

Scrutiny Handbook

This Handbook provides Members and Officers with some guidance on the Overview and Scrutiny function in High Peak Borough Council. It sets out the rights and obligations of Members and Officers and explains the roles of the Council's four Select (Overview and Scrutiny) Committees and the procedures by which these roles should be fulfilled. It should be read in conjunction with the Council Constitution, in particular Article 7 on Select (Overview and Scrutiny) Committees, Part 4 the Select Committee Procedure Rules and the Codes Protocols and Conventions "Rights and Responsibilities". Background information on Scrutiny is available in the Centre for Public Scrutiny publication 'Good Scrutiny Guide'.

Background

Select Committees were established in High Peak as part of the new political arrangements following the Local Government Act 2000.

Under the terms of the Council Constitution, there are four Select Committees shadowing the work of six Executive Members and the Executive as a whole.

Portfolio	Select Committee
Leader of the Council	} Corporate
Corporate Services	
Performance Improvement	
Environment	Environment
Economic Regeneration	Regeneration
Community and Social Development	Social Inclusion and Community

Each Select Committee is made up of twelve non-Executive Councillors appointed to reflect the overall political makeup of the Council.

Aims and Objectives of Scrutiny

Overview and Scrutiny has a vital role to play in the High Peak Borough Council. In brief, it works in conjunction with the Executive, to ensure that the Executive is publicly held to account for their actions and seeks to promote open and transparent decision making and democratic accountability. It also has a role in ensuring that the Council's policy and budgetary framework is respected and realising the 4 key aims of the Council's Corporate Plan:

- Supporting People
- Creating jobs and prosperity
- Protecting the environment
- Improving the Council

Finally, Overview and Scrutiny has a role in researching and providing innovative thinking on particular issues.

Whilst the primary role of Overview and Scrutiny committees is to scrutinise and oversee the work of the Executive and Council policies and services as a whole, they also have a role – albeit limited – in scrutinising other public bodies.

It is important to note that whilst Overview and Scrutiny committees have a role in holding the Executive to account, it is the Executive and Executive Members who are responsible for making the day-to-day decisions concerning the running of the Council (within the overall policy and budgetary framework agreed by Council).

The Value of Overview and Scrutiny

At the heart of Overview and Scrutiny is the principal that the process should be Member-led. If conducted efficiently and effectively, scrutiny can yield a number of benefits:

- providing an interesting and valued role for non-Executive Councillors;
- developing better informed Members who are adept at investigating below the surface of policies and strategies and consequently develop a range of skills;
- complementing and informing the strategic and policy setting work of the Executive;
- providing useful oversight and an element of ‘challenge’ to the Best Value process and to the Council’s systems of performance management and continuous improvement;
- encouraging public involvement in the policy process;
- holding the executive to account through use of the call-in mechanism;
- tackling cross-cutting issues; and
- stimulating a more reflective, evaluative and evidence-based culture within the Council.

Support for Scrutiny

OFFICER SUPPORT

The work of the Council’s Overview and Scrutiny function is supported by the Democratic Services Manager and the Scrutiny Support Officer. In addition there is a lead officer for each committee. These are Pat Wilson for Corporate, Dai Lerner for Regeneration, Ben Williams for Social Inclusion and Community and Environment. There is also a significant contribution from many other officers in terms of time and resources.

The Scrutiny Support Officer fulfils a number of functions namely:

- arranging and organising committee, sub-committee and working group meetings (including the preparation of agenda, minutes and informal notes);
- liaising with Select Committee Chairs and managing the work programme;
- the provision of procedural and constitutional advice;
- assistance with possible terms of reference, witnesses and programmes of action for committee inquiries;
- arranging committee visits or for the attendance of witnesses;

- assistance with relevant officers to maximise the benefit of evidence session through the provision of background information, briefs and possible questions;
- assistance with relevant officers in the drafting of committee reports.

In addition to the support provided by the Scrutiny Support Officer, Members may also request help and advice from other Council Officers. Where a Select Committee has resolved to undertake a review, it is the duty of the relevant lead officer to co-operate fully with the review or (if appropriate) to arrange for a senior member of staff to act in their place. This duty extends beyond merely answering the Committee's questions and involves a requirement to assist the Committee in addressing the right questions and in seeking the information which may be required to help them in their work.

In addition the Executive Members attend the Select committees to answer questions from other Members about Executive Decisions. If possible the Scrutiny Support Officer should be advised of any questions at least five days prior to the meeting. If the Executive member is unable to give a full answer at the meeting a written response will be given after the meeting.

FINANCIAL SUPPORT

To assist the Select Committees in their inquiries, a budget of £10,000 has been requested to cover the cost of site visits, meetings in locations other than the Council buildings, witnesses expenses, specialist advice, books and any other costs that might be legitimately incurred by the committees in the course of their activities.

TRAINING

Scrutiny requires a number of new skills on the part of elected Members. These include (but are not limited to): questioning techniques, project management, information retrieval and analysis, chairing and networking. The Council has agreed a training budget for Members. In addition to meeting individual training needs, the budget will be used to provide across the board training for all Councillors on Overview and Scrutiny committees.

The Work of Overview and Scrutiny Committees

SUB-COMMITTEES

A Select Committee may appoint a Sub-Committee of not less than three members and not more than five members (who do not have to be members of the Select Committee itself) to examine any issue in more depth. A Select Committee shall not have more than one Sub-Committee in being at any one time with a maximum of two being established in any year. One additional Sub-Committee (in total across all Select Committees) may be appointed where there is an urgent and proven need. A joint Sub-Committee may be appointed to deal with issues concerning more than one Select Committee. Additional appointments to Committee/Sub-Committees can be made in an advisory capacity as required.

To assist in planning, structuring and focusing the work of Sub-Committees a Project Initiation Document and Scrutiny Template are attached as Appendices 1 and 2.

RESEARCH AND INQUIRIES

In order to fulfil their policy development and scrutiny role, a Select Committee (including a Sub-Committee) may require the presence of "Council witnesses" e.g.:

- the Leader of the Council;
- a member of the Executive;
- any other member of the Council;
- the Chief Executive, Strategic Director, ,Service Head or Business Manager;
- any other Officer of the Council (With the approval of the Chief Executive or relevant Strategic Director)

to give evidence and answer questions as the Committee requires. They may request that any such person produce to them documentary or other evidence and information.

A Select Committee may request any other person to attend for them to give evidence and answer questions. Information for those attending meetings is attached at Appendix 3.

THE PARTY WHIP

Select Committee business shall not be subject to the party whip.

WORK PROGRAMME AND BUDGET

The Corporate Select Committee acts as co-ordinator of the overall Work Programmes of the Select Committees. Within that principle, each Select Committee is responsible for setting its own work programme and in doing so takes into account the wishes of members of that committee who are not members of the controlling group on the Council

In recognition of the resource implications, a Select Committee may carry out no more than two in depth studies of topics within its terms of reference each year or 8 in total.

Each Select Committee must report annually to full Council and make recommendations for future work programmes and amendments to working methods if appropriate.

PROCEDURE FOR ADDING ITEMS TO THE WORK PROGRAMME

The Select Committee Work Programme is available on the intranet. Members will consider the Work Programme periodically at Select Committees and add or take off items. In addition there may be referrals from the Executive, other Committees or Portfolio Advisory Teams. Individual members or officers may also request that an

item be placed on the Work Programme. Select Committee Chairs meet regularly to consider and manage the Work Programme (Terms of Reference attached as Appendix 4).

CALL-IN PROCEDURE

Within five working days of a meeting of the Executive, the decision notices of that meeting will be available on the intranet and for inspection at the Council Offices, Chapel-en-le-Frith, the Municipal Buildings in Glossop and the Town Hall in Buxton. Unless the decision is identified as urgent, the decision the Executive has taken will not take effect until the 4th working day after circulation of the notice. During this period, 3 Select Committee Members can notify the Head of Legal and Democratic Services of their wish to call-in the decision. The procedure is detailed in Part 4 of the Constitution.

The issues for the Committee to consider should be confined to firstly, whether the decision was taken according to the correct procedure and if not, was the error material i.e. is it likely the decision would have been different if the error had not occurred. Secondly, was all the relevant information before the Executive member when they made the decision or was, for example, relevant information left out, irrelevant information included, policy ignored or alternative options not put forward. If the Committee decide the matter should be looked at again, then the decision would be referred back to the Executive.

EXAMPLES OF WORK UNDERTAKEN

Details of the Select Committee Work Programme are available on the Council's intranet site. Some current reviews include Compost Project, Higher Buxton Market Place Project, Markets, Glossop Culvert, Best Value Accommodation and Insurance, There have also been a number of decisions called in and an instance of a referral back to the Executive.

APPENDICES

Appendix 1 - Project Initiation Document Template

Appendix 2 - Scrutiny Template (based on template used by Fenland District Council)

Appendix 3 - Information for those attending meetings

Appendix 4 - Select Committee Chairs Terms of Reference

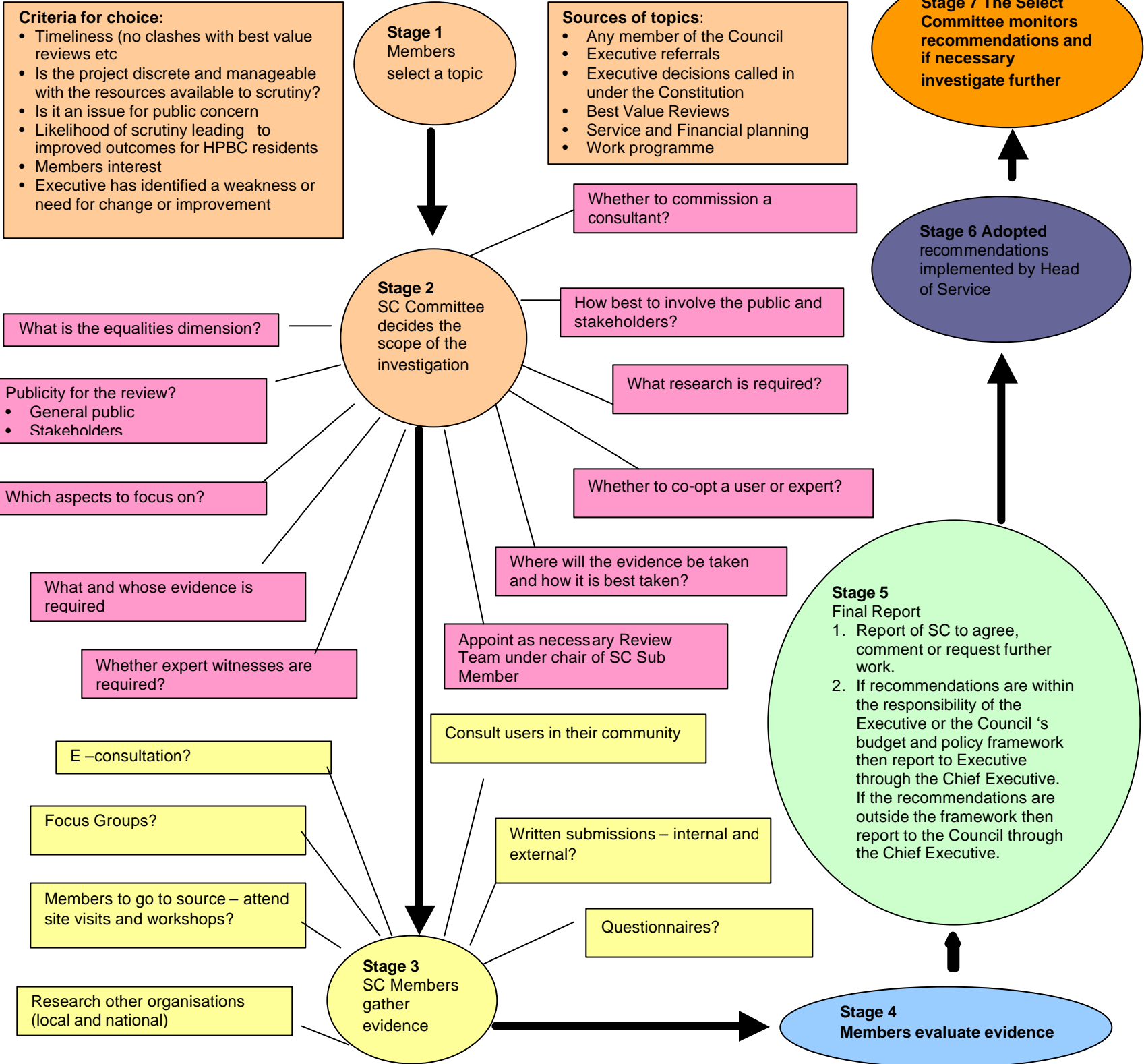
**HIGH PEAK BOROUGH COUNCIL
SELECT COMMITTEE – SCRUTINY REVIEW**

Review Title	
Member Sponsor	
Members of the Working Group	
Project Manager	
Stakeholders/Contributors	
Portfolio Holder	
Start Date	
Anticipated Timetable	
Expected Date for Completion	

SCOPE OF THE REVIEW

Purpose of the Review	
Inclusions	
Exclusions	
Reasons for the review	
Outcomes	
Anticipated benefits	
Milestones	
Risks	
Staffing Implications	
ICT implications	
Training Implications	

HIGH PEAK BOROUGH COUNCIL SCRUTINY INVESTIGATION PILOT PROCESS (Select Committee Scrutiny Committee referred to as SC)



OFFICERS SUPPORT IN 7 STAGES

STAGE 1 Select a topic

- Officers present SC members with information on:
 - Previous and planned best value reviews
 - Internal audit reports
 - External audit reports
 - Inspection reports
 - External inspection reports
 - Executive referrals
 - Service and financial planning

Stage 2 - The scope of the investigation

- Officers will suggest how the points around stage 2 could be best addressed.
- Once the scope is decided officers will produce a project plan for the conduct of the review, setting out timescales and those to be involved.

Stage 3 – Gathering evidence

- Officers will
- Make arrangements to gather evidence in consultation with the SC Chairman, including research, focus groups, meetings and feedback.
 - Liase with witnesses and support members in compiling questions if required.
 - Compile questionnaires for research purposes with input from members

Stage 4 – Evaluate evidence

- Officers will draw together the threads of all the evidence for members to consider and support them in formulating findings

Stage 5 The final Report

- Officers will draft a report on members findings for approval by the SC prior t submission to the Executive or Council.

Stage 6 - Implementation

- The relevant Head of Service will ensure that the recommendations are implemented.

Stage 7 - Monitoring

- Officers will ensure that progress reports are submitted to the Select Committee at the appropriate time.

MEMBERS ROLE IN THE 7 STAGES

Stage 1 - Select a topic

- Any member of the Council may request (through the Chief Executive) any matter to be considered by the SC
- The SC will decide on topics taking account of their knowledge of issues of local concern; suggestions and advice of officers, agreed local criteria and work programme

Stage 2 – Scope of Investigation

- The SC decides on the scope, witnesses, research, publicity, venues etc taking account of officers advice

Stage 3 – Gathering evidence

- Members will compile questions for witnesses, with support from officers if required.
- Members will meet witness, go to community groups and venues to engage with users, use their local knowledge to help officers achieve maximum outreach to hard to reach groups.
- Members will consider written evidence.

Stage 4 – Evaluate evidence

- Members formulate findings and recommendations based on evidence received and collated by officers.

Stage 5 – The final report

- Members will comment on, amend if appropriate and approve the report for onward referral.
- The SC considers the final report.
- The SC will consult relevant portfolio holders & Executive on Best value reports /improvement Plans before referral to Council

Stage 6 - Implementation

- Implementation is the responsibility of the Executive

Stage 7 – Monitoring

- The Select Committee will receive reports on the progress made in implementing the adopted recommendations. If it is not satisfied, it may choose to revisit the subject or aspects of it

WHAT TO DO WHEN ATTENDING A SELECT COMMITTEE

Information for Officers of the Council and members of the public

Select Committees have twelve Councillors each and usually hold their meetings at the Council Offices in Chapel-en-le-Frith in the Committee Room. It has been found that smaller meetings and interviews away from the council environment can be more productive, depending upon the issue being looked at.

WHERE AND WHEN If you have been asked to attend a meeting, you will be advised by the relevant officer or the Scrutiny Support Officer exactly where the meeting will be held, what will happen and what will be expected of you. If you have to produce any specific information, you will be advised of this in plenty of time.

WRITTEN INFORMATION If you have written information which is to be presented to the Select Committee, this must be given to the Scrutiny Support Officer (contact details below) at least ten working days before the date of the meeting.

The information must show the author of the report, the subject, a summary and where appropriate, any recommendations. It must also show whether it includes any exempt information. If you are not sure, then the Scrutiny Support Officer or Democratic Services Manager will assist.

EQUIPMENT If you wish to use any equipment for a presentation, overhead projector, powerpoint etc., then please advise the Scrutiny Support Officer who will ensure this is available.

THE INTERVIEW OR PRESENTATION At the start of your presentation, The Chair will introduce you and the Service or Organisation you are representing. When you have finished if anything is unclear, the Committee may ask you to clarify. If there is something you cannot answer

immediately, you will be given time to produce this in writing or you may speak to the Scrutiny Support Officer or the relevant officer.

Once the Committee has finished the review, you will be sent a copy of the report.

Helen Gale, Scrutiny Support Officer – 0845 129 77 77 x 2140
heleng@highpeak.gov.uk

Sarah Beal, Democratic Services Manager – 0845 129 77 77 x 2039
sarahbeal@highpeak.gov.uk

SELECT COMMITTEE CHAIRS GROUP

MEMBERSHIP AND TERMS OF REFERENCE

Aim

To improve and enhance the role of scrutiny within the Council for the benefit of High Peak residents and stakeholders

Composition

1. The Group shall comprise the Chairs of the four Select Committees.
2. Members of the Group may appoint a nominee for meetings they are unable to attend.
3. The Group shall appoint a Chair from amongst those members attending at the first meeting of the group after Annual Council. Changes to the appointment may be made at any time.
4. The Group shall meet at least quarterly.

Role

5. Keep under review each Select Committee's Work Programme to make sure that the Select Committee Procedure rules are being complied with and that scrutiny and policy development is carried out in a co-ordinated and cost effective way, including joint working.
6. Act as 'champion' for the role of scrutiny.
7. Develop the interface with Executive members who will be invited to attend any regular or ad-hoc meeting of the Group as appropriate.
8. Keep under review the operation of the Select Committee Procedure Rules, and in particular, the Scrutiny process and Call-In procedure, and make recommendations for improvements to their Committees and the Regulatory Committee if necessary.
9. Monitor the joint budgets of the four Committees to ensure best value is being achieved.
10. Act as a forum for the debate of any concerns members of their Committee may have about the role of scrutiny.
11. Consider and make recommendations on the training needs of members of the Select Committees.
12. Consider ways of improving liaison with external organisations.
13. Prepare the Annual report to Council on the activities and future work programmes of the Select Committees.