



OPEN REPORT SCRUTINY COMMITTEE

Scrutiny Committee – 10 August 2023

SCRUTINY WORK PROGRAMME 2023/24

Report of the Director of Corporate and Customer Services

Report Author and Contact Details

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Wards Affected

District-wide

Report Summary

This report aims to assist the Committee in setting its Work Programme for the 2023/24 municipal year.

Recommendations

1. That the draft Scrutiny Work Programme for the 2023-24 municipal year be approved, and any additional items to be added or removed.
2. That authority be delegated to the Director of Corporate and Customer Services, Democratic and Electoral Services Manager and Democratic Services Team Leader to make amendments to the Scrutiny Work Programme in between meetings, subject to the agreement of the Chair of the Scrutiny Committee.
3. That the Scrutiny Review Scope Template (Appendix 2) be approved for use and authority be delegated to the Director of Corporate and Customer Services, Democratic and Electoral Services Manager and Democratic Services Team Leader, subject to consultation with the Chair of the Scrutiny Committee, to prepare the scopes for scrutiny review topics identified in paragraph 3.2 of the report.

List of Appendices

Appendix 1 Draft Scrutiny Work Programme for 2023/24 Municipal Year
Appendix 2 Draft Scrutiny Review Scope Template

Background Papers

Nil

Consideration of report by Council or other committee

Not applicable

Council Approval Required

No

Exempt from Press or Public

No

Scrutiny Work Programme 2023/24

1. Background

- 1.1 The Council established a Scrutiny Committee in July 2022 following a commitment under the previous administration to provide a body for detailed questioning by Members. The change to the Constitution was made in the context of there being no legal requirement for the Council to establish a Scrutiny Committee as it operates a Committee System model of governance.
- 1.2 Given the proximity to the municipal elections in May 2023, little work was done to prepare a work programme or identify topics of activity for the Scrutiny Committee.
- 1.3 Following the elections, training was provided by the Director of Corporate and Customer Services (Monitoring Officer), supported by a Senior Governance Consultant from the Centre for Governance and Scrutiny. This training focused on the role of scrutiny, the importance of developing a programme of work for the committee and ensuring that the committee was focused on impact and outcomes.
- 1.4 This is the first meeting of the Scrutiny Committee and Members are asked to consider approving a work programme for the 2023/24 municipal year and confirming the methods of scrutiny to be used in delivering that programme.

2. Key Issues

- 2.1 An effective scrutiny work programme should reflect a balance of activities:
 - Holding decision-makers 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.
- 2.2 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 the 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

- 2.3 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 practice, the Scrutiny Committee will draw from the following to inform its work:
- Performance Reports;
 - One-off reports on matters of national or local interest or concern;
 - Issues arising out of internal and external assessment (e.g. LGA Peer Review);
 - Reports on strategies and policies under development or other issues on which the Council, Policy Committees or officers would like scrutiny views or support;
 - Progress reports on implementing previous scrutiny recommendations accepted by the Council or Policy Committees.
- 2.4 In addition, in-depth scrutiny work, including task and finish projects, are an important aspect of 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.
- 2.5 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 and that the function does not consume a disproportionate level of input from Members or officers.
- 2.6 When selecting items for the Work Programme, the 'TOPIC' selection criteria is an effective way to prioritise issues. This allows each item to be judged according to its potential to make the best use of the Committee's time and impact. Please bear the following points in mind when making suggestions.
- ***T - Timely***
Work programmes should take account of work in other areas, and avoid duplication. Members should consider if now is the best time to consider the issue, and whether there are any legislative or policy changes afoot.
 - ***O - Organisational Priority***
Work programmes should take account of the Council's overall vision for the area. A good proportion of the Committee's work should relate to the Council's priorities, such as those reflected in the Corporate Plan. This is crucial to demonstrate how Scrutiny can add value to the Council.
 - ***P - Public Interest***
Councillors' representative roles are an essential feature of Scrutiny. They are the eyes and ears of the public, ensuring that services address local needs. The interests of local people should therefore influence and guide the issues chosen for scrutiny.

- **I - Influence**
Generally, Scrutiny Committees are better placed to influence council services than external agencies, and effective relationships are essential for exerting influence. Consider whether the committee's input will drive outcomes and change.
- **C - Cost**
Services or decisions which have high levels of income, expenditure or savings should be prioritised. Effective scrutiny of financial matters is a cornerstone of good scrutiny, and significant spending plans should not go unscrutinised.

3. Options Considered and Recommended Proposal

- 3.1 The Committee could choose not to agree a work programme. This option is not recommended as there is a risk that the Scrutiny Committee will not be in control of its own agenda and may become a depository for reports 'for information'. A Scrutiny Committee should determine its own work programme and agenda, subject to the available resources to support this work.
- 3.2 In the training session for the Scrutiny Committee that took place on 8 June 2023, the following topics emerged as potential areas for scrutiny:
- Pollution discharge into the River Derwent
 - Customer Experience of the Planning (Development Management) Process, including statutory consultees
 - Strengthening consultation and engagement processes to increase confidence in the Council's openness and transparency
 - Enhancing staff recruitment and retention policies and practices
 - Addressing flood management and prevention in the District.
- 3.3 Consideration will need to be given to the approach to scrutinising these matters given the breadth of the issues contained. Some of these topics are not suitable to be addressed in a single meeting of the full Committee and will need to be scoped further for a task and finish group approach. In establishing task and finish groups, Members should be mindful of the resources available to support Scrutiny activity within the Council and should focus on a single topic for completion before moving onto another area for review.
- 3.4 In addition to the above, it is recommended that the Scrutiny Committee receives the following reports throughout the year or on an annual basis:
- Corporate Plan Performance Indicators
 - Other performance or benchmarking data monitoring
 - Complaints Annual Report
 - Updates from Vision Derbyshire Joint Committee
 - Updates from East Midlands Mayoral Combined County Authority
- 3.5 An outline of the Scrutiny Work Programme is enclosed as Appendix 1. Members are invited to review, consider whether amendments are necessary, and agree the work programme for the 2023/24 municipal year.

- 3.6 Members are also recommended to consider and adopt the Scrutiny Review Scope template, which is enclosed as Appendix 2. In order to be effective, every Scrutiny Review must be properly project managed. This is to make sure that the review achieves its aims and has measurable outcomes. One of the most important ways to make sure that a review goes well is to ensure that it is well defined at the outset. This way the review is less likely to get side-tracked or be overambitious in what it hopes to tackle. The Scrutiny Review Scope template has been designed to help the Task and Finish Group undertaking a review to think through the purpose of a review, and exactly what the members hope to achieve. A good scoping template is also a great communication tool in helping others to understand what the inquiry is about. Once agreed, the template should therefore be circulated to relevant officers, stakeholders and potential witnesses, as well as placed on the public website.

4. Consultation

- 4.1 The work programme has not been subject to formal internal or external consultation. However, there is an opportunity to seek views on the work programme following the Committee's agreement and to amend it in light of any feedback received. It is suggested that a media release and publication of the work programme through social media should elicit valuable feedback from residents to help Members to shape the work programme to reflect the priorities of the communities that they represent.
- 4.2 Officers will have the opportunity to share their views and suggest other items for inclusion on the work programme and these will be reported verbally to the meeting. It is recommended that the Chair of the Scrutiny Committee maintain a regular dialogue with the Chief Executive to ensure that the function is well supported by the whole Council.
- 4.3 In a similar way, the Chair should also regularly liaise with the leaders of the political groups on the Council to ensure that there is ongoing buy-in to scrutiny from across the political spectrum.

5. Timetable for Implementation

- 5.1 If agreed, the Scrutiny Work Programme will be effective immediately. Once agreed, items should only be added or removed where there is good reason to do so and with the agreement of the Scrutiny Committee. In practice, there will likely be a need for the work programme to be managed by supporting officers in Democratic Services in between meetings. It is good practice for the Chair of the Scrutiny Committee to maintain an ongoing dialogue with support officers between meetings to ensure that oversight remains in place.

6. Policy Implications

- 6.1 The work programme of the Scrutiny Committee should be aligned to the Council's priorities, as described within the Corporate Plan. With a new Corporate Plan in the process of being developed, it is also recognised that the priorities of the new administration will be reflected in the agreed work programme for the Scrutiny Committee.

7. Financial and Resource Implications

- 7.1 There are no financial implications arising from the recommendations set out in this report. Should any of the work undertaken by the Scrutiny Committee generate recommendations with financial implications these will be highlighted at that time. The level of financial risk is assessed as low presently.
- 7.2 There will be resource implications arising from the agreement of the Scrutiny Work Programme for the 2023/24 municipal year. Whilst some time has been allocated from Democratic Services and is budgeted for, officer support from other parts of the organisation will be required in order to provide reports or advice or attend meetings to provide evidence or answer questions that support the work of the committee.

8. Legal Advice and Implications

- 8.1 Overview and scrutiny bodies operate within the provisions set out in the Local Government Act 2000, the Health and Social Care Act 2001 and the Local Government and Public Involvement in Health Act 200
- 8.2 Scrutiny work involves consideration of the legal and statutory issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to the Council or Policy Committees, including specific legal and statutory implications.

9. Equalities Implications

- 9.1 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- 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.
- 9.2 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 Derbyshire Dales;
 - Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.
- 9.3 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.

10. Climate Change Implications

10.1 There are no climate change implications associated with this report.

11. Risk Management

11.1 There are no specific risk management implications associated with this report. Scrutiny work involves consideration of the risk management issues relating to the topic being scrutinised. Furthermore, scrutiny work may also need to assess the implications of any recommendations made to Council or Policy Committees, including specific risk management implications.

Report Authorisation

Approvals obtained from Statutory Officers:-

	Named Officer	Date
Chief Executive	Paul Wilson	01/08/2023
Director of Resources/ S.151 Officer (or Financial Services Manager)	Karen Henriksen	26/07/2023
Monitoring Officer (or Legal Services Manager)	James McLaughlin	02/08/2023