Committees

The Scrutiny Committee would oversee and co-ordinate the overview and scrutiny function. The Committee would also develop and maintain the work programme for the function as a whole and each committee would be responsible for developing its own agenda plans to meet the work programme. As now, the Committee would also consider any requests to call-in Executive decisions. It would also act as the committee for major corporate items such as the budget and corporate strategy.

The Committee would also be able to scrutinise those services which are provided to the people of Peterborough from other external bodies and agencies, except issues relating to health which would be dealt with by the Health and Adult Social Care Scrutiny Panel. Issues relating to scrutiny of crime and disorder matters, as detailed in the Police and Justice Act 2006 would be undertaken by the Environment and Community Safety Scrutiny Panel, however this may need to be reviewed once further guidance is received.

The five Scrutiny Panels would now have full overview and scrutiny powers, except those relating to call-in. They would be responsible for monitoring the progress towards achieving the corporate priorities as follows:

- **Business Efficiency** – Being accessible, effective and efficient.
- **Children and Lifelong Learning** – Provide high quality opportunities for learning and ensure children are healthy and safe.
Community Development – Make Peterborough a better place in which to live and work.
Environment and Community Safety – Plan and deliver a safe, attractive and environmentally friendly city.
Health and Adult Social Care – Achieve the best possible health and well being.

They would be able to review and scrutinise decisions made or actions taken in connection with the discharge of the Council’s functions and also monitor the performance of the services within their remit.

Proposed draft terms of reference for the new committees are attached at Appendix 1.

**Recommendation**

That the Council approve the terms of reference for the new committees as detailed in Appendix 1.

**Recommendation**

That the Council request that the necessary Constitutional changes be made by the Monitoring Officer and presented to Council for formal adoption at the Annual Council meeting on 21 May 2007.

The work of the committees would be supported by the establishment of task and finish groups. These groups would be established to undertake a specific piece of work and then would be disbanded. Membership of these groups would be drawn from any non-executive councillor who had an interest in the area of work being undertaken and would be agreed by the parent committee.

This new structure will go towards ensuring that scrutiny in Peterborough is fully effective in delivering the main aims of scrutiny, which are:

- Holding the Executive to Account
- Policy Development and Review
- Performance Management
- External Scrutiny
- Engaging with the Public and Outside Bodies

A successful overview and scrutiny function, using councillor capacity to its best advantage, should result in improved and transparent decision making and improved democratic accountability, noticeable improvements for local people in areas which are of public concern, and improvements in performance and user satisfaction levels.

6. **CONSULTATION**

On 4 January 2007, the Scrutiny Committee Group Representatives discussed the proposals with the overview and scrutiny committee chairmen who supported the way forward.

On 8 February 2007, the Scrutiny Committee Group Representatives invited all non-executive councillors to a meeting to discuss the proposals. 15 members attended that meeting, including one parent governor representative. At that meeting all of the political groups supported the principles of the proposed structure.
7. IMPLICATIONS

Legal

These proposed new arrangements comply with the requirements of the Local Government Act 2000.

Financial

The new arrangements should realise an overall saving in the cost of meetings as one committee would be removed from the meetings cycle. There would also be a saving as there would be one less Chairman to receive a special responsibility allowance.

8. NEXT STEPS

If this new structure is agreed, a review of its impact will be undertaken early in 2008, in time to recommend any further improvements to Annual Council in May 2008.

Recommendation

That the Council request Scrutiny Committee undertake a review of the new arrangements within twelve months.

9. BACKGROUND DOCUMENTS

- Audit Commission Corporate Assessment Report – October 2006

10. ACKNOWLEDGEMENTS

The members of the Review Group would like to thank all the Members and Council officers who contributed towards the work of this review.
SCRUTINY COMMITTEE

1) To oversee and co-ordinate the overview and scrutiny function, including allocating responsibility for issues which fall between more than one scrutiny panel.

2) To develop and maintain a work programme for the overview and scrutiny function which is reviewed on a quarterly basis by receiving quarterly reports from the scrutiny panels on progress against the work programme.

3) To exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer.

4) To review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions.

4) To consider and make recommendations in respect of draft reports and policies brought to the Committee for consideration.

5) To monitor the performance of the following portfolios through regular performance monitoring reports:
   - Finance and Human Resources
   - Customer Focus and Communications
   - Strategic and Regional Partnerships

6) To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following service areas:
   - Communications
   - Customer Services
   - Human Resources
   - Legal and Democratic Services
   - Strategic Finance

7) To scrutinise issues identified from the Executive’s Forward Plan, prior to a decision being made.

8) To monitor the delivery of the Community Strategy.

9) To consider the Council’s annual budget proposals and Corporate Strategy.

10) To monitor the Council’s financial performance during the year.

11) To receive a report from the Leader of the Council at its first meeting after each Annual Council, to include the Executive’s priorities for the coming year and its performance in the previous year.

12) To provide an annual report to the Council on the work of the overview and scrutiny function.

13) To identify training, development and support for members carrying out the scrutiny function.

14) To meet with the Executive on a six-monthly basis and/or as required if a particular issue is raised.

15) To periodically review the overview and scrutiny procedures to ensure that the function is operating effectively.
16) To scrutinise the services provided to residents of Peterborough by other service providers.

17) To consider any matter affecting the area or its inhabitants.

18) To consider any general scrutiny issues.

19) To review any issue that the Committee considers appropriate or any matter referred to it by the Executive or Council and report back to the body which referred the matter.

BUSINESS EFFICIENCY SCRUTINY PANEL

1) To review and/or scrutinise decisions made or actions taken in connection with the discharge of the Council’s functions.

2) To consider and make recommendations in respect of draft reports and policies brought to the Panel for consideration.

3) To monitor the performance of the following portfolio through regular performance monitoring reports:
   - Efficiency and Business Improvement

4) To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following areas:
   - Business Transformation
   - ICT
   - Procurement
   - Strategic Property

5) To scrutinise issues identified from the Executive’s Forward Plan, prior to a decision being made.

6) To monitor progress on the Council’s priority of being accessible, effective and efficient.

7) To comment on the relevant sections of the annual budget proposals and Corporate Strategy.

8) To identify aspects of the Council’s operation and delivery of services for efficiency reviews and conduct these reviews together with others commissioned by the Executive, Scrutiny Committee and the Council. When undertaking efficiency reviews, it should:
   (i) ensure they are outcome focussed and reflect the Council’s corporate priorities;
   (ii) challenge assumptions about the Council’s operational processes;
   (iii) ensure all feasible options for the future delivery of services are explored and appraised;
   (iv) consider constructive suggestions for improvement put forward by interested groups.

9) To ensure the efficient use of resources, review the implementation of existing processes and consider the scope for new processes with regard to all aspects of the Council’s business.

10) To promote a culture of continuous improvement in all services, and monitor efficiency across organisational/service boundaries to promote a seamless approach to service delivery, with the user as a central focus.

11) To report to the Scrutiny Committee on a quarterly basis on the Committee’s contribution to the overview and scrutiny work programme.

12) To review any issue that the Panel considers appropriate or any matter referred to it by the Executive, Scrutiny Committee or Council and report back to the body which referred the matter.
CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL

1) To review and/or scrutinise decisions made or actions taken in connection with the discharge of the Council’s functions.

2) To consider and make recommendations in respect of draft reports and policies brought to the Panel for consideration.

3) To monitor the performance of the following portfolio through regular performance monitoring reports:
   - Education and Children’s Services

4) To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following service areas:
   - Children’s Services

5) To scrutinise issues identified from the Executive’s Forward Plan, prior to a decision being made.

6) To monitor progress on the Council’s priority of providing high quality opportunities for learning and ensure children are healthy and safe.

7) To comment on the relevant sections of the annual budget proposals and Corporate Strategy.

8) To report to the Scrutiny Committee on a quarterly basis on the Committee’s contribution to the overview and scrutiny work programme.

9) To review any issue that the Panel considers appropriate or any matter referred to it by the Executive, Scrutiny Committee or Council and report back to the body which referred the matter.

COMMUNITY DEVELOPMENT SCRUTINY PANEL

1) To review and/or scrutinise decisions made or actions taken in connection with the discharge of the Council’s functions.

2) To consider and make recommendations in respect of draft reports and policies brought to the Panel for consideration.

3) To monitor the performance of the following portfolios through regular performance monitoring reports:
   - Community Services
   - Housing, Regeneration and Economic Development

4) To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following service areas:
   - Strategic Growth and Development
   - Culture and Recreation

5) To scrutinise issues identified from the Executive’s Forward Plan, prior to a decision being made.

6) To monitor progress on the Council’s priority of making Peterborough a better place in which to live and work.

7) To comment on the relevant sections of the annual budget proposals and Corporate Strategy.
8) To review any issue that the Panel considers appropriate or any matter referred to it by the Executive, Scrutiny Committee or Council and report back to the body which referred the matter.

9) To report to the Scrutiny Committee on a quarterly basis on the Committee’s contribution to the overview and scrutiny work programme.

ENVIRONMENT AND COMMUNITY SAFETY SCRUTINY PANEL

1) To undertake all of the Council’s statutory functions in accordance with Section 19 and associated regulations of the Police and Justice Act 2006, relating to scrutiny of crime and disorder matters.

2) To review and/or scrutinise decisions made or actions taken in connection with the discharge of the Council’s functions.

3) To consider and make recommendations in respect of draft reports and policies brought to the Panel for consideration.

4) To monitor the performance of the following portfolios through regular performance monitoring reports:
   - City Services
   - Environment and Community Safety

5) To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following service areas:
   - City Services
   - Environmental and Public Protection
   - Planning Services
   - Transport and Engineering Services
   - City Centre Services

6) To scrutinise issues identified from the Executive’s Forward Plan, prior to a decision being made.

7) To monitor progress on the Council’s priority of plan and deliver a safe, attractive and environmentally friendly city.

8) To comment on the relevant sections of the annual budget proposals and Corporate Strategy.

9) To report to the Scrutiny Committee on a quarterly basis on the Committee’s contribution to the overview and scrutiny work programme.

10) To review any issue that the Panel considers appropriate or any matter referred to it by the Executive, Scrutiny Committee or Council and report back to the body which referred the matter.

HEALTH AND ADULT SOCIAL CARE SCRUTiny PANEL

1) To undertake all of the Council’s statutory functions in accordance with Section 7 and associated regulations of the Health and Social Care Act 2001, including appointing members, from within the membership of the Panel, to any joint overview and scrutiny committees with other local authorities, as directed under the Health and Social Care Act 2001.

2) To review and scrutinise the impact of the authority’s own services and policies and those of key partnerships on the health of its population, including taking account of the views of members of the public, user and support groups and others in any review or scrutiny of service delivery which impacts on the health of local communities.
3) To review arrangements made by the Council and local NHS bodies for public health within the City.

4) To make reports and recommendations to the relevant health or other provider or commissioner of services and to evaluate and review the effectiveness of its reports and recommendations.

5) To seek and take account of the views of members of the public, user and support groups and others in any review or scrutiny of service delivery which impacts on the health of local communities.

6) To review and/or scrutinise decisions made or actions taken in connection with the discharge of the Council’s functions.

7) To consider and make recommendations in respect of draft reports and policies brought to the Panel for consideration.

8) To monitor the performance of the following portfolio through regular performance monitoring reports:
   - Health and Adult Social Care

9) To initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to the following service areas:
   - Adult Social Care
   - Public Health

10) To scrutinise issues identified from the Executive’s Forward Plan, prior to a decision being made.

11) To monitor progress on the Council’s priority of achieving the best possible health and well being.

12) To comment on the relevant sections of the annual budget proposals and Corporate Strategy.

13) To review any issue that the Panel considers appropriate or any matter referred to it by the Executive, Scrutiny Committee or Council and report back to the body which referred the matter.

14) To report to the Scrutiny Committee on a quarterly basis on the Committee’s contribution to the overview and scrutiny work programme.

Terms of Reference for Task and Finish Groups

- The specific terms of reference for the Task and Finish Groups will be agreed by the relevant Committee/Panel when they are established. This will include the membership of the group and the proposed dates of reporting to the relevant parent body.

- Each Task and Finish Group may co-opt no more than two non elected members to serve on the group. In any case, the number of co-opted members shall not exceed the number of elected members. Co-opted members will be able to contribute to the debate and work of the Group and be able to vote on any decisions made by the Group. They will not be able to vote on any decisions when the final report is considered by the parent body.

- The Task and Finish Groups will carry out reviews/policy development allocated to them by the relevant Committee/Panel.

- The Task and Finish Groups will keep the relevant Committee/Panel informed of the progress of each review/policy development and will produce a report (which may or may not include recommendations) for consideration by the relevant Committee/Panel at the end of the Review.

- Once the Group’s final report has been considered by its parent committee, the Group will be disbanded.
Further information on the Review is available from:

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