

COUNCIL

12 JULY 2022

JOINT REFERENCE FROM THE COMMUNITY LEADERSHIP AND THE RESOURCES & SERVICES OVERVIEW AND SCRUTINY COMMITTEES

A.2 OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMMES FOR 2022/2023 AND REVIEW OF WORK UNDERTAKEN IN 2021/22

(Report prepared by Keith Simmons, Keith Durran and Hattie Dawson-Dragisic)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Council's approval of the respective proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the remainder of 2022/23. Through the report Council is also asked to receive the proposed 'Annual Report 2021/22' for overview and scrutiny work undertaken through those Committees.

EXECUTIVE SUMMARY

At this Council, the overview and scrutiny function is facilitated through two separate Committees. These are the Community Leadership and the Resources & Services Overview and Scrutiny Committees. Together, their work comprises the whole overview and scrutiny function.

Under the Council's 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 Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis.

In submitting their proposed work programmes for 2022/23, the Overview and Scrutiny Committees have taken into account:-

- *the General Role and Principles of undertaking its functions, as set out in Part 2, Article 6*
- *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 of the Constitution the separate Overview & Scrutiny Committees (OSCs) perform the role of overview and scrutiny in relation to:

Resources and Services OSC

"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”*

Community Leadership OSC

- *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*

In considering the Work Programme of enquiries to submit for approval to Council, the separate Overview and Scrutiny Committees have had regard to the Corporate Plan 2020-24 and the themes of that Corporate Plan. These themes are:

- Delivering High Quality Services;
- Building Sustainable Communities;
- Strong Finances and Governance;
- A Growing and Inclusive Economy; and
- Community Leadership through Partnerships.

The Overview and Scrutiny Committees each formally reviewed the work carried out in 2021/22 and considered items for inclusion in their respective proposed Work Programmes for 2022/23 as follows:

Community Leadership Overview and Scrutiny Committee – 28 June 2022; and
Resources and Services Overview and Scrutiny Committee – 30 June 2022.

This formal approval follows consultation with Councillors, Officers, external partners, Parish Councils and the public. All Councillors on Tendring District Council were provided with the opportunity to contribute proposals for Work Programme items for 2022/23. Likewise Parish Councils in the District, staff of the District Council, partner organisations and the public were provided with the opportunity to contribute suggestions. In total, 22 proposals were received, one of these was from a Parish Council, three were from this Council’s own staff, five were District Councillors and 13 were from the public. These responses were assigned to the separate Overview and Scrutiny Committees based on their respective terms of reference (as quoted above from Article 6.02). The responses were reported to the Committee meetings identified above.

Both Committees received a report on a meeting between the Chairmen of those Committees, the Leader of the Council, the Deputy Leader, the Chief Executive, Deputy Chief Executive and Head of Democratic Services & Elections held on 17 May 2022. A number of suggested possible enquiries were identified at this meeting.

Having considered all of the above, the two Overview and Scrutiny Committees determined their Work Programmes for 2022/23 and these are now submitted for approval by Council along with a review of the scrutiny function at the Council in 2021/22 as performed through the two Committees. This has been developed in dialogue with the Chairmen of the two Committees and a draft was submitted at the Committee meetings already referenced above. The Committees authorised finalisation of the report in consultation with their respective Chairmen.

Appendix Ai to this report sets out the proposed work programme for the Community Leadership Overview and Scrutiny Committee, Appendix Aii sets out the proposed work programme for the Resources and Services Overview & Scrutiny Committee and Appendix B sets out the review of the scrutiny function in 2021/22. All are submitted for consideration by Council.

Both of the Overview and Scrutiny Committees have agreed to meet again following this meeting of Council to consider further the delivery of the Work Programmes approved by Council. The Community Leadership Committee has specifically indicated that it will further review the suggestions for work programme themes and prioritise any further enquiries to be undertaken in 2022/23.

RECOMMENDATIONS

That Council –

- (a) approves the proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the 2022/23 Municipal Year, as set out in Appendices Ai and Aii respectively; and**
- (b) notes the work carried out by those Committees in the year 2021/22, as set out in Appendix B.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council's Corporate Plan 2020-23 Themes are set out earlier in this report.

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*
- (ii) *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.*

In supplement to the provisions of the Council's Constitution elsewhere referenced in this report, 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."

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 Ai - Proposed Work Programme for 2022-23 for the Community Leadership Overview and Scrutiny Committee

Appendix Aii – Proposed Work programme for 2022-23 for the Resources and Services Overview and Scrutiny Committee

Appendix B - Review of the work carried out by the overview and scrutiny committees in the period 2021 to 2022.