


REPORT TO BUDGET AND CORPORATE SCRUTINY MANAGEMENT BOARD

2 October 2019

Subject:	Report of the Scrutiny Review Working Group
Director:	Surjit Tour, Director of Law and Governance and Monitoring Officer
Contribution towards Vision 2030:	
Contact Officer(s):	Suky Suthi-Nagra suky_suthinagra@sandwell.gov.uk 0121 569 3479

DECISION RECOMMENDATIONS

That the Budget and Corporate Scrutiny Management Board:-

1. Consider and endorse the report of the Scrutiny Review Working Group, the Scrutiny Review methodology, insight and evidence gathered, and findings and conclusions;
2. Recommend to Council on 15 October 2019 to approve:-
 - (a) the proposed Overview and Scrutiny structure set out at Appendix 9 (including the Terms of Reference for Scrutiny Panels, Sub-Panels detailed herein), to take effect from Annual Council on 19 May 2020;
 - (b) the role descriptions for Chairs, Vice Chairs, Overview and Scrutiny Elected Members and Co-opted members for approval with an effective date of 1 January 2020;

(c) the Director of Law and Governance and Monitoring Officer in consultation with the Chair of the 2030 Scrutiny Panel, develop protocols to support and promote healthy working relations between:-

- Scrutiny Chairs, Vice Chairs and Scrutiny Elected Members with the Executive; and
- Scrutiny Chairs, Vice Chairs and Scrutiny Members with Officers.

i. the Chair of the 2030 Scrutiny Panel, in consultation with other Scrutiny Chairs, Vice Chairs and Director of Law and Governance and Monitoring Officer, develop communication and engagement protocols/plans relating to:-

- Public, partner and stakeholder engagement;
- promoting, understanding and raising awareness of the Council's overview and scrutiny function and work programme and outcomes (including through social media, council website and newsletters);
- seeking feedback, suggestions to drive continuous improvement of the overview and scrutiny function/arrangements.

ii. the Director of Law and Governance and Monitoring Officer, in consultation with the Chairs and Vice Chairs of the Scrutiny Panels, develop and introduce/arrange for:-

- Scrutiny Member Handbook;
- Scrutiny Guide and Toolkit for officers;
- Training and awareness for officers and partners.

iii. the Chair of the 2030 Scrutiny Panel, in consultation with other Scrutiny Chairs, Vice Chairs and Director of Law and Governance and Monitoring Officer, develop a new process and timetable based on the principles outlined in this Review to determine the Scrutiny work programme, including assessment criteria and prioritisation exercise.

iv. the Director of Law and Governance and Monitoring Officer be authorised to update the Council's Constitution to reflect the agreed changes detailed above.

3. That the Scrutiny Review Implementation Plan be monitored and reviewed in six months following the implementation.

1 PURPOSE OF THE REPORT

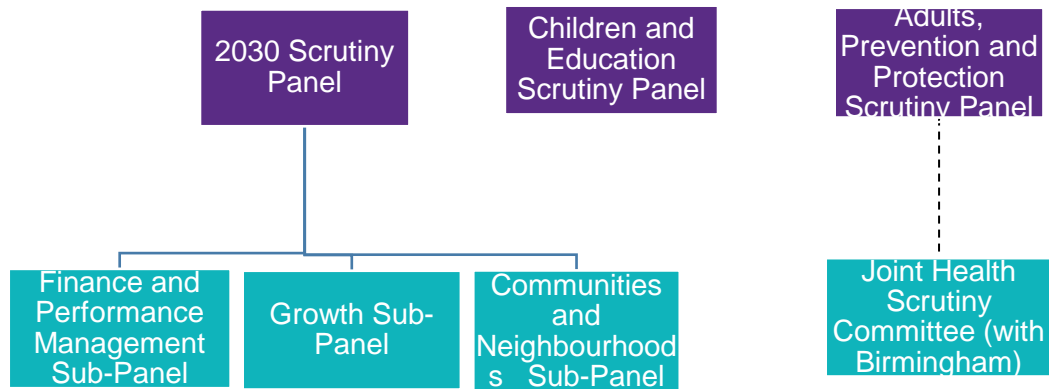
- 1.1 To recommend to the Budget and Corporate Scrutiny Management Board the proposed scrutiny structure, including terms of reference and job roles for scrutiny members following a recent scrutiny review.

2 IMPLICATION FOR VISION 2030

- 2.1 A strong and effective scrutiny function will help to contribute to Vision 2030.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 On 10 July 2019, the Budget and Corporate Scrutiny Management Board set up a Scrutiny Review Working Group made up of three scrutiny chairs and three members of the executive to examine how the Council's overview and scrutiny arrangements, including scrutiny outcomes, can be improved so as to reflect recognised good practice. The Working Group also sought to embed a strong and positive culture amongst Elected Members in relation to the real opportunities that effective overview and scrutiny provides.
- 3.2 The Working Group considered the insight and evidence gathered through engagement sessions, desktop studies, member surveys, analysis against statutory guidance and and explored good practice to make evidence-based recommendations.
- 3.3 The Review demonstrated that the single most important determinant of whether the Council delivers an excellent overview and scrutiny function that is nationally recognised, is the need for embedding a positive, passionate culture and approach amongst Elected Members to undertaking scrutiny, that is underpinned by strong commitment to maximising the opportunities effective scrutiny provides.
- 3.4 A number of recommendations have now been proposed by the Working Group to strengthen the Council's overview and scrutiny function which includes a focussed Scrutiny Work Programme to align with the ambitions within Vision 2030. A new scrutiny structure is also proposed to strengthen decision-making and accountability as follows:-



- 3.5 Job roles have been created for Scrutiny Chairs, Vice Chairs, Members and Co-opted members which outline the expectation of members of the scrutiny panel and enables accountability by including performance management issues, attendance at meetings, etc.
- 3.6 Terms of reference for the proposed scrutiny panels have also been drafted.
- 3.7 The Board are now requested to consider the report of the Scrutiny Review Working Group, as set out in Appendix 1, and the proposed job roles and terms of reference for scrutiny panels.
- 3.8 The proposed scrutiny structure, terms of reference and job roles for scrutiny panels, which will take effect from May 2020, subject to approval by Council on 15 October 2019.

4 THE CURRENT POSITION

- 4.1 The report of the Scrutiny Review Working Group was considered and endorsed by the Group at their meeting on 24 September 2019.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 The Centre for Public Scrutiny (CfPS), the Local Government Association (LGA), Elected Members and LGA Member Peers have all been engaged in the review of scrutiny to ensure commitment and desire to achieving excellence in the Council's overview and scrutiny function and arrangements.

6 ALTERNATIVE OPTIONS

- 6.1 Good practice advocates a comprehensive governance review is undertaken at reasonable intervals to ensure overview and scrutiny

arrangements remain fit for purpose and aligned to the desired outcomes of Elected Members and the Council.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The implementation of the new scrutiny structure in May 2020 may result in additional Special Responsibility Allowances (SRA). The Independent Remuneration panel on 11 October 2019 will determine whether SRA need to be changed to reflect the level of responsibility in the new structure.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The scrutiny review is one element of the Governance Review which will also review the Council's Constitution, Member Code of Conduct, etc.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 There is no equality impact as a result of the proposals.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 There are no data protection implications.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 Scrutiny have a statutory duty to consider crime and disorder. The proposed Adults, Prevention and Protection Scrutiny Panel will have responsibility for this duty.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 A strong and effective scrutiny function will add value to the work of the council.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 There are no health and wellbeing implications.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 There is no impact on council managed property or land.

15 **CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

15.1 The Working Group discussed the findings that arose from the evidence gathered from the engagement sessions, member survey and the feedback from the CfPS and measured against statutory guidance and the CfPS good practice guide. Based on this, the Working Group identified proposals that it considers will help to strengthen overview and scrutiny in Sandwell.

16 **APPENDIX**

Report of the Scrutiny Review Working Group (Appendix 1)

Surjit Tour

Director of Law and Governance and Monitoring Officer