

SCRUTINY MANAGEMENT BOARD

Minutes of the meeting of the Scrutiny Management Board held on Wednesday, 18th April 2012 at 5.30pm in the Civic Offices, Telford

PRESENT: Councillors D. White (Chairman), V. Fletcher, G. Green, A. McClements, R. Sloan, C. Turley.

IN ATTENDANCE: Stephanie Jones, Scrutiny Group Specialist; Tracy Clarke, Scrutiny Officer.

SMB-36 MINUTES OF THE LAST MEETING

RESOLVED – that the minutes of the meeting of the Scrutiny Management Board held on the 5th March 2012 be confirmed and signed by the Chairman.

SMB-37 APOLOGIES FOR ABSENCE

None

SMB-38 DECLARATIONS OF INTEREST

None.

SMB-39 CHANGES TO THE SCRUTINY COMMITTEE STRUCTURE

The Scrutiny Group Specialist summarised the report on the proposed changes to the Scrutiny Committee structures, the feedback from the consultation and the timetable for making any changes agreed. Members' attention was drawn to the fact that the provisions relating to the scrutiny of health arrangements in the Health & Social Care Act 2012 would be monitored and a future report brought to the Board should changes be required to scrutiny arrangements.

The recommendations for consideration were:

- The merger of the Health and Adult Social Care Scrutiny Committees into the Health and Adult Care Scrutiny Committee.
- That there will be eight elected Members on the Health & Adult Care Scrutiny Committee.
- That the Co-optees on the Health and Adult Social Care Scrutiny Committees will automatically become co-opted members of the Health & Adult Care Scrutiny Committee, and that the Co-opted members of the

Health Scrutiny Committee who also sit on the Shropshire and Telford & Wrekin Joint Health Overview & Scrutiny Committee will remain the same.

- The establishment of a Housing, Economy & Infrastructure Scrutiny Committee. The remit of the Committee will include scrutiny of matters relating to housing, economic development, regeneration, environment, transport and where appropriate planning.
- That there will be eight elected Members appointed to the Housing, Economy & Infrastructure Scrutiny Committee.

Members considered the feedback received during the consultation, and noted that the comments were supportive of the proposed changes. Members made the following comments in response to the points raised in the second comment:

- That the remit of health scrutiny included health services for children as well as adults. Where an issue crossed over between the Health and Children & Young People Scrutiny Committees, the issue could be reviewed jointly by both Committees.
- With regard to the powers of the Housing, Economy & Infrastructure Scrutiny Committee, Members commented that the powers and influence of scrutiny depended on legislation and on building a positive relationship with partners so that they could work together. This remained the case regardless of the structure in place to carry out the scrutiny work.

The Chairman further reported that he had had an initial discussion with the Leader, Managing Director and Assistant Director for Law, Democracy & Public Protection about how scrutiny could be more effective and add greater value to the organisation with the reduced resources to support scrutiny. Key to this was to work closely with Assistant Directors to identify the major policy decisions that would be brought forward over the year, and specific areas where scrutiny could add value. This would facilitate the planning of resources for scrutiny and ensure that scrutiny was focussed on areas where it would have most effect at the right time. Members felt this was the right approach, and made the further following comments:

- That scrutiny should be more involved with policy development which depended on being involved at an early stage. A good example was of the Co-operative & Communities Scrutiny Committee's review of the leisure concessions policy which had made recommendations to feed into the budget proposals.
- That scrutiny should move away from being an "information" forum and focus on issues where there is an identified concern. It should be assumed that Scrutiny members have read reports in advance of meetings so that officers do not spend time presenting reports and meeting time is dedicated to the investigation of issues.
- That scrutiny of the budget proposals should start earlier in the year to

allow for more in-depth work to be done on specific proposals. This depended on the budget planning process starting earlier in the year.

- That the Scrutiny Management Board should play a greater role in holding Cabinet Members to account, and that when a Cabinet Member is invited to a scrutiny meeting, scrutiny members should understand that it is their role to hold the Cabinet member to account by directing questions to the Cabinet member. This message could be reinforced by Scrutiny Chairmen.
- That members needed to play a more pro-active role in carrying out scrutiny work, and that the Member-only Meeting Protocol would be piloted and evaluated as a different way of working.
- That the Forward Plan was an important tool for scrutiny and that the Scrutiny Management Board would like to be consulted on the revised format which was under review.

The Chairman was meeting the Leader, Managing Director and Assistant Director for Law, Democracy & Public Protection again later in the week, and would bring a report to the next meeting should there be any resulting proposed changes to scrutiny arrangements.

It was noted that the deadline for consultation on the involvement of Town & Parish Councils with scrutiny was 10th May, and a report on the feedback would be brought to the next meeting for the Board to decide the way forward.

Having considered and discussed the feedback from the consultation, Members unanimously agreed the recommended changes to the scrutiny committee structure, and noted the timetable for making the changes.

RESOLVED

- **That the recommendations in section 2.1 of the report be agreed**
- **That the recommendation in section 2.2 be noted**

SMB-40 SCRUTINY AND THE MEDIA

Following the circulation of the updated Protocol for Scrutiny and the Media on 21st February 2012, Members considered the comments that had been received back from members.

- A concern had been expressed that the Protocol did not ensure that minority views in a scrutiny report would be reflected in press releases or media statements. The Scrutiny Management Board acknowledged the concern, and agreed that the Protocol should be amended as suggested in the tracked change document circulated for the meeting.
- Concerns had been expressed that the Protocol contravened Members' right to freedom of speech. The Scrutiny Management Board were not of the view that the Protocol infringed on Members' right to free speech. This was because all Members have a right to express their views on any

matter, the principle on this issue being that it must be clear that their views were individual opinions and not those of an appointed scrutiny committee or other scrutiny group unless it had been agreed that those Members may speak on behalf of the committee. The conditions for doing this are set out in the protocol. The designation of the Scrutiny Chairmen as the official spokespeople for the Scrutiny Committees ensured that communication with the media about scrutiny reports and issues was consistent and co-ordinated. This protocol had been in place for a number of years and the recent revisions to the Protocol did not seek to change this.

- Management Board did not agree that the Protocol infringed on Members' right to free speech. Members have a right to express their views on any matter, except that it must be clear that their views are individual opinions and not those of a scrutiny committee or other scrutiny group unless it has been agreed that they may speak for the committee. The conditions for doing this are set out in the protocol. The designation of the Scrutiny Chairmen as the official spokespeople for the Scrutiny Committees ensures that communication with the media about scrutiny reports and issues is consistent and co-ordinated. This protocol has been in place for a number of years and the recent revisions to the Protocol did not seek to change this.

RESOLVED

That the Protocol for Scrutiny and the Media as circulated with the agenda for this meeting be adopted with the amendment shown as a tracked change.

SMB-41 FORWARD PLAN AND ITEMS FOR THE NEXT MEETING

Members discussed the items on the Forward Plan and agreed the following:

- That the issues relating to housing and Choose Your Home raised at the meeting in January and at the Members' Information Seminar with RSLs on 15th March would be referred to the Housing, Economy & Infrastructure Scrutiny Committee to take forward once established.
- That the next meeting on 14th May would include the changes arising from the Police Reform and Social Responsibility Act and the Safer, Stronger Communities Partnership; feedback from Scrutiny Members and Town & Parish Councils on the involvement of Town & Parish Councils with scrutiny; a report on the process for setting the work programme for 2012/13.
- There were four remaining items which were due to be reported at the meeting by way of written reports. It was agreed that due to pressure on resources and the fact that the agenda for the next meeting was already substantial and not allow for the issues to be given proper consideration,

that these reports would be removed from the work programme, but that members may follow up on the issues themselves if they had a particular concern.

RESOLVED

That the changes to the Forward Plan as discussed be agreed.

The meeting ended at 6.47pm.

Chairman:

Date: