

Proposals for a Scrutiny Review – Constitution Working Group 24 October 2022

Current Arrangements

As the Council operates an executive model of governance, it is required under Section 9F of the Local Government Act 2000 to have at least one Scrutiny Committee.

The purpose of the Committee is to influence the policies and decisions made by the Council and other organisations involved in delivering public services. They do this through meeting regularly and having input into decisions before they are made, investigating important public issues through Task and Finish Groups and where appropriate challenging or reviewing decisions once they are made through the Call In Procedure Rules.

The Scrutiny Committees can scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions.

The Council has two Scrutiny Committees which perform all scrutiny functions on behalf of the Council;

- An overarching Scrutiny Commission which is able to establish task and finish groups completing work on the agreed workplan. This Committee has its own workplan and also provides co-ordination of a number of task and finish groups
- A Finance and Resources Scrutiny Committee to specifically scrutinise and monitor the finances of the Council

Both Committees meet monthly (an increase from the previous year and therefore hold 24 meetings per year as well as Chair Briefings and Task and Finish Groups).

Workplan

The ownership of the Scrutiny Workplan by the Scrutiny Commission does allow control but it also adds a layer of bureaucracy when a Task and Finish Group is recommended to the Finance and Resources Committee to review. The latest example of this is the Maintained Nursery Review where the Terms of Reference bounced between the Committees for a period of time.

There is duplication between the Committees in relation to performance data which is not an effective use of member/officer time.

The Scrutiny Conference where all members identified topics for review worked well and has formed the basis of the Workplan.

The Commission review the Forward Plan at each meeting which results in lots of ideas for things to review being considered and on average this debate can last for up to an hour. A more structured approach would enable the Chairs of the Commission to determine requests for additions to workplans outside of the meeting.

Meetings are lengthy and the Commission have on almost all occasions gone past the guillotine. No further items could therefore be added to the Workplan.

Initial Proposal

Allow all Committees to agree the Workplans for the Committees through a Scrutiny Management Board.

Being clear about Scrutiny's role

Statutory scrutiny guidance states that it should have a clear role and focus within the organisation. There should be clear divisions of responsibilities between the EAPs, Audit and Scrutiny.

There is confusion between the role of EAPs and Scrutiny which is outlined earlier.

Initial Proposal

Create a Scrutiny Management Board which will oversee the Workplan and agenda planning and encourage greater co-ordination between the work of EAPs and Scrutiny to reduce the potential for duplication of effort.

The authority's partners

Scrutiny should be outward facing as well as inward facing. Relationships with other partners will be important to ensuring that scrutiny is reviewing the right things. This is particularly important for public sector partners such as the NHS and community safety partners, over which scrutiny has specific legal powers.

Scrutiny has invited Kettering General Hospital into Scrutiny Committee once but no other partners have been involved in Scrutiny Committees.

Initial Proposal

Scrutiny Management Board to have partner engagement on its agenda as a standing item.

Health Scrutiny

The Council has a statutory duty to scrutinise health. The primary aim of health scrutiny is to strengthen the voice of local people, ensuring that their needs and experiences are considered as an integral part of the commissioning and delivery of health services and that those services are effective and safe.

Strategic role is in taking an overview of how well integration of health, public health and social care is working.

Proactively seeking information about the performance of local health services and institutions
Outcome focussed, looking at cross cutting issues, including general health improvement, wellbeing and how well health inequalities are being addressed

Whilst the Council has conducted health scrutiny, it is not undertaking it effectively. The Health EAP is undertaking some of the functions however this is against scrutiny legislation.

A key element of this area is also Crime and Disorder and scrutinising the CSP. Clearly, this is linked to health objectives in North Northamptonshire.

Initial Proposal

Create a Health Scrutiny Committee to undertake the statutory scrutiny role.

Place and Environment Scrutiny

The Council has a statutory duty to scrutinise flood. An annual report should be included in the Workplan and there is not sufficient capacity to do this at the current time.

There are a number of significant projects ongoing in place and it is essential that there is adequate time to scrutinise them. In particular, members have indicated that they want to review performance of the highways contract on an ongoing basis.

Initial Proposal

Create a Place and Economy Scrutiny Committee

Corporate Scrutiny

Corporate scrutiny is currently being undertaken by both the Commission and Finance and Resources Committee. This can cause confusion for some items and also duplication (performance is scrutinised in both Committees)

Finance and Resources Committee has a vital role in budget monitoring however this would be better linked to matters such as partnerships and companies which would currently fall under the remit of the Commission.

Initial Proposal

Create a Corporate Scrutiny Committee