

OVERVIEW AND SCRUTINY COMMITTEE – ROLE AND RESPONSIBILITIES

1. The Council in approving and adopting a new Constitution agreed revised terms of reference for this Committee as part of the new structure, together with some operating principles. This had regard to the recent publication by the Government of statutory guidance on Overview and Scrutiny in Local and Combined Authorities, which at the time Members felt should be reviewed.
2. Local authorities must have regard to statutory guidance in the arrangements it makes for overview and scrutiny even though with the system this Council operates there is no requirement for such a committee. The Guidance appears largely to update existing guidance and has particular regard to the conclusions of a House of Commons Select Committee which reported in December 2017.
3. The Guidance rehearses the same good principles of scrutiny and explains how it can be fostered and developed within the culture of the organisation. Poor scrutiny can have a negative effect on the organisation and its reputation. Financial matters are best dealt with through audit, and the Section 151 Officer will have a key role to play in advising on how to manage the dynamic of looking at financial matters through both the scrutiny and audit functions.
4. On resourcing, this is clearly a matter for individual authorities, although the Guidance emphasises the need for impartial advice and the role of the statutory officers in providing timely, relevant and high-quality advice to the scrutiny process. The Guidance also stresses the importance of communicating the scrutiny role within the authority and to the public, and for Council to retain an interest in and be kept informed of scrutiny work.
5. Members of a scrutiny committee having an independent mindset is fundamental to the process. Chairmen of scrutiny committees need to work proactively to identify contentious issues and how to manage them. Members should receive induction training on how scrutiny is operated by the authority.
6. The Guidance also deals with the process for scrutinising organisations which receive public funding to deliver goods and services, in particular contractors engaged by the Council. It is suggested as good practice that a clause be put in contracts seeking compliance with any subsequent scrutiny of performance.
7. Finally, the Guidance details how to plan and undertake scrutiny work in terms of shortlisting projects, approaches for information, evidence sessions and preparing recommendations. It makes the point that committee sessions should not be used simply to receive information - arrangements should be made to provide information to Members separately.
8. The accountability of the Committee to Council is important. The Committee should have regard to the Guidance in approaching its work and should perhaps be asked to consider the Guidance document at its first meeting.