



**COUNCILLOR
ANN MCLACHLAN
CABINET MEMBER FOR
TRANSFORMATION,
LEISURE & CULTURE**

CABINET
Monday, 6 June 2016
REVIEW OF SCRUTINY
ARRANGEMENTS

Councillor Ann McLachlan, Cabinet Member - Transformation and Leisure, said:

“The Wirral Plan sets the vision for what we want this borough to look like in 2020: good jobs, an attractive local environment and people living happy and fulfilling lives. To get there, with vastly diminished Council and public sector resources, requires radical thinking and new ways of working.

“This Council will go through major change in the coming years, and as a responsible and inclusive Administration we welcome effective scrutiny and the views of our Elected Member colleagues. These new Scrutiny arrangements provide an absolute focus on the Wirral Plan, allowing Elected Members from all parties to bring their experience and expertise to the fore in supporting and scrutinising our progress towards achieving all 20 of our Pledges.”

REPORT SUMMARY

This report sets out proposals for amending the Council’s overview and scrutiny arrangements to better align with, support and challenge the effective delivery of the Wirral Plan. This will ensure the scrutiny function adds value in support of better outcomes for Wirral residents.

The new arrangements will also deliver better value for money through a reduction from the four existing Policy and Performance Committees to three new Overview and Scrutiny Committees that clearly align with the three Wirral Plan themes of People, Business and Environment. This will help ensure that the focus of scrutiny is targeted towards the Wirral Plan and its partnership delivery arrangements.

The new arrangements would involve the three committees driving forward a scrutiny work programme that is prioritised around the twenty pledges in the Wirral Plan. This would involve the creation of task and finish groups and standing panels which examine the effectiveness of Wirral Plan delivery. This would provide non-executive members with the opportunity to challenge and influence partnership delivery arrangements and to harness the views of service users and residents to ensure the best outcomes for Wirral residents.

The changes to the Scrutiny function require a change to the Council's Constitution, Calendar of Meetings and appointments to the new committees and as such would need to be referred to Council for approval.

RECOMMENDATION/S

That:

- 2.1 Cabinet considers and approves the proposed changes to the Council's scrutiny arrangements set out within this report (and Appendices);
- 2.2 Cabinet refers the proposed changes detailed within this report (and Appendices) to the Coordinating Committee for consideration at its meeting on 15 June 2016 for consideration;
- 2.3 The proposed changes to the Council's scrutiny arrangements set out within this report (including Appendices) and the views of the Co-ordinating Committee as confirmed at its meeting on 15 June be referred to an extraordinary meeting of Council to be held on 27 June 2016 for consideration and approval.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 For the Council's scrutiny arrangements to be re-organised to ensure they fit with the Wirral Plan objectives and delivery arrangements up to 2020.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Scrutiny arrangements are for Council's to determine as they see fit, depending on their local operational structures and strategic objectives. As part of this review, a number of alternative models have been considered including a one committee model, a two committee model and multiple committee models. The three committee model is favoured as it provides a direct link to the three Wirral Plan themes.

3.0 BACKGROUND INFORMATION

- 3.1 Overview and Scrutiny (O&S) was introduced by the Local Government Act 2000. It places a statutory requirement on Councils that operate executive arrangements to have an O&S function in place. This is discharged through the creation of dedicated committees composed of Councillors who are not on the Executive Committee or Cabinet. Wirral Council's O&S function is currently delivered through four Policy and Performance Committees.

- 3.2 O&S is a vital component of good governance. It provides a mechanism to engage non-executive Members in reviewing the effectiveness of Council policy and service delivery as well as that of local partners and other providers. It has the potential to drive improvement and significantly enhance the quality of Council decision-making, service provision and cost-effectiveness.

- 3.3 The following are widely recognised roles of the O&S function:

- Holding the Executive to account.
- Holding Partners to account.
- Horizon-scanning.
- Policy Development and Review.
- Pre-decision scrutiny.
- Post-decision scrutiny.
- Performance management and improvement.

Existing Arrangements

- 3.4 The current arrangements were implemented three years ago following the last major refresh of the Council's constitution in April 2013. The arrangements comprise of four Policy and Performance Committees as follows:

- Coordinating Committee – responsible for coordinating the work of scrutiny, scrutinising over-arching issues and undertaking the call-in duty for the authority.

- Families and Wellbeing Policy and Performance Committee – responsible for scrutinising service delivery falling under the remit of the Families and Wellbeing Directorate and the statutory responsibility for local health scrutiny. The Committee has established a Children Sub-Committee and the Health and Care Performance Panel.
- Regeneration and Environment Policy and Performance Committee – responsible for scrutinising service delivery falling under the remit of the Regeneration and Environment Directorate and the statutory responsibility for local flood risk. Provides a link to the Liverpool City Region Combined Authority scrutiny panel.
- Transformation and Resources Policy and Performance Committee – responsible for scrutinising service delivery falling under the remit of the Transformation and Resources Directorate and the statutory responsibility for the Crime and Safety Partnership.

Drivers for Change

3.5 The following have been identified as key drivers for change for the Council's scrutiny function:

- The Wirral Plan shifts the focus on delivery of outcomes and not on process.
- A new council operating model will be established removing Directorates.
- Wirral Plan delivery will result in the development of new delivery models and a new approach to partnership working.
- Through Wirral Plan implementation, the Councils relationship with residents will significantly change.
- Councils and service delivery models are changing. The transformation agenda will require committee functions to become more flexible in their approach.
- It is anticipated the pace of transformation will be much faster with committees needing to respond quickly to changes in requirements.
- Devolution and the extension of the remit of the Liverpool City Region will lead to ramifications for governance structures in the composite Local Authorities.
- Need to utilise available resources as effectively as possible whilst maximising the focus of scrutiny.

Proposed New Arrangements

3.6 To ensure the function can respond appropriately to the drivers for change, the proposal is to establish a three committee model aligned to the Wirral Plan themes of People, Business and Environment. This would create a model which enables scrutiny to best support and add value to the Wirral Plan.

3.7 The proposed model allows for partnership delivery arrangements to become more embedded to deliver the Wirral Plan and its supporting strategies. This will enable each of the committees to focus more on the delivery of outcomes for Wirral residents rather than Council services as they have previously.

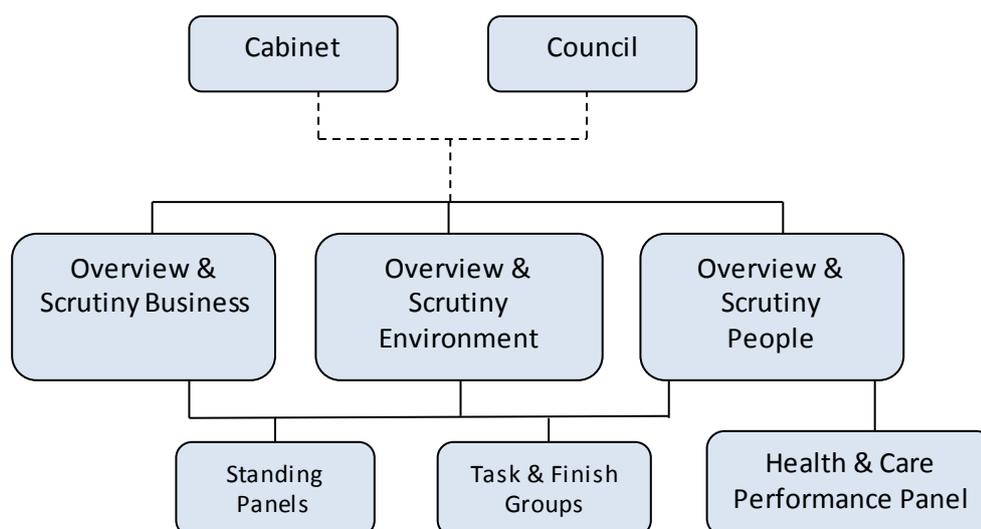
3.8 The proposed model would promote an approach to scrutiny focussed around the Wirral Plan. The majority of work would be conducted through designated standing panels and task and finish groups organised around the delivery of the 20 pledges and the Council's transformation agenda. To complement the inter-dependencies across

the Wirral Plan, there would also be an opportunity for joint working groups to be set up with representatives from different committees to cover cross-cutting themes.

- 3.9 To avoid duplication and ensure cross-cutting themes and Member capacity are effectively managed, joint planning sessions would be convened between the Chairpersons and spokespersons for the three committees. This would effectively lead to a single scrutiny work programme that would clearly support the Wirral Plan.
- 3.10 In terms of the regulations around the scrutiny of education matters, the Diocesan and Parent Governor Representatives would be co-opted onto the People Committee as necessary and appropriate.

CALL-IN

- 3.11 Under the proposed model, responsibilities for dealing with call-in would be split across the three committees depending on the nature of the call-in received. Where there is a cross-cutting matter/issue, the allocation of the call-in would be determined by agreement of the three committee Chairpersons.
- 3.12 An overview of the model is set out in the diagram below.



- 3.13 Key to the success of the new model will be the development of new arrangements for establishing a single, integrated scrutiny work programme. This will promote a more focused approach to ensure only topics of significance are included as a means for scrutiny to add value to delivering the Wirral Plan.
- 3.14 This will be achieved by:
- Greater coordination between committees to develop a single Scrutiny Work Programme, through regular informal meetings between the Chairs and spokespersons.
 - Closer engagement with the Executive to define the priorities for scrutiny to achieve the greatest impact.

- Increased use of scrutiny as a vehicle to enable the voice of service users and residents to be heard.
- Setting clear objectives for scrutiny work with a clear focus on improved outcomes for residents and service users.
- Maximising opportunities for the use of pre-decision scrutiny to influence and shape better decision-making.
- Reducing the focus on formal committee meetings and increasing the focus on scrutiny work that produces member-led reports with clear recommendations.
- Time-limiting task and finish work to free up capacity to undertake more scrutiny inquiries.

The Transfer Process

- 3.15 In terms of transferring from the current to the new arrangements, the existing scrutiny workload has been mapped onto the new committees. This is set out in Appendix 1 attached to this report.
- 3.16 Subject to Cabinet approval, the proposed changes would be referred to Coordinating Committee (15 June) for consideration and comments, and thereafter referred for approval to an extraordinary Council on 27 June 2016. Council will be the final arbiter on approving the proposed model and requisite changes to the Council's Constitution, and Calendar of Meetings set out in the Appendices to this report.

POLITICAL PROPORTIONALITY and MEMBERSHIP

- 3.17 As the proposal includes one less Council committee it is necessary to review the number of committee seats and the political proportionality calculation. The proposal reduces the number of seats to 118 from 133 (a reduction of 15) – see Appendix 2. The proposal does not require any alteration to or otherwise affect the allocation of seats and political make-up of any of the other Council Committees as approved by Council at its Annual meeting on 17 May 2016. It is proposed that the current membership of the Policy and Performances Committees be transferred/aligned to the proposed overview and scrutiny committees as detailed within Appendix 2.

CALENDAR OF MEETINGS

- 3.18 Subject to Council's approval, it is proposed that the next scheduled meetings of the Policy and Performance Committees (29 June, 5 July and 12 July) are cancelled and alternative dates are confirmed for the first meetings of the three Overview and Scrutiny Committees. The dates of 12, 14 and 18 July are proposed as first meeting dates for the new committees. Details regarding appointments and a revised calendar of meeting dates are included as Appendix 2 to this report.

OTHER CONSTITUTIONAL CHANGES

- 3.19 If the proposal is agreed, references within the Constitution to the Co-ordinating Committee and Policy and Performances Committees be replaced/changed as detailed within Appendix 2.

4.0 FINANCIAL IMPLICATIONS

4.1 The reduction from four to three committees will mean a reduction in the number of formal committee meetings and a corresponding reduction in officer time required.

5.0 LEGAL IMPLICATIONS

5.1 The implementation of these proposals will require changes to the Council's Constitution. The proposed amendments are included as Appendix 3, 4 and 5 to this report.

5.2 The proposal is in line with the Council legal obligations in relation to its overview and scrutiny functions.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are none arising from this report.

7.0 RELEVANT RISKS

7.1 This proposal seeks to mitigate the risk of not refreshing the Council's scrutiny arrangements in the light of the drivers for change highlighted at 3.5 (above). The current scrutiny model, based on the Directorate structure, does not effectively align with the Wirral Plan in terms of the 20 pledges and the partnership delivery model.

8.0 ENGAGEMENT / CONSULTATION

8.1 The proposal will be presented to the current Coordinating Committee at its first meeting of the new municipal year for consideration.

9.0 EQUALITY IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because the report is provided for information.

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APPENDICES

Appendix 1 – Transfer of Scrutiny Work Programme Items

Appendix 2 – Appointments and Revised Calendar of Meetings

Appendix 3 – Revised Article 6 and Table 2 - Responsibility for Functions of the Constitution

Appendix 4 – Revised Part 4a - Standing Order 35

Appendix 5 – Revised Part 4d Overview and Scrutiny Procedure Rules

REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|------------------------|-------------|
| | |