

MINUTES OF JOINT MEETING OF BROOKE AND WHITTLE OVERVIEW AND SCRUTINY COMMITTEES

5 MARCH 2019

PRESENT:

Membership of Brooke Overview and Scrutiny Committee: Councillors Claire Edwards (Committee Chair), Mrs A'Barrow, Keeling, McQueen, Mrs New, Pacey-Day, Picker, Srivastava and Mrs Timms

Membership of Whittle Overview and Scrutiny Committee: Councillors Sandison (Committee Chair), Bearne, Brader, Gillias and Mrs O'Rourke

In Attendance:

Officers: Adam Norburn (Executive Director) and Linn Ashmore (Democratic Services Officer)

1. APOLOGIES

Apologies for absence from the meeting were received from Councillors Douglas (Whittle), Leigh Hunt (Whittle), Roberts (Whittle) and Ms Watson-Merret (Whittle).

2. REVIEW OF OVERVIEW AND SCRUTINY

The members of Brooke and Whittle received a report (Part 1 – agenda item 3) regarding a proposed review of the Council's overview and scrutiny arrangements.

The Joint Committee thanked the Support Officer for his hard work in carrying out the review and his support towards making improvements to the overview and scrutiny arrangements.

The Committee considered each area of the review in detail and during discussion the main points raised were as follows:

Committee structure and terms of reference

There were several pros and cons to having one scrutiny committee including:

Pros

- A regular flow of meetings and topics
- More task groups to carry out focussed pieces of work
- This could be more effective in holding the executive to account and having more involvement in developing policy.
- Would be more practical.

Cons

- The volume of work could swamp members
- Fewer members would be engaged
- A wider remit would mean more work would be delegated down to task groups

At a meeting of the Leaders' Steering Group there was agreement that the current arrangement of two committees should continue for the foreseeable future.

The old system of having an Overview and Scrutiny Management Board overarching the two scrutiny committees added a layer that created delays. Review outcomes were less timely and were often surpassed by decisions of Cabinet.

Members reported that committees having clear set remits worked well at Warwickshire County Council (WCC). Councillors were more engaged and having remits in line with specific portfolios allowed them to delve further and become more involved.

Set remits would enable Chairs to be more effective in having a greater level of expertise and knowledge. It was important to include allowance for flexibility within the work programme.

Other examples of the approach taken by WCC were:

- Committee/Panel Chairs met with portfolio holders and managers prior to committee meetings. Chairs also worked closely with senior managers on planning ahead.
- Panel meetings included an item on the work programme and any Cabinet decisions being carried forward.
- Briefing notes were sometimes requested and circulated between meetings.
- There is no specific meeting to hold the executive to account. Portfolio holders attended all panel meetings to answer questions from Members and questions were not submitted in advance.
- The Forward Plan was regularly reviewed by committees/panels.

Members commented that the last joint meeting of Brooke and Whittle attended by the portfolio holders to discuss performance in their portfolio areas and answer questions was not effective in holding them to account because the questions had been answered in advance and simply read out.

With no link to specific portfolios it had been more difficult for newly elected councillors to take up their role as a member of a scrutiny committee.

Care was needed to ensure the workload should not become imbalanced. This had been the case with the two former committees, that were internally and externally facing. The external facing committee's workload was much heavier, and the internal facing committee's remit was largely dry and dull.

Prior to the current Corporate Strategy there were five portfolio areas which were more difficult to share between committees. The new Corporate Strategy had four more clearly defined portfolio areas making it easier for these to be split between two committees.

The current practice of committee chairs allocating reviews and task groups to committees should continue.

This year, the committee workload did not allow a review on the Special Expenses Scheme to commence so this topic was being carried forward to next year. This would be a lengthy and detailed review and should involve a mix of rural and urban councillors and party groups. Although the subject matter sounded quite dry this would be an important piece of work.

There was agreement that the current structure of having two overview and scrutiny committees should be continued and that each committee should have defined remits based on two portfolio areas each. It was suggested that the portfolios be allocated as follows, with relevant names to be confirmed (although these could remain the same as now):

- Environment and Public Realm and Growth and Investment
- Community and Homes and Corporate Resources

Members agreed that task groups worked well.

There was a need for better engagement with the public and for information on scrutiny to be more easily accessible on the Council website.

Forward Plan

This was a rolling programme that was subject to change. A flexible approach was needed using this as a guide to key topics.

It was acknowledged that not much pre-decision scrutiny took place and the Forward Plan was an important tool listing items that were due to be considered by Cabinet and Council.

The Forward Plan only covered a short period and it may be difficult to fit this into the annual work programme. It could be helpful in supporting effective scrutiny.

Sub-Committees

Occasionally a committee will set up a sub-committee when the committee timetable was not flexible enough to consider matters that needed reviewing quickly. The sub-committee reported direct to Cabinet and avoided the need to set up a formal task group.

Independent advice and support

The Democratic Services Officers were key support for overview and scrutiny. However, other officers lacked an understanding of scrutiny and investment in training was needed so that the right level of support and guidance was available.

The two Democratic Services Officers would benefit from training and also senior officers who need to understand how best to support scrutiny.

Questioning the Executive and pre-decision scrutiny

A more constructive engagement between Cabinet and scrutiny was required. Scrutiny committee members do not wish to act as an opposition but work with Cabinet in adding value and improving decisions.

Members were informed that Cabinet was open to requests from scrutiny committees.

It was noted that WCC had a good relationship between the executive and scrutiny. Aligning the committees to portfolios could help create a closer working relationship and make pre-decision scrutiny more probable.

Very few items had been subject to the call-in procedure. This option caused delays in the decision-making process and could result in delaying operational matters.

Skills of scrutiny chairs and members and preparing for meetings

There had been no formal training for several years and it was agreed that specific training for chairs and all members of scrutiny committees was required. A suggestion was made that this should be mandatory.

There were a range of organisations that would be able to assist including the LGA and the Centre for Public Scrutiny (CfPS).

A peer review could be a valuable way of evaluating the current arrangements.

Training could be made available to Parish Councils. While the Council was not responsible for offering training for parishes it could be viewed as a moral duty.

West Midlands Association of Local Councils (WALC) was the organisation responsible for training for parishes but other councils could attend its sessions.

Work programme and review topics

The annual workshop was not particularly helpful in identifying topics for review and a new approach was being taken this year through social media and the Council's website.

Members would be given the opportunity to submit suggestions, and these would be whittled down by use of an online survey. Listening posts would be held to engage with members of the public.

Parish Councils were invited to submit suggestions for scrutiny topics, but timing should be considered to fit in with their meeting timetables.

There was a need for the work programme to be flexible and responsive during the year.

There was a mechanism in place on the Council website for suggestions to be made. It was important that this should include an outline of the suggestion to give more structure and understanding of the issue. This would give topics greater weight when being considered and prioritised.

Notices of Motion could be referred to a scrutiny committee, but this was not the best route for items to be added to scrutiny committee agendas.

Engagement and involvement of the public at scrutiny

There was a need for better engagement with the public and for information on scrutiny to be more easily accessible on the Council website.

An improved area of the website was needed and there should be greater use of social media. Information on current and recent reviews and case studies would be informative.

The introduction of webcasting facilities in the Council Chamber and meeting rooms was supported by Members. This would allow for a wider awareness and understanding of scrutiny.

The Youth Council had an open invitation to attend committee meetings but due to other commitments and a change of membership they had not attended a meeting

for some time. Officers undertook to contact the Youth Council to encourage their attendance.

Progress and overview of reviews

The issues relating to the performance management system (RPMS) were being dealt with and the system was currently being developed.

It had been difficult to scrutinise performance over the past year without the level of data required being available.

It was acknowledged that targets could be manipulated but consideration was needed regarding how ambitious targets were, how they aligned to the corporate objectives, and also how they are measured and achieved.

Scrutiny reviews

Members agreed that an annual overview and scrutiny report was required, and this should be submitted to a meeting of full Council. It should be a short report consisting of the key bullet points including what worked well and what did not work well.

An annual review of overview and scrutiny arrangements was not necessary.

Officer Support and role of Democratic Services Officers

The committee chairs commented that the two Democratic Services Officers supported the scrutiny process well.

A programme of training for officers to include the two Democratic Services Officers and Senior Management Team was key to improving support.

RESOLVED THAT –

- (1) the Forward Plan be included on future committee agendas to support pre-decision scrutiny;
- (2) Rugby Youth Council be contacted to remind them of the open invitation to attend committee meetings;
- (3) IT BE RECOMMENDED TO CABINET THAT IT BE RECOMMENDED TO COUNCIL THAT:
 - (a) the overview and scrutiny structure consist of two overview and scrutiny committees having set remits aligned to the four portfolio areas;
 - (b) one overview and scrutiny committee be aligned to the Environment and Public Realm and Growth and Investment portfolios and the second be aligned to the Communities and Homes and Corporate Resources portfolios and these be given relevant names;
 - (c) a programme of training be carried out for overview and scrutiny committee chairs, committee members, the two Democratic Services Officers and Senior Management Team;
 - (d) the scrutiny area of the Council website be improved to encourage better public engagement;
 - (e) training opportunities be shared with Parish Councils through Warwickshire and West Midlands Association of Local Councils; and
 - (f) the Constitution be updated accordingly.

CHAIR