

Report to	-	Overview and Scrutiny Committee
Date	-	20 March 2017
Report of the	-	Executive Director of Business Operations
Subject	-	Overview and Scrutiny Committee Re-structure

Recommendation: It be **RESOLVED:** That Cabinet be requested to recommend to Council that:

- 1) the size of the Overview and Scrutiny Committee be reduced from 20 to 12 Members;
 - 2) the number of scheduled meetings be reduced from 8 to 6 per annum;
 - 3) consideration be given to the start time of meetings and an appropriate recommendation be made thereon;
 - 4) all Working Group / Parties / Steering Groups established from now on be known as "Task and Finish Groups";
 - 5) that in accordance with current practice, the Chairman of the parent OSC cannot be elected Chairman of any Task and Finish Group; and
 - 6) Group Leaders be permitted to appoint substitute Members, when substantive Members are unable to attend Task and Finish Group meetings on an ad hoc basis.
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Service Manager: John Collins

Introduction

1. As Members may be aware, the Council's Overview and Scrutiny Committee (OSC) structure has evolved and changed over the years and has taken a number of forms. The most recent change was introduced as part of a wider set of changes to the decision making structure in May 2014 and this resulted in the merger of the two former Resources and Services OSCs to create the current 20 strong OSC. The changes were agreed and adopted by full Council in February 2014, unopposed.
2. The purpose of this report is to set out further proposals to streamline the OSC function in recognition of the views previously expressed by Members during training sessions and in light of experience.
3. The OSC is requested to consider this report and make recommendations to Cabinet's next meeting on 3 April; full Council will be required to approve any changes to the decision making structure at its meeting on 15 May to take effect from the new civic year. Given that changes have been agreed to the decision making structure in terms of the Audit and Standards functions that take effect from May 2017, it is considered an opportune time to also consider the matters set out in this report.

Background

4. Following the elections in May 2015, three overview and scrutiny training events were held, facilitated by Tim Young¹, from the Local Government Information Unit (LGIU). At the request of Members, following the training sessions, a report was compiled to capture the learning, acknowledge what currently worked well and to identify areas for further development and improvement; the report was considered at the annual scrutiny work programming meeting, the Council's Member Development Task Group and the OSC (Minute OSC16/11 refers).
5. The Council's current accreditation under the South East Employer's Charter for Elected Member Development was also subject to an 18 month review in June 2016 and one of the recommendations arising from that review was - "to develop the Overview and Scrutiny function with a particular focus on ensuring that scrutiny is viewed as a "resource" to Cabinet and can influence and contribute to the decision making process".

Considerations

6. Size of Committee – when the OSC was established in May 2014 it was considered at the time that a dedicated OSC of 20 Members would increase the OSC's resilience and provide more Members with an increased opportunity to participate in formal OSC meetings. However, since that time and in light of experience, Members have commented that the current size of the OSC is unwieldy and not conducive to focused scrutiny work / debates. It is seen as being potentially intimidating for both external visitors attending meetings to present / give evidence, as well as Members themselves in terms of contributing to the meetings. The external OSC trainer was also of the opinion that the size of the OSC was perhaps too large to conduct effective overview and scrutiny work.
7. It is therefore proposed that in recognition of Members' previous comments, and in light of experience and taking into account external comments, the size of the OSC is reduced from 20 Members to 12. This number will ensure that each political group serving on the Council will be represented on the OSC in accordance with the political balance rules and will result in a smaller, more focused OSC.
8. Frequency of meetings – in 2015, it was agreed to increase the number of meetings from six to eight in recognition of the increased workload of the combined OSCs (Resources and Services); however, whilst the majority of current OSC meetings have full agendas, the increased workload from the Resources aspect (performance and finance monitoring) has not been borne out through experience and indeed will reduce further with a smaller, select set of KPIs recommended at the January meeting and subsequently approved by Cabinet in February. The increased number of meetings has also had an effect on Members ability to commit to all the meetings, taking into account other committees and external commitments; over the last civic year, on average there has been two or three apologies at each meeting, with all 20 Members never being present at one meeting.

¹ Tim Young, freelance consultant since 2006, following six years working as Head of Scrutiny at the London Borough of Camden, which gained a national reputation as a leading edge authority in the field of scrutiny, and a further ten years in corporate policy in local government.

9. It is therefore proposed that the number of scheduled OSC meetings be reduced from eight to six per annum, as in previous years. This would not affect the OSC's ability to call additional meetings in respect of any matter, if considered necessary, together with the provisions of the call-in procedure, which may necessitate an additional meeting. A reduction in the number of scheduled meetings may result in a modest saving both in officer time and Member expenses, although this could be offset by increased meetings of Task and Finish Groups.
10. Time of meetings – the start time of OSC meetings was changed to 5.30pm (from 6.30pm) in July 2015, in recognition of the wishes of the majority of the Members of the OSC and the increased agendas. Whilst the Council's strategy to attract younger, working age candidates to stand for election had initially included that all meetings should start at 6.30pm, this strategy did not attract a majority of working age Members at the last election. It is also considered that external presenters may be reluctant to attend evening meetings in Bexhill, particularly during the winter months, when there could potentially be travel disruption due to inclement weather.
11. It is therefore proposed that consideration be given to holding meetings of the OSC during the day at either 10am or 2pm start time. This would bring us into line with Wealden District Council and East Sussex County Council who hold their own scrutiny meetings during the day. It is considered that productivity / personal effectiveness is greater during the day, than of an evening; the quality of the meetings and therefore outcomes would hopefully be enriched. There would also be modest savings in terms of Town Hall facilities staff and heating costs in terms of keeping the Town Hall open longer into the evening.
12. Task and Finish Groups – it has long been recognised and agreed that small, focused task and finish groups work well in a non-partisan way and lead to better informed scrutiny and resulting recommendations (interesting to note that these also almost always meet during the day). For ease of clarity moving forward, it is recommended that all Working Group / Parties / Steering Groups established from now on be known as "Task and Finish Groups". As Members are aware, any Member (excluding Executive Members) can take part in scrutiny work and be appointed to a working group – Members do not need to be substantive Members of the OSC to take part in any working group.
13. In accordance with the Constitution, the Chairmen of Task and Finish Groups are elected from among the Members sitting on the Group; it is recommended that this is further strengthened to stipulate, that in accordance with current practice, the Chairman of the parent OSC cannot be elected Chairman of a Task and Finish Group.
14. Respective Group Leaders currently have the ability to change membership of any working group / party / task and finish group without recourse back to the parent OSC, should it be necessary. Sometimes with smaller groups it can be difficult to find a date and time that suits everyone and therefore it is proposed that the relevant Group Leader be permitted to appoint a substitute Member, when their substantive Member is unable to attend on an ad hoc basis.
15. If the recommendation above to reduce the number of scheduled meetings from eight to six per annum is agreed, this will free up more officer time to support task and finish groups; however, the current caveat regarding the

number of active groups permitted at any one time (four), and only one from any one service area would have to be maintained.

Conclusions

16. This report has been brought forward to consider the working arrangements of the current OSC, in light of Member comments received as part of training and development opportunities and experience. The Council's decision making machinery must be responsive to change and working practices to further enhance the process.
17. It is considered that the current size of the OSC is unwieldy and a reduction from 20 Members to 12 would be a welcome improvement to enable a more focused scrutiny function. There will also be modest savings, should the recommendation to reduce the number of meetings be supported.
18. Members are asked to consider the proposals in this report and make recommendations to Cabinet thereon.

Malcolm Johnston
Executive Director of Resources

Risk Assessment Statement

It is incumbent on the Council to ensure that its' Committee structure is "fit for purpose", the proposals within this report continue the evolution of our governance structure and will further refine the role of overview and scrutiny in our decision-making process.