

To: **Council**  
**27 November 2019**

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**Overview & Scrutiny Arrangements 2019-2023**  
**Statutory Scrutiny Officer**

**1 Purpose of Report**

- 1.1 This report advises Council of the implementation of revised arrangements for the discharge of the overview & scrutiny function and seeks approval to the consequential changes to be made to the Council's Constitution. Council is also asked to agree the appointment of two parent governor representatives to the Overview & Scrutiny Commission (OSC).

**2 Recommendations**

- 2.1 That the changes to the overview and scrutiny function agreed by the Overview & Scrutiny Commission on 5 November 2019 are noted.
- 2.2 That as a result of the changes, consequential changes to the Constitution are agreed as set out in Appendix A.
- 2.3 That Tracey Wright and Mark Glanville are appointed to the vacant Parent Governor Representative seats on the Overview & Scrutiny Commission.

**3 Reasons for Recommendations**

- 3.1 The Commission has discontinued the overview & scrutiny panels set out in the Constitution and established three new panels. The Constitution requires this change to be reported to Council so that the Constitution may be amended accordingly.
- 3.2 The Council is required to appoint statutory co-optees to the Overview & Scrutiny Commission. There are currently two vacant Parent Governor Representative seats which Council is asked to appoint to.

**4 Alternative Options Considered**

- 4.1 None

**5 Revised Overview & Scrutiny Arrangements**

- 5.1 At its meeting on 5 November 2019 the Overview & Scrutiny Commission agreed a new overview and scrutiny structure and working arrangements.
- 5.2 The revised structure looks familiar in that it has an overarching Overview & Scrutiny Commission and three Overview & Scrutiny Panels. However it does not mirror officer or Executive Member structures. Instead it focusses on the thematic delivery of the Council Plan based on a strategic Commission and three panels undertaking in-depth reviews and focussed scrutiny activity.
- 5.3 The Commission agreed the core membership of the Panels as set out in the table below:

<b>Overview &amp; Scrutiny Panel</b>	<b>Council Plan Themes</b>	<b>Chairman</b>	<b>Vice-Chairman</b>	<b>Core membership</b>
<b>A – Wellbeing &amp; Finance</b>	Caring for you and your family  Value for money	Cllr Tullett	Cllr Mrs Mattick	Allen Atkinson Bhandari Brossard Finch M J Gibson Mrs L Gibson McLean Skinner Temperton
<b>B - Education, Skills &amp; Growth</b>	Economic resilience  Education & skills	Cllr Mrs Birch	Cllr Brossard	Ms Gaw Mrs Hamilton Gbadebo Ms Hayes Ms Merry Skinner Temperton  2 Parent Governor Representatives
<b>C –Environment &amp; Communities</b>	Communities  Protecting and enhancing our environment	Cllr Porter	Cllr Mrs McKenzie-Boyle	Angell Brossard Brown Ms Gaw Mrs Ingham Kennedy Kirke

- 5.4 The three Overview & Scrutiny Panels will conduct focussed enquiries and deep dive reviews across a wide range of topics which support the delivery of the Council's objectives for the next four years. Each Panel is responsible for considering topics under two (of six) themes within the Council Plan 2019 - 2023. Activities range from 'one and done' Panel meetings to a number of three to six months' focussed reviews. Meetings will be held in public unless exempt information is being considered.
- 5.5 The role of the Panel chairmen is critical to the success of the new arrangements. They will lead the scrutiny activity within their Panel's remit, working closely with the Overview & Scrutiny Co-ordinators to undertake the work within the agreed timescales. Panel Chairmen will lead activity in their areas of responsibility and bring that leadership role and knowledge to the Commission when considering strategic items and requests for variations to the work programme. They will report on progress of their reviews to the Commission and present their Panel's findings and recommendations to the Commission for approval, following which they will present recommendations on behalf of the Commission to the Executive as appropriate. Panel chairmen will monitor outcomes and the implementation of recommendations through the review of the Corporate Performance Overview Report (CPOR). They will also present issues of concerns from other Members on matters within the Quarterly Service Reports (QSR) or CPOR within their remit.
- 5.6 The Commission will:

- Develop a four-year strategic work programme aligned to the Council Plan following input from scrutiny members, the Executive, Corporate Management Team, partners and the public, ensuring that it is flexible enough to accommodate urgent short-term issues.
- Co-ordinate the work of the Overview & Scrutiny Panels to make the best use of available resources which will include allocating topics to Panels and agreeing the scope of activity.
- Commission Panels to undertake deep dive reviews and support focussed policy development, chaired by the relevant chairman or vice-chairman. Their size and duration will be dependent on the activity.
- Receive findings and recommendations from Panel chairmen in respect of their Panel's scrutiny activity, for consideration and referral to the Executive or other decision-maker as appropriate.
- Prioritise scrutiny activity to ensure that the overview and scrutiny function concentrates on the delivery of work of genuine value and relevant to the work of the Council.
- Discharge the Council's crime and disorder responsibilities.
- Discharge strategic health responsibilities.
- Manage call-in.
- Review the policy framework.
- Scrutinise the budget proposals.
- Hold the Executive to account for performance within the Corporate Performance Overview Report (CPOR).

5.7 The Commission will undertake focussed work programming to ensure that scrutiny activity contributes effectively to the Council Plan objectives. A work programme was agreed by the Commission on 5 November which has been prioritised to ensure that the impact of scrutiny work is the significant factor in determining which topics to consider. This includes key pieces of scrutiny work to support delivery of the Council Plan's objectives.

5.8 Outputs of scrutiny work will be measured and monitored by the Commission and included in the Annual Scrutiny Report to Council.

5.9 Quarterly Service Reports (QSR) will be made available to all Members. Members can refer issues of concern to the Commission to consider whether the topic should be included in the work programme. The Commission will receive the Corporate Performance Overview Report (CPOR) quarterly. Executive Members will be present at that meeting to be held to account for performance within their portfolios, supported by their Directors.

5.10 In addition to the core membership of the Panels all non-Executive Members can take part in review work. This enables the overview & scrutiny function to tap into the skills and knowledge of Members across a wide variety of topics. This also allows working councillors to be involved effectively based on their availability, interests and knowledge. This approach recognises the importance of non-executive Members' involvement in policy development and pre-decision input and scrutiny. It relies on the active involvement of a significant number of non-executive members to deliver effectively.

5.11 Council is asked to agree that the Constitution is amended to reflect the revised arrangements as set out in Appendix A.

## **6 Parent Governor Representatives**

- 6.1 The process has recently been undertaken to recruit to the two vacant Parent Governor Representative seats: one primary stage and one secondary stage. These are statutory co-optees. One nomination for each vacancy was received by the deadline for nominations, therefore a ballot was not required. Council is therefore asked to agree the appointment of Tracey Wright (primary) and Mark Glanville (secondary) to the Commission for the next four years.

## **7 Consultation and Other Considerations**

### Legal Advice

- 7.1 Section 9F of the Local Government Act 2000 (“the 2000 Act”) requires all local authorities operating Executive arrangements to have one or more committees to scrutinise the actions of the Executive and the authority and provide overview of matters affecting the authority's area and the inhabitants of that area (“overview and scrutiny” committees). Moreover, Executive arrangements by a local authority must ensure that its overview and scrutiny committee has power
- to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
  - to make reports or recommendations to the authority or the Executive with respect to the discharge of any functions which are the responsibility of the Executive,
  - to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Executive,
  - to make reports or recommendations to the authority or the Executive with respect to the discharge of any functions which are not the responsibility of the Executive,
  - to make reports or recommendations to the authority or the Executive on matters which affect the authority's area or the inhabitants of that area.

- 7.2 There are no legal implications arising from this report.

### Financial Advice

- 7.3 There are no financial implications arising from this report.

### Other Consultation Responses

- 7.4 Not relevant to this report.

### Equalities Impact Assessment

- 7.5 Not relevant to this report.

### Strategic Risk Management Issues

- 7.6 Not relevant to this report.

### Background Papers

Report to Overview & Scrutiny Commission on 5 November 2019 – Overview & Scrutiny Arrangements 2019-2023

Contact for further information

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