

24 June 2015	
Scrutiny Committee work programme 2015/16	
Report author:	Bob Pullen – Policy and Performance Officer
<p>Recommendations</p> <p>That the Committee:</p> <ol style="list-style-type: none"> 1. agree to review any areas of concern which arise as a result of the Committee’s consideration of performance and/or financial monitoring or strategic risks; and 2. decide whether it wants to take forward any reviews which were started during the last Municipal Year. 	

1 Purpose of report

1.1 This report is concerned with the Committee’s work programme for 2015/16. It considers how the Committee can exercise its terms of reference.

2 Background

2.1 The Committee’s amended terms of reference were approved by Council on 19 February 2014 and are reproduced at Appendix i. The terms of reference form part of the Council’s Constitution.

2.2 In summary, the purpose of the Committee is to exercise the statutory duties of overview and scrutiny for the Council by:

- reviewing or scrutinising decisions made, and performance of the Cabinet, or officers under delegated authority;
- reviewing or scrutinising the performance of the Council in relation to policy objectives, performance targets and/or particular service areas;
- reviewing and scrutinising the performance of other public bodies in the area about their activities.

2.3 The Committee is also responsible for considering quarterly monitoring reports on finance and performance and each year the Committee considers the Cabinet’s draft Budget proposals.

2.4 The Committee also has certain formal powers which only it can exercise including:

- calling-in Cabinet decisions which have been taken but not yet implemented; and

- to act as the Council’s “Crime and Disorder Committee” in terms of reviewing and scrutinising decisions made, or other action taken, in connection with the responsible authorities discharge of their Crime and Disorder functions.

2.5 The other decision taken by Council on 19 February 2014 was to establish a new Policy Development and Review Committee. The purpose of this Committee is to assist the Cabinet in developing or reviewing either new or existing policies, strategies or plans. The Policy Development and Review Committee is not an overview and scrutiny committee and it does not have any scrutiny powers.

2.6 The focus of the Policy Development and Review Committee is **policy**. By contrast, the focus of the Scrutiny Committee is **performance**.

3 Discussion

3.1 It is traditional at the start of each new Municipal Year for overview and scrutiny committees to devise and agree a work programme to plan the committees work for the next twelve months.

3.2 If the Scrutiny Committee is to be effective and bring real value, it will need to focus on where it can make the biggest impact. This means basing decisions on what topics or services to review on hard evidence. Anecdotal evidence, such as Members own experiences, or feedback from residents, can also be valuable. The other area that might point to areas for the Committee to consider are Strategic Risks which form part of the Balanced Scorecards the Committee review on a quarterly basis in their performance monitoring role.

3.3 There are also likely to be incidences throughout the year when the Committee will be invited to consider one-off issues.

3.4 The schedule at Appendix ii lists those reviews which were either instigated or started in 2014/15 or before. The Committee may wish to continue these reviews or, if they feel there are more pressing issues, suggest new areas to review instead.

3.5 The schedule at Appendix iii lists the dates of Scrutiny Committee meetings during the course of the 2015/16 Municipal Year plus the expected dates when financial and performance monitoring reports will be brought before the Committee for review.

3.6 Experience has shown that those reviews which have made the most impact have been those where:

- services have been under-performing; and/or
- the Council’s or other local service providers’ operations are of concern to residents.

3.7 The Committee should also be mindful of the resources needed to undertake reviews given the pressures on Members, officers and partners time.

4 Conclusion

4.1 The Committee is invited to:

- agree to review any areas of concern which arise as a result of the Committee's consideration of performance and/or financial monitoring or strategic risks; and
- decide whether it wants to take forward any reviews which were started during the last or previous Municipal Years.

5 Officer contacts

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Terms of reference for the Scrutiny Committee

Preamble: the Scrutiny Committee satisfies the requirement under legislation (S.9F of the Local Government Act 2000 as inserted by the Localism Act 2011) to include provision for the appointment of one or more committees. The Scrutiny Committee plays a particular role in scrutinising the Executive's annual budget proposals as part of the Budget and Policy Framework Procedure Rules (Part 4.3 of the Constitution refers).

General role: within the terms of reference, the Committee will:

- (i) review or scrutinise decisions made, and performance of, the Cabinet and Committees and Council Officers both in relation to individual decisions and over time;
- (ii) review or scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) require Members of the Cabinet and/or Committees and Chief Officers to attend before it to answer questions about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) make recommendations to the Cabinet or appropriate Committee or Council arising from the outcome of the scrutiny process – it is expected that reviews of policy arising out of the work of the Committee would be referred to the Policy Development and Review Committee;
- (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee and local people about their activities and performance;
- (vi) make reports or recommendations to the authority or the executive with respect to any functions which are not the responsibility of the executive;
- (vii) make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of the area;
- (viii) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive;

- (ix) consider Councillor Call for Action requests in accordance with the Councillor Call for Action Protocol contained in Part 5 of this Constitution; and
- (x) in accordance with Section 19 of the Police and Justice Act 2006, to act as the Council's "Crime and Disorder Committee" in terms of reviewing and scrutinising decisions made, or other actions taken, in connection with the responsible authorities discharge of their Crime and Disorder functions.

The Scrutiny Committee shall exercise overall responsibility for any finances made available to them.

Annual Report – the Scrutiny Committee must report annually to the full council on its work and make recommendations for amended working methods if appropriate.

Scrutiny Committee – Draft work programme 2014/15

Review activity	Lead Cabinet Member/officer	Timeframe	Commentary
Financial monitoring	Cabinet Member for Finance/Nick Vickers	Quarterly	The Committee will continue to receive quarterly financial monitoring reports during the course of the year to review.
Performance monitoring	Cabinet Member for Performance/David Clifford	Quarterly	The Committee will continue to receive quarterly 'Balanced Scorecard' performance monitoring reports during the course of the year to review.
Council budget	All Cabinet Members/All senior officers	28 January 2016	Annual review of Cabinet's budget proposals for 2016/17.
Fees and charges	Cabinet Member for Finance/Nick Vickers	To be determined, but likely to be either November 2015 or January 2016	Annual review of Cabinet's proposals for setting Fees and Charges for Council Services in 2016/17.
Welfare reform	Cabinet Member for Finance/Zoe Kent	To be determined	Would the Committee like to continue to receive periodic reports from the Cabinet Member and lead officer on implementation of welfare reform measures in Swale?
Housing services	Cabinet Member for Housing/Amber Christou	To be determined	Review scoped in 2014/15, but little progress aside from

Review activity	Lead Cabinet Member/officer	Timeframe	Commentary
			an initial discussion with Cabinet Member and lead officers. Revisit in 2015/16?
Mid Kent Improvement Partnership (MKIP) – Planning support	Cabinet Member for Planning/James Freeman	To be determined	There was an initial discussion with the MKIP Board and a joint meeting of the Maidstone, Swale and Tunbridge Wells Scrutiny Committees in February 2015. If Committee wish to pursue, need to clarify whether on a joint basis or just through Swale.
Economic development review	Cabinet Member for Regeneration/Pete Raine	To be determined	This review had commenced in 2013/14 under the former Policy Overview Committee when the Task and Finish Group set up to lead it undertook a number of interviews with business interests across the Borough. No progress was made during 2014/15.
Asset transfers	Cabinet Member for Localism, Culture, Heritage and Sport/Charlotte Hudson; and Cabinet Member for Finance/Anne Adams	To be determined	Interim report submitted to Cabinet during 2011/12. Task and Finish Group established to review what had happened since 2011/12 during last

Review activity	Lead Cabinet Member/officer	Timeframe	Commentary
			Municipal year. Reported to Committee expected imminently.