

Wiltshire Council

Overview and Scrutiny Management and Resources Select Committee
21 January 2010

Role of a Future Management and Co-ordination Body

Purpose

1. To report on the role of a future Overview and Scrutiny (OS) management and co-ordination body following discussions at the last meeting.

Background

2. This was originally requested by the Committee at the September meeting following representation by some councillors about the need for more co-ordination of scrutiny activities by a single body in order to improve awareness, consistency and more efficient use of the limited resources at scrutiny's disposal. The current arrangements are depicted in Appendix 1.
3. The report to the last meeting outlined a number of options to achieve this aim. The Committee decided that they preferred the option set out in appendix 4 to that report and now re-circulated for ease of reference as Appendix 2. Councillors only briefly discussed the implications of the change in terms of the level of formality for matters such as membership and delegated powers.
4. The Committee also asked that research be undertaken with other local authorities about their arrangements. This has been done and is set out in summary in Appendix 3. Commentary on relevance to Wiltshire appears later in the report.

Current Position

5. This was explained in the last report along with a reminder that the intention was always to review the OS arrangements after a year of operational experience, and for the OS procedure rules to be reviewed by the Focus Group appointed by the Standards Committee. Scrutiny will have a representative on the Focus Group. However the Committee were keen to agree in principle at this stage to a change to create an over-arching management and co-ordination body subject to further consideration of how this might work in reality and the approaches adopted by other councils.

6. Councillors will need to decide on which one of the following approaches (or variations) as mentioned in brief discussion at the last meeting will work best and achieve the desired outcome:

Liaison Board This would have no formal powers as such but would direct and influence the way in which OS was being run and delivered. It would review current arrangements and work programmes, apply consistency in approach across the select committees, task groups and rapid scrutiny exercises, act as a direct link to the Executive, issue guidance and support and help focus councillor development where necessary. It would also take a responsibility to lead on the implementation of new national OS requirements and to respond to consultations. This would work particularly well if the membership was formed from the chairmen and vice-chairmen of the current select committees.

This change could be agreed by this Committee with immediate effect and would not need the formal approval of full Council nor changes to the Constitution. What it will not be able to do is formally direct or control the actions of the select committees nor override their decisions. However with commonality of membership this should be less of an issue.

The Board would probably meet on at least 6 scheduled occasions and need officer support including agendas and minutes in order to provide the necessary status.

Main Committee This would require a formal restructure to create an OS Management and Co-ordination Committee with specific powers including the ability to take final decisions in respect of some scrutiny activity and to require recommendation from the select committees on certain predetermined issues. A scheme of delegation would therefore need to be drawn up between the new committee and existing select committees. This might also have implications for the church and parent representatives and the designation of a statutory health scrutiny committee. The establishment of a new committee and its membership would need to be agreed by full Council, including adjustments to committee placements under the political proportionality rules.

A major risk could be potential duplication and delay between the new committee and the current select committees in agreeing recommendations for submission to the Executive. However what it would do is create a single responsible, powerful over-arching committee providing clear control and direction over OS proceedings.

It is envisaged that the same schedule and support arrangements would apply to the main committee as any liaison board.

7. As raised in the last report both approaches by implication would remove the “management” role (and title) from the current Management and Resources Select Committee and as a consequence the Resources (only) Select Committee should therefore include budget and performance without the need for a separate task group. This would help to avoid spreading the scrutiny officer support too thinly.

Impact

8. As recognised in the past, OS works well in an organisation which is open and responsive and where OS is regarded as an asset delivering constructive challenge leading to service improvement. This is often more down to the level of trust and respect earned by the leading scrutiny members (ie. right people in the right positions) rather than simply through the structural arrangements and processes. However it is vitally important that the non-Executive councillors are comfortable and confident with the OS arrangements in being able to deliver their objectives. This in turn encourages wider participation and engagement, and demonstrates ownership and leadership of the process by members.
9. Support officers are confident that they can respond and work with either of the above approaches.
10. The Committee will receive the final report of the LAA Partnerships Task Group at this meeting and this is likely to add additional responsibilities to the current OS arrangements potentially requiring further structural change. The work of this task group also covers proposals for the scrutiny of Crime and Disorder Reduction Partnerships.

Other Councils

11. Research has been done against a range of other relevant councils including new unitaries and neighbouring authorities. Their OS structures with responsibilities are attached at [Appendix 3](#) as mentioned earlier. Generally the situation shows that a single body has the responsibility for the management of the OS function with variable authority to co-ordinate the business overall. Of particular note is:
 - (1) Cornwall which has chosen to operate its management committee as an informal liaison type of body with membership formed by the chairmen and vice-chairmen of its scrutiny committees;
 - (2) Durham with a 43 member Management Board receiving recommendations from its 6 scrutiny committees (21 members on each and strong usage of co-optees as well) prior to submission to the Executive;

- (3) Somerset which has one main scrutiny committee with the business being delivered through a range of sub-committees; and
 - (4) Swindon and Staffordshire with structures very similar to ours at present.
12. There is not a “one model fits all” fix in the scrutiny arena as evidenced by the research and personal local experience. It should be remembered that the current arrangements in Wiltshire grew out of the transition period and input from a national consultant and much of it is beginning to work well. Part of the intended 12 month review was going to look at possible realignment of the structure to more closely link with the goals in the new 4 year Corporate Plan. The Northumberland model appears to show this type of approach well.
13. Further research can be done on any specific aspects of the examples given perhaps including member to member discussion to get a clear operational feel if required.

Matters for Decision

14. To note that at the last meeting the Committee decided to opt for the establishment of an over-arching body subject to further consideration at this meeting (para 5)
15. To note the research done on the OS arrangements adopted by a range of other local authorities many of which operate with a “management style” body (para 11).
16. To determine further research if required (para 13).
17. To decide on whether to pursue the creation of a “Liaison Board” or “Main Committee” as the over-arching body (or a variation) bearing in mind the strengths and weaknesses of both approaches (para 6).
18. To note that there may be further structural changes required as a consequence of the recommendations in the final report of the LAA Partnerships Task Group to this meeting (para 10).
19. To note the constitutional review work to be undertaken by the recently appointed Focus Group of the Standards Committee and the original intention to review the current OS arrangements after 12 months of operational experience (para 5).

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