

THE OVERVIEW AND SCRUTINY COMMITTEE

24 March 2014

MEMBER INVOLVEMENT INFORMAL SCRUTINY GROUP –
RECOMMENDATIONS

REPORT OF CHAIR OF THE ISG, COUNCILLOR MALCOM WRIGHT

Contact Officer: Simon Eden Tel no: 01962 848283 seden@winchester.gov.uk

RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

The Overview and Scrutiny Committee decided at its meeting on 18 February 2013 to establish an Informal Scrutiny Group (ISG) to review existing opportunities whereby Members are able to influence issues and proposals being brought forward for decision. In outline, the ISG was keen to ensure that those Members who are not closely involved in the decision-making process, nevertheless have an opportunity to understand the approach being taken and to input their own views and ideas.

During the period of the scrutiny investigation, the work of the ISG became closely linked with the Council's wider review of Governance as well as the Local Government Boundary Commission review. Therefore, the ISG recognised that it would need to ensure that its recommendations were both timely and relevant with regard to this broader exercise.

RECOMMENDATIONS:

That The Overview and Scrutiny Committee consider the recommendations of the ISG and recommend to Cabinet the following:

1. That an electronic forum for Members, based around publication of the Council's Forward Plan of Key Decisions, be agreed as the basis for facilitating greater Member involvement in the Council's decision making.
2. That officers be asked to implement the necessary arrangements once a new (IT based) Committee Management System has been purchased.

THE OVERVIEW AND SCRUTINY COMMITTEE

24 March 2014

MEMBER INVOLVEMENT INFORMAL SCRUTINY GROUP – RECOMMENDATIONS

REPORT OF CHAIR OF THE ISG, COUNCILLOR MALCOM WRIGHT

DETAIL:

1 Introduction

- 1.1 The Overview and Scrutiny Committee decided at its meeting on 18 February 2013 to establish an Informal Scrutiny Group (ISG) to review existing opportunities for all 57 Members of the Council to have an involvement in decisions coming forward.
- 1.2 The details of the broad themes of the ISG's discussions are set out in its final report at Appendix 1. The report also sets out its recommendations for further consideration by The Overview and Scrutiny Committee.

OTHER CONSIDERATIONS:

2 COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

- 2.1 The subject of the ISG is directly relevant to delivery of the priority outcomes of the Community Strategy as well as supporting our aim to be an Efficient and Effective Council.

3. RESOURCE IMPLICATIONS:

- 3.1 Democratic Services are at an early stage of making the necessary arrangements to procure an electronic committee management system. The initial costs are likely to be in the order of £15,000 and a potential carry forward from Departmental budgets has been identified for this purpose. The on-going revenue costs will also be met within the existing budget.

4. RISK MANAGEMENT ISSUES

- 4.1 There are no significant risk management issues associated with this report.

5. EQUALITIES

- 5.1 None.

BACKGROUND DOCUMENTS:

Minutes of the ISG, held by the Democratic Services Team

APPENDICES: Appendix 1: Final report of the Review of Member Involvement Informal Scrutiny Group

FINAL REPORT

OF

MEMBER INVOLVEMENT
INFORMAL SCRUTINY GROUP

1 Introduction

1.1 The Overview and Scrutiny Committee decided at its meeting on 18 February 2013 to establish an Informal Scrutiny Group (ISG) to review existing opportunities for all 57 Members of the Council to have an involvement in decisions coming forward.

1.1 At its first meeting the ISG established that the following broad principles should be supported:

- That Members should have an early opportunity to be made aware of forthcoming decisions;
- That Members are able to comment on the best mechanism for a decision being taken (subject to any requirements imposed by statute, and to the agreed Constitution);
- That Members have an appropriate opportunity to contribute to the taking of that decision;
- That Members are satisfied that, in taking decisions, the right balance is achieved between providing detailed information and being concise enough to facilitate quick decision making; and
- That Members are kept informed, by the most appropriate means, of matters of local or national concern.

2 Background

2.1 The ISG noted that whereas full Council agrees the Council's budget and broad strategic direction, Cabinet implements the majority of the decisions within this framework. The Cabinet system provides clear accountability to individual members, currently comprised of seven Portfolio Holders, including the Leader of the Council.

2.2 Because of the Cabinet system, many elected Members do not feel sufficiently involved in the decision making process, or able to potentially affect a major decision of the Council. As a consequence, Councillors often want to be better informed of the full background and detail to all proposals coming forward for decision – which can also influence a desire for detailed committee reports. Providing better engagement at an early stage can obviate the need for lengthy reports.

3 Governance Review/Boundary Commission and review of electoral cycle

3.1 The ISG noted that the Council was undertaking review of its Governance processes. This work would also investigate the need to involve Members in key issues and challenge the extent to which Members should be involved in operational detail. The review was to also take account of maximising the potential of the reducing staffing resource available to the Council as a result of the current economic situation.

3.2 The ISG also noted that since it had commenced its investigations, the Local Government Boundary Commission for England (which has a national responsibility for local electoral arrangements) had advised that it had decided to undertake a review of the Council's electoral arrangements as a part of its own work programme. Although the Commission's work was focused on District ward boundaries, the ISG noted that the Commission would also respond to the Council's views on Council size and overall number of Members.

4 The Forward Plan and Members' Forum

- 4.1 The ISG discussed in some detail existing opportunities and mechanisms where Members have the opportunity to be briefed on, comment on and/or influence major Council decisions. The ISG also discussed existing opportunities for Members to bring forward their own proposals to be considered to take forward for eventual decision. These are set out in the Council's Constitution and summarised in diagrammatic form in Annex 1 to this report.
- 4.2 The ISG considered that when a particular matter requiring a decision is published in the Forward Plan, there could be opportunities for informal dialogue in advance of a proposal requiring a formal decision.
- 4.3 The Forward Plan is produced by the Council under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The purpose of the Plan is to give advance notice of Key Decisions to be made by the Cabinet, Cabinet Committees, Portfolio Holders or officers on its behalf. This is to give both Members of the Council and the public the opportunity of making their views known at the earliest possible stage. The Forward Plan is published monthly, on the last working day in the month prior to the date that the decision is required to be made. For example, the Forward Plan for April 2014 was published on 28 February 2014.
- 4.4 The ISG considered that the Council's Forward Plan was published sufficiently far in advance, so to provide all Members with an opportunity to comment on key issues at an early stage i.e., before a report is produced and so potentially influence the proposals eventually being brought forward for decision.
- 4.5 It was considered that opportunities for Members to be informed about and influence the proposals coming forward could potentially reduce lengthy discussion later on in the decision making process. As Portfolio Holders are accountable for the majority of decisions coming forward, they should have regard to matters raised during the informal period of consultation and that this therefore be reflected within the eventual decision coming forward.
- 4.5 The ISG heard of proposals that Democratic Services were at an early stage of potentially procuring an electronic web based Committee Management System to help manage the Council's committee and democratic services processes. Part of this system was inclusive of the publication of 'issues' plans (which could include the Forward Plan) which linked to an on-line facility

where associated comments from Members could be expressed. These comments would be held within a database, allowing them to be reviewed and analysed by officers and portfolio holders. The ISG Members decided that a 'Members electronic forum' would be a reasonable way to allow Members to comment before a report was produced on any item of the Forward Plan as shown in the attached flow chart.

- 4.6 At the ISG's last meeting, the Members agreed that Annex 1 to this Report demonstrates how it was felt the Forward Plan and associated Members' Forum would relate to existing opportunities for Members to be involved in the decision making and to also bring their own ideas forward.

Recommendations

That The Overview and Scrutiny Committee consider the recommendations of the ISG and recommend to Cabinet the following:

1. That an electronic forum for Members, based around publication of the Council's Forward Plan of Key Decisions, be agreed as the basis for facilitating greater Member involvement in the Council's decision making.
2. That officers be asked to implement the necessary arrangements once a new (IT based) Committee Management System has been purchased.

Annex 1- Member Engagement Flow Chart

What matters are coming forward for decision or otherwise merit consideration (eg Forward Plan, Portfolio Plans, Scrutiny Work Plan or Democratic Services update plus other matters of concern)

Is matter part of Cabinet's forward programme?

NO

YES

Raise through ISG

Raise by Notice of Motion

Member request to be added to agenda

Debate – is action required?

NO

YES

END

FORWARD PLAN Members Forum

YES

O&S request a matter is added to their agenda/Chair adds an item

Debate

No further action

Members Forum
Comments, request or suggestions to Portfolio holder/officers

Detailed report to Cabinet/Portfolio Holder

Discussion at O&S

O&S consider call-in

Portfolio Holder Decision Notice

Member Addresses Committee

Cabinet or Cabinet Committee

YES

Five or more Member Objections

Council

Decision

Decision

Decision

NO