

Report to:	Audit and Governance Committee Council	Date of Meeting:	18 December 2019 23 January 2020
Subject:	Submission of Overview and Scrutiny Working Group Final Reports to Council		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	All
Cabinet Portfolio:	Adult Social Care Children, Schools and Safeguarding Communities and Housing Health and Wellbeing Locality Services Planning and Building Control Regeneration and Skills Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek approval of the submission of Overview and Scrutiny Working Group Final Reports and recommendations to Cabinet and then Council for final approval.

Recommendations:

That Overview and Scrutiny Working Group Final Reports and recommendations be submitted to Cabinet and then Council for final approval and that the Constitution be amended accordingly.

Reasons for the Recommendation(s):

To comply with decisions of the four Overview and Scrutiny Committees.

Alternative Options Considered and Rejected: (including any Risk Implications)

No alternative options have been considered.

What will it cost and how will it be financed?

There are no direct financial implications arising from this report.

(A) **Revenue Costs** – see above

(B) **Capital Costs** – see above

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None
Legal Implications: The Council should have regard to statutory guidance and should follow the guidance unless there is good reason not to do so.
Equality Implications: There are no equality implications.

Contribution to the Council’s Core Purpose:

Protect the most vulnerable: None directly applicable to this report.
Facilitate confident and resilient communities: None directly applicable to this report
Commission, broker and provide core services: The role that overview and scrutiny can play in holding an authority’s decision makers to account makes it fundamentally important to the successful functioning of local democracy.
Place – leadership and influencer: None directly applicable to this report.
Drivers of change and reform: None directly applicable to this report.
Facilitate sustainable economic prosperity: None directly applicable to this report.
Greater income for social investment: None directly applicable to this report.
Cleaner Greener: None directly applicable to this report.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD5878 /19) has been consulted and notes the report indicates no direct financial implications arising for the Council. The Chief Legal and Democratic Officer (LD4062 /19) is the author of the report.

Strategic Leadership Board

Overview and Scrutiny Management Board

The Council’s four Overview and Scrutiny Committees

(B) External Consultations

Not applicable

Implementation Date for the Decision

Immediately following the Council meeting.

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Appendices:

No appendices are attached

Background Papers:

There are no background papers available for inspection.

1. Introduction

- 1.1 The Government made a commitment to produce updated statutory Scrutiny Guidance in response to a Communities and Local Government Select Committee report into the “Effectiveness of Local Authority Overview and Scrutiny Committees”.
- 1.2 Statutory Guidance was published on 7 May 2019. Local authorities and Combined Authorities must have regard to the Statutory Guidance when exercising their functions; and the phrase ‘must have regard’, when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.
- 1.3 A report on the Guidance was considered and approved by the Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees during the October/November 2019 committee cycle.

2. Submission of Overview and Scrutiny Working Group Final Reports to Council

- 2.1 One section of the guidance related to maintaining the interest of full Council in the work of Overview and Scrutiny Committees.
- 2.2 As Members will be aware, at present the Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees submit an Annual Report to Council during the July cycle of meetings.
- 2.3 Currently, Overview and Scrutiny Working Group Final Reports and recommendations are submitted to Cabinet for approval. However, the Guidance indicated that to ensure Council plays a greater role in scrutiny functions then Overview and Scrutiny Working Group Final Reports and recommendations should be submitted to Council rather than solely to the Cabinet.
- 2.4 The Overview and Scrutiny Management Board and the four Overview and Scrutiny Committees approved the suggestion made in the Guidance that

Overview and Scrutiny Working Group Final Reports and recommendations be submitted to Cabinet and then Council for final approval.

- 2.5 To enable this change to be implemented the Audit and Governance Committee and Council are requested to approve the decision taken by the four Overview and Scrutiny Committees.