

Agenda Item

REPORT OF Strategic Manager (Resources)
To: External Overview and Scrutiny Committee
Subject: Effectiveness of Overview and Scrutiny Committee
Date: 14 November 2018 **Reference:**

PURPOSE OF REPORT: The Government issued a report during the year “**Government Response to the Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees**”. Both Scrutiny Committees resolved to establish a joint task and finish group to review the findings of the report and compare them to how TDC operates the scrutiny system.

1. INTRODUCTION

Earlier this year the Government responded to a Communities and Local Government (CLG) Select Committee inquiry into the effectiveness of local authority Overview & Scrutiny Committees. The response entitled “**Government Response to the Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees**” sets out how the Government’s view of the findings of the Committee, which is attached as appendix 1.

This was reported to both scrutiny committees for their review and comment.

2. REPORT

Following the publication of the reports and initial consideration both TDC’s Internal and External Scrutiny Committees approved the establishment of a joint task and finish group to review the contents of the findings and the Government’s response. The task and finish group comprised:

Councillors Eastman, James, Pennington and Watson

Non-elected representatives Mr Bines and Mr Dengate

Supported by officers: Steve Hearse (Strategic Manager – Resources) and Jamie Hollis (Senior Solicitor)

The remit of the group was to consider the findings and report back to each of the Committees.



At the task and finish group meeting the group identified 6 main areas that were considered important and relevant for discussion and evaluation, which are detailed below along with the groups' views.

- a. Public Speaking at the Committees – this was considered a relevant point as public speaking is already part of the agenda at other Committees and Full Council and was something the group wished to incorporate. The Senior Solicitor confirmed that this was going to be included as part of the review of the Council's Constitution.
- b. Access of Committee Members to necessary information to enable the Committee to scrutinise effectively – the group felt that this was already in place and Members are empowered and are comfortable in their ability to challenge if they need further information.
- c. External support – it was felt that the way TDCs Constitution is set up to include Independent Non-elected Representation on a number of it's Committees really adds value to the scrutiny process. The Members also felt that they were able where necessary to call in further external support if required.
- d. The ability to report to Full Council – Members felt that it is important to have this reporting avenue available (already in place) if necessary particularly when scrutinising decisions of the Community and Resources Committee.
- e. Political Chairmanship of Scrutiny – the perception is that this could be an issue where local authority scrutiny committees adopt and apply the same political proportionality principles that are applied to the main decision making committees, which is the case at TDC and therefore proper scrutiny could be undermined. However, that said the group felt that within TDC's scrutiny committees this is not the case and political bias is not brought to the process..
- f. Scrutiny training – the group reflected on the training that had been provided by both officers internally and external providers. They commented on the high quality that had been provided. However, it was felt that it should be an area reported to the Committee for more regular review particularly where there is turnover within the Committees.

Overall the task and finish group reflected on the fact that they felt that the way both the scrutiny committees operate is very effective and in line with the principles of how they should function.

3. IMPLICATIONS

Legal Implications

Not applicable – TDCs Constitution complies with the legal requirements for the establishment and operation of scrutiny functions.

Financial Implications

Not applicable

Sustainability/Biodiversity Implications



Not applicable

Equality/Diversity

Not applicable.

Risk Management

Not applicable

Compliance with Policies and Strategies

The Committee operates in line with TDC's Constitution.

Ward Member and Leader Member Views

Date – Not applicable

Data Protection (GDPR) Implications

Not applicable

4. CONCLUSIONS

The task and finish group considered the report in detail highlighting six main areas for further discussion and overall concluded that TDC scrutiny functions are working well and only a few minor tweaks to implement.

5. RECOMMENDATIONS

That Committee consider the findings of the task and finish group and made any recommendations as see necessary.

SUPPORTING INFORMATION

Consultations:	Date of Consultation – 26 October 2018
	Officers Consulted – Head of Paid Service, Interim Senior Solicitor and Monitoring Officer and Governance Manager
Contact Officer:	Steve Hearse
Background Papers:	Government Report - Government Response to the Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees



