

Report for: Overview and Scrutiny Committee, 4 June 2018

Title: Overview and Scrutiny Committee and Scrutiny Panel Work Programme

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Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

1.1 This report sets out how the foundations will be laid for targeted, inclusive and timely work on issues of local importance where scrutiny can add value.

2. Recommendations

2.1 That the Committee:

- (i) Agree the approach outlined at section 4 for developing a work programme for Overview and Scrutiny for 2018-19 for agreement at the 19 July meeting, providing any further comment they wish;

3. Reasons for decision

3.1 The Overview and Scrutiny Committee (OSC) is responsible for developing an overall work plan, including work for its standing scrutiny panels. In putting this together, the Committee will need to have regard to their capacity to deliver the programme and officers' capacity to support them in that task.

4. Approach

4.1 Following the election, the new Overview and Scrutiny Committee has the opportunity to develop a work programme for itself and the Scrutiny Panels that ensure the Council's scrutiny function is well exercised, with suggestions for what is a successful work programme outlined at section 5 below. This would include ensuring there is openness to suggestions from external partners and local residents in what aspects of the Council's performance would best merit consideration.

4.2 The Council's Cabinet is also largely new to Cabinet, and the Council's executive is now looking to implement their manifesto from the recent election. This also gives opportunity for Scrutiny to consider both whether it would like to consider how the manifesto commitments can be implemented most effectively

and at the greatest benefit to residents – fulfilling the Overview and Scrutiny Committee’s role in supporting policy development, as well as how it wishes to monitor the Cabinet’s performance at implementing its manifesto.

- 4.3 In previous years, the Overview and Scrutiny Committee has held a “Scrutiny Café”, which brings together Council officers and community and stakeholder representatives to discuss what they believe would merit further consideration from the Overview and Scrutiny Committee, based on the concerns and views of the community and the expected areas of priority for the Council. This has also been helpful in developing a good level of engagement with key external representatives, cultivating relationships that allow on-going ad hoc communication.
- 4.4 A draw-back of the Scrutiny Café approach in the past is that representatives’ views can be difficult to fully incorporate into the work programme of the Committee and Panels. In addition, it would be helpful to ensure that Scrutiny Members hear from as diverse a range of viewpoints as possible, and there should be attempts at ensuring the Scrutiny Café includes representations from people who have not previously been involved in the work of Scrutiny.
- 4.5 It is recommended that there be a Scrutiny Café in early July, which can allow ideas for the scrutiny work programme to be presented to the Panels, before the work programme is formally agreed at the Committee’s July meeting. Panels will then be able to agree detailed scoping documents for their review work, for the Committee’s agreement before the panels proceed.
- 4.6 Alongside this work, it would be helpful if representatives also had opportunity to present their views direct to the Committee by writing direct to scrutiny officers with their proposals for Scrutiny work, or areas of Council performance that they have views about. If the Committee agree, officers will contact stakeholders and consult with communications colleagues on how we can draw attention to the call for responses, which will be presented to the Committee and relevant panels alongside the Scrutiny Café.
- 4.7 The Committee may also wish to consider how its work is undertaken, as it has been some time since there was a fundamental review of the Council’s Scrutiny function. The current protocol, included at item 7 of the current agenda, was agreed in 2012 and does not represent current practice in some areas, and could better reflect best practice. It is suggested that, as part of its work programme, the Committee include some time for a review of scrutiny procedures.
- 4.8 Given that it is likely that this process for creating a work programme will generate a large number of ideas, it is suggested that this process lead to a two-year work programme that can incorporate more of the ideas presented. This will provide a broad framework for the Committee and Panels to follow over the first two years of the current administration, leaving some room for any highly significant matters that arise. This process can be repeated in 2020, at the mid point of the current administration.
- 4.9 The proposed work programme will also include the more routine matters, for example budget scrutiny, budget monitoring and performance monitoring, that

the Committee and Panels carry out over the year. As usual, the OSC will use the Forward Plan of Key Decisions in identifying matters for consideration on a more immediate timescale.

5. Background – Good scrutiny practice

*“**Scrutiny** is based on the principle that someone who makes a decision...should not be the only one to review or challenge it. **Overview** is founded on the belief that an open, inclusive, member-led approach to policy review...results in better policies in the long run.”*

Jessica Crowe, former Executive Director, Centre for Public Scrutiny

- 5.1 Developing an effective work programme is the bedrock of an effective scrutiny function. The careful selection and prioritisation of work is essential if the scrutiny function is to be successful, achieve added value and retain credibility. A summary of what needs to be done to develop a successful work programme is provided below.

An effective scrutiny work programme should reflect a balance of activities:

- Holding the Executive to account
 - Policy review and development – reviews to assess the effectiveness of existing policies or to inform the development of new strategies
 - Performance management – identifying under-performing services, investigating and making recommendations for improvement
 - External scrutiny – scrutinising and holding to account partners and other local agencies providing key services to the public
 - Public and community engagement – engaging and involving local communities in scrutiny activities and scrutinising those issues which are of concern to the local community
- 5.2 Key features of an effective work programme:
- A member led process, short listing and prioritising topics – with support from officers – that:
 - reflects local needs and priorities – issues of community concern as well as Corporate Plan and Medium Term Financial Strategy priorities
 - prioritises topics for scrutiny that have most impact or benefit
 - involves local stakeholders
 - is flexible enough to respond to new or urgent issues

5.3 Depending on the selected topic, and planned outcomes, scrutiny work will be carried out in a variety of ways, using various formats. This will include a variety of one-off reports. In accordance with the scrutiny protocol, the OSC and Scrutiny Panels will draw from the following to inform their work:

- Performance Reports;
- One off reports on matters of national or local interest or concern (e.g. Casey Report);
- Issues arising out of internal and external assessment (e.g. Ofsted, Care Quality Commission);
- Reports on strategies and policies under development, or other issues on which the Cabinet or officers would like scrutiny views or support;
- Progress reports on implementing previous scrutiny recommendations accepted by the Cabinet or appropriate Executive body.

5.4 In addition, in-depth scrutiny work, including task and finish projects, are an important aspect of Overview and Scrutiny and provide opportunities to thoroughly investigate topics and to make improvements. Through the gathering and consideration of evidence from a wider range of sources, this type of work enables more robust and effective challenge as well as an increased likelihood of delivering positive outcomes. In depth reviews should also help engage the public, and provide greater transparency and accountability. It is nevertheless important that there is a balance between depth and breadth of work undertaken so that resources can be used to their greatest effect.

6. Contribution to strategic outcomes

6.1 The contribution of scrutiny to the corporate priorities will be considered routinely as part of the OSC's work.

7. Statutory Officers comments

Finance and Procurement

7.1 There are no financial implications arising from the recommendations set out in this report. Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications these will be highlighted at that time.

Legal

7.2 There are no immediate legal implications arising from the report.

7.3 In accordance with the Council's Constitution, the approval of the future scrutiny work programme falls within the remit of the OSC.

- 7.4 Under Section 21 (6) of the Local Government Act 2000, an OSC has the power to appoint one or more sub-committees to discharge any of its functions. In accordance with the Constitution, the appointment of Scrutiny Panels (to assist the scrutiny function) falls within the remit of the OSC.
- 7.5 Scrutiny Panels are non-decision making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the Overview and Scrutiny Committee. Such reports can then be referred to Cabinet or Council under agreed protocols.

Equality

- 7.6 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
- 7.7 The Committee should ensure that it addresses these duties by considering them within its work plan and those of its panels, as well as individual pieces of work. This should include considering and clearly stating;
- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
 - Whether the impact on particular groups is fair and proportionate;
 - Whether there is equality of access to services and fair representation of all groups within Haringey;
 - Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.
- 7.8 The Committee should ensure that equalities comments are based on evidence. Wherever possible this should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

11. Use of Appendices

N/A

12. Local Government (Access to Information) Act 1985

N/A