

COUNCIL

13 JULY 2021

REFERENCE FROM OVERVIEW AND SCRUTINY COMMITTEES

A.1 OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMMES FOR 2021/2022 AND REVIEW OF WORK UNDERTAKEN FROM 2019 TO 2021 (Report prepared by Keith Simmons, Ian Ford and Keith Durran)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Council's approval to proposed work programmes for the Community Leadership Overview and Scrutiny Committee and the Resources and Services Overview and Scrutiny Committee for the remainder of 2021/22 and to note the work undertaken by those Committees in the period 2019 to 2021.

EXECUTIVE SUMMARY

Under the Overview and Scrutiny Procedure Rules, the Constitution states, in relation to the Work Programme (Rule 7), that:

“Each Overview and Scrutiny Committee will submit a work programme for the year ahead and a review of the previous year’s activities to the Full Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis.

In preparing, co-ordinating and prioritising its programme, each Overview and Scrutiny Committee will take into account:-

- *the General Role and Principles of undertaking its functions, as set out in Part 2, Article 6 of the Constitution;*
- *the planned work on the preparation of elements of the Budget and Policy Framework, as set out in the Council’s Business Plan;*
- *the need for statutory timetables to be met;*
- *the wishes of all members of the committee;*
- *requests from the Cabinet to carry out reviews; and*
- *requests from Group Leaders in accordance with Rule 8.”*

Under Article 6.02(ii) of the Constitution the Resources and Services Scrutiny Committee shall *“perform the role of overview and scrutiny and its functions in relation to the effective use of the Council’s resources including approval of discrete researched and evidenced reviews on the effectiveness of:*

- *Financial Forecast and Budget setting and monitoring (including the General Fund and the Housing Revenue Account)*
- *Service Delivery and Performance (where not delegated to the Community Leadership Overview and Scrutiny Committee)*
- *Procurement and Contract Management*
- *Transformation and Digital Strategies*

- *Customer Service and Standards*

Meetings of task and finish groups can be called as required following the terms of reference being agreed by the Committee.

Under Article 6.02(i) of the Constitution the Community Leadership Overview and Scrutiny Committee shall *“perform the role of overview and scrutiny and its functions in relation to:*

- *Community Leadership - developing the external focus of overview and scrutiny on ‘district-wide issues’ (and where appropriate sub-regional, regional and national issues), in particular through collaborative work with local partner authorities, providers, stakeholders and members of the public.*
- *Approval of discrete researched and evidenced reviews on the effectiveness of partnership operating in the area with particular focus on:*
 - *Community Safety*
 - *Health and Well-being*
 - *Economy, Skills and Educational Attainment*
- *Community engagement, development and empowerment*
- *Leisure and Tourism (except matters relating to budgets)*
- *Housing Strategy and Homeless Service (except the Housing Revenue Account)*
- *Emergency Planning*

Meetings of task and finish groups can be called as required following the terms of reference being agreed by the Committee.

In addition, and on 21 March 2021, Council approved and incorporated into the Constitution, a Cabinet and Overview and Scrutiny Protocol which includes the following in respect of work programming by the two Overview and Scrutiny Committees:

“9.1 Around the start of each Municipal Year, the Overview & Scrutiny committees will hold a work planning workshop. As part of this workshop the views of the relevant Cabinet Member(s) will be inputted alongside the views received from others. The Cabinet’s adopted priorities in support of the Corporate Plan will be considered, areas of planned policy development over the relevant Municipal Year (and the next) will be provided and they will be asked to highlight any areas where overview & scrutiny may be specifically invited to assist in work (including Community Leadership areas).

9.2 The Chairmen and Vice-Chairmen of the Overview & Scrutiny Committees will meet quarterly with representatives of the Cabinet in order to ensure ongoing opportunities for Cabinet input into Overview & Scrutiny Committee work plans, ongoing opportunities for Overview & Scrutiny to input into Cabinet policy development or to address performance issues and to build on the positive working relationship between the two functions.

9.3 Overview & Scrutiny Committees may legitimately expect to receive a written report with relevant details for each item on its work programme and, where possible, this report should always be circulated with the agenda for the meeting.”

The overview and scrutiny committees each formally reviewed the work carried out during 2019-2021 and considered items for inclusion in their respective proposed work programmes for 2021/2021 as follows:

Community Leadership Overview and Scrutiny Committee – 28 June 2021; and

Resources and Services Overview and Scrutiny Committee – 5 July 2021.

This formal approval followed informal meetings of the Members of the Committees to explore issues and matters that could be included in the work programmes. The Chairmen of the two Committees then met to consider all proposals and to confirm the allocation of subjects between the two Committees, based on their respective terms of reference, and to consider areas of joint working to avoid overlaps of work (if they were completed separately). The resulting draft work programmes were then provided to the Leader of the Council and colleagues on the Cabinet and to the Chief Executive for staff to contribute comments. From that process, revised draft work programmes with suggestions for joint panels and dates of enquiries were submitted to the formal meetings identified earlier of the two Overview and Scrutiny Committees.

A copy of the proposed work programmes for the overview and scrutiny committees and a summary of the main issues addressed by the overview and scrutiny committees during the period 2019-2021 are attached as Appendices A and B respectively to this report for Council's consideration.

RECOMMENDATIONS

That Council –

- (a) approves the proposed work programmes for the Community Leadership Overview and Scrutiny Committee and the Resources and Services Overview and Scrutiny Committee for the 2021/22 Municipal Year, as set out in Appendix A; and**
- (b) notes the work carried out by those Committees in the period 2019-2021, as set out in Appendix B.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The General Role and Functions of the Overview and Scrutiny Committees (as set out in Article 6.01 of the Council's Constitution) are to:-

1. Review or scrutinise executive decisions made by the Cabinet (including those delegated to Portfolio Holders and Officers) or are due to be made by the Cabinet or a Portfolio Holder including performance in relation to individual decisions over a period of time;
2. Act as a consultee on policy development and review of policies;
3. Submit to Full Council for approval an annual overview and scrutiny work programme;
4. Make reports or recommendations to the Cabinet or the Council as appropriate, with respect to the discharge of any Council function or on any matter affecting the authority's area or its inhabitants.
5. Prepare and present an annual performance report to Full Council covering the outcomes of the overview and scrutiny functions by each committee;
6. Deal with any call-in of Cabinet decisions (including those delegated to Portfolio

Holders and Officers (key decisions only)) in accordance with the Overview & Scrutiny Procedure Rules; and

7. Consider requests for scrutiny reviews under the Councillor Call for Action process and petitions as referred under the Petitions Scheme and Council Procedure Rules.

In undertaking the General Role the following principles apply:-

- (i) The focused co-ordination of all overview and scrutiny functions on behalf of the Council including the performance reporting on the Corporate Plan, Priorities and Projects;
- (ii) Appoint, where appropriate, and in accordance with its agreed work programme, a group to undertake researched and evidenced reviews on a specific topic, on a task and finish basis. The terms of reference of any Task and Finish group must be agreed by the relevant Overview and Scrutiny Committee prior to its commencement; and
- (iii) Consideration of the Council's priorities and resources when making researched and evidenced recommendations and referral decisions as an outcome of the scrutiny and prioritising those referrals in a timely manner.

FINANCE, OTHER RESOURCES AND RISK

Finance and Other Resources

There are no significant financial or other resource implications arising from the contents of the report.

Risk

If the work of overview and scrutiny committees is ineffective, the Council will have an increased risk of poor decision-making and lack focus on the key priorities.

LEGAL

The actions proposed are within the Council's statutory powers.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below (Crime and Disorder; Equality and Diversity; Health Inequalities; Area or Ward affected; Consultation and Public Engagement), Climate Change.

The Committees' work focuses on the many key aspects that impact upon the community of Tendring, including Crime and Disorder, Education and Skills, Equality and Diversity, Health Inequalities, the local Economy and climate change.

PART 3 – SUPPORTING INFORMATION

BACKGROUND PAPERS FOR THE DECISION

There are none.

APPENDICES

Appendix A - Proposed Work Programmes for 2021-22, along with the schedule to consider the items during the year.

Appendix B - Review of the work carried out by the overview and scrutiny committees in the period 2019 to 2021.