

# **Report to Overview and Scrutiny Committee**

**Date of meeting: 25 February 2014**

**Subject: Overview and Scrutiny Panel Structure and Future Programme**

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**Committee Secretary: Adrian Hendry**

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## **Recommendations/Decisions Required:**

- (1) To approve proposals for a new Scrutiny Panel structure from June 2014 onwards; and**
- (2) That subject to (1) above:**
  - (i) Four New Scrutiny Panels be established from 1 July 2014 as follows:**

**Resources;**  
**Governance;**  
**Neighbourhoods; and**  
**Communities**
  - (ii) Directors be asked to develop new Terms of Reference and work Programmes for the Panels for consideration by the Overview and Scrutiny Committee in liaison with Panel Chairmen appointed in July;**
  - (iii) Existing Panels be wound up from 1 July 2014 and remaining items within work programmes reallocated as appropriate to the new Panels or to the Overview and Scrutiny Committee where necessary;.**
  - (iv) A new meeting timetable be reported to the next meeting for approval.**
- (3) To approve the following proposals for the operation of the forward work programme:**
  - (i) Progress against the annual Key Objectives for the Council to continue to be reviewed by the main Overview and Scrutiny Committee on a quarterly basis ;**
  - (ii) Quarterly Key Performance Indicator performance monitoring be delegated to the four new Panels based upon their Directorate split, with requests for further in-depth scrutiny of the performance of any indicator being approved by the main committee;**
  - (iii) That publicity for public requests to the Committee be launched prior to the elections period.**

**Report:**

**Reasons for Proposed Decision:**

The Overview and Scrutiny Agenda Planning Group have requested a review of Panel

arrangements in light of (i) the directorate restructuring; and (ii) the OS Review.

## **Report:**

### **Panel Structure**

1. In December 2013 the Council approved a restructuring of the Council Directorates into four. Officers have reviewed how this change impacts upon the current Panel structure. Appendix 1 shows the current responsibilities of the Panels and changes in the alignment of those panels to the directorates. In addition the Appendix shows a flavour of those services that currently have no tacit scrutiny. The table does show a mixed position with two or three Service Directors reporting to each Panel.

2. The changes to the directorate structure do give the opportunity to look at the balance of the terms of reference of the existing Panels.

3. The following options are available:

(i) Keep the Panel Structure at the current five Panels and appoint new lead officers to each.

(ii) Move towards a commissioning model based upon a work programme.

(iii) A Panel structure could be aligned around the new directorate responsibilities i.e. have four Panels instead of five.

4. A four panel arrangement would have the following advantages:

- It would mean that the duplication of effort caused by Directors reporting to more than one panel on similar issues would be minimised.
- There would be a clear scope to each Panel the members of which would be able to obtain an insight into the wide-ranging work of the Directorate, better equipping them to scrutinise its work.
- It would ensure that all services had a reporting route.
- There would be fewer planned meetings.
- It would give more capacity to OS to pursue Task and Finish reviews arising from the work programme requests (member or public), cross cutting review requests or those involving external organisations.

5. The proposed structure is shown in Appendix 2 together with the suggested scope of the Terms of Reference of Each Panel. Further work would be needed by Lead Officers on the detailed matters which could come back to a future meeting. The Management Board have asked that the Terms of Reference specifically deal with any Panel wishing to deal with Cross-cutting reviews and ensuring that the main committee are kept informed of additional items being requested at Panel meetings. No referral to Council is required as to how Overview and Scrutiny operates its statutory requirements as this is a matter for the Committee to determine.

6. Changing to a four Panel structure would mean:

- There would be one less Panel Chair position and less member places unless the size of the Panel were increased.

- A further review may be needed on the operation of the Governance Scrutiny Panel and its relationship to the Audit and Governance Committee (which will require review anyway as the Government have introduced a new Local Audit Act) and the Standards Committee.

7. In line with the review, routine financial monitoring would be undertaken by the Cabinet Finance and Performance Management Subcommittee. Overview and Scrutiny would therefore concentrate on Scrutiny of more strategic issues, e.g. the Council's Medium Term Financial Strategy, Corporate Reviews of Fees and Charges etc, not quarterly income/expenditure statements. This high level Scrutiny role will be best achieved through the Resources Scrutiny Panel rather than individual Panels.

8. Directors have been consulted and are in support of the proposal. Structural changes are inadvisable mid-year so if members are agreeable to the changes, Lead Officers will be asked to bring together draft programmes in time to implement changes from after the annual meeting.

### **Forward Programme**

9. The review also envisages a more structured way of devising the work programme to include:

- (i) Requests from the public and Councillors

Members have indicated that requests should be made on the PICK form. A draft webpage/news item has been drafted to launch this process to the public in advance of the elections purdah period. Appropriate publicity will be sought for the launch. A item also has been placed in the Council Bulletin seeking items from members for next year. Lead Officers will be responsible for putting together Panel Work Programmes with their respective Chairman.

- (ii) Matters that have arisen as complaints/FOI requests/ petitions

Officers are liaising with the Directors, the complaints and FOI officers to see if any trends are apparent from those received in the last year or so. Trending information is already requested as part of the complaints processes. No trends have been highlighted by Directorates this year.

- (iii) Work not completed from the previous year

Work remaining from work plans will be picked up at the end of the municipal year and carried over for consideration for the programme for 2014-15 if thought still appropriate by members.

- (iv) Cabinet priorities/ forward programme.

Members have asked that the Leader attend the first Overview and Scrutiny meeting of the year to talk to members about the Cabinet's priorities for the year, Key objectives and any work that the cabinet would like Overview and Scrutiny to undertake during the year. These plans are scheduled to come forward via Cabinet at the April 2014 meeting and will be presented to Committee at the first meeting in the new year.

It is also intended that rather than use the Cabinet agenda as a pre-scrutiny tool, the Committee will use the Cabinet Forward Plan/Private Items List as a tool from which to inform scrutiny further in advance. A copy of the current list is attached.

The review envisages appropriate Cabinet members attending Panels to enable them to directly answer questions on their portfolios. Members have also asked for three and six month reviews of recommendations made to Portfolio Holders.

(v) **Key Objectives and Key Performance Indicators**

The recent Overview and Scrutiny Review identified the need for in-depth reviews of Key Performance Indicator (KPI) performance by subject panels. The review envisaged that the Finance and Performance Management Scrutiny Panel would undertake the role of identifying KPI performance that was thought to need more detailed review and then refer this to the appropriate panel. As not all current KPI related to the Terms of Reference of Panels in the existing structure, the Finance and Performance Management Scrutiny Panel was to undertake the review themselves.

This approach will not be necessary in the proposed scrutiny structure aligned with the service directorates. It is now suggested the Cabinet Key Objectives continue to be presented to the main committee quarterly but that quarterly monitoring of KPI performance be done at Panel level, with requests for deeper scrutiny being managed by the Overview and Scrutiny Committee. The current KPI's have been reviewed and the Performance Improvement Manager confirms that each will map to one of the envisaged Panels. If a Panel seeks more in depth work, the Chairman would make the request to add it to their work programme at the main Overview and Scrutiny Committee.

In developing a programme of meetings for the new scrutiny panels, it will be important to ensure the timeliness of KPI performance review each quarter.

**Resource Implications:**

Saving of £2,100 would be realised if there were one less Chair position. Other savings are achievable if less meetings occur during the year.

**Legal and Governance Implications:**

The proposals would address coverage in Scrutiny terms of the new Directorate structure. A review may be necessary to understand how the Governance Panel, the Audit and Governance Committee and the Standards Committee will work alongside each other.

**Safer, Cleaner and Greener Implications:**

None

**Consultation Undertaken:**

Text for consultation...

**Background Papers:** None

**Impact Assessments:**

Risk Management No assessment required

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?

No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process? None

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group? No

## Appendix 1

### Current Structure of Panels

<b>Panel</b>	<b>Current Responsibilities</b>	<b>Directors reporting under new structure</b>
Constitution and Members Services	Constitution, Civic matters, elections, governance, services for members	Governance Resources (for CSO's) CEO/CIA (elections/Audit)
Finance and Performance Management	KPI's, performance and outturns, public consultation and engagement, draft portfolio holder budgets, budget monitoring, ICT Monitoring, VFM reviews, equality objectives review	Governance Resources + all for KPI's
Housing	Public/Private sector housing policy, Housing strategies, monitoring of ethnicity and actions plans Traveller issues, Repairs management contract monitoring,	Communities Neighbourhoods (Traveller issues)
Planning Services	Planning Performance, Business Processes, Staffing, Forward planning, Local Plan, Planning ICT, Planning budgets	Neighbourhoods Governance Resources
Safer Cleaner Greener	Environmental enforcement Safer Communities activities Waste Partnership Climate change Bobbingworth Nat Res Liaison NEPP liaison PCC/ P and Crime Panel liaison Local Highways Liaison	Neighbourhoods Communities

Not covered tacitly:

Support Services Scrutiny (all)  
 CT and Benefits  
 HR/Health and Safety (some JCC)  
 Procurement Policy  
 Data Protection/FOI  
 Landscape and built heritage (some local plan?)  
 Leisure management contract/Leisure and cultural strategy (PFH A Group)  
 Arts and sports Development  
 Young people (OSC annual review)  
 Health and Wellbeing (some at OSC level)  
 Car Parking  
 Flood alleviation  
 Depot strategy  
 Estates strategy  
 Grants policy

Appendix 2

**Scrutiny Panels 2014/15 Suggested Main Responsibility Areas**

<p><b>Resources:</b></p> <p>Budget/Financial Scrutiny - stages as set out in the agreed Scrutiny Review recommendations.</p> <p>Revenue/Capital Monitoring (outturn)</p> <p>Fees and charges consultation</p> <p>Value for Money review</p> <p>HR related matters (sickness/manpower)</p> <p>ICT Strategy implementation</p> <p>Directorate Specific KPI Performance Monitoring</p> <p>Directorate Specific Scrutiny Proposals</p> <p>Directorate Specific government consultations</p>	<p><b>Governance:</b></p> <p>Equality Scheme and objectives progress monitoring</p> <p>Consultation and Engagement scrutiny</p> <p>Constitutional related matters</p> <p>Elections reviews</p> <p>Governance matters not within remit of Audit and Governance/Standards Committee. (ie Backstop)</p> <p>Directorate Specific KPI Performance Monitoring</p> <p>Further Reviews of KPI's not within remit of other Panels</p> <p>Directorate Specific Scrutiny Proposals</p> <p>Directorate Specific government consultations</p>
<p><b>Neighbourhoods:</b></p> <p>Leisure Strategy/ Leisure Contracts monitoring</p> <p>Local Plan delivery scrutiny</p> <p>Highways Panel liaison</p> <p>LSP liaison</p> <p>Waste Contract scrutiny</p> <p>NEPP liaison</p> <p>Health and Wellbeing liaison</p> <p>Environment related matters (E. Health/environmental issues, climate control and land holdings related)</p> <p>Directorate Specific KPI Performance Monitoring</p> <p>Directorate Specific Scrutiny Proposals</p> <p>Directorate Specific government consultations</p>	<p><b>Communities:</b></p> <p>Housing related Business Plans, Policies and Strategies scrutiny/monitoring</p> <p>Public and private sector housing scrutiny</p> <p>Repairs Management contractor performance monitoring</p> <p>HRA account monitoring</p> <p>PCC liaison/ Police and Crime Panel liaison</p> <p>Designated Crime and Disorder meetings</p> <p>Safer Communities scrutiny</p> <p>Communities and Cultural Services Strategy</p> <p>Directorate Specific KPI Performance Monitoring</p> <p>Directorate Specific Scrutiny Proposals</p> <p>Directorate Specific government consultations</p>