

Report to Overview & Scrutiny Committee

Date of meeting: 28 February 2017



Subject: Overview & Scrutiny in Local Government - Communities & Local Government Inquiry

Officer contact for further information: S. Tautz (01992) 564180

Democratic Services Officer: A. Hendry (01992) 564246

Recommendations/Decisions Required:

That the Committee consider whether it wishes to respond to an inquiry of the Communities and Local Government Committee, of the effectiveness of overview and scrutiny arrangements in local government.

1. (Director of Governance) The Communities and Local Government Committee has launched an inquiry into overview and scrutiny in local government. The aim of the inquiry is to consider whether overview and scrutiny arrangements are working effectively and whether local communities are able to contribute to and monitor the work of local authorities. Full details of the inquiry can be found at <https://goo.gl/I96Pbe>.

Background

2. Overview and scrutiny arrangements were introduced by the Local Government Act in 2000 as a counterweight to increasing decision-making powers of Leaders and Cabinets or directly elected mayors. However, the Communities and Local Government Committee considers that shortcomings in such arrangements have been exposed, as a result of high profile cases, including child sexual exploitation in Rotherham, poor care and high mortality rates at Mid-Staffordshire NHS Foundation Trust and governance failings in the London Borough of Tower Hamlets.
3. The inquiry will examine existing overview and scrutiny arrangements and consider what changes may be needed to ensure local decision-makers are better held to account. The Committee has invited the submission of written evidence on the following matters as part of its inquiry:
 - (a) whether scrutiny committees in local authorities are effective in holding decision-makers to account;
 - (b) the extent to which scrutiny committees operate with political impartiality and independence from executives;
 - (c) whether scrutiny officers are independent of and separate from those being scrutinised;
 - (d) how chairs and members are selected;
 - (e) whether powers to summon witnesses are adequate;
 - (f) the potential for local authority scrutiny to act as a voice for local service users;
 - (g) how topics for scrutiny are selected;
 - (h) the support given to the scrutiny function by political leaders and senior officers, including the resources allocated (e.g. whether there is a designated officer

- team);
 - (i) what use is made of specialist external advisers;
 - (j) the effectiveness and importance of local authority scrutiny of external organisations;
 - (k) the role of scrutiny in devolution deals and the scrutiny models used in combined authorities; and
 - (l) examples where scrutiny has worked well and not so well.
4. The Committee is requested to consider whether it wishes to respond to the inquiry being undertaken by the Communities and Local Government Committee. The closing date for the receipt of written submission to the inquiry is 10 March 2017.

Resource Implications:

There are no resource implications arising from the recommendations of this report.

Legal and Governance Implications:

There are no legal or governance implications arising from the recommendations of this report.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

The purpose of this report is to enable the Committee to consider whether it wishes to respond to the inquiry of the Communities and Local Government Committee.

Background Papers:

None

Impact Assessments:

Risk Management

The Council's constitution sets out rules for the management of its overview and scrutiny responsibilities.

Equality:

There are no equality implications arising from the recommendations of this report.