

Overview and Scrutiny Committee Terms of Reference

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Recommendation: that (A) full Council be requested to amend the Council's constitution so that the terms of reference of the Overview and Scrutiny Committees are changed to reflect the option set out in this report,

- (B) the proposed job description for a Scrutiny Lead member as set out in Appendix "A" be approved/amended as appropriate,
- (C) if Council agrees this option the Scrutiny Support Officer write to all non Executive members of the council to find out what areas they would be interested in looking at as part of a Task and Finish Group,
- (D) the Independent Remuneration Panel be asked to consider the effect of these changes and make an appropriate recommendation to full council, and
- (E) a workshop before arranged in September for all members of the council on these changes.

1. Background

The Committee will recall that at its last meeting it looked at a number of different possible options for the Council's Overview and Scrutiny Committee structure. The Committee agreed that Option 3 – Committees based on Task and Finish Groups should be explored further and this report sets out in more detail some proposed arrangements for how this could work at the council.

2. Composition

It is envisaged that the membership of the Management Committee would remain at 9 members with membership of the committee being set by full council and being politically proportionate.

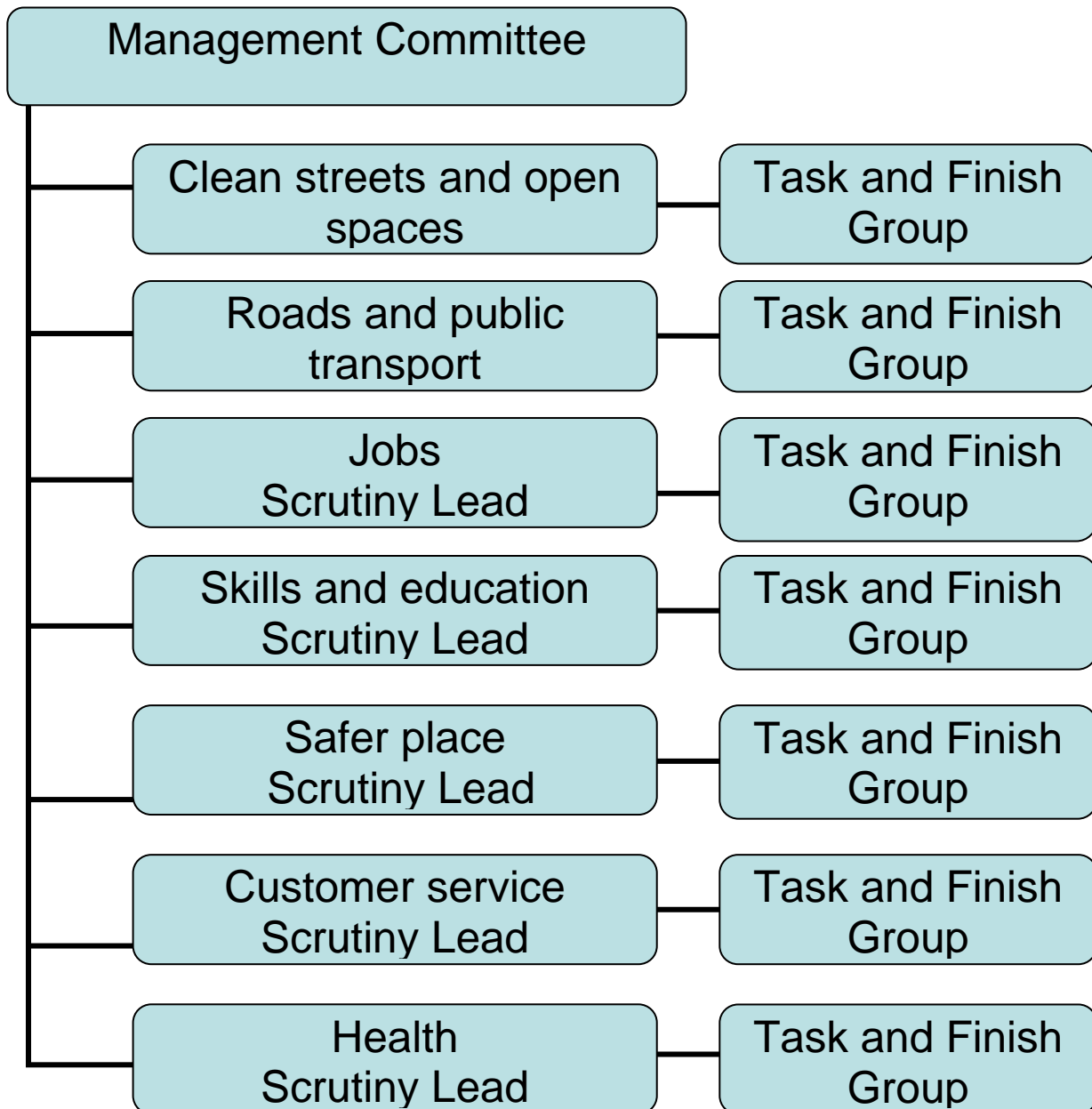
The Committee would comprise of its Chair and Vice Chair and have the seven scrutiny leads as its membership. The Committee would determine which of its members was most suitable for each of the lead position. To work most effectively this decision should be based on the individual member's expertise and interests.

In essence this would mean that the Scrutiny leads would replace the Chairs and Vice Chairs of each of three Overview and Scrutiny committees with the Chairs and Vice Chairs becoming one of the Scrutiny leads.

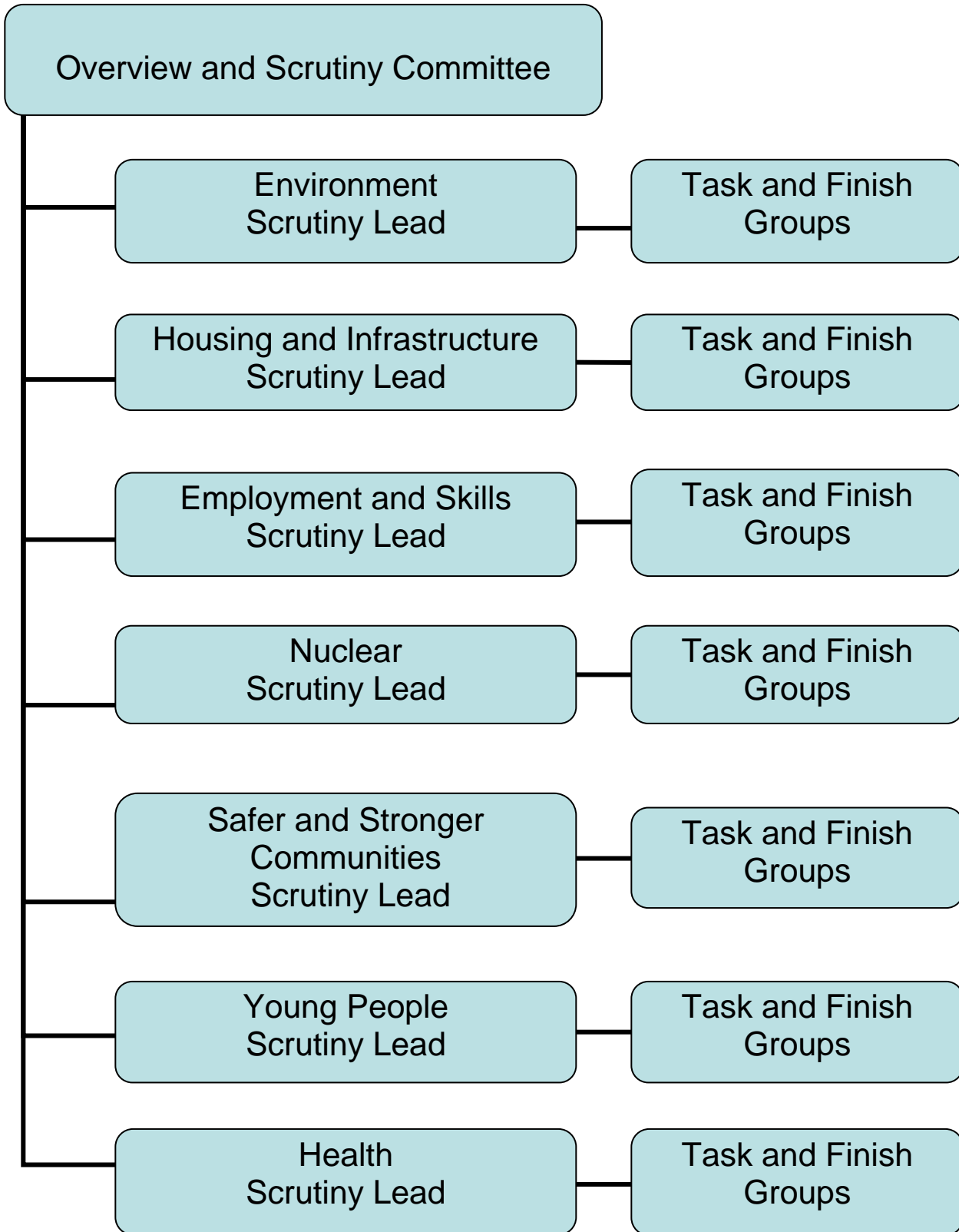
3. Scrutiny Leads

The original remit of the Scrutiny Leads was set along the Council six priorities but following the committee’s concerns this has been looked at again.

The original suggestion was that the Scrutiny Leads would look like:



It is now suggested that the Scrutiny Leads be changed to:



Environment – Cleaner and Greener issues

Housing and Infrastructure – Housing and Infrastructure including transport
Employment and Skills - Employment and economic activity
Nuclear – Nuclear Industry and impact on the borough
Safer and Stronger Communities – Crime and Disorder Issues
Young People – How the Council engages and deals with young peoples issues
Health – All health services particularly preventative work to reduce health inequalities

However it would be appropriate for the terms of the Scrutiny Lead to be reviewed annually to ensure that they remain consistent with the organisational structure and aims of the council.

Terms of Reference of the Management Committee

A proposed terms of reference for the Management Committee could be to:

- (A) Be responsible for and oversee all aspects of Overview and Scrutiny at the council
- (B) Agree a scrutiny programme and the terms of reference for each scrutiny review
- (C) Establish time limited scrutiny task groups to investigate issues in depth
- (D) Act as an interface with the Executive
- (E) Receive and comment on major policy issues, such as the Corporate Plan
- (F) Have responsibility for budget scrutiny and performance management issues (with scrutiny task groups established as necessary to take up any detailed work over the year)
- (G) Decide how to deal with call ins (with scrutiny task groups established as necessary to take up any detailed work)
- (H) Decide how to deal with Councillor Call for Actions (with scrutiny task groups established as necessary to take up any detailed work)
- (I) Act as the Council's Crime and Disorder Committee
- (J) Monitor the implementation of any scrutiny recommendations accepted by the Executive
- (K) Oversee the development of member skills and competencies in scrutiny in consultation with the member development champion
- (L) Review issues of local concern
- (M) Monitor and scrutinise, as appropriate, the activities of outside bodies
- (N) Results and issues arising from Comprehensive Area Assessment

Setting up of Task and Finish groups

There is a commitment within this structure for each Scrutiny Lead to establish a Task and Finish Group. It is considered that the Scrutiny Lead would consider which issue within their area that they would like to look at in more detail to enable the council to improve its services.

The Scrutiny Lead would then need to bring a terms of reference and a proposed membership for the review to the Management Committee. The Management Committee would then agree the terms of reference, set the priority of the review against any others

that are running and set the numbers of members who should make up the Task and Finish Group.

It will be up to the Scrutiny Lead to be proactive in getting the right mix of members on the Task and Finish groups. It is essential that the numbers of members involved in Task and Finish Groups increases rather than decreases. To help this it would be useful for all non Executive members to be asked for what areas they would be interested in looking at.

It could also be appropriate to involve the relevant Portfolio Holder and Head of Service as co-opted members of the group.

It is anticipated that Task and Finish Groups will run in a similar manner that they do now. That is doing work on an evidence gathering basis, going on site visits, looking at best practise, seeking out the views of the local community particularly service users as well as getting information from relevant witnesses which could include experts within the local community.

Once the review has been completed it would need to come back to the Management Committee to approve the recommendations before they are sent on to the Executive and/or any external body.

4. REMUNERATION

The Council will need to decide if the Scrutiny Leads will be eligible for payment of a Special Responsibility Allowance under the Members' Allowances Scheme (at present an allowance is paid to the 4 overview and scrutiny chairs). The Council is required to take into account the recommendations of the Independent Remuneration Panel before deciding on new Special Responsibility Allowances and it is recommended that the Panel is asked to consider this and report back to Council as soon as possible.

5. CONCLUSION

The Committee is invited to consider the proposals of how a one Overview and Scrutiny Committee would work and to advise whether it wishes to proceed with this option.

List of Appendices

Appendix "A" – Job description for Scrutiny Leads

List of Background Documents:

None

OVERVIEW AND SCRUTINY LEAD ROLE DESCRIPTION

1. Accountabilities

Full Council
The Public
External Regulatory Bodies
Other bodies (Partnership bodies and group); Audit Commission

2. Role Purpose and Activity

Provide leadership and direction

- Provide confident and effective management of the member team
- Promote the role of Scrutiny within and outside Copeland Borough Council, liaising effectively both internally within Copeland Borough Council and externally with Copeland Borough Council's partners
- To attend meetings of the Overview and Scrutiny Committee (and any Task and Finish Groups it establishes) in order to drive forward the Council's scrutiny function in relation to their area/s of special responsibility.
- Demonstrate an objective and evidence based approach to scrutiny
- Evaluate the impact and added value of scrutiny activity and identify areas for improvement along with the other Overview and Scrutiny Leads

Manage the work programme

To support the Overview and Scrutiny Committee in the development of an annual scrutiny work programme in the area/s for which they have special responsibility.

Hold the Executive to account

Evaluate the validity of executive decisions and challenge inappropriate decisions through call in

Effective meeting management

- Set agendas containing clear objectives and outcomes for the meeting
- Manage the progress of business at meetings, ensuring that meeting objectives are met, promote high ethical standards so that the code of conduct, standing orders and other constitutional requirements are adhered to
- Ensure that the necessary preparation is done beforehand
- Ensure that all participants have an opportunity to make an appropriate contribution
- Ensure that Task and Finish Groups make appropriate recommendations to the Cabinet and/or Council arising from the outcome of the evidence that has been gathered

Community leadership

- Act as a focus for liaison between Copeland Borough Council, community and external bodies in relation to the scrutiny function
- Build understanding and ownership of the scrutiny function within the community
- Identify relevant community based issues for scrutiny
- Involve fully external key partners for example, service users, expert witnesses and partners in scrutiny activity

Involvement and development of all non Executive members

- Encourage high performance from all members in both committee and task and finish groups
- Assess individual and collective performance within the committee and task and finish groups and facilitate appropriate development
- Proactively to seek out a wide range members so that those with the relevant interest and expertise become members of a Task and Finish Group

3. Values

To be committed to the values of Copeland Borough Council and the following values in public office:

Openness and transparency
Honesty and integrity
Tolerance and respect
Equality and fairness
Appreciation of cultural differences
Sustainability
Consensus building

4. Skills and Knowledge

To participate in opportunities for development provided for members by Copeland Borough Council and to be effective in the following:

Provide leadership and direction

- Understanding of council role and functions
- Understanding of role of scrutiny, terms of reference for the committee or a Task and Finish group, role of chair, and other aspects of the democratic arrangements
- Understanding of member support functions
- Understanding of council priorities and risks
- Ability to develop work programmes

- Understanding of community issues
- Objectivity
- Negotiation and consensus building
- Ability to build constructive and 'critical friend' relationships with the Executive

Manage a Task and Finish Group

- Ability to manage projects and resources
- Ability to manage people
- Ability to prioritise
- Ability to report progress to different groups in different styles

Holding the Executive to account

Understanding of arrangements for call in

Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate and encourage effective discussions
- Ability to listen and question effectively

Community leadership

- An understanding of the community leadership role
- Knowledge of local issues and expectations
- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Knowledge of the individuals and organisations in the community especially those traditionally excluded
- Ability to encourage and enhance community participation in the development of policy options in the areas for which they have special responsibility.

Involvement and development of non Executive members

- Understanding of role and skills of the scrutiny committee and its individuals
- Ability to support members and individual members in assessing their performance
- Ability to identify any training and development needs and procuring appropriate learning and development