

**REPORT NO. 1**

**REPORT TO THE MEETING OF SCRUTINY COMMISSION ON**  
**Date: 4<sup>th</sup> July 2012**

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**Status:** For Recommendation  
**Title:** OPTIONS FOR THE FUTURE ROLE OF SCRUTINY  
**Originator:** Edward O'Neill, Democratic Officer  
**Where from:** Scrutiny Workshops  
**Where to next:** Subject to Recommendation(s)

<p><u>Objective:</u> to discuss and make recommendations on the future role of Scrutiny at Harborough District Council.</p>
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1 Outcome sought from the Commission

1.1 Recommendations for the future role, structure and operation of the Scrutiny function at Harborough District Council.

2 Background

2.1 Local authorities in England and Wales – with few exceptions – have, since 2000, operated executive arrangements that place the decision-making powers in the hands of a Cabinet/Executive. This is comprised of up of ten Councillors (six Councillors at Harborough District Council). The Overview and Scrutiny function was established to hold this cabinet to account for its decisions, and to contribute to evidence-based policy-making of the Council.

2.2 At present, the Council recognises the requirement to establish a Scrutiny function in its Constitution (Part 4, Section 5, attached at Appendix A), and provides that this will be comprised of a Scrutiny Commission and three Scrutiny Panels (themed as 'People', 'Places' and 'Resource Development').

2.3 At the Scrutiny Workshop on 16<sup>th</sup> May 2012 Members indicated an interest in a revised structure and mode of operation for the scrutiny function (Notes of this meeting are attached at Appendix B).

2.4 What does Scrutiny Do?

The aim of Scrutiny is to improve services provided to the local community through positive challenge. Local authorities perform this function by pursuing the following themes:

- (a) Policy Review and Development - helping to shape the way Council services are delivered (at the Scrutiny Workshop on 16<sup>th</sup> May 2012, Members indicated a preference for scrutinising plans for action in advance of decisions being made (see point 6 of Appendix B).

- (b) Scrutinising Decisions - Is the action being taken the right action? Are services working effectively? (at the Scrutiny Workshop on 16<sup>th</sup> May 2012, Members indicated a preference for scrutinising plans for action in advance of decisions being made (see point 6 of Appendix B).
- (c) Performance Management - Assessing how services are performing to identify areas for improvement. At present the Council's Executive is held to account in the following way: each Executive Portfolio Holder attends a Scrutiny Panel twice per year to present achievements, current work in progress, future plans, areas of concern, performance indicators, corrective actions and topical issues.
- (d) External Scrutiny - Examining services that impact on the local community.

## 2.5 How does Scrutiny do what it needs to?

Since its inception in 2000 the Council's Scrutiny function has been refined into its current mode of operation. The Scrutiny Commission meets twice per year (in May and November) to agree its work. Each Panel meets approximately every six weeks (except during the August recess), which amounts to ten meetings per year per Panel.

## 2.6 How does Scrutiny vary from council to council?

The means by which the local authority Scrutiny function operates depends on the context and environment of each particular Council, or as the IDeA tells us:

“Scrutiny is carried out in many different ways throughout the country, varying significantly from council to council. Different councils support the function in varying ways. None of these is necessarily right or wrong – what works well in one council might prove disastrous if transplanted unchanged to another. The important thing to remember is that scrutiny's successes are often bound up with the attitudes of the executive and its partners to the idea of public accountability.”

**Source: [idea.gov.uk](http://idea.gov.uk)**

## 2.7 For information, examples of how Scrutiny operates at other local authorities include:

### Blaby District Council's Scrutiny Structure:

- 18-Member Scrutiny Commission (including three Commissioners),
- four sub-groups/panels,
- In-depth reviews are carried out by 'task-and-finish' groups where necessary.

### Northwest Leicestershire Council's Scrutiny Structure:

- Scrutiny Commission comprised of Scrutiny Committee Chairmen,
- Three fixed Committees (Communities Scrutiny Committee, Corporate Scrutiny Committee and Environment Scrutiny Committee),

- 'Light-touch examinations' used where necessary,

#### Corby Borough Council's Scrutiny Structure:

- One Overview and Scrutiny Panel which meets every month. The Panel is comprised of 13 Councillors,
- The Overview and Scrutiny Panel create ad-hoc 'Working Groups' where necessary.

### 3. Points for Discussion

How, in the future, will the Council deliver the themes outlined in paragraph 2.4 above?

#### Policy Review and Development

- Should the Council continue to scrutinise forthcoming new Council policies prior to Executive enactment? The alternative is to wait until after policies have been made and then suggest a review. Or, is an element of both necessary?

#### Scrutinising Decisions

- Should the Council continue to scrutinise forthcoming Executive decisions prior to resolution? The alternative is to wait until after decisions are made and then invoke the Member 'call-in' procedure.

#### Performance Management (holding the Executive to account)

- How often does Scrutiny need to examine Portfolio activity? (Scrutiny Panels currently receive half-year and end-of-year Portfolio reports).
- Which forum should receive Portfolio reports? (Scrutiny currently receives two reports per Panel: 2 X People, 2 X Places, 2 X Resource Development). Should these continue to be received by Scrutiny Panels or could the Scrutiny Commission receive and handle these reports?

#### External Scrutiny

- Should the Council seek to give greater emphasis to the Scrutiny of external bodies?

### 3.1 The Scrutiny Steering Group

- If changes are made to the Scrutiny function, what role will this body have?

### 3.2 Structure of the Scrutiny Function

Using the diagram attached at Appendix C, how will the various functions of Scrutiny be undertaken in a revised operational model?

### 4. Equality Impact Assessment Implications/Outcomes

- 4.1 May need to be assessed depending on the recommendations of the Commission.

5 Legal Issues

- 5.1 Any changes made to the Council's Scrutiny Procedure Rules should be considered by the Constitutional Review Committee and ratified by the Council.

6 Consultation

- 6.1 The ideas discussed in this report were developed via consultation with Members at Scrutiny Work-shops on 16<sup>th</sup> May 2012 and 2<sup>nd</sup> July 2012.
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**Information Issued Under Sensitive Issue Procedure: *N***

**Appendices:**

- A. Scrutiny Procedure Rules (extract from the Council's Constitution.**
- B. Notes from the Scrutiny Work-shop, 16<sup>th</sup> May 2012.**
- C. Scrutiny Structure/ Functions, Discussion Document.**