

## **ESTABLISHING THE OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2017/18**

Overview & Scrutiny Panel **23 May 2017**

Report Author **Senior Democratic Services Officer**

Portfolio Holder **Councillor Crown-Brown, Cabinet Member for Corporate Governance**

Status **For Decision**

Classification: **Unrestricted**

Key Decision **No**

Ward: **Thanet Wide**

### **Executive Summary:**

This report sets out possible activities of the Overview and Scrutiny Panel for 2017/18 and asks the Panel to determine the priority areas of work for the new municipal year.

### **Recommendations:**

Members are requested to consider the following recommendations:

#### **1. Political proportionality**

The Panel:

- a) **Agrees** to establish the size and membership of sub groups with due regard to political proportionality (and with reference to proposed proportionality options in Table 1 in the report);
- Or
- b) **Unanimously Agrees** to disregard political proportionality when setting up the sub committees.

#### **2. Sub-Committees to be established**

Determine which sub groups to establish; determine their composition between Political Groups (reflecting the decision above) and nominate Members to serve on them.

#### **3. Terms of reference**

- a) **Agree** terms of reference for any newly established sub-groups (*if applicable*);
- b) **Agree** the draft terms of reference for the re-constituted sub committees in Annex 2;
- c) **Agree** that before any consideration of substantive business any re-established Groups would be required to review their respective terms of reference at their first meeting and report any suggested changes to the next available Overview and Scrutiny Panel for approval;

d) **Agree** that before any consideration of substantive business all Groups would be required to complete the project template at their first meeting and report the details back to the next available Overview and Scrutiny Panel for approval.

<b>CORPORATE IMPLICATIONS</b>									
<b>Financial and Value for Money</b>	There are no financial implications arising directly from this report but elements of the suggested work programme may have financial and resource implications.								
<b>Legal</b>	There are no legal issues arising directly from this report. However a robust scrutiny function that is set up in a positive critical friend environment effective decision making and policy development.								
<b>Corporate</b>	<p>The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation.</p> <p>The sub-committees assist the work of scrutiny as they would carry-out an in-depth study of any issue referred to the groups under their terms of reference. An active Scrutiny programme is part of good governance.</p>								
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1"> <thead> <tr> <th colspan="2">Please indicate which aim is relevant to the report.</th> </tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </tbody> </table> <p>No implications arise directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.</p> <p>It is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by Council.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓	Advance equality of opportunity between people who share a protected characteristic and people who do not share it		Foster good relations between people who share a protected characteristic and people who do not share it.	
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<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	✓

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	✓
Supporting the Workforce	
Promoting open communications	✓

## **1.0 Introduction and Background**

- 1.1 This paper allows the Panel to establish and agree the Overview and Scrutiny Panel work programme for 2017/18. In scoping out its work, the Panel may wish to consider any outstanding work from 2016/17.
- 1.2 In 2016/17, the Panel work programme was carried through by the Community Safety Working Party, Corporate Performance Review Working Party and Electoral Registration Review Task & Finish Group.
- 1.3 Later in the year, the Panel agreed to stand down the Electoral Registration sub group and replaced it with the Dreamland Working Group. The Dreamland Working Group had set itself a deadline that they had to complete their work in four meetings. At the end of April 2017, the sub group met three times.

## **2.0 Setting up the Work Programme for 2017/18**

- 2.1 Members may wish to reconstitute these sub groups whose membership size and terms of reference are highlighted in Annex 1 and Annex 2 to the report.
- 2.2 In setting up sub-committees, Members ought to decide the following membership structure for them:
- a. Unanimously agree to disregard political proportionality in setting up membership size and political representation for the sub-committees;
- Or
- b. Agree political representation based on proportional political representation for each of the sub-committees to be established.
- 2.3 The political proportionality for sub group sizes between 5 and 15 members are shown in Table 1 below. As you will see, a sub-committee of 15 members would be necessary to ensure all parties were represented.

Table 1

Size of sub group	UKIP	Conservative	Labour	Independent Group
5	3	2	0	0
6	4	2	0	0
7	4	2	1	0
8	5	3	0	0
9	5	3	1	0
10	6	3	1	0
11	6	4	1	0
12	7	4	1	0
13	7	5	1	0
14	8	5	1	0
15	8	5	1	1

- 2.4 If Members opt to disregard political proportionality, the Panel can choose any size of sub group and populate it with any combination of members it wishes. In order to do this the panel must vote unanimously to disregard proportionality, if just one Member abstains or fails to vote then the proposal will fail and proportionality will have to be applied to the sub groups.
- 2.5 It is worth noting that in previous years, Members have opted to for political proportionality when setting up the sub committees, ensuring that that option adopted by the Panel enabled all political groups on the Panel to be represented on sub committees. This approach enabled all political groups to take part in scrutiny investigations. The Panel also agreed that non Panel Members could be appointed to the sub committees. However it was the expectation of the Panel that most of the members to the sub groups would be drawn from the Panel itself.
- 2.6 The Panel or any of sub committees can appoint up to three people who are not Members of the Council as non-voting co-optees as long as such individuals are not subject to circumstances that would disqualify them from being a councillor. They can also appoint up to three additional non Panel councillors with 'a particular skill, knowledge or experience' about the subject under review to assist with the scrutiny work.
- 2.7 Members are requested to consider whether to reconstitute the formal sub groups that had been undertaking scrutiny work in 2016/17 and whose work had not yet been completed. The structure of the previous year's work programme is reflected in Table 1 in Annex 1 of the report.
- 2.8 On the other hand, if the Panel wishes to establish new sub groups, it will need to agree terms of reference that can govern the business of these sub-committees and consider the work of the officers supporting them; this may mean ending some other working parties, in order to accommodate the new ones.
- 2.9 Each sub group would need to prepare a programme of their work, indicating the issues to be considered (in accordance with their assigned terms of reference) and the timetable for completing their tasks, where applicable. However it is worth noting that Democratic Services can only support up to three sub groups due to limited resources.

### 3.0 Some outstanding issues from the previous municipal year

#### **Watching Brief Issue: Proposed re-organisation of East Kent health services by East Kent Hospitals University Foundation Trust (EKHUFT)**

- 3.1 The Leader of Council set up a QEQM Hospital Cabinet Advisory Group (CAG) on the subject and their first meeting was held on 21 April 2016. The sub group met again on 13 December 2016, and received further information on the public consultation before agreeing that officers submit a response on behalf of the council.
- 3.2 The Panel may still want to keep a watching brief on this issue as there may be further public consultation by EKHUFT in 2017 on service models to adopt. Indications had been made by the Thanet CCG and South Kent Coast CCG representative that the Cabinet Advisory Group would receive updates at key points in the critical paths of the consultation.

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#### **Annex List**

Annex 1	Table 1 – OSP Work Programme used in 2016/17
Annex 2	Working Parties draft terms of reference 2017/18

#### **Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
None	N/A

#### **Corporate Consultation**

Finance	Matthew Sanham, Corporate Finance Manager
Legal	Ciara Feeney, Head of Legal Services & Deputy Monitoring Officer