



## Democracy & Standards Committee 7<sup>th</sup> November 2022

Report Title	Proposals for a Scrutiny Review
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Executive Member	N/A

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

### List of Appendices

- Appendix A – Copy of presentation slides
- Appendix B – Proposed scrutiny structure
- Appendix C – Indicative timetable

### 1. Purpose of Report

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- 1.1. For the Committee to initiate a consultation on the current scrutiny arrangements of the Council following a review by the Council's Monitoring Officer.

### 2. Executive Summary

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- 2.1. The Council has a general requirement to review its governance arrangements to ensure compliance with legislation and ensure its decision-making structures allow for efficient and effective decision making. The role of scrutiny has an important role in ensuring that the Executive are held to account and that key decisions are made in an appropriate manner, taking all relevant factors into account.
- 2.2. It is important that scrutiny is focused and effective, helping to ensure that policy making is improved and efficiency of delivery of services to the public maximised.

### 3. Recommendations

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#### 3.1. The Committee –

- (i) Approve the principles contained in the Monitoring Officer's presentation (Appendix A & B) as the basis for wider consultation on the future structure of scrutiny within the Council; and
- (ii) Approve the indicative timetable (Appendix C) for consultation on, and determination of, the proposals within the presentation and report.

#### 3.2. *Reason for Recommendations – To instigate a debate and consultation into consideration of the future structure of the scrutiny function within the governance arrangements of the Council, in order for the Council to fulfil its statutory obligations.*

#### 3.3. *Alternative Options Considered – Any comments and suggestions submitted under the proposed consultation would be reported back to the Committee for consideration prior to any recommendation(s) to Full Council.*

### Report Background

3.4. North Northamptonshire Council operates an executive model of governance and is required under statute to operate at least one scrutiny committee.

3.5. The purpose of the scrutiny function is to influence policies and decisions made by the Executive and other organisations delivering services to the public. This is achieved by reviewing key decisions made by the Executive, investigating important service delivery and strategic policy issues (i.e. through task & finish groups) and where appropriate through the call-in procedure challenging key decisions made.

3.6. Since Vesting Day, the Council has operated with two scrutiny committees. The Scrutiny Commission is an overarching body which is able to establish topic-specific task & finish groups undertaking work on the approved Scrutiny Workplan. The Finance & Resources Scrutiny Committee specifically scrutinises and monitors the finances of the Council, with particular attention to in-year monitoring of spend and input into consultation on the draft budget for future years (as part of the budget-setting process and consultation).

3.7. As the Annual Scrutiny Report 2021/22 recently presented to Full Council demonstrated, the scrutiny function of the Council has developed well since Vesting Day with some important work undertaken. It is recognised however that the quantity of work required to be undertaken exceeds existing capacity and that there is a need to review scrutiny arrangements at both member and officer level. In particular, it is recognised that scrutiny's role in relation to other public service providers requires enhancement.

## 4. Issues and Choices

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- 4.1. There is a need to ensure greater effectiveness and transparency in relation to the workload of the scrutiny function within the council. Current arrangements can lead to potential delays in undertaking work and duplication. To offset this, it is being recommended within the presentation that a Scrutiny Management Board (SMB) be established. This Board would comprise the chairs and vice-chairs of the scrutiny committees. The Board would manage the workload of the scrutiny function, ensuring that topics from the overall agreed Workplan and that call-ins were directed to the appropriate body. The role of the Board would be the allocation of work; outcomes and investigation would be the responsibility of the respective scrutiny committee.
- 4.2. The Board would also have an important role in liaising with any Executive Advisory Panels (EAPs) established by the Leader, to ensure there was not duplication of effort and that the policy development role of the EAPs was respected.
- 4.3. It is recognised that scrutiny needs to be outward facing as well as considering the Council's own service delivery. The relationship with key partners is important particularly with partners such as the NHS, the Police etc. The Board will have a key role in ensuring partner engagement is enhanced in any new structure.
- 4.4. The Council has a statutory duty to scrutinise health. There is a strategic role in reviewing how the integration of health, public health and social care is working to ensure maximum outcomes can be achieved for the benefit of the public. This is a statutory role and it is recognised that this needs to be enhanced in any future scrutiny structure. In addition it is recognised that a key element linked to health objectives is ensuring low levels of crime and disorder. Consideration of crime and disorder issues and scrutiny of the Community Safety Partnership is an area requiring attention. It is therefore being proposed that a Health Scrutiny Committee be created to undertake these statutory roles.
- 4.5. In relation to the Council's corporate objectives around Place and Economy it is recognised that there are a number of significant projects ongoing and some key elements of service delivery requiring regular review of performance e.g. the highways contact. It is therefore being proposed that a Place and Economy Scrutiny Committee be created.
- 4.6. Corporate scrutiny is currently being undertaken by both the Scrutiny Commission and the Finance & Resources Scrutiny Committee. This can cause duplication of effort and not allow the effective use of both member and officer resources. Matters relating to partnerships and companies (currently under the remit of the Scrutiny Commission) would be better aligned with finance and performance. It is therefore being proposed that a Corporate Scrutiny Committee be created.

4.7. Details regarding the key priorities of the Board and the three proposed scrutiny committees are detailed in Appendix C. This appendix would form the basis of any wider consultation subject to approval by the Committee.

4.8. It is proposed that each committee would meet on a monthly basis and be comprised of 11 members, subject to political proportionality. The Board and committees would continue to be supported by senior officers but in addition dedicated scrutiny officers would also be engaged in supporting the work of the new structure. In addition external support can be provided where it is considered this would add value to the work of the committees.

## **5. Next Steps**

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5.1. Subject to the Committee's approval, the indicative timetable detailed in Appendix C would be followed.

## **6. Implications (including financial implications)**

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### **6.1. Resources and Financial**

6.1.1. If there is an increase in the number of scrutiny committees to three then an additional Chairs Allowance would be applicable. This can be met from the allowance allocation.

6.1.2. Contained within the current Democratic Services restructure are two posts dedicated to supporting the scrutiny function of the Council. Other officers would supplement this resource as required.

### **6.2. Legal and Governance**

6.2.1. The Council is required to establish at least one scrutiny committee. The proposal submitted for consultation will assist in enhancing the role of scrutiny within the Council and provide additional support in meeting the Council's responsibilities detailed under statute and within statutory guidance. If Council eventually approves the proposal, there would be the need for consequential amendments to be made to the Constitution.

### **6.3. Relevant Policies and Plans**

6.3.1. It is suggested that adoption of the proposals within the report would assist in meeting the good practise highlighted in the Government's statutory guidance on overview and scrutiny within local government and assist in ensuring that there is appropriate scrutiny of the Council's objectives set out in the approved Corporate Plan.

#### **6.4. Risk**

- 6.4.1. Whilst the current scrutiny system operated within the Council has been effective the current arrangements have limitations and there have been concerns raised regarding its limitations. In addition there is a need to ensure that duplication of effort is minimised and that important areas requiring scrutiny are properly resources and considered.
- 6.4.2. It is suggested that the proposals would build on the foundations established since Vesting Day and would ensure an expanded capacity. The proposal also clarifies the role of scrutiny within the governance structure of the Council and its relationship with EAPs.
- 6.4.3. Failure to address the issues raised in the report and presentation would limit the potential for the Council's scrutiny function to expand and enhance its effectiveness.

#### **6.5. Consultation**

- 6.5.1. The proposal contained in this report and appendices were considered by the Constitutional Working Group (CWG) at its meeting on 24<sup>th</sup> October 2022. The Group are recommending that the Committee endorse the proposals for wider internal and external consultation.

#### **6.6. Consideration by Executive Advisory Panel**

- 6.6.1. Not applicable.

#### **6.7. Consideration by Scrutiny**

- 6.7.1. Current scrutiny members will be consulted as part of this review process.

#### **6.8. Equality Implications**

- 6.8.1. None impacting on the nine protected characteristics defined in the Equality Act 2010.

#### **6.9. Climate Impact**

- 6.9.1. Not applicable to this report.

#### **6.10. Community Impact**

- 6.10.1. Not applicable to this report.

#### **6.11. Crime and Disorder Impact**

- 6.11.1. Not applicable to this report.

## **7. Background Papers**

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- 7.1. Constitutional Working Group presentation 24.10.22.
- 7.2. Council's Constitution
- 7.3. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (May 2019)