

Wiltshire Council

Overview and Scrutiny Resources Select Committee 25 March 2010

Overview and Scrutiny Restructure – Representations from the Budget and Performance Task Group

Purpose

1. To consider the representations of the Budget and Performance Task Group following the decisions on restructuring taken at the last meeting of the Committee.

Background

2. Members will recall the debate and reports on the restructure of the overview and scrutiny function over the previous couple of meetings. At the last meeting on 21 January the Committee resolved as follows:

Resolved:

- (1) *To note that the last meeting the Committee decided to opt for the establishment of an over-arching body subject to further consideration at this meeting.*
- (2) *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.*
- (3) *To approve the creation of an Overview and Scrutiny Management and Co-ordination Liaison Board made up of the chairman and vice-chairman of the four select committees as the over-arching body with immediate effect.*
- (4) *As a consequence, to*
 - (i) *remove the management of the overview and scrutiny function from the Management and Resources Select Committee (it now being the responsibility of the new Liaison Board) and rename it appropriately to reflect its responsibilities for scrutinising Corporate Management and Resources, and;*

(ii) dissolve the standing Budget and Performance Task Group with its responsibilities being undertaken by the main Select Committee.

(5) To note that a new standing Partnerships Task Group of this Committee was being proposed under a later agenda item.

(6) 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.

3. It was decided to allow the scheduled meeting of the Budget and Performance Task Group on 9 February to be held as its final meeting. A report was prepared and circulated with the agenda to confirm the parent committee's decision (copy appended). Some members of the Task Group raised concern and objection and as a consequence the following note was taken:

"A report by the Head of Legal and Democratic Services on the future of budget and performance matters was circulated.

Cllr Deane informed the Task Group that some confusion had arisen over the creation of the Liaison Board, namely the amount of consultation that had taken place and the abolition of the Budget & Performance Task Group as a result of the Boards implementation.

Cllr Osborn explained that the Liaison Board was first discussed at the O&S Management & Resources Select Committee where some councillors had expressed the need for more co-ordination of scrutiny activities by a single body in order to improve awareness and consistency across the scrutiny function.

A paper was written by the Scrutiny Manager in November on the options for change and the implications of any changes to the current scrutiny structure. The establishment of any new formal committee would require a change in the constitution and Council approval.

The Overview & Scrutiny Management & Resources Select Committee agreed to the principle of an overarching body subject to further research. In January the Committee decided that the Chairman and Vice Chairman of each Select Committee would sit on the Board to manage the O&S function, to co-ordinate activities, discuss and oversee forward work plans and to share best practice. With the loss of the management function, the creation of an additional body and concern for member and officer capacity the Committee decided to dissolve the Budget and Performance

Task Group and for budget & performance scrutiny to become the responsibility of the main committee.

Cllr Hubbard raised concerns over Budget and Performance scrutiny taking place at committee level and those present discussed that it may be more effectively carried out at task group level where meetings could be arranged with more flexibility.

Those present also thought it currently worked well with the membership of the Task Group being inclusive of the chairman and vice chairman of each select committee as these councillors could bring expertise and understanding of issues relevant to their own committees to the budget and performance task group arena.

A further concern was raised about the future effectiveness of Fact Finding with budget scrutiny being carried out under the Resources Committee. Councillors expressed the view that those undertaking the fact finding across departments would be better placed to carry out future scrutiny of the key issues arising from those meetings.

Cllr Osborn proposed that the Liaison Board should be put on hold until a meeting is convened with the Scrutiny Manager and that the Resources Committee be advised of the Task Group's discussions."

4. The first meeting of the new Liaison Board was originally scheduled for 25 February. This was deferred and has been rearranged for 30 March. It will be informed of the decision of this Committee regarding the future of the Task Group but may also want to express a view itself. Scrutiny's involvement in the wider constitutional review being undertaken by the Standards Committee will also be discussed at the first meeting of the Liaison Board. The Focus Group will be surveying all councillors and will interview leading scrutiny councillors about the effectiveness of the current OS procedure rules/arrangements.

Main issues

5. Councillors will recall in the previous reports the reasons given for dissolving the task group in that the loss of the management of the overview and scrutiny function (to the Liaison Board) from the Select Committee brought into question the need to retain a separate task group for budget and performance when capacity would now exist for this to be undertaken by the parent committee. The members of the task group would also form the membership of the new Liaison Board and therefore their capacity and availability to continue to perform all roles could be compromised. The additional officer support required for the Liaison Board was intended to be mitigated by the loss of the Task Group (a standing

Partnerships Task Group was also added to the structure at the last meeting).

6. Some members of the Task Group have raised concern over the level of direct consultation undertaken on the changes and the loss of knowledge in that some of those councillors involved in “fact finding” would no longer be members of the body undertaking the budget scrutiny function, and was a select committee the right arena to undertake detailed budget and performance scrutiny.

Conclusion

7. The decision by the Committee to dissolve the Task Group was as consequence of the loss of the management of the OS function from the Select Committee to the new Liaison Board. There were sound, practical reasons as to why the proposal was made. The subsequent representations from some members of the Task Group do not challenge those reasons however they do raise an important point about knowledge and accountability.
8. Ultimately it is for councillors to determine the design of the scrutiny structure based on what works best for them and the organisation as a whole including a judgement on the capacity that exists in the councillor ranks to undertaking the various activities. Should the standing Task Group be retained then the Scrutiny Team (and the wider Democratic Services Team) would have to absorb the additional workload within existing resources. One of the roles of the new Liaison Board will be to set priorities and manage resources.
9. It is recognised that there is a direct relationship between budget, performance and risk. However there are separate service directors and teams within the Resources Department responsible for these functions so a split could be considered so that say budget was retained at a task group level and performance undertaken at main select committee level. However any gain would be marginal and could be perceived as a retrograde step by some parts of the organisation.
10. The Chairman and Vice-Chairman of the Select Committee have been consulted and are minded, subject to the views of the Committee, to allow the Task Group to continue in its current form at least until the outcome of the wider review of the Constitution by the Standards Committee.

Matter for decision

11. The Committee is asked to either
- (i) reaffirm its earlier decision to dissolve the Budget and Performance Task Group;
 - (ii) reinstate the Task Group (although in reality it had continued to operate pending decision today) in the light of the views expressed by some members of the Task Group;
 - (iii) determine a different approach such as a split of the current responsibilities between the Task Group and the Main Committee; or possibly
 - (iv) leave the matter (ie. with or without the Task Group continuing?) for consideration as an issue under the wider review of the Constitution being undertaken by the Standards Committee.

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