

Report to Overview and Scrutiny Committee

5 June 2017

By the Governance Project Manager

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Report of the findings of the Overview and Scrutiny Self-Evaluation Group 2017

Executive Summary

The Overview and Scrutiny Committee resolved at its meeting on 30 January 2017 to undertake a Self-Evaluation of the Overview and Scrutiny function using the Centre for Public Scrutiny (CfPS) Self-Evaluation Framework. This report sets out the findings of the self-evaluation, and recommends that the structure of the Overview and Scrutiny function be adjusted for 2017/18.

Recommendations

That the Committee is recommended to:

- i) **Adopt 'structural model B' as described in 3.7 of this report to discharge the overview and scrutiny function for 2017/18**
- ii) **Consequentially adjust the existing work programme to discharge the function according to the structural model agreed at i)**

Reasons for Recommendations

To enable the Overview and Scrutiny function to be more effective and aligned to the good practice identified by the Centre for Public Scrutiny.

Background Papers

- Presentation to an all-member seminar 8 May 2017.
- Completed self-evaluation template

Wards affected: All Wards

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Background Information

1 Introduction and Background

- 1.1 The Overview and Scrutiny Committee resolved at its meeting on 30 January 2017 (SO/53) to undertake a Self-Evaluation of the Overview and Scrutiny function using the Centre for Public Scrutiny (CfPS) Self-Evaluation Framework. The framework can be found on the CfPS website.

2 Relevant Council policy

- 2.1 All corporate plan priorities would benefit from an effective overview and scrutiny function in 2017/18.

3 Details

- 3.1 The Committee urged that the self-evaluation be undertaken as soon as possible. The Chairman and Vice-Chairman of the Committee examined the CfPS framework and discussed how best to undertake the self-evaluation in a thorough but timely manner so that the findings of the self-evaluation could be enacted for municipal year 2017/18.

- 3.2 The self-evaluation framework provides a series of steps to guide participants through the framework. The framework suggested that a 'project group' of Overview and Scrutiny members be formed and that one officer supports the group. The Chairman and Vice Chairman felt that a group of experienced scrutiny members and members new to scrutiny would be appropriate.

- 3.3 The evaluation project group was selected by the Chairman and Vice Chairman of the Committee accordingly:

- Councillor Coldwell (Chairman of the Self-Evaluation Project Group)
- Councillor Crosbie (Chairman of the Overview and Scrutiny Committee)
- Councillor Jupp (Chairman of Finance and Performance Sub-Committee)
- Councillor O'Connell (Chairman of Business Improvement Sub-Committee)
- Councillor Skipp (Leader of the Liberal Democrat Group and Chairman of Health and Social Inclusion Sub-Committee)
- Councillors Bradnum, Dancer and Willett (Members of the Overview and Scrutiny Committee 2016/17)

- 3.4 The group completed the self-evaluation framework in seven task and finish style meetings at Parkside supported by the Governance Project Manager.

The group has:

- a) Agreed the design principles for the overview and scrutiny function
- b) Taken stock of the function to May 2017, including 'looking in' and 'looking out'
- c) Used a, and b, to consider the future role of overview and scrutiny, and the role of others
- d) Considered a future role and focus areas for the future

- e) Examined 'productive ways' of working
- f) Examined 'less productive' ways of working
- h) Considered and recommended a structural model, including the number of Overview and Scrutiny committees, and the role of task and finish groups

- 3.5 The findings of the group set out against the criteria provided in the framework is provided in appendix A.
- 3.6 The group hosted an all-member seminar on 8 May 2017. The outcome of that consultation is reported in section 5 below.
- 3.7 The group aligned its recommendation for the future structure of the function with the outcome of the consultation at the all-Member seminar. The CfPS described five models (lettered a-e) in the framework, none of which aligned to the model operating at Horsham in 2016/17. The group noted that the structural model at Horsham (model f in appendix A), demonstrated the 'less productive' characteristics identified by the CfPS. The group also took a sample of the structural models operating at 12 district councils.
- 3.7 The group recommends to the Overview and Scrutiny Committee that a new model structure be adopted to discharge the overview and scrutiny function for 2017/18. This model will be
- One Overview and Scrutiny Committee
 - The Overview and Scrutiny Committee will commission and appoint no more than three 'task and finish groups' to operate at any one time
 - That **no** 'standing bodies', howsoever styled, shall be formed.
- 3.8 The new model structure would align to the majority of the district councils sampled and the CfPS framework insofar that it mitigates the 'less productive' ways of working that were apparent under the 2016/17 structural model. Minor and consequential practicalities of the change will be resolved by officers in consultation with the Chairman and Vice-Chairman of the Committee, including the absorption of the crime and disorder overview and scrutiny function by the Overview and Scrutiny Committee.

4 Next Steps

- 4.5 The recommendations of the self-evaluation group shall be considered at the first meeting of the Overview and Scrutiny Committee in 2017/18 (5 June 2017).
- 4.6 The recommendation set out in this report, to adjust the structure of the function, will be moved and debated.
- 4.7 Subject to the outcome of 4.6, the Scrutiny Officer, in liaison with the Chairman and Vice-Chairman of the Committee will prepare the delivery of the overview and scrutiny function for 2017/18, taking account of the findings of the self-evaluation group described in 3 above.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

5.1 Overview and Scrutiny is not a Cabinet function. The constitutional provisions relating to Policy Development Advisory Groups do not apply. The consultees were therefore:

- a) the Self-Evaluation Group described in 3.3
- b) all members of the council by seminar in May
- c) the Senior Leadership Team as required by the framework

5.2 The all-member seminar held on 8 May 2017 strongly endorsed structural 'model B', as described in 3.7 above as the model for the discharge of the Overview and Scrutiny function in 2017/18. Whilst the self-evaluation group had not been unanimous in its support for a model (and had presented a variant of model F to the seminar), the endorsement of the all-member seminar of Model B steered its recommendation to the committee.

5.3 The Senior Leadership Team endorse the findings of the self-evaluation group.

6 Other Courses of Action Considered but Rejected

6.1 Five alternative structural models to that operating at HDC in 2016/17 were identified by the CfPS. The group considered the strengths, weaknesses, opportunities and threats of each model. Each model is described and was analysed by the group as shown in Appendix A. The group recommends the adoption of 'model B' and consequently, the 2016/17 model structure (model F) will **not** be formed in 2017/18.

6.2 The group considered issuing an electronic questionnaire to gather the views of members, but it was felt that a workshop or seminar during May was better as it would encourage participation and discussion. The Chairman and Vice-Chairman of the Committee (2016/17) valued the enthusiasm and participation of those members in attendance.

7 Resource Consequences

7.1 The Self-Evaluation was undertaken within existing resources. There are no resource consequences flowing from the findings of the review. The adjustment to the structural model recommended in this report can be met within existing resources (one overview and scrutiny committee and not more than three task and finish groups operating at any one time).

7.2 A Special Responsibility Allowance of £2,313 is provided to the Chairmen of the Finance and Performance and Business Improvement Sub Committees – (£4,626 in total). The Independent Remuneration Panel (IRP) will be invited by the Monitoring Officer to consider the role of Chairmen of task and finish groups as necessary, consequent to the resolution of this committee on the recommendation set out in this report.

8 Legal Consequences

- 8.1 The Local Government Act 2000, as amended by section 9F of the Localism Act 2011 requires that a local authority operating Executive arrangements (the Cabinet and Leader model) must include provision for the appointment by the authority of one or more committees of the authority to discharge the overview and scrutiny function. The recommendation in this report satisfies Section 9F.
- 8.2 A single committee with a 'task and finish group' approach is the most typical way of discharging the overview and scrutiny function identified in the sample and by the CfPS. In order to offer clarity and certainty, each group should have a quorum of three non-cabinet members. The appointments to, and chairmanship of, such groups should be stated by the Overview and Scrutiny Committee meeting when it commissions the formation of the task and finish group (and not at some other point). The overview and scrutiny committee will set out the task, and timescale which the group must complete. Each task and finish group must conclude with recommendations for the overview and scrutiny committee to consider.
- 8.3 The overview and scrutiny committee will ensure that the task and finish groups operate effectively. Ineffective groups may be dissolved by resolution of the committee.

9 Risk Assessment

- 9.1 The timely self-evaluation of the function has mitigated the risk that the function would continue to demonstrate the 'less productive' characteristics described by the CfPS.

10 Other Considerations

- 10.1 The Overview and Scrutiny Committee will remain responsible for discharging the Crime and Disorder Overview and Scrutiny regulations 2009. An additional meeting of the Committee could be considered. This report does not have any other materially relevant considerations.