

## 1.0 EXECUTIVE SUMMARY

- 1.1 At the last ordinary meeting of the Scrutiny Programme Board held on 26 October 2010 Members had regard to their training requirements and resolved:

- “(1) That in-house scrutiny training be provided on a political group basis, by the Scrutiny Support Officers, to be based on the I&DeA document ‘A hard nut to crack? Making overview and scrutiny work’ produced by Dr Snape.
- (2) That the Democratic Services Manager be requested to present a report to the next meeting of the Board upon research undertaken into the external scrutiny function at Kirklees Council, with a view to a visit to Kirklees by Board Members.
- (3) That the Director of Law, HR and Asset Management be requested to ascertain from the Group Leaders the outcome of their deliberations in relation to the scrutiny function and report his findings to the next meeting.
- (4) That the Health and Well Being Overview and Scrutiny Committee be requested to invite the Director of Public Health to provide an overview of health scrutiny and to invite all Members of the Council to attend.”

(Minute No. 32 refers)

- 1.2 Further to (2) above the Democratic Services Manager has carried out some research into the Kirklees Overview and Scrutiny function and has provided an overview of its arrangements in this report.
- 1.3 There are 69 Members of Kirklees Council (24 Lab, 20 Lib Dem, 19 Con, 4 Green and 2 Independent). Major decisions on how the agreed Council budget is spent and the way services are provided are made by a Cabinet of nine Labour Councillors.

## 2.0 OVERVIEW AND SCRUTINY

Overview and Scrutiny provides an important role for Councillors who do not hold Cabinet posts in Kirklees. The process allows them to challenge, where appropriate, the decision-making of the Cabinet, hold it to account, monitor the quality of service delivery, review policy and contribute to its development. This is seen as a crucial part of local government. Overview and Scrutiny also has a duty to scrutinise health services in the local authority area. The scrutiny function has built on public involvement and ensured valuable input from co-optees/expert witnesses.

- 2.2 **The Overview and Scrutiny Management Committee** manages Overview and Scrutiny at Kirklees Council. It meets monthly and agrees which issues will be covered, co-ordinates the work and agrees review reports. To ensure its independence the Management Committee includes Councillors from all the political groups. The Chair of the Overview and Scrutiny Committee can not be from the same political group as the Leader of the Council. The work is undertaken by both standing panels and ad-hoc

panels. Work can also be carried out on behalf of the panels by individual Members who agree 'assigned tasks' and carry them out. There are currently four standing panels (Children and Young People, Wellbeing and Communities, Development and Environment and Resources), each chaired by a Member of the opposition and all include Councillors from a number of political groups.

- 2.3 The **Overview and Scrutiny Standing Panels** consist of nine Members (six Councillors and three co-optee Members). Co-optees are lay people who have responded to an advert and have gone through a recruitment and induction process and deemed to be suitable. These Panels have broken away from the Committee mould and are made up of people who really want to be engaged and involved. They work together in very successful teams. They ensure a constructive challenge. They involve scrutiny at the early stages of policy and planning which means it is possible to address concerns before a formal decision is proposed and to take the best decision first time. It is important at Kirklees that services and the executive use Scrutiny as early as possible and brief the Lead Member and Panel at an early stage. Panel Members may also carry out assigned tasks involving detailed work on specific issues. These assigned tasks will usually include one or more Members of the relevant Panel but can also involve other Councillors who have an interest in the issue under consideration e.g. Children and Young Peoples' Sub Group Connexions. Standing Panels monitor the implementation of recommendations from Scrutiny and other reviews and follow these up if necessary.
- 2.4 **Ad-hoc Overview and Scrutiny Panels** carry out in-depth investigations of policies and services which are not working as well as they should, as well as looking at issues of concern to residents of Kirklees. These Panels are set up with specific terms of reference and a work programme. E.g. in August 2010 the Overview and Scrutiny Management Committee established an Ad-hoc Panel to look at ambulance response times in Kirklees. Anyone can request that an ad-hoc review Panel is set up to look into a particular issue and this includes residents, voluntary and community groups, individual Councillors and officers. Issues can also be identified by the Standing Overview and Scrutiny Panels. The Panels investigate and make recommendations on how services, the Council or local NHS policy can be improved in the future. Reviews generally last between three and six months and work within agreed terms of reference to reach conclusions and recommendations based firmly on the evidence received.
- 2.5 **Panel Lead Members** are responsible for talking to the Cabinet Member and services, obtaining and sifting information and sharing it with other Panel Members to decide if it should be discussed. They are supported in this by scrutiny officers. Other Members of the Panel may undertake various scrutiny tasks between formal Panel meetings. These 'assigned tasks' could include investigating a specific issue, scoping a potential area of work or other activity.
- 2.6 There are times when Scrutiny needs to challenge the decision-making process by using formal procedures. Before a decision is made the Panel can submit a **Notice of Concern** if it is not happy with the recommendations. Up to a week after a decision has been taken, two Panel Members (including the Lead Member) or any five individual Councillors can **call it in**. This means it is suspended for two weeks to enable an Overview and Scrutiny Panel to review it and make recommendations to the Cabinet. The Panel cannot change the decision but it can ask the Cabinet to reconsider and set out the reasons for this. Unless a decision is exempt from call-in, it cannot be implemented until the end of the one week calling in period.

- 2.7 Kirklees Council's Constitution requires Cabinet Members and officers to attend meetings of the Overview and Scrutiny Management Committee or Panel if requested to do so.
- 2.8 **Officer Support** – the Scrutiny and Governance Manager (has a scrutiny practitioner element to it, which tends to focus on the Management Committee and direct support to the Chair), Senior Scrutiny Officer, three Overview and Scrutiny Officers and an Administrative Officer provide a dedicated support service to the Committee and its Panels. The Team provide independent information gathering, analysis, advice and administrative support to those involved in Overview and Scrutiny. A copy of the Scrutiny Officer structure is appended to this report as **Appendix 1**. Of course Kirklees is also entering a time of considerable change and these structures may look significantly different in twelve months time!

### **3.0 WORK PROGRAMME – 6 MONTH PROGRESS REPORT**

- 3.1 To provide more insight into the Overview and Scrutiny work of Kirklees Council its Lead Members' 6 Month Progress Report in respect of each of its four Standing Overview and Scrutiny Panels (December 2010) is attached as **Appendix 2**.

### **4.0 RECOMMENDATIONS**

- 4.1 The Scrutiny Programme Board is asked to:

- (1) note the content of the report;
- (2) decide if it still wishes to undertake a fact finding visit to Kirklees Council; and
- (3) if the answer to (2) above is yes, to set out what information it would like to obtain in particular from Kirklees Council and decide if it would like to attend one of its Overview and Scrutiny meetings as part of the visit.