

**Open Report on behalf of Andrew Crookham,
Executive Director - Resources**

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| Report to: | Overview and Scrutiny Management Board |
| Date: | 19 December 2019 |
| Subject: | Progress Report by Scrutiny Panel B of its <i>Review of Overview and Scrutiny</i> |

Summary:

On 29 August 2019, the Board approved the terms of reference for Scrutiny Panel B's review of overview and scrutiny. This report provides the Board with an update of the work undertaken so far, and the work planned prior to the conclusion of the review.

Actions Required

- (1) To note that Scrutiny Panel B has so far considered: -
 - each chapter of the *Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (issued by the Ministry of Housing, Communities and Local Government in May 2019)*
 - the existing executive – scrutiny protocol, entitled *Developing Relationships Between the Executive and Overview and Scrutiny*;
 - the statutory scrutiny officer role and resourcing for overview and scrutiny in Democratic Services;
 - clarifications of two aspects of the legislation; and
 - analysis of activity of the overview and scrutiny function.
- (2) To note that Scrutiny Panel B is due to consider: -
 - the Peer Review of Lincolnshire County Council (September 2019) and any relevant findings for the review;
 - discussions with the Leader of the Council, the Head of Paid Service and the Head of Communications;
 - questioning skills and support and training for overview and scrutiny councillors;
 - questionnaire responses from chairmen of overview and scrutiny committees;
 - analysis of the outcomes of the overview and scrutiny function;
 - role of Scrutiny Panel A and Scrutiny Panel B in scrutiny review process; and
 - the role of the Safeguarding Boards Scrutiny Sub Group.
- (3) To note the initial findings of the review.

- (4) To note that Scrutiny Panel B's draft final report will be submitted to this Board on 26 March 2020, prior to its consideration by the Executive on 5 May 2020.
- (5) To consider providing feedback to Scrutiny Panel B, bearing in mind the Panel's remit as indicated in its previously approved terms of reference.

1. Background

Terms of Reference for Scrutiny Panel B

1.1 On 29 August 2019, this Board approved the following terms of reference for Scrutiny Panel B's review of overview and scrutiny:

- (1) *To examine the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities issued by the Ministry of Housing, Communities and Local Government on 7 May 2019 and its implications for Overview and Scrutiny at Lincolnshire County Council.*
- (2) *Subject to the exclusion below, to review the current Overview and Scrutiny arrangements, which have been in place since May 2017, to see whether any further improvements can be made.*

Membership of the Panel

1.2 For the review of overview and scrutiny, Scrutiny Panel B comprises Councillors Mrs Angela Newton (Chairman), Tony Turner MBE (Vice Chairman), Bob Adams, Colin Matthews, Robert Parker, Stephen Roe, Mark Whittington and Ray Wooten. Councillor Barry Young attends each panel meeting as a non-voting representative of the Executive.

2. Progress of the Review

2.1 Scrutiny Panel B has held three meetings to date (30 September, 30 October and 20 November 2019). The focus of the first two meetings was on clause (1) of the Panel's terms of reference, working through each chapter of the *Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities*. In addition the Panel has also focused on:

- the statutory scrutiny officer role and resourcing for overview and scrutiny in Democratic Services;
- clarifications of two aspects of the legislation; and
- analysis of activity of the overview and scrutiny function.

Remaining Activity

2.2 Scrutiny Panel B's remaining work programme includes the following:

- the Peer Review of Lincolnshire County Council (September 2019) and any relevant findings for the review;
- discussions with the Leader of the Council, the Head of Paid Service and the Head of Communications;

- questioning skills and support and training for overview and scrutiny councillors;
- questionnaire responses from chairmen of overview and scrutiny committees;
- analysis of the outcomes of the overview and scrutiny function;
- role of Scrutiny Panel A and Scrutiny Panel B in scrutiny review process; and
- the role of the Safeguarding Boards Scrutiny Sub Group.

Initial Findings

2.3 As indicated in paragraph 2.2 above, the Panel is due to consider several issues, prior to concluding its review. However, at this stage some initial findings are being compiled and will be reported at the meeting.

Implementation of Recommendations

2.4 At this stage, as a progress report, there are no recommendations. However, some recommendations from the final report of this review could be implemented immediately, if they fall within the remit of this Board. Other recommendations may need the agreement of the Executive, for example any recommended changes to the Executive / Scrutiny Protocol.

2.5 However, any recommendations for changes to the Council's Constitution will require a decision from the County Council, following consideration by the Audit Committee (as required in the Council's Constitution), in either May or September 2020.

3. Conclusion

3.1 The Board is asked to note the progress made so far in the review, including the initial findings, and provide feedback to the Panel, bearing in mind the approved terms of reference of the review.

4. Consultation

4.1 This is not a direct consultation item, although the Board may provide feedback to the Panel, if necessary.

5. Appendices

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| These are listed below and attached at the back of the report | |
| Appendix A | Scrutiny Panel B – Terms of Reference |

6. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Simon Evans, Health Scrutiny Officer, who can be contacted on 01522 553607 or by e-mail at Simon.Evans@lincolnshire.gov.uk

APPENDIX A

Scrutiny Panel B – Proposed Review on Overview and Scrutiny

Main Lines of Enquiry

- (1) To examine the *Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities* and its implications for Overview and Scrutiny at Lincolnshire County Council, by evaluating how the Statutory Guidance relates to the current Overview and Scrutiny arrangements at Lincolnshire County Council and identifying how the existing arrangements comply with the provisions in the Statutory Guidance.
- (2) To examine the current Overview and Scrutiny arrangements, including the Scrutiny-Executive protocol, and identify any areas for potential improvement.

Exclusion from Review

This review will examine the "Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities" and the current Overview and Scrutiny arrangements at Lincolnshire County Council. Only the relevant legislation and this statutory guidance will be considered during this review.

Completion Dates

Overview and Scrutiny Management Board – 26 March 2020

Executive – 5 May 2020

(Note: As stated in the main report, if any changes are proposed to the Council's Constitution, they would require a decision by the County Council, following consideration by the Audit Committee. This could mean consideration of changes by the County Council in May or September 2020.)