

**REPORT TO THE SCRUTINY COMMISSION
MEETING OF 29th NOVEMBER 2018**

Status: For decision
Title: Future Arrangements for Scrutiny Commission Meetings
Originator: Verina Wenham, Head of Legal and Democratic Services & Monitoring Services
Where from: Scrutiny Commission
Where to next: Implementation or Council

Objectives: to discuss, agree and if necessary make recommendations to Council on future arrangements regarding the frequency of Scrutiny Commission meetings and the agreement of the Scrutiny Workplan.

1 Outcome sought from Commission

- 1.1 That Members consider options for improvements to the frequency of meetings and the managing of the business of the Scrutiny Commission, as set out in section 4 of this report
- 1.2 That, depending on the outcome of 1.1 above, any necessary recommendations are made to Council for the Scrutiny Procedure rules to be changed.

2 Background

- 2.1 In April 2016 Council agreed a new structure and arrangements for delivering the Council's Scrutiny function. This included the introduction of a ten-member Scrutiny Commission and two seven-member Scrutiny Panels (Performance and Communities).
- 2.2 The Scrutiny Procedure Rules, which form Part 4(5) of the Council's Constitution, state that the Scrutiny Commission may meet up to four times a year. The business of the Commission will be:
- a) the monitoring of Scrutiny Panels as it considers appropriate to fulfil:
 - i) those overview and scrutiny functions set out in Article 7 (Part 2) of this Constitution, including receiving recommendations from Scrutiny Panels and performance monitoring (TEN) reports; and
 - ii) any functions delegated by the Council under Part 3 of this Constitution.

- b) to approve a scrutiny work plan, including the programme of any Task and Finish Groups it appoints;
- c) where matters fall within the remit of more than one Scrutiny Panel, to determine which of those Panels and/or Task and Finish Groups will assume responsibility for any particular issue;
- d) to act as a Scrutiny Panel in the circumstances set out in paragraph 1.03 b) above;
- e) to put in place a system to ensure that referrals of overview and scrutiny matters to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in this Constitution;
- f) in the event of reports to the Executive exceeding limits in this Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business, at the request of the Executive, to make decisions about the priority of referrals made.

2.3 In respect of TEN Performance reports, the Council's Performance Management Framework for 2018/19 and 2019/20 requires that the Scrutiny Commission receive performance reports at the half-year and end-of-year position. Quarter 1 and 3 reports are currently considered by the Performance Scrutiny Panel.

2.4 Since the adoption of the new procedures, the Commission has met four times each year. An analysis of Scrutiny Commission agendas over the past three years is included in table 1 below. This shows that the number of items considered by the Scrutiny Commission has exceeded two per meeting on only two occasions.

Table 1:

	Cycle 1 (June)	Cycle 2 (Sept.)	Cycle 3 (Nov./Dec.)	Cycle 4 (March)	Total reports
2016/17	2 reports: • Q4 Performance • Workplan	2 reports; • Contact Centre • Workplan	2 reports: • Revs & Bens • Workplan	1 report: • Workplan	7
2017/18	2 reports: • Q4 Performance • Workplan	2 reports: • Charities & Vol. Orgs • Workplan	7 reports: • Grenfell Tower • Housing Providers • Public Open Space • Economic Growth Strategy • Resource Mapping • IT Comms Strategy • Workplan	2 reports: • Strat Growth Plan • Workplan	13
2018/19	2 reports: • Q4 Performance • Workplan	1 report: • Workplan	3 reports; • Q2 Performance • Commission working arrangements • Workplan	1 report: • Workplan	7

- 2.5 One of the aspirations of the new Scrutiny structure was to take steps to streamline the approval of the Scrutiny Work-plan. With this in mind, all Members are currently notified by email of the availability of the draft Scrutiny Work-plan at the time that papers for the Scrutiny Commission meeting are circulated, with the request that any comments on the draft be made by email to Democratic Services. Any comments received are circulated to members of the Scrutiny Commission for consideration at the meeting.
- 2.6 At its meeting on 6th September 2018, the Scrutiny Commission requested that officers produce a report on future arrangements for Scrutiny Commission meetings, with specific reference to options for electronic agreement of the Scrutiny Workplan and the frequency of Scrutiny Commission meetings.

3 Legal Issues

- 3.1 Decisions as to the structure of the Scrutiny function are a matter for Council. Any proposals that require changes to the Scrutiny Procedure Rules and the Articles of the Constitution should be considered by the Constitutional Review Committee and ratified by Council.
- 3.2 However, changes to the working arrangements of the Scrutiny Commission that remain within the scope of the existing Scrutiny Procedure Rules may be made by resolution of the Commission itself.

4 Options for discussion

- 4.1 **Option 1** - the Commission moves to two scheduled meetings each year. Standing agenda items for these meetings would be:
- to consider Performance Reports at the half-year and end-of-year position;
 - to approve the Scrutiny Work-plan.
- 4.2 Any amendments to items included on the current Scrutiny Work-plan are agreed by the Chairman of Scrutiny, in discussion by email with the Chairs of the two Scrutiny Panels. Proposals for the addition to or deletion of items from the current Scrutiny Work-plan are agreed by the Chairman of Scrutiny, in discussion by email with members of the Scrutiny Commission, and ratified at the next regular meeting of the Commission.
- 4.3 **Option 2:** two meetings per year. The Scrutiny Work-plan is removed as a standing item from the agenda and is dealt with completely outside regular meetings. It would be possible to delegate the formal approval of the work plan to an officer, in consultation with the Chairman of the Scrutiny Commission. The existing arrangements for consulting with the Chairmen of the Panels would continue, with any comments being made to the Scrutiny Commissioner before any consultation with the officer before exercising his or her delegated authority.
- 4.4 **Option 3:** no change to current arrangements.

5 Consultation

5.1 The ideas in this report were developed in consultation with the Chairman of Scrutiny and the Chairs of the Performance and Communities Scrutiny Panels.

6 Background Papers

6.1 None.

Previous report(s): None

Information Issued Under Sensitive Issue Procedure: No

Ward Members informed: Not applicable

Appendices - none