STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE	Agenda Item No. 10
10 MARCH 2016	Public Report

Report of the Design and Implementation Group		
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ALTERNATIVE GOVERNANCE ARRANGEMENTS

1. **PURPOSE**

1.1. This report updates Members on the next steps following Council's decision on 27 January 2016 to confirm its earlier decision to adopt a hybrid model of governance to take effect from the Annual Council meeting in May 2016. It agreed the type of hybrid model it would implement and a scrutiny structure that is aligned to the new model.

2. **RECOMMENDATIONS**

2.1. To update Members on the outcome of the Scrutiny Workshops.

2.2. To note the actions to be taken following the Annual Council meeting in May to embed the hybrid model and in particular to advise Scrutiny Members of the impact of those proposals on their work programme. .

2.3. To comment on the induction programme at Appendix 2.

3. **LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY**

N/A

4. **BACKGROUND**

The changes to the governance arrangements were reported to Council on 27 January 2016. Council agreed a hybrid model of executive decision making to take effect from the Annual meeting in May. Under our hybrid model, the Leader/Cabinet system of decision making is retained but Scrutiny Committees select decisions they wish to review in advance of the decisions being considered by the Executive. Scrutiny Committees may endorse the proposals or make alternative recommendations on those reports. The Executive will take into account any recommendations before making their final decision. The new role played by scrutiny allows for backbench and opposition members to take part in the formulation of policy and executive decision making and so provides more inclusivity for Members.

In summary, the agreed arrangements are as follows:

1) The Chairman of the relevant Scrutiny Committees in consultation with the relevant Cabinet Member will call forward any executive decisions that should be taken to a scrutiny committee before that particular executive decision is made.

2) On the matters selected, the executive report with recommendations will be considered by

the Scrutiny Committee the week before it goes to Cabinet or to the Cabinet Member for decision. The Scrutiny Committee will discuss the report and make recommendations to the Cabinet, and in the case of Cabinet Member Decisions, to the relevant Cabinet Member.

3) Where the Scrutiny Committee agrees with the Officer recommendations, Cabinet/Cabinet Member note this. Where they disagree a "reference-up" process ensures that Cabinet takes account of this as detailed below.

4) To implement this model scrutiny committees had to be aligned to Member and Officer portfolios. Therefore, Council has established the following three Scrutiny Committees: These are:
   (a)   Children and Education Scrutiny Committee
   (b)   Adults, Communities and Health Scrutiny Committee
   (c)   Growth, Environment & Resources Scrutiny Committee

Each Scrutiny Committee will consist of 10 Members.

5.   KEY FEATURES

PRE-DECISION SCRUTINY

5.1.   Under the new arrangements, pre-decision scrutiny as described above will take priority over post decision scrutiny. Therefore, the role of scrutiny will significantly change.   Every 4-6 weeks before a Cabinet meeting, the forward plan will be published and the Chairman of the relevant Scrutiny Committee in consultation with the relevant Cabinet Member will decide:

(a) matters that scrutiny would like to have early involvement in at the policy development stage, for example major policy documents, and

(b) those reports coming before an individual Cabinet Member that month or before the next Cabinet meeting that the relevant Scrutiny Committee wishes to see before the decision is made.

5.2.   All Scrutiny Committees will meet the week before the Cabinet meeting. Any individual Cabinet Member decisions and Cabinet reports that have been selected for pre-decision scrutiny will be put on the agenda of the appropriate Scrutiny Committee.

5.3.   To avoid any delay in decision making, it is important that these reports are the first items on the Scrutiny Committee agenda.   The Committee will discuss the report and the Officer recommendations.   The Director submitting the report, or his/her representative, and the relevant Cabinet Member will attend the Scrutiny Committee to answer any questions.   The Scrutiny Committee will then decide if it agrees with the Officer recommendations or if it wishes to make alternative recommendations.   The Scrutiny Committee will need to give reasons if they make alternative recommendations. The Officer report will then either go to the Cabinet Member to make the decision for Cabinet Member Decision Notices (CMDNs), or to the next meeting of Cabinet if the decision is to be made by the Cabinet. At that time they will also take account of the Scrutiny Committee's recommendations.

5.4.   For CMDNs, if a Cabinet Member does not agree with the Scrutiny Committee recommendations, he or she will refer the Officer report to the Cabinet to decide. If the matter is considered by Cabinet and the Cabinet do not agree with the Scrutiny Committee's recommendations, they will give reasons.

5.5.   If a minority of voting members on the Scrutiny Committee do not agree with the majority's views/recommendations, they may put forward alternative recommendations, known as minority reporting. The minority report will be considered by the Cabinet before it makes its decision. For CMDNs, the matter will be referred up to the Cabinet for decision. The Chairman of the Scrutiny Committee and any Members submitting a minority report will be able to speak in support of their views at the Cabinet meeting.

5.6.   Cabinet meets 10 times a year but two of these relate to the budget for which there is a separate consultation process. Therefore, Scrutiny Committees will need to meet at least 8 times a year, more frequently than they do now. Officers and Cabinet Members will also need to attend the Scrutiny Committees to answer any questions.

5.7.   Attached is an example timetable. (Appendix 1)

WORK PROGRAMME AND MANAGING WORKLOAD

5.8.   Councillors who attended the scrutiny workshops held in October and December recognised that they would need to manage their work programme differently. They wanted to provide a positive input into decision-making at an early stage; both at the policy development stage and prior to decision making. This work would need to take priority over post decision scrutiny which they saw as lacking influence. However, scrutiny of external partners such as Police and Health remain the same, as Scrutiny Committees still have a statutory responsibility for this work.

The workshop agreed they would use prioritisation to manage their workload as follows:

(a) Any matters relating to pre-decision scrutiny would take priority.

(b) Scrutiny Committees would be selective in choosing items for scrutiny for example, choosing two or three themes a year to inform their work programming rather than considering a wide range of issues.

(c) The agenda and programme should be member-led.

(d) Once the work programme is set the workshop agreed that Scrutiny Committees should avoid adding other items throughout the year unless absolutely necessary.

(e) Rather than monitoring a myriad of performance indicators for every function, scrutiny should receive performance indicators on key areas of importance and follow a dashboard/ traffic light system; green for on target; red for target not achieved etc.

(f) "Items for information" should be circulated outside of committee meetings and should not appear on the agenda.

5.9.   At the beginning of the municipal year Scrutiny Committees normally hold a planning meeting. The Scrutiny Workshops requested more assistance in deciding their work programme, in identifying priorities and in deciding their information needs to enable them to add value in a much more focused way.

5.10.   Following the local elections in May and after Council at its Annual meeting has appointed the Members to the Scrutiny Committees, an induction event will be arranged. It is proposed that this is an afternoon/evening event or an all-day event. This will include (a) a session on the hybrid model and how it will work in practice and (b) a work planning session.

5.11.   The work planning session will be supported by Ed Hammond, Head of Programmes (Local Accountability) at the Centre for Public Scrutiny who supported the workshops. It will include:

a) Corporate Directors, relevant Service Directors and relevant external bodies who will give an overview of their service areas, and highlight any key issues over the following municipal year, such as future service and legislative changes
b) Members will identify their key themes for the following year, and discuss their working arrangements for the year including how they will prioritise their workload.

5.12.   Ed Hammond will assist Members with their work programme, deciding their future information needs and how they might access them. It would be a key role of the Chairman to lead this work. The proposed programme is attached (Appendix 2)

5.13.   Members' views are requested on the proposed work programme event, and whether this should be a full day event or an afternoon and evening event.

CO-OPTED MEMBERS

5.14.   Scrutiny Members at the workshop and Members of the Design and Implementation Working Group recognised the importance of having co-opted members on the new scrutiny committees to reflect additional knowledge, skills and experience which might need to deliver their work programme. Under the revised procedure rules, all scrutiny committees have the ability to co-opt up to four non-voting members. This is in addition to the statutory co-opted Members.

5.15.   At their first induction meeting, Members will want to discuss the types of experience, knowledge and skills they will need to implement their work programme, and to identify any appointments to any co-opted member positions.

RURAL MATTERS

5.16.   It was decided not to have a separate rural committee. Councillors when deciding their working arrangements at the work planning stage will want to ensure whether rural issues are adequately represented and how they should be represented in the future.

CHARTER – ROLE OF CHIAR

5.17.   The Design and Implementation Group recognised that the Chairman would have a much stronger role in managing the agenda, particularly in working with the relevant Cabinet Member on agreeing items for pre-decision scrutiny and ensuring that the Committee had a manageable work programme. They recommended that there should be a Chairman's charter outlining their rights and responsibilities under the new hybrid model.   Members saw the role as:

(a)   Providing leadership to the Committee and managing the business through setting its agenda and work programmes

(b)   Managing the agenda in consultation with committee members to ensure the work of the Committee is member led, and is in accordance with member priorities

(c)   Ensuring that its work primarily focused on pre-decision scrutiny, and adding value

(d)   Leading on the development of the work programme to ensure it is focused

(e)   Working with the relevant Cabinet Members to review the forward plan to identify key issues for pre-decision scrutiny both at the policy development stage or prior to decision making liaising with members of the committee and taking the views of Group Representatives as necessary

(f)   When making recommendations to the executive, ensure there is consensus that members take account of officer advice and where the Committee do not agree with the officer or Cabinet Member recommendations, clear reasons are given

(g)   Ensuring the Committees' input to executive decision making is efficient and effective

(h)   To represent the Committee at Cabinet meetings

(i)   To foster relationships founded on mutual respect and open communications between Directors, the Executive and Scrutiny members

OTHER TRAINING MATTERS

5.18.   In previous years, there has been an induction session on the role of scrutiny for new members and training in chairing skills for Chairman of Scrutiny Committees. Members feedback on the usefulness of this training and any other training requirements would be welcome.

6.   IMPLICATIONS

6.1.   Financial Implications: There are no direct financial costs in relation to this report. The cost of training will be met from the Democratic Services budget. Provision has been made in the budget for the additional cost of supporting this process.

Legal Implications: There are no legal implications in relation to this report.

7.   CONSULTATION

7.1.   Not applicable in the context of this report

8.   NEXT STEPS

8.1.   CMT have set up an Officer Working Group involving cross directorate representatives to work with Democratic Services to ensure that processes are in place to ensure a smooth implementation of the new arrangements. This will include planning the work programming event and induction programme.

9.   BACKGROUND DOCUMENTS
Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

9.1.   *None*

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APPENDICES

Appendix 1 – Calendar
Appendix 2 – Scrutiny Programming Event

Appendix 1
Timetable for revised process (modelled on March 2016 Cabinet meeting)

Mon	Tues	Wed	Thurs	Friday	Sat	Sun
February						
8 Day 43	9 Day 42	10 Day 41	Day 40	12 **Forward Plan published (for Cabinet in March)** **(At least 28 clear (calendar) days)** Day 39	13 Day 38	14 Day 37
15 Day 36	16 **Chairman of Scrutiny & relevant Cabinet Members with officers present to discuss items for pre scrutiny** Day 35	17 Day 34	18 Day 33	19 Day 32	20 Day 31	21 Day 30
22 Day 29	23 Day 28	24 Day 27	25 Day 26	26 Day 25	27 Day 24	28 Day 23
March						
29 Day 22	1 Day 21	2 Day 20	3 Day 19	4 **Cabinet agenda (part 1) and CMDNs published and included on the agenda of the relevant Scrutiny Committee** Day 18	5 Day 17	6 Day 16
7 Day 15	8 Day 14	9 Day 13	10 Day 12	11 **Statutory deadline for publication of Cabinet agenda (part 2)** Day 11	12 Day 10	13 Day 9
14 **Scrutiny Committee meeting** Day 8	15 **Scrutiny Committee meeting** Day7	16 **Scrutiny Committee meeting** Day 6	17 **Scrutiny Recommendations circulated** Day 5	18 Day 4	19 Day 3	20 Day 2
21 **Cabinet** **Day 1**	22	23	24	25	26	27

Induction for Scrutiny Members
Working in Peterborough's Hybrid Model

Timing: 1 day or afternoon and evening, or two evenings

Lead: Ed Hammond, Head of Programmes, Local Accountability
       Kim Sawyer, Director of Governance

	Lead
Part 1 - Introduction – What is scrutiny? What is Scrutiny? Peterborough's Hybrid Model How we adapt it to the Peterborough model Followed by Questions and Answers	Ed Hammond Kim Sawyer
Break	
Part 2 – Work programming Introduction to Work Programming in Scrutiny Work Programming –The Peterborough model	Ed Hammond
Presentations 10 min presentation from each Director – Highlighting key Challenges, Legislation, and Major Policy Reviews - People and Communities - Growth Regeneration and Resources - Resources - Public Health - Governance	Directors
Producing the Work Programme - Table work Deciding key themes and work programme For example - Major Policies coming up for early review, Any statutory items from Partners What type of performance reports, annual reports – list and do we need them, Common style performance	Members supported by Ed Hammond and Directors
Break – Lunch	
Part 3 - Implementing the work programme including group work - Dos and Don'ts - Information needs, sources and how to research	Ed Hammond
Questions and Answers	
Next Steps	

Attendance
Scrutiny members/CMT/Partners – relevant Cabinet Members/Democratic Services Staff

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