

Maidstone Borough Council

Strategic Leadership and Corporate Services Overview and Scrutiny Committee

Tuesday 10 June 2014

Future Work Programme

Report of: Christian Scade, Senior Corporate Policy Officer

1. Introduction

- 1.1 At their meeting of 23 April 2014 the Scrutiny Coordinating Committee¹ discussed the development of the 2014-15 Overview and Scrutiny Committees' Future Work Programmes (FWP) and review topics.
- 1.2 As a result of these discussions it was agreed to design and run a Future Work Programme Workshop before each Committees' first meeting of the 2014-15 municipal year.
- 1.3 During the workshops committees will discuss and select topics relating to the terms of reference for their committee attached as **Appendix A**.
- 1.4 The results of the Committees' discussions at their workshops are to be used to help develop a draft future work programme and select a review topic for the 2014-15 municipal year.
- 1.5 Committees will also be asked to consider their development requirements for the year relating to their agreed FWP and review topic.

2. Recommendation

- 2.1 That the Committee uses the results of their discussions from the Future Work Programme Workshop held before this meeting to plan their draft future work programme.
- 2.2 That the Committee also uses the results of their discussions from the Future Work Programme Workshop held before this meeting to plan their review topic for the 2014-15 municipal year.
- 2.3 That, subject to further discussions with Tunbridge Wells Borough Council and Swale Borough Council, the Committee agrees to hold a collocated simultaneous meeting in early July 2014 to consider the

¹ The Scrutiny Coordinating Committee, consisting of the Chairman and Vice Chairman of each Overview and Scrutiny committees, is tasked to consider matters relating to the conduct, performance and procedures of the Overview and Scrutiny committees and develops mechanisms for addressing cross cutting issues and preventing duplication in the work of individual committees.

issues highlighted in section 8 of this report in relation to scrutinising the Mid Kent Improvement Partnership.

- 2.4 That the Committee considers their development needs for the coming year to enhance the work of their FWP and review topic.
- 2.5 That Committee notes the terms of reference for this Committee, attached as **Appendix A**, when making their decisions.
- 2.6 That the Committee considers the sections of the List of Forthcoming Decisions relevant to the Committee at **Appendix B** and whether these are items that require further investigation or monitoring and inclusion on their FWP.

3 What is Overview and Scrutiny?

- 3.1 Overview and Scrutiny committees (O&S) were brought into being by the Local Government Act 2000 as a way of holding the executive to account. In Maidstone, there are four committees overseeing six Cabinet portfolios. O&S committees play two main roles with this structure; the bulk of their time is spent examining the policy, administration and expenditure of the council through focused policy reviews similar to select committee inquiries. They also have a role in scrutinising key council documents such as the budget and strategic plan, and have the power to 'call in' decisions of the cabinet once they have been made and suggest alternative courses of action. The breakdown below provides a useful aide memoire:

Role	How
Policy Development	Through carrying out reviews in new areas and aiding the cabinet in its policy work.
Holding the Executive to account	Through pre- and post-cabinet decision scrutiny. Pre-decision - inviting cabinet members to report to the committee on their work and making recommendations to assist policy development, and initiating reviews of services and policy, for example climate change. Post-decision scrutiny: scrutiny committees may call-in a cabinet or cabinet member decision, review that decision and make recommendations.
Policy Review	Keeping an eye on the policies developed by the council and the cabinet and making recommendations where appropriate for improvement.
Performance Management	Reviewing performance management information, identifying services that are not performing and making recommendations for improvement.

External Scrutiny	Looking outside the council at other services provided to the public. This includes the Council's responsibility to scrutinise the Safer Maidstone Partnership under the Police and Justice Act 2006.
Engaging the public	A key role for scrutiny is to engage the public in its work and give the public a voice. This can be achieved through co-option, working with the local media and asking for the public's input into the scrutiny work programme.

3.2 Scrutiny cannot:

- Take decisions, however it can recommend to decision makers;
- Investigate individual complaints. For information on the council's complaint procedure please see [http://selfserve.maidstone.gov.uk/ServicePage.aspx?servicePath=;](http://selfserve.maidstone.gov.uk/ServicePage.aspx?servicePath=)
- Change a cabinet decision – it can recommend a decision be changed but it is up to cabinet whether or not it accepts that recommendation;
- Scrutinise individual planning or licensing decisions;
- Investigate the conduct or behaviour of a councillor or officer - this is the responsibility of the Standards Committee.

4 Future Work Programme

- 4.1 Each O&S committee is required to approve and co-ordinate an annual work programme, including the programme of any review topics. Members of each O&S committee have an important role to play in ensuring time and resources are effectively and efficiently used.
- 4.2 Careful selection and prioritisation of work is essential if the scrutiny function is to be successful, achieve added value and retain credibility. The work programme should be realistic, relevant to the public, of interest to Members and be adequately resourced. It needs to be flexible to ensure it remains relevant and to retain a degree of flexibility to enable additional issues to be scrutinised urgently.

5 Scrutiny Review Topics

- 5.1 Scrutiny reviews are a key aspect of O&S work, and provide opportunities to thoroughly investigate topics and help make improvements. This type of work should enable more robust and effective challenge and lead to better decision making. In depth reviews should also help engage the public, and provide greater transparency and accountability.
- 5.2 Examples of review topics already undertaken by O&S Committees include:
- Accessing Mental Health Services Before the Point of Crisis – April 2014
 - Events Review - April 2014
 - Maidstone Visitor Information Centre - 2013
 - Review of the Capital Strategy – 2013

6 Scrutiny review topic selection criteria

- 6.1 The following selection criteria are suggested to committees when deciding on their topic selections for their review topic:
- Accept the topic if it:
 - Affects local people;
 - Will bring improvements for local people and/or for the council;
 - Relates to a poor performing service.
 - Reject the topic if it:
 - Has been covered by and O&S committee in the past 12 months;
 - Is an individual complaint.

7 Future Work Programme Workshop

- 7.1 In March 2014 the O&S team, with the help of the Communications team, implemented a communications plan to help gather suggestions for topics for the committees FWP and reviews.
- 7.2 Requests for ideas for topic suggestions were sent using:
- Emails direct to parish councils, all Maidstone Borough Councillors (MBC), stakeholders including Kent County Council (KCC), local charities and community groups;
 - Press releases in the Downs Mail and Kent Messenger;
 - Articles on the MBC intranet and website;
 - Twitter and Facebook;
 - Internal channels such as Wakey, Wakey and face to face meetings with key staff.

- 7.3 Since March the O&S team have received more than 50 suggestions from staff, members of the public, community representatives, key stakeholders/partners including parish councils and local press. A list of all the suggestions received is attached as **Appendix C**.
- 7.4 A number of items identified for 2013-14 were not reviewed or the Committee requested an update after a six month period. These items have been included in Appendix C with a note to indicate they are carried over from 2013-14. The Committee is requested to consider these items together with the suggestions received for 2014-15.
- 7.5 All the suggestions will be used in an activity during the Future Work Programme Workshop to be held prior to this meeting
- 7.6 The aim of the workshop is for each O&S committee to develop their FWP and decide on a least one review topic for the 2014-15 municipal year.
- 7.7 With the input of the Scrutiny Coordinating Committee the workshop has been designed to be interactive and engaging to encourage discussion and debate to develop a work programme that is realistic and relevant to the committee.
- 7.8 The work programmes will need to be flexible to enable additional issues to be scrutinised urgently throughout the year. With additional work not yet scheduled in, the work programme has the potential to become quite substantial. The Committee should aim to maintain a manageable work programme and regularly consider whether items can be removed.
- 7.9 The importance of input from Cabinet Members and Officers is crucial to the development of the FWP. All Councillors have been invited to all four workshops.
- 7.10 To help promote pre-decision scrutiny key members of staff will also be attending the workshops, and Committee meetings, to respond to any questions on major pieces of work applicable to each Committee's terms of reference for the coming year.
- 7.11 The Committee may wish to interview Cabinet members in July or August to better understand their priorities for the coming year.
- 7.12 Part of the workshop will also focus on members learning and development needs and opportunities to ensure effective scrutiny, work programing and scoping of reviews.
- 7.13 Throughout the course of the municipal year the Committee is asked to review their work programme and to put forward ideas for scrutiny. Members are asked to consider the work programme at each meeting to ensure that it remains appropriate and covers all issues Members wish to consider within the Committee's remit.

- 7.14 The Committee is reminded that the Constitution states under Overview and Scrutiny Procedure Rules number 9: Agenda items that 'Any Member shall be entitled to give notice to the proper officer that he wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the agenda for the next available meeting of the Committee or Sub-Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda, the Member must attend the meeting and speak on the item put forward.'

8 Mid Kent Improvement Partnership – Scrutiny Options

- 8.1 Throughout the 2013/14 Municipal Year the Committee reviewed and scrutinised a number of issues in relation to the Mid Kent Improvement Partnership (MKIP).
- 8.2 In November, the MKIP Partnership Manager gave a presentation to Committee setting out what MKIP had achieved since its inception, its current work programme and objectives for the future.
- 8.3 In February, the Committee considered a report from the Interim Environmental Health Shared Service Manager outlining the design for the two-site model of operation of the Mid Kent Environmental Health Shared Service.
- 8.4 In addition, to ensure Members remained up-to-date, and engaged, with the MKIP programme, the Committee called a special meeting in April. This was to consider areas of work the Committee may like to feed into over the next twelve months and to gain a better understanding of various work streams. This was followed up, in May, with a question and answer session with the newly appointed Mid Kent Services Director.
- 8.5 During these meetings Committee Members raised a number of questions relating to:
- Governance arrangements;
 - Seeking clarity on the role of O&S to be able to scrutinise decisions of the MKIP Management Board, if it so wishes;
 - The objectives of the Mid Kent Services Director in their twelve month trial and how these would be measured;
 - Communication and engagement;
 - Performance management / monitoring.
- 8.6 Following the Committee meeting in May, the Chairman and Vice Chairman of the Committee met with Tunbridge Wells Borough Council and were interested to hear that their scrutiny members had raised similar questions. The Chairman also made contact with the Scrutiny Chairman at Swale.

- 8.7 In view of these developments it would be possible for a working group to be set up to look at these issues in more detail with Tunbridge Wells and Swale.
- 8.8 The Committee is recommended to consider these issues and agree a way forward.

9 List of Forthcoming Decisions

- 9.1 The List of Forthcoming Decisions (**Appendix B**) is a live document containing all key and non-key decisions.
- 9.2 Due to the nature of the List of Forthcoming Decisions, and to ensure the information provided to the Committee is up to date, a verbal update will be given at the meeting by the Chairman. The Committee can view the live document online at:
<http://meetings.maidstone.gov.uk/mgListPlans.aspx?RPIId=443&RD=0>

10 Alternative Action and why not Recommend

- 10.1 None

11 Impact on Corporate Objectives

- 11.1 The Strategic Plan sets the Council's key objectives for the medium term and has a range of objectives which support the delivery of the Council's priorities.
- 11.2 This Committee will consider reports that deliver against the following Council priority:
- 'Corporate and Customer Excellence'

12 Financial Implications

To assist O&S committees in their inquiries, a small budget is available for the purchase of necessary equipment and to cover the costs of training, site visits, meetings in locations other than the Town Hall, witness expenses, specialist advice, books and any other costs that might be legitimately incurred by the committees in the course of their activities.

13 Relevant Documents

Appendix A – Overview and Scrutiny Committees' Terms of Reference
Appendix B – List for Forthcoming Decisions
Appendix C – List of O&S suggestions received for 2014-15

14 Background Documents

None