

AGENDA

SCRUTINY COORDINATING COMMITTEE MEETING



Overview and Scrutiny

Date: Thursday 11 April 2013
Time: 2.00 pm
Venue: 4th Floor, Maidstone House, King Street,
Maidstone

Membership:

Councillors: Beerling, Mrs Blackmore, Burton, English, Mrs Gooch,
D Mortimer and Paterson (substitute)

Page No.

1. **Apologies.**
2. **Notification of Substitute Members.**
3. **Disclosures by Members and Officers.**
4. **To consider whether any items should be taken in private because of the disclosure of exempt information.**
5. **Minutes of the Meetings held on 21 and 28 March 2013** 1 - 7
6. **Draft Report - Cabinet with Enhanced Scrutiny** 8 - 22
The Committee is asked to consider and amend the draft report. The report has been based on the minutes of the last three meetings and the Governance Review.
7. **Relationship with Audit Committee** 23 - 26
Report attached for consideration.

Continued Over/:

Issued on 3 April 2013

Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Angela Woodhouse on 01622 602620** . To find out more about the work of the Overview and Scrutiny Committees, please visit www.maidstone.gov.uk/osc

Minutes of the Overview and Scrutiny Coordinating Committee Meeting Thursday 21 March 2013

Attendees: Councillors Mrs Blackmore, Burton, English, Mrs Gooch, D Mortimer and Mrs Paterson

Officers: Angela Woodhouse and Orla Sweeney

Vision for Scrutiny

- It was felt that all the tools needed to make scrutiny work effectively were already in place.
- The existing vision for scrutiny was considered:
"To have an effective and well respected service that ensures the council's services are delivered equitably, effectively and efficiently to our residents."
- Members felt the vision concentrates on "scrutiny" and should include "overview".
- The following additions were suggested:
 - " To assist in the creation and development of policy and strategy"; and
 - "To hold to account the decision (makers) and service delivery/delivery of services."

It was recommended that the existing vision for scrutiny be sharpened using the additional wording suggested.

Model for Scrutiny

- It was agreed that options A, C and D be dismissed which left option B.
- Option B was considered:
 - It should be explicit that it involves both overview and scrutiny
 - Committees should be aligned to the Cabinet Portfolios
 - How many Committees – 4 or 5?
 - More resources equal more resilience?
 - Formal Overview and Scrutiny Committees were felt to increase involvement of more members and ensure credibility.

- The objective was to get more members involved which substantiated the argument for more committees?
- There was a preference for formal committees as opposed to ad hoc task and finish panels as members were more likely to engage
- Commissioning and partnerships/new ways of working provided scrutiny with a new challenge.
- Scrutiny should be looking at shared services
- The Mid Kent Improvement Partnership (MKIP) board met quarterly which provided a timeline for scrutiny's involvement.
- Scrutiny work programmes were considered too rigid.
- Interesting/Interested people and bodies should be included more using the power of co-option.
- The creation of the Spatial Policy Advisory Group (SPAG) and the Housing Consultative Board (HCB) duplicated and overlapped with overview and scrutiny. They should be subsumed into overview and scrutiny (members voted in favour of this with one abstention).

It was recommended that:

- a) Option B be taken with four scrutiny committee's on a 6 weekly cycle proposed for the 2013/14 Municipal Year;**
- b) Cabinet should revisit its portfolios to avoid overlap;**
- c) Spatial Planning Advisory Group and the Housing Consultative Board be subsumed into scrutiny to avoid duplication and strengthen the scrutiny process;**
- d) The new terms of reference include partnerships and shared services as well as explicitly stating the role of overview and scrutiny;**
- e) All new Members to attend a scrutiny committee meeting as part of the induction process;**
- f) Each Overview and Scrutiny Committee to identify training needs at the beginning of the year and then on a quarterly basis;**
- g) Where meetings are held outside the Town Hall meetings are recorded for the purposes of web casting; and**
- h) Corporate Services Overview and Scrutiny Committee meet twice a year to consider the Mid Kent Improvement Partnership in a similar manner to the way in which the present Communities**

Overview and Scrutiny Committee meet as the Crime and Disorder Overview and Scrutiny Committee.

Support for Scrutiny

- There was a budget for two full time posts.
- Under the senior management restructure, currently in its consultation period, it is proposed that scrutiny will move to Democratic Services.
- It was felt that scrutiny required a different skills set from Democratic Services and there was a natural synergy with policy
- The scrutiny training and conference budget was discussed. **A request for information was made**: What could the scrutiny member training budget be used for and what it had been used for in recent years?

It was recommended that:

- a) Scrutiny remain with Policy as there was a natural synergy between the two services and closer matching of skills than in Democratic Services; and**
- b) Chairman allowances from the Spatial Planning Advisory Group Housing Consultative Board and overview and Scrutiny Chairmen be pooled and split between the four Overview and Scrutiny Chairmen for 2013/14.**

Member Engagement/Next Steps

It was agreed that member engagement should be the focus of the coordinating committee's next meeting. The following topics were put forward for the next agenda:

- Pre/post decision scrutiny
- Regular meetings with Cabinet Members (discuss bringing these back)
- Discuss a broad recommendation to political group leaders in relation to member engagement and reviewing the appointment process to scrutiny committees
- Committee pre meets. There are two schools of thoughts for this. Pre - meets could be included as an option on future work programming reports so each individual committee can decided if there is a need in preparation for its next meeting
- Presentation skills as training requirement/part of a member's continuous professional development, including mentoring

- Local Government Association and Parliamentary Outreach – what training is available?
 - Overview and Scrutiny Work Programme
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Minutes of the Overview and Scrutiny Coordinating Committee Meeting Thursday 28 March 2013

Attendees: Councillors Mrs Blackmore, English, Mrs Gooch, D Mortimer and Mrs Paterson

Officers: Angela Woodhouse and Orla Sweeney

Apologies: Councillor Burton

Minutes

The minutes of the meeting held on 21 March 2013 were considered by the Committee. Amendments were suggested prior to them being considered for formal approval at the next meeting

Post Decision Scrutiny

- Identified that there was a mixed approach to following up scrutiny recommendations.
- Scrutiny Committee Recommendation Action Plans had been helpful but were not always followed up by the Committee very much depended on member enthusiasm for the topic.
- Coordinating Committee had a role in monitoring recommendations to ensure implementation at quarterly meetings.

Resolved: That

- a) Cabinet Members attend Committee meetings to present completed SCRAIPs and action that will be taken following recommendations; and**
- b) The Overview and Scrutiny Coordinating Committee meet quarterly and monitor recommendations as part of their role.**

Pre – Decision Overview and meetings with Cabinet Members

- The governance review had identified the importance of using pre-decision scrutiny to ensure greater member involvement in decision making.
- The change in Cabinet Member behaviour was welcomed in respect of their positive and proactive use of scrutiny in decision making for example the up coming decision on play areas.
- Regular meetings with the Cabinet Member and Scrutiny Chairmen and Vice-Chairmen will ensure that they are fully aware of the work

programmes on both sides and can be involved in policies and decisions at the earliest opportunity.

Recommendation:

- a) Cabinet Member decision reports be amended so they contain contact details for the Cabinet Member and Officer;**
- b) Cabinet Members make themselves available to discuss forthcoming decisions with Members;**
- c) The decision notice for Cabinet Member decisions contains a section summarising any views put forward by other members on the decision and how these have been taken into account in the decision; and**
- d) The Overview and Scrutiny procedure rules be revised so Visiting Members are involved and included at Committee meetings by the Overview and Scrutiny Chairmen.**

Appointment of Overview and Scrutiny Members

The Committee discussed the current process for appointing Committee Members and acknowledged that this was a matter for group leaders.

Resolved: That Party/Group Leaders continue to improve the appointment process to Overview and Scrutiny Committees to encourage the right Members.

Pre-Meetings for Overview and Scrutiny

The Committee considered the use of pre-meetings and acknowledged that they had proved useful when used appropriately.

Resolved: That pre-meetings be used for Overview and Scrutiny Committees when appropriate.

Continuing Professional Development and Induction

Members discussed the current approach to member training and the budget allocated to Overview and Scrutiny.

Resolved: That

- a) A phased approach be taken to the Induction for new Members;**

- b) Information supplied to new Members be accessible including contact details for key staff and information on the services provided by the Council and who to contact regarding those services;**
- c) A Frequently Asked Questions list be made available to new members using the expertise of current members to identify common areas; and**
- d) The training needs for scrutiny and an appropriate programme be developed by the Overview and Scrutiny Chairmen and the Scrutiny Team, this should include an annual event with other Councils and use of the Parliamentary Outreach support.**
- e) A Job Description for the Overview and Scrutiny Chairmen and Vice Chairmen be put in place.**

Overview and Scrutiny Work Programme

The Committee considered the best approach to this. The Centre for Public Scrutiny's suggested approach had already been agreed at a previous meeting, in terms of the initial work programme meeting Members discussed whether to hold one big meeting and how the Cabinet Member could be involved.

Resolved: That each Overview and Scrutiny Committee meet individually to set their work programme with the relevant Cabinet Member(s) invited to give their forward plan for the year ahead.

Agenda Item 6

Scrutiny Coordinating Committee

Cabinet System with Enhanced Scrutiny Review

Draft Report

1. Introduction

- 1.1. Council on 4 February 2013 considered scrutiny's review of corporate governance it was agreed that option C, Retain Cabinet System with enhanced Scrutiny be taken forward. Furthermore it was requested that the Scrutiny Coordinating Committee develop the model and any constitutional changes required to be considered at the April Council meeting. This paper outlines the thoughts of the Scrutiny Coordinating Committee and its recommendations for the new model.
- 1.2. The Committee are keen to stress that whilst change is required to ensure successful scrutiny many of the tools are already present, much will depend on Members appetite for change, their willingness to embrace the new model and new ways of working.

2. Developing the Cabinet and Enhanced Scrutiny Model

- 2.1. In order to develop the model the overview and scrutiny coordinating committee were asked to consider a number of areas for improvement/development and change. During the governance review a number of issues were raised regarding scrutiny these are attached at Appendix A. Looking at these findings, the debate at scrutiny and then full council a number of areas were identified for discussion:

- § The Overview and Scrutiny Model
- § Vision for Scrutiny
- § Cabinet Member Accountability
- § The role of Scrutiny Chairmen
- § Pre and Post decision Scrutiny
- § Continuous Professional Development
- § Approach to the Work Programme
- § Support for Scrutiny

2.2 The Vision for Scrutiny

- 2.2.1 The following vision was agreed for Overview and Scrutiny by members and the scrutiny team in 2007:

"To have an effective and well respected service that ensures the Council's services are delivered equitably, effectively and efficiently to our residents."

- 2.2.2 The Scrutiny Coordinating Committee reviewed the vision and identified that there was not enough emphasis on the respective roles of overview and scrutiny. The vision has been redrafted as follows:

“To deliver effective overview and scrutiny in respect of holding the Cabinet to account, assisting policy development, service challenge and improvement and external scrutiny.”

2.3 The Overview and Scrutiny Model

2.3.1 The Scrutiny Coordinating Committee considered a number of options for the scrutiny model. These are outlined below

Option A – Retain Current Structure

Committee	Terms of Reference	Cabinet
Corporate Services OSC	Cabinet Scrutiny Performance Management Scrutiny Corporate Documents including the Strategic Plan, Strategic Risk Register and MTFS IT Business Improvement Customer Care and Complaints Budget Scrutiny Emergency Planning Communications LSP and Locality Boards Legal Services Procurement and Asset Management Licensing Audit Service	The Cabinet and in particular Cabinet member for Corporate Services
Regeneration and Economic Development OSC	Highways Transport Public Transport Economic Development Support for Business Visitor Economy Learning and Skills Planning LDF and Core Strategy Regeneration projects Employment	Cabinet Member for Economic and Commercial development Leader Cabinet Member for Planning, transport and Development

Communities OSC	Community Development Social Inclusion and Equalities Environment Housing Revenues and Benefits Parks and open spaces Environmental Services Waste and Recycling Street Cleansing Active Citizenship and Democracy Neighbourhood Action Planning Vulnerable People and deprivation Crime and Disorder (responsibility for acting as CDRP OSC twice a year) Health Partnerships	Cabinet Member for Community and Leisure Services Cabinet Member for Environment
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Option B – Align the Committees to Cabinet Portfolios

The Committees below have been aligned to Cabinet portfolios. There is concern that current Cabinet portfolios have duplication and overlap, the Committee requests that the present portfolios be re- examined. One example given was tourism, the review of the Visitor Information Centre revealed that this sits across three portfolios.

Committee	Terms of Reference	Cabinet Member
Strategic Leadership and Corporate Services Overview and Scrutiny Committee	To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships <ul style="list-style-type: none"> • Reviewing performance and ensuring appropriate action is identified and executed to remedy performance issues • Asset Management • Communications • Human Resources • Business Transformation and the Corporate Improvement Programme • Equalities • Democratic services • Scrutinising standards of governance and conduct are achieved throughout the business of the Council • Customer service • Corporate finance including regular budget monitoring 	To hold to account the relevant Cabinet Members: Leader; and Cabinet Member for Corporate Services

	<ul style="list-style-type: none"> • Information Technology including scrutiny of the shared service • Council Tax and Housing Benefit including the Revenues and Benefits Shared Service • Mid Kent Improvement Partnership • Democratic Services including electoral services and member services • Procurement, Property Services and Facilities Management 	
Environment Overview and Scrutiny Committee	<p>To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships</p> <ul style="list-style-type: none"> • Air Quality • Contaminated Land • Water • Climate change • Licensing • Carbon Management • Local Biodiversity • Waste minimisation, recycling and collection • Cleansing services • Environmental Health services • Bereavement i.e. services provided from the cemetery and crematorium • Capital projects and programmes relevant to the portfolio • Cobtree Golf Course • Climate Change 	Cabinet Member for Environment
Planning and Economic Overview and Scrutiny Committee	<p>To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships</p> <ul style="list-style-type: none"> • Economic Development and Regeneration • Commercial Services Development • The Visitor Economy including the Hazlitt Arts Centre, Maidstone museums, tourism, the Kent Conference Bureau and Maidstone market. • Capital projects and programmes relevant to the portfolio including regeneration and public realm improvement schemes • The Council's contribution to securing sustainable construction with respect to development in the borough. • Spatial planning including the Local 	<p>Cabinet Member for Economic and Commercial Development</p> <p>And</p> <p>Cabinet Member for Planning, Transport and Development</p>

	<p>Development Framework and other spatial planning documents including Development Plan Documents, Development Management policies and development briefs</p> <ul style="list-style-type: none"> • Transport and Infrastructure (including Highways, Parking, Park and Ride and Public Transport) • Development Management including planning enforcement and land charges • Landscape and Conservation • Building Control 	
<p>Community and Leisure Services Overview and Scrutiny Committee</p>	<p>To provide overview and scrutiny in relation to the following areas and associated strategies, policies and partnerships</p> <ul style="list-style-type: none"> • Housing • Community Development • Community Safety (To act as the Crime and Disorder Reduction Partnership OSC twice a year) • Safety In Action • Voluntary and Community Sectors • Health • Parks, open spaces and allotments including grounds maintenance • Leisure activities including sporting and recreational based activities and including services provided via the Maidstone Leisure Centre • Community engagement • Allocation and monitoring of grants • Capital projects and programmes relevant to the portfolio including environmental improvement schemes 	<p>Cabinet Member for Community and Leisure Services</p>

Option C – One Overview and Scrutiny Committee and Task and Finish Panels

Under this model there would be one Overview & Scrutiny Committee and a series of time-limited task & finish groups established by the Committee to carry out investigations. For example the Overview & Scrutiny Committee may be responsible for performance monitoring and review, consultation on Cabinet proposals and call-in of decisions whilst in-depth scrutiny and policy review could be carried out by time limited task & finish groups. Task & Finish Group Members can be anyone who is not on the executive.

Option D – Split Overview and Scrutiny

There is a potential to separate the roles of 'Overview' and 'Scrutiny.' One or more Committees could focus on holding the executive to account (call-in, performance monitoring) whilst one or more Committees could focus on policy review and conducting in-depth investigations. According to the Centre for Public Scrutiny there are currently twelve Councils nationally running this model.

Recommendations:

- a) Option B be taken with four Overview and Scrutiny Committees on a 6 weekly cycle proposed for the 2013/14 Municipal Year.**
- b) Cabinet should revisit its portfolios to avoid overlap.**
- c) Spatial Planning Advisory Group and the Housing Consultative Board be subsumed into scrutiny to avoid duplication and strengthen the scrutiny process.**

2.4 Continuous Professional Development and Scrutiny Chairmen

- 2.4.1 It was clear from the Governance Review and discussions at full council that the Chairmanship of scrutiny has a significant impact on its effectiveness. Suggestions were received during the review that there should be a chairman's job description. It would be useful to have this role set out in the scrutiny members' handbook. A JD is attached at Appendix B
- 2.4.2 The Coordinating Committee considered the roles and skills and what training is required to be an effective scrutiny member. It was acknowledged that the training and tools were already available, however more use needed to be made of these.

Recommendations:

- d) A phased approach be taken to the induction for new Members.**
- e) Information supplied to new Members be accessible including contact details for key staff and information on the services provided by the Council and who to contact regarding those services.**
- f) A glossary of acronyms and terminology and a Frequently Asked Questions list be made available to new members using the expertise of current members to identify common areas.**
- g) The training needs for scrutiny and an appropriate programme be developed by the Overview and Scrutiny Chairmen and the**

Scrutiny Team, this should include an annual event with other Councils and use of the Parliamentary Outreach support; and

- h) A Job Description for the Overview and Scrutiny Chairmen and Vice Chairmen be approved and added to the Overview and Scrutiny Members Handbook.**
- i) All new Members to attend a scrutiny committee meeting as part of the induction process.**
- j) Each Overview and Scrutiny Committee to identify training needs at the beginning of the year and then on a quarterly basis.**

2.5 Post Decision Scrutiny

2.5.1 The Coordinating Committee identified that recommendations were not always followed up and responses from Cabinet and Officers were not always clear. The Scrutiny Committee Recommendation Action Plans had been helpful but were not always followed up by the Committee and it very much depended on member enthusiasm for the topic. The Coordinating Committee needed to take greater responsibility for monitoring recommendation and should meet quarterly to ensure this happened.

Recommendations

- k) Cabinet Members attend Committee meetings to present completed SCRAIPs and action that will be taken following recommendations; and**
- l) The Scrutiny Coordinating Committee meet quarterly and monitor recommendations as part of their role.**

2.6 Pre – Decision Overview and meetings with Cabinet Members

The governance review had identified the importance of using pre-decision scrutiny to ensure greater member involvement in decision making. The change in Cabinet Member behaviour is welcomed in respect of their positive and proactive use of scrutiny in decision making for example the up coming decision on play areas. Regular meetings with the Cabinet Member and Scrutiny Chairmen and Vice-Chairmen will ensure that they are fully aware of the work programmes on both sides and can be involved in policies and decisions at the earliest opportunity.

Recommendations:

- m) Cabinet Member decision reports be amended so they contain contact details for the Cabinet Member and Officer.**

- n) Cabinet Members make themselves available to discuss forthcoming decisions with Members.**
- o) The decision notice for Cabinet Member decisions contains a section summarising any views put forward by other members on the decision and how these have been taken into account in the decision.**
- p) The Overview and Scrutiny procedure rules be revised so Visiting Members are involved and included at Committee meetings by the Overview and Scrutiny Chairmen.**
- q) Cabinet Members seek to involve scrutiny pre decision wherever possible.**

2.7 Appointment of Overview and Scrutiny Members

Following the concerns raised during the governance review on member engagement and involvement with Overview and Scrutiny, the Committee discussed the current process for appointing Committee Members and acknowledged that this was a matter for group leaders.

Recommendation

- r) That Party/Group Leaders continue to improve the appointment process to Overview and Scrutiny Committees to encourage the right Members.**

2.8 Pre-Meetings for Overview and Scrutiny

The Committee considered the use of pre-meetings and acknowledged that they had proved useful when used appropriately.

Recommendation

- s) That pre-meetings be used for Overview and Scrutiny Committees when appropriate.**

2.9 Cabinet Member Appraisals and Holding the Cabinet to Account

2.9.1 The issue of who appraises the Cabinet was raised during the full council debate. The scrutiny committees could fulfil this function through an appraisal of the cabinet portfolio's progress for their respective cabinet members on a six monthly and yearly basis.

Recommendation

- t) Cabinet Members attend scrutiny at three points during the year to discuss their portfolio and progress made.**

2.8 Overview and Scrutiny Work Programme

2.8.1 The Committee considered the best approach to this. The Centre for Public Scrutiny's suggested approach was agreed as the way forward, in terms of the initial work programme meeting Members discussed whether to hold one big meeting and how the Cabinet Member could be involved.

Recommendation

- u) That each Overview and Scrutiny Committee meet individually to set their work programme with the relevant Cabinet Member(s) invited to give their forward plan for the year ahead.**

2.9 Support for Scrutiny

2.9.1 There was a budget for two full time posts. The senior management restructure, currently in its consultation period, it is proposed that scrutiny will move to Democratic Services. It was felt that scrutiny required a different skills set from Democratic Services and there was a natural synergy with policy so to maintain independence the team should stay with Policy and Performance.

Recommendation

- v) Scrutiny remain with Policy as there was a natural synergy between the two services and closer matching of skills than in Democratic Services**

Appendix A - Scrutiny – Key Findings from the Governance Review

Interviews:

17

Interview	Summary	Improvements to Scrutiny
Cabinet Members	<ul style="list-style-type: none"> • Pre-decision scrutiny is not being used effectively; • There is a natural defensiveness over call-in, members cannot impact decisions effectively with call-in; • Scrutiny has done it's job and is now stale, as a result there is a lack of interest in scrutiny; • The principles of scrutiny as a system of checks and balances is good, but it is not being used effectively; • The value of cross-party input is before the decision is made through pre-decision scrutiny, not once the decision has been made through call-in; • Members need to have a clearer understanding of the role of scrutiny in order to really use it effectively; • Scrutiny is being misused too often to score political points, and being overshadowed by political agenda; 	<ul style="list-style-type: none"> • Effective pre-scrutiny can be used to better engage members • Programme of training to educate members on the role of scrutiny and the tools available for members to influence decisions • Members need to be proactive – it is up to members to add key decisions to the agenda not the Cabinet member; • Cross party collaboration between Cabinet and Scrutiny would provide better value to the decision makers - but is it for Cabinet to lead the scrutiny agenda? • Have one committee to scrutinise cabinet decisions and one committee to provide the overview; • Scrutiny is member driven should be proactive, rethink the format of meetings, bring back Officers and external people;
Members	<ul style="list-style-type: none"> • Too much focus on scrutiny and not enough overview; • Scrutiny chairman are not being held to account – they need to have a clear 	<ul style="list-style-type: none"> • There should be a more proactive and effective use of pre-decision scrutiny and should not be Cabinet led; • Chairmanship should not be the same as the

	<p>understanding of their role;</p> <ul style="list-style-type: none"> • Pre-scrutiny meetings hold too much influence members are 'dragged' along and therefore challenge is difficult; • Scrutiny reports have not impact, as a result members feel as though they have not been involved or had any influence over decision making; 	<p>administration;</p> <ul style="list-style-type: none"> • Quality of chairmanship should be improved; • Better programmed training for new members to provide better induction and better continuous professional development; • There needs to be improved training over the role of scrutiny;
Senior Officers	<ul style="list-style-type: none"> • Pre-decision scrutiny is the most effective way to influence decision making and it is not being used effectively; • Scrutiny is not having the right impact – decisions are not being influenced / changed; 	<ul style="list-style-type: none"> • Improve the appetite for pre-decision scrutiny to allow the Committee to actually influence decisions – and choose the right decisions; • Reduce to one scrutiny committee – with support from individual working groups – to allow adequate overview and scrutiny; • Re-consider the format of meetings, and adopt more innovate and flexible Officer reports and interviews; • Reduce scrutiny from 3 committees to one; • Improve collaboration between Cabinet and scrutiny • Improve the accountability of scrutiny recommendations and implement a system to capture and recommendations and report on the actions taken; • Improve the understanding and quality of the chairmanship; • Members should be proactive to be involved in decision before they are made;

Member Survey

Question	Thinking about the present Cabinet and Leader System what do you like and/or dislike?	How could the present system be improved
Key Points	<p>Liked:</p> <ul style="list-style-type: none"> • Speed of decision making • Ability to be decisive • Allows clear strategic direction • Efficiency of decision making <p>Dislike:</p> <ul style="list-style-type: none"> • Lack of transparency • Not enough members involved in decision making • Undemocratic • Disempowerment of ward councillors and their residents 	<p>Greater pre-decision involvement</p> <p>More input from Members</p> <p>More use of the scrutiny system</p> <p>Better forward planning of decision making</p> <p>More consultation</p>

19

From the Member workshop

Feedback on the systems of governance:

- Cllr Paine – Being a Cabinet member can be isolating – a hybrid system would improve member involvement;
- The current system allows for quick/snap decisions (that need to be made quickly) to be made;
- Cllr Ash – The speed of the cabinet process can result in decisions being made too quickly without effective challenge;
- Group discussion – Weakness of the current system is that not enough members are or feel like they are involved;
- Members lack sufficient knowledge and expertise – “jack of all trades but master of none”;
- Too much focus on scrutiny, and not enough overview – reports and recommendations are not revisited;
- The committee system led to more decision being made a full Council;
- The Council needs to make the right decision, not a financial decision;
- The system must not eliminate the overview side of the decision process (such as research). Would this be lost in a Committee system?

Accountability:

- Perception that Cabinet members are not being held to account;
- Scrutiny chairmen are not being held to account
- Cllr Paine: In a committee system would you get a decision made? And would there be clear accountability of that decision?

Overview and Scrutiny Chairman – Job Description

Purpose

- To ensure, for the Committee's area of responsibility, that the Council's Executive and officers, also the Council's statutory partners, are properly held to account, in accordance with legislation.
- To ensure that Overview and Scrutiny makes a positive contribution to the development of policy and the continuous improvement of the Council's operations.
- To provide fair leadership and clear guidance to Members and officers in respect of the overview and scrutiny function.

Key Duties and Responsibilities

- To chair the meetings of the Overview and Scrutiny Committee ensuring each committee member and visiting members have the opportunity to contribute.
- To preside over the agenda setting process.
- To maintain an overview of the work programme of the Committee in order to ensure effective co-ordination and progress of all work.
- To develop a clear understanding of the Committee's terms of reference, the scope and range of services for which it is responsible and Council policies in respect of those services.
- To encourage overview and scrutiny members to develop the necessary skills to contribute effectively to the work of the Committee and to work with officers
- To initiate and develop constructive relationships with the Executive, especially with relevant portfolio holders, senior officers and partners.
- To engage partner agencies in the Committee's work to promote a constructive approach to overview and scrutiny.
- To attend meetings of the Overview and Scrutiny Coordinating Committee
- To contribute to the management and development of the overview and scrutiny function.
- To attend when requested meetings of the Executive when items relevant to the Committee are being considered.
- To liaise and communicate on a regular basis with relevant officers, particularly the Overview and Scrutiny officer team, and specialists to ensure the receipt of appropriate advice to inform effective overview and scrutiny.
- To encourage the involvement of all interested parties and stakeholders, individuals voluntary and community groups in overview and scrutiny matters.

Key Skills and Knowledge

- Good leadership skills.
- Advanced chairing skills.
- Project Management

- Good ambassadorial skills representing and championing the overview and scrutiny function inside and outside the Council.
- Listening skills and questioning skills.
- High standard of communication skills with officers, Councillors, co-optees, partners, external bodies and members of the public.
- Good presentation and public speaking skills.
- Ability to obtain and weigh up evidence and help the Committee to make quality recommendations based on that evidence.

MAIDSTONE BOROUGH COUNCIL

SCRUTINY COORDINATING COMMITTEE

11 APRIL 2013

REPORT OF HEAD OF DEMOCRATIC SERVICES

Report prepared by Debbie Snook

1. RELATIONSHIP BETWEEN THE AUDIT COMMITTEE AND THE CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

1.1 Issue for Decision

- 1.1.1 To consider the recommendations arising from the meeting between the Chairman and Vice-Chairman of the Audit Committee and the Chairman of the Corporate Services Overview and Scrutiny Committee held on 5 December 2012 to discuss the relationship between the two Committees and the development of complementary work programmes to avoid duplication.

1.2 Recommendation of Head of Democratic Services

- 1.2.1 That the outcome of the discussions between the Chairman and the Vice-Chairman of the Audit Committee and the Chairman of the Corporate Services Overview and Scrutiny Committee be noted.
- 1.2.2 That the Chairman and Vice-Chairman of the Audit Committee should meet with the Scrutiny Co-ordinating Committee at the beginning of each Municipal Year to discuss Committee work programmes and any areas of overlap to ensure that the Audit Committee does not carry out or duplicate work which is properly the responsibility of the Overview and Scrutiny Committees and that the Overview and Scrutiny Committees are aware of the work plan and role of the Audit Committee.
- 1.2.3 That the following protocol be adopted to manage the referral of issues either way between the Audit and Overview and Scrutiny Committees:-

In the event of the Audit Committee being minded to refer an issue to an Overview and Scrutiny Committee (or vice-versa), the issue, the reasons for referral and the desired outcome must be clearly understood, and specified in the minutes and the reference.

1.3 Reasons for Recommendation

- 1.3.1 At the meeting of the Audit Committee held on 17 September 2012, a number of Members sought clarity over the roles and responsibilities of the Audit and Corporate Services Overview and Scrutiny Committees. It was agreed that arrangements be made for the Chairman and Vice-Chairman of the Committee to meet with the Chairman and Vice-Chairman of the Corporate Services Overview and Scrutiny Committee to discuss how the Committees relate to each other and the development of complementary work programmes to avoid duplication. The meeting took place on 5 December 2012. The Vice-Chairman of the Corporate Services Overview and Scrutiny Committee was unable to attend due to a Deputy Mayoral engagement, but submitted a paper setting out his thoughts on the matter.
- 1.3.2 At the meeting on 5 December 2012, it was explained that the role of the Audit Committee differs from that of the Overview and Scrutiny Committees in that the role of scrutiny is to review policy and challenge whether the Executive has made the right decisions to deliver policy goals. The Audit Committee, however, provides independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and affects the control environment, and oversight of the financial reporting process.
- 1.3.3 It was recognised that although the Audit Committee's work programme is driven largely by statute and the governance and financial reporting cycle, there is a potential overlap between the work of the Audit Committee and the Corporate Services Overview and Scrutiny Committee having regard to their terms of reference. Additionally, there could potentially be areas of overlap with the other Overview and Scrutiny Committees. It was considered, therefore, that the co-ordination of work programmes is desirable not only to avoid duplication of work, but to ensure that resources are used most effectively.
- 1.3.4 The Scrutiny Co-ordinating Committee meets at the beginning of each Municipal Year to consider the Overview and Scrutiny Committee work programmes and address areas of overlap. It was suggested that the Chairman and Vice-Chairman of the Audit Committee should be involved in this process.
- 1.3.5 The Chairmen and Vice-Chairman also discussed whether there is a need for a protocol to manage the referral of issues either way

between the Audit and Overview and Scrutiny Committees. It was suggested that the adoption of the following simple protocol would clarify and inform any referral and help to ensure a constructive outcome:-

In the event of the Audit Committee being minded to refer an issue to an Overview and Scrutiny Committee (or vice-versa), the issue, the reasons for referral and the desired outcome must be clearly understood, and specified in the minutes and the reference.

1.3.6 The recommendations arising from the meeting held on 5 December 2012 will also be reported to the Scrutiny Co-ordinating Committee.

1.4 Alternative Action and why not Recommended

1.4.1 The Committee could choose to continue as at present, but this is not recommended as a greater awareness of the respective Audit and Overview and Scrutiny Committee work programmes will avoid duplication and engender more efficient and effective use of resources. It is also in line with the recommendations of the peer review of the Audit Committee undertaken by Local Government Improvement and Development. Similarly, the adoption of a protocol for the referral of issues between the Audit and Overview and Scrutiny Committees will help clarify the reasons for the referral and inform the subsequent debate.

1.5 Impact on Corporate Objectives

1.5.1 The co-ordination of the Audit and Overview and Scrutiny Committee work programmes thereby avoiding duplication and engendering more efficient and effective use of resources and the adoption of a protocol to manage the referral of issues between the Committees supports the objective of Corporate and Customer Excellence.

1.6 Risk Management

1.6.1 The co-ordination of the Audit and Overview and Scrutiny Committee work programmes will mitigate the risk of duplication of work and the inefficient and ineffective use of resources. The adoption of a protocol for the referral of issues between the Committees will mitigate the risk of inappropriate referrals and ensure that the debate is relevant and informed.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

x

1.7.2 The financial implications are outlined in the report.

1.8 Relevant Documents

1.8.1 Appendices

1.8.2 None

1.9 Background Documents

1.9.1 Terms of Reference of the Audit and Overview and Scrutiny Committees as set out in the Council's Constitution.