

**Standards and Constitutional Oversight Committee**  
**Thursday, 26<sup>th</sup> September 2019**

<b>REPORT TITLE:</b>	<b>Review of Scrutiny Arrangements</b>
<b>REPORT OF:</b>	<b>Chair of Business Overview and Scrutiny Committee</b>

**REPORT SUMMARY**

The Annual Meeting of Council on the 14<sup>th</sup> May 2019 agreed the following resolution:

*(b) Business Overview & Scrutiny Committee conduct a review of the Council's overview and scrutiny committee arrangements, in consultation with the Committee Chairs and group representatives, to consider the number of committees and their respective terms of reference to report back on suggested steps to improve the arrangement in sufficient time for them to be received and considered by the Standards and Constitutional Oversight Committee at its meeting in September."*

The Chair of the Business Overview and Scrutiny Committee established a Scrutiny Review Panel and hosted an all Member workshop. This report provides the outcomes of the review of scrutiny arrangements undertaken by the Business Overview & Scrutiny Committee.

**RECOMMENDATION/S**

That the Committee is recommended:

1. To recommend to full Council that:
  - a. the recommendations of this review of scrutiny arrangements are approved and included in any new governance model.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 To fulfil the Council resolution to review current scrutiny arrangements and enable the feedback and recommendations of the Business Overview & Scrutiny Committee Review Group to be considered as part of the wider governance review undertaken by the Standards and Constitutional Oversight Committee.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 The review of scrutiny arrangements was carried with the engagement of Members. The review findings and recommendations reflect the views of all Members involved.

### **3.0 BACKGROUND INFORMATION**

- 3.1 In order to fulfil the Council resolution, the Chair and Party Spokespersons of the Business Overview & Scrutiny (O&S) Committee formed a Review Panel to consider the scope and approach of the review and to ensure that all non-executive Members were able to comment on current and future scrutiny arrangements. This scope was agreed at a meeting of the Chair and Party Spokesperson held on 12<sup>th</sup> June 2019.
- 3.2 The Review Panel commissioned the Scrutiny Team to carry out a research exercise to explore governance including scrutiny arrangements at authorities with statistical similarities to Wirral and the experiences of Councils in the UK where committee systems had been introduced. The briefing pack was approved by Chairs and Party Spokespersons of all four O&S Committees and circulated to all non-executive Members in preparation for the workshop. The Scrutiny Review Workshop for all non-executive members was held to review current scrutiny arrangements in Wirral and discuss future options for scrutiny.
- 3.3 Two separate reviews were directed by Council; the Review of Scrutiny outlined in this report and the Governance Review, also reported at this Standards and Constitutional Committee. As both are related to Council governance arrangements the two reviews have implications for each other.

### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are direct costs associated with making a change from one governance system to another. The Centre for Public Scrutiny (CfPS) have reported that the Government has estimated that the costs of moving from one system to another can range from £70,000 to £250,000.

### **5.0 LEGAL IMPLICATIONS**

- 5.1 Local authorities in England operating executive arrangements are required by sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011 to establish overview and scrutiny committees.
- 5.2 The legislation recognises that authorities are democratically elected bodies who are best placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives authorities a great degree of flexibility to decide which arrangements to adopt.
- 5.3 Councils who adopt the committee system are not required to have overview and scrutiny but may do so if they wish.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 There are significant implications for the Council in changing its decision-making structure to a new form of governance. Across the Council, the change to potentially different ways of working and briefing with Members will require greater and different input from officers. The extent of these resource implications in the longer term will vary dependent on the number, frequency and timing of meetings.
- 6.2 It is likely that a change in governance will impact directly on key enabling services such as the Scrutiny Team and Democratic Services. Key factors such as retention of a separate overview and scrutiny system or not and the number and frequency of meetings will have a direct bearing on this and so costs cannot be estimated at this time.

## **7.0 RELEVANT RISKS**

- 7.1 A change in the form of governance arrangements will represent a key and integral element of the overall organisational vision of the Council and how it interacts with other stakeholders. That process of change will raise a number of associated risks to be identified and managed as part of the development process and implementation.
- 7.2 The current model of Overview and Scrutiny includes key elements such as monitoring the performance of partner organisations in Wirral and regional oversight through the Liverpool City Region Overview & Scrutiny that provide value to both Council operations and outcomes for Wirral residents. There is a risk that these could be reduced if not considered in the full governance review.
- 7.3 A risk is that a change to the form of governance arrangements fails to bring with it the desired change in culture.

## 8.0 ENGAGEMENT/CONSULTATION

Further to approval of the scoping document and briefing papers by the chair and party spokespersons of the Business Overview & Scrutiny Committee an all member engagement session was held at a workshop on 17<sup>th</sup> July 2019.

## 9.0 EQUALITY IMPLICATIONS

9.1 There are no identified equality impact implications directly associated with the proposals set out in this report.

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## APPENDICES

Appendix 1 – Review of Scrutiny Arrangements Report

Appendix 2 – Review Briefing Pack including Scoping Document

Appendix 3 – Presentation to the Member workshop

## BACKGROUND PAPERS

### SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	14 <sup>th</sup> May 2019