

Item No. 3.3	Classification: Open	Date: 18 May 2019	Meeting Name: Council Assembly
Report title:		Changes to scrutiny arrangements for 2019-20	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

RECOMMENDATIONS

1. To agree constitutional changes to the scrutiny article and procedure rules as set out in appendices as agreed at Constitutional Steering Panel 1 May 2019.
2. To note the proposals at paragraph 7 for the practical operation of scrutiny.

BACKGROUND INFORMATION

3. The council decided to change its scrutiny committee arrangements following the 2018 local elections. The purpose was to trial a way of working that provided for policy review type scrutiny to be carried out by task and finish groups, with Overview and Scrutiny Committee focusing on holding to account. The new model was an Overview and Scrutiny Committee and four short term scrutiny commissions. The arrangements were endorsed by Council Assembly in July 2018 with an agreement to review in six months and report any recommendations for change. This report presents the outcome of the review and recommends constitutional changes accordingly.

KEY ISSUES FOR CONSIDERATION

4. The legal requirement is for the council to have at least one overview and scrutiny committee, and however the council chooses to organise, the scrutiny function must be able to receive referrals from Healthwatch, take part in NHS scrutiny and provide for scrutiny of crime and disorder.
5. Members of the scrutiny committees participated in a workshop in June 2018 to discuss proposals for the scrutiny model. This was supported and contextualized by an external facilitator who presented research and examples of scrutiny models in other local authorities. The workshop also drew up a list of values that are important in the council's scrutiny work. This work was reported to July 2018 overview and scrutiny committee (OSC):
<http://modern.gov.southwark.gov.uk/documents/s76532/scrutiny%20workshop%20report%20for%202023%20July%20OSC.pdf>
6. OSC agreed to review the scrutiny arrangements in 6 months time so that any changes could be recommended to CSP and Council Assembly in time for 2019/20. OSC agreed the following principles for the review:
 - Achieving a balanced work programme - does the structure allow for effective health scrutiny? Have we got the balance right about task and finish vs ongoing scrutiny of key areas?
 - Accessibility of scrutiny arrangements – look and feel of the model, its terminology, channels for public participation

- Contribution to overall good governance for the council – how does the scrutiny function play its part in efficient and effective decision making?
7. The review was undertaken in three steps: a session focusing on the scrutiny commissions, a session focusing on OSC and a final session to discuss the model overall.
 8. There was general consensus that the model needed rebalancing – the limit of three meetings for the commissions was too restrictive and OSC’s workload had become overly focused on cabinet member interviews with no capacity to conduct its own investigations. In particular, health scrutiny needed more capacity so that relationships with local NHS bodies could be maintained. Could OSC carry out more pre-decision scrutiny and find ways to follow through and look at how council decisions land in communities? Should the commissions have a fixed role for the council term or should one or more of them be flexible?

Proposals

9. The following changes are proposed:
 - The structure under OSC should comprise four commissions meeting throughout the year - one of the commissions should focus on health and social care and one on housing. All four commissions would be able to develop a full year’s work programme with a mix of review topics.
 - Cabinet member interviews should be spread across OSC and the commissions. This will enable OSC to rethink its role more strategically and develop its work plan accordingly.
 - Commission chairs should all be on OSC, assuming proportionality allows.
 - Commissions can send reports direct to cabinet – removing the current need to route them via OSC.

Resource implications

10. The scrutiny function is supported by a team of three officers based within the Chief Executive’s office. It has been challenging to support the 2018-19 scrutiny commissions with this level of resource. The new model proposes an OSC with four commissions meeting throughout the year whereas in 2018-19, commissions were restricted to three meetings. There is clear ambition to ensure there is appropriate capacity to deliver commission work programmes effectively, efficiently and to the highest possible quality. To meet this ambition it is recommended that officer support capacity be increased. At the same time, the council needs to balance increased demand to meet local ambition with smart use of resources. Officers would therefore recommend a net increase of one full time equivalent scrutiny project officer, subject to commensurate resource availability.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

11. Included in the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Moving to a new scrutiny model and establishing the basis for a review	Scrutiny Team	Shelley Burke 02075257344
http://modern.gov.southwark.gov.uk/documents/s76532/scrutiny%20workshop%20report%20for%2023%20July%20OSC.pdf		

APPENDICES

No.	Title
Appendix 1	Draft scrutiny article May 2019
Appendix 2	Draft scrutiny procedure rules May 2019

AUDIT TRAIL

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Report Author	Shelley Burke, Head of Overview & Scrutiny	
Version	Final	
Dated	3 May 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
Cabinet Member	Not applicable	Not applicable
Date final report sent to Constitutional Team		3 May 2019