

**JOINT OVERVIEW AND SCRUTINY TRANSITION BOARD
25 APRIL 2008**

Handling of Scrutiny Reports from Existing Councils

Purpose

1. To initiate a discussion by members of the Joint Overview and Scrutiny Transition Board (JOSTB) on how they might wish to handle scrutiny reports prepared by individual authorities that have implications during the transition or post April 2009 for the new Council.

Background

2. A number of the existing councils have scrutiny reviews which have ended or are shortly coming to an end which include conclusions and recommendations relevant to the period of transition and/or the new council. (As an example the report from Salisbury DC on Climate Change has already been circulated to members.)
3. The terms of reference of the JOSTB has as its primary role to hold the Implementation Executive (IE) to public account for its decisions and actions in respect of preparing for the new council. These also include:
 - To give focus and direction to OS activities across the 5 councils relevant to transition and expect members of the Joint Board to champion the arrangements and act as a first port of call for enquiries within their own councils.
 - To report back to the respective OS functions of the 5 existing councils as necessary.
4. The terms of reference were drafted prior to issue of the Wiltshire Structural Change Order which limits the role of the IE at the moment to preparing for and facilitating the economic, effective, efficient and timely transfer of district council functions, property rights and liabilities as the main transitional functions.

Process

5. If the Board accepts a responsibility for considering and endorsing relevant recommendations for onward submission to the IE, Joint Implementation Team or relevant workstream/project board (and potentially a monitoring role as well) then a suitable process needs to be established.

6. At the County Council task groups present their final reports to the relevant OS Committee for consideration. The recommendations clearly identify which arm of the Executive (ie Cabinet, Cabinet Member or Chief Officer) or other forum or agency which has responsibility for receiving, considering and responding. There is also an expectation (included in the task group protocol) that recommendations which have resource implications are properly costed. A SMART (specific, measurable, agreed, realistic and timely) approach is applied as best it can.
7. Any district (or County) scrutiny report would need to be fronted with a covering report by the relevant council clearly setting out which recommendations were for which part of the transitional governance arrangements. Some issues will be clearer than others particularly those relating to the work of any of the five priority task groups already established by the JOSTB. In these cases a direct feed to the task group as part of its evidence may speed up the process.
8. The first paper by the Chief Executive WCC on the organisation and structure of the new council moved some of the more transformational activities to post April 2009 so this will have a bearing on at what point some of the scrutiny recommendations are given consideration.
9. It should also be recognised that the presentation of individual council scrutiny reports will not necessarily mean automatic endorsement by JOSTB as all 5 councils are represented and therefore different views may prevail.
10. However if reports and recommendations are endorsed by JOSTB then it should assume a monitoring role and receive feedback on the Executive transitional governance consideration of its recommendations. A suitable update back to the relevant council would also be expected.

Recommendation

11. JOSTB is asked to consider its approach to the handling of scrutiny reports and recommendations from individual councils and if accepted then ask officers to develop a process around that described in paragraphs 6 and 7.

Paul Kelly
Overview and Scrutiny Manager WCC