

This report was considered at the last meeting of the Working Group and also by the Scrutiny Commission on 8 March 2000

FUTURE ROLE OF SCRUTINY

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1. Purpose

1.1 To outline the scrutiny arrangements in the new political management structures.

1.2 To invite Members to agree a programme of work for the Scrutiny Committees immediately after the Annual Council Meeting.

2. Summary

2.1 The scheme for new political management structures, which has now been agreed by the Policy and Resources Committee, provides for four Scrutiny Committees and up to three Select Committees.

2.2 The Scrutiny Commission has an ongoing programme of work and this should be used as the basis for the early work of the new Scrutiny Committees until their own programme preferences can be established.

3. Recommendations

3.1 That the report be noted, and that the proposed allocation of workload to the new Scrutiny Committees be approved.

4. **Background**

4.1 At its meeting held on 15 February 2000 (Minute PR107/00 refers), the Policy and Resources Committee agreed new political management structures to take effect from the Annual Council Meeting on 23 May 2000. The structures provide for four Scrutiny Committees with the following remit:

- (a) Treasury
- (b) Housing, Social Affairs and Health
- (c) Environment, Transport and Localities
- (d) Learning, Community and Economic Development

Their workload will effectively 'shadow' the existing Directorates. No decision has yet been made on the allocation of executive portfolios, and it is unclear, therefore, how the Executive Members' work will be reflected in the scrutiny bodies.

4.2 Each Scrutiny Committee will have 7 Members and will reflect the political balance of the Council. They will hold scheduled meetings four times per year, but may meet on other occasions, and their meetings will be open to the public in accordance with the Local Government Act 1972. Each Scrutiny Committee will be expected to adopt an annual planned programme of reviews, as well as scrutinising policy recommendations, implementation decisions and service delivery issues as they arise. In order to ensure that any items 'called-in' are considered within as short a timescale as is practicable, each Scrutiny Committee would also be expected to stand ready to be called on a set day/date each month to consider called-in recommendations. Scrutiny Committees would also be expected to scrutinise the work of relevant partnerships and other agencies which fall within their terms of reference. An annual report on the Council's scrutiny work will be prepared.

4.3 Recommendations of the Executive will be able to be called in by Members of the Council and Members of the public, before they are submitted for ratification. The appropriate Scrutiny Committee will examine the proposal and either raise an objection, or refer it back to the Executive. The Executive may then reaffirm the recommendation or amend it in the light of the Scrutiny Committee's comments. In the event that the Executive recommendation is called in again, the matter will be submitted to the Council Assembly for a decision. A procedure will be devised for defining urgent matters, which will not be available for calling in prior to implementation, but that would not prevent a scrutiny body from subsequently evaluating the appropriateness or effectiveness of the decision.

4.4 The Council's major policy documents will be subjected to scrutiny as a matter of course, once they have been proposed by the Executive. The appropriate Scrutiny Committee's comments will be referred back to the Executive, and considered before the document is submitted to the Council Assembly for approval.

4.5 The Business Management Group will be responsible for ensuring that the Scrutiny Committees are given appropriate opportunity and time to carry out their responsibilities.

4.6 In addition to the Scrutiny Committees, there will be up to three Select Committees appointed at any time. These will be established by the Business Management Group to investigate a specific matter on a 'task and finish' basis. This means that once they have completed their work, they will be disbanded, opening up the possibility of a new Select Committee being established.

5. **Issues and Choices**

5.1 It will be a little time before Scrutiny Committees are operating to their full potential. However, there are a number of outstanding issues in the current Scrutiny Commission's work programme which should be referred to the new Scrutiny Committees. This will provide some early opportunities for them. The suggested allocation of the work programme is as follows:

<u>Scrutiny Committee</u>	<u>Subject</u>
Treasury	Service Planning Council Tax Best Value Review Property Management Best Value Review Customer Contact Best Value Review Role of Contracts Unit
Housing Social Affairs and Health	Planning for Social Care Homelessness Home Care Best Value Pilot Review Child Protection Services Best Value Pilot Review Out of Hours Service Best Value Pilot Review
Environment, Transport and Localities	Abandoned Vehicles Landscape Maintenance Best Value Pilot Review Transport Best Value Pilot Review
Learning, Community and Economic Development	Leisure Trusts Support Services to Schools Best Value Pilot Review

All Scrutiny Committees will receive details of Performance Indicators and complaints relating to their areas of responsibility.

- 5.2 In addition, Scrutiny Committees will be invited to monitor the implementation of decisions to ensure that they are meeting their objectives.
- 5.3 Scrutiny Committees may wish to carry out in-depth reviews of service provision within their remit. However, it is suggested that, as the Best Value Review Programme is designed to review all Council services over a five year period, it would be a duplication of effort to have a scrutiny programme with similar objectives. The alternative is that the Scrutiny Committees use the Best Value Reviews as their Service Reviews, and they receive, scrutinise, comment upon the review reports, monitor the implementation of the decisions, and review the outcomes after an appropriate period.
- 5.4 The major policy documents, which will not be able to be adopted until they have been the subject of scrutiny, should include:
- (a) Best Value Performance Plan
 - (b) Children's Services Plan
 - (c) Community Care Plan
 - (d) Community Partnership Plan
 - (e) Crime and Disorder Reduction Strategy
 - (f) Development Plans
 - (g) Early Year Development Plan
 - (h) Education Development Plan
 - (i) Housing Investment Programme
 - (j) Library Plan
 - (k) Local Transport Plan
 - (l) Youth Justice Plan.

Consideration of these plans will be timetabled into the Committee meetings during the year.

- 5.5 In addition to this planned workload, Scrutiny Committees will be able to examine particular areas of the Council's activities from time to time, either on request from another body, or on their own initiative.
- 5.6 The new scrutiny arrangements have the potential for being very powerful in providing checks and balances for the Executive. The success, or otherwise, depends very much on the commitment of Members, and support of officers, and the establishment of good working practices and constructive relations with the Executive.

5.7 The work of the scrutiny bodies will be fundamental in promoting public awareness of the Council's policies and activities, and, if successful, will improve the public's perception of, and involvement in, the work of the Council.

6. **Implications**

6.1 Environmental

In carry out the scrutiny role, Members will need to take account of a number of standard criteria. One of these will be the environmental impact of Executive proposals.

6.2 Equalities

Furtherance of the Council's Equality agenda will also be a key scrutiny criterion.

6.3 Financial

There is presently no significant financial resource to support the scrutiny function. Although staffing costs have been identified, albeit to a limited level, there are no funds available for desirable expenditure such as witness expenses, consultancy costs, visits to other authorities or businesses, use of premises away from the Council's offices, etc.

6.4 Legal

The requirement to establish scrutiny bodies will soon be a legal necessity, when the Local Government Bill is passed and becomes law. This will ensure that the views of scrutiny bodies will not be able to be ignored by the Council's decision-makers.

6.5 Staff and Accommodation

The Head of Corporate Administration will be re-designated as Head of Democratic Services with effect from 1 April 2000, and will report directly to the Chief Executive, as the lead officer in relation to the Council's scrutiny function. A staffing structure has been prepared to meet the new demands on officers as far as resources currently permit. Appointments will be made to the staffing structure in accordance with the decision of the Policy and Resources Committee on 15 February 2000.

7. **Conclusions**

7.1 The Council is in the process of establishing powerful and effective scrutiny bodies. Their success will depend upon the commitment of Members and the availability of appropriate officer support. They will be able to measure their success in terms of the greater public involvement in the affairs of the Council.

Background Papers: None