

WAVERLEY BOROUGH COUNCIL

EXECUTIVE - 7 JUNE 2016

Title:

REVIEW OF OVERVIEW AND SCRUTINY ARRANGEMENTS

[Portfolio Holder: Cllr Julia Potts]

[Wards Affected: All]

Summary and purpose:

In October 2015, the Executive agreed to establish a Sub-Committee of the Joint Overview & Scrutiny Committee to undertake a review of the overview and scrutiny arrangements at Waverley. The Sub-Committee undertook a thorough review of the overview and scrutiny arrangements at Waverley, and of the way in which they are practised, including a survey of all Waverley Members to canvass views on the effectiveness of the overview and scrutiny function at Waverley.

The Interim Report of the Sub-Committee was considered by the Joint Overview & Scrutiny Committee on 25 April 2016, and the recommendations were broadly welcomed and largely endorsed. The Executive Summary of the Interim Report, including the recommendations, as revised and endorsed by the Joint Overview & Scrutiny Committee, is attached as Annexe 1. The Executive is asked to consider and comment on those recommendations, and direct officers accordingly.

How this report relates to the Council's Corporate Priorities:

The overview and scrutiny function is a key part of the Council's corporate governance arrangements. The role of overview and scrutiny is defined as: holding decision-makers to account; policy development and review; performance management; and scrutiny of public services delivered by external organisations. The Council's arrangements for its overview and scrutiny function should enable the work of the OS committees to support the delivery of Council services and meeting Council priorities.

Financial Implications:

The Joint Overview and Scrutiny Committee has recommended that dedicated scrutiny officer support be secured. This proposal has yet to be costed and there is no pre-existing budget that would cover any increased staffing costs. The cost implications and benefits of adding a designated scrutiny officer post to the Council's establishment would need to be considered against the cost implications and benefit other all other viable options, including making no changes or making adjustments to the staffing structure. For this reason, recommendation 4 in this report recommends that the Executive asks officers to identify and analyse options in respect of staffing and bring a further separate report back to the Executive for consideration. In the event that the Executive chooses to recommend changes to the Council which would incur additional staffing costs, this would rely on a supplementary estimate being

agreed for 2016/17 and growth proposals being agreed during the next budget round.

Legal Implications:

Any changes to Overview & Scrutiny arrangements (including committee structure, membership, terms of reference, and so on) would need to be considered by the Constitution SIG and recommended by the Executive for adoption by full Council.

Introduction

1. A Sub-Committee of the Joint Overview & Scrutiny Committee was appointed by the Executive to review the Terms of Reference and arrangements for Overview and Scrutiny (OS) at Waverley.
2. The Sub-Committee discussed this remit and in view of the length of time since OS arrangements were last reviewed comprehensively, anecdotal evidence of member dissatisfaction with OS arrangements, agreed that the review should be undertaken in the context of evaluating the effectiveness of Waverley's OS function in relation to the four principles of effective scrutiny as described by the Centre for Public Scrutiny (CfPS). According to the four principles, good scrutiny:
 - provides a constructive 'critical friend' challenge – holding decision-makers to account;
 - amplifies the voices and concerns of the public;
 - is led by independent people who take responsibility for their role; and
 - drives improvement in public services and makes a difference.
3. As part of its evidence gathering, the Sub-Committee sought the views of Waverley Members through a survey and interviews. The feedback received indicated a high level of frustration with the way in which the current arrangements operate, and an appetite for the scrutiny function at Waverley taking a more constructive and proactive role in supporting the work of the Council. The desktop research carried out into OS arrangements at other councils, and a review of academic research into OS arrangements generally, shows that the issues that Waverley has with its OS arrangements are not uncommon.
4. The Sub-Committee's report was circulated to all Members, and considered by the Joint Overview & Scrutiny Committee on 25 April 2016. The Joint Overview & Scrutiny Committee broadly welcomed the findings and largely endorsed the recommendations.
5. The Joint Overview & Scrutiny Committee agreed that:
 - it was vital that the OS and Executive functions developed a more positive and open working relationship, recognising the particular roles that each played in the governance of the Council;

- more training for Members and Officers was needed to understand the role of OS; how Members can carry out their role; and the support needed from Officers to facilitate this. Members were keen to make more use of working in 'select committee' mode to undertake scrutiny, and this would practice would need to be developed carefully;
 - there was a need for OS to be allowed the scope to develop its working practices in order to support the overall aims of overview and scrutiny, and to provide added value to the work of the Council;
 - an OS committee structure aligned to the Corporate Priorities would ensure the work of OS is integrated and co-ordinated with corporate processes.
6. The structure envisaged by the OS Review Sub-Committee reflected Waverley's corporate priorities, and the roles of the OS function, and recognised that the current structure had two committees and two standing sub-committees.
- An OS Management Committee, with a remit covering corporate and cross-cutting issues, including customer service and value for money; management of the overall OS work programme, and ongoing development of the OS function;
 - Three OS Boards aligned to service-based corporate priorities, and with remits focused on policy development and review, and performance management:
 - a Housing OS Board, including co-opted members from the Tenants Panel;
 - a Community Wellbeing Board;
 - an Environment Board
7. The Joint Overview & Scrutiny Committee endorsed the recommendation to review the remit of the Audit Committee with a view to developing its role in the scrutiny of corporate governance. However, the Committee had some reservations regarding the recommendation to consider combining the roles of Audit Committee and Standards Panel, which it was felt would not necessarily bring any benefits. This recommendation needed to be developed by the Constitution SIG with care.
8. Members of the Opposition suggested that it would be timely to review the provision in the Constitution relating to the nominations for the position of chairman of the OS committees, with consideration being given to having a member of the Opposition nominated as vice-chairman, if the Opposition Group did not have sufficient numbers to reach the threshold to qualify for a Chairman position. The Joint Overview & Scrutiny Committee did not disagree with this suggestion.

Conclusion

9. The draft recommendations put forward in the attached Interim report aim to address the key issues identified as impacting on the way in which OS

operates: the culture and understanding among Members and officers of the role of OS; the OS structure; OS processes and procedures; and, support and resources for OS.

10. Joint Overview & Scrutiny Committee Members felt very strongly that there needed to be a fresh start for OS at Waverley; one that recognised the value of all backbench members, and respected their input and desire to represent their community. It was important that the relationship between OS and the Executive was built on trust and openness, and a shared understanding of the Council's vision to make Waverley a better place to live and work.

Recommendation

That the Executive considers the recommendations of the Joint Overview & Scrutiny Committee, and

1. endorses the broad findings of the review into OS arrangements at Waverley;
2. instructs the Head of Policy and Governance to report the recommendations to the Constitution SIG, with a report from the SIG to come back to the Executive in July 2016 on changes to the Constitution needed to achieve the desired OS structure and terms of reference;
3. instructs the Head of Policy and Governance to progress the recommendations for Member and Officer training, and development of guidance on working practices for OS, in liaison with the Chairmen and Vice-Chairmen of OS; and
4. instructs the Head of Policy and Governance to bring back a further report outlining the costs and benefits of different options in respect of officer support for overview and scrutiny at Waverley.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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