

## **SCRUTINY MANAGEMENT BOARD**

### **Minutes of the meeting of the Scrutiny Management Board held on Friday, 14<sup>th</sup> September 2012 at 10.30am in the Scrutiny Meeting Room Civic Offices, Telford**

**PRESENT:** Councillors D. White (Chair), V. Fletcher, A. McClements, S. Reynolds, C. Turley, C. Mollett

**IN ATTENDANCE:** Cllr. B. McClements, Cabinet Member Resources and Service Delivery; Fiona Bottrill, Scrutiny Group Specialist; Stephanie Jones, Scrutiny Officer.

#### **SMB-10      MINUTES OF THE LAST MEETING**

**RESOLVED** – that the minutes of the meetings of the Scrutiny Management Board held on the 4<sup>th</sup> July 2012 be confirmed and signed by the Chairman subject to clarification provided by Cllr. McClements on the funding for regeneration programmes.

Members were told that schemes were funded from a mix of borrowing, capital receipts and other income. Members were reminded that the 100-Day review of the 2011/12 budget had led to a scaling back of the capital programme to reduce borrowing requirements and the cost of borrowing on the revenue budget. The following revision had been made:

Wellington - only £900k had been allocated

Oakengates – the scheme would continue but had been scaled back

Hadley – the external money was identified while negotiating with Government on the Gorge funding.

Brookside – of the £6.5m of funding for the regeneration of Brookside, £3.5m was new money.

The Cabinet member recognised that capital receipts are a big issue for the Council and it is planned that over several years the Council will achieve £110 million. The changes to the funding mechanism for business rates would also affect Council income. The Government was currently consulting on a mechanism to replace part of local authorities' grant funding with funding from business rates. Initial proposals had been scaled back and the current proposal was that Council's would keep half of the business rates generated.

#### **SMB-11      APOLOGIES FOR ABSENCE**

Cllr. Mike Ion.

#### **SMB-12      DECLARATIONS OF INTEREST**

Cllr. S. Reynolds declared a pecuniary interest in Item 4.

## **SMB-13      HOLDING THE EXECUTIVE TO ACCOUNT**

The Chair informed the Committee that Item 5 on the agenda would be taken next as the Cabinet Member was present.

The Chair welcomed Cllr. McClements to the meeting. This was the first Cabinet 'Holding to Account Session'. Cllr. Bill McClements circulated the response he had drafted to the questions agreed by the Scrutiny Management Board.

The first question was "What were your priorities when you became Cabinet Member?"

Cllr. B. McClements introduced himself and explained that his background had

been as a mechanical engineer and that mathematics had been his strength. He had worked at Director level in industry and having retired wanted to take a

leading role in difficult times. He set out his priorities were to ensure that cost savings continue. Following his election he met with the Chief Executive and made it clear that no changes would be made until the new administration had come to a view. The priorities that were identified were:

- To find cheaper accommodation to replace the Civic Offices – this has been delivered
- Reduce the impact of the capital debt on the revenue budget – this was a long-term problem and had been discussed at the start of the meeting
- To protect front line services – of £21m savings found so far only £2.1m had been taken from front line services. The issue was that it would be more difficult to continue to make savings from non-front line services.
- Building Schools for the Future – the priority was to develop a balanced programme to protect children in the most vulnerable parts of the borough. The government was changing the funding formula for schools so that social deprivation was no longer a criterion which meant the BSF funding should be used to balance the position. The BSF funding had been cut by 30% and the Council had allocated £2m of Council capital to the scheme.
- Senior Management Restructure – To introduce a flatter management structure with a more 'hands on' person at the top.

In preparing for this meeting Cllr. McClements had identified areas that he wanted to monitor more closely and meetings would be set up to put this into action.

The Chair asked if the new structure is working?

Cllr. B. McClements responded that he felt the new structure was working.

The Council is smaller and so there is less bureaucracy and the Council is closer to the people. Larger organisations get out of touch – this is my experience in other organisations.

The Chair asked if there are currently too few Directors?

Cllr. B. McClements responded that this could be a concern but could be managed through delegating and setting targets. For example the Managing Director has been given specific tasks as part of his contract.

Members asked about the move to new office accommodation.

Members were informed that the Managing Director and Senior Management Team will be on the 3<sup>rd</sup> floor at Addenbrook House along with legal and Member services.

Cllr. A. McClements commented that Members had not been informed of the accommodation moves and that it would be important to monitor the moves to make sure the changes were right.

Cllr. B. McClements responded that changes had been made in response to comments from staff and Members. Members will also have to change the way they work to adapt to the changes.

In response to questions about communication, once staff are in different buildings it was commented that Addenbrook House will be closer to Darby House than the current Civic Offices. The staff based at Wellington are more technical but some people will still need to travel for meetings.

The Chair asked about the use of teleconferencing following a visit to the hospital trust where they are looking at using telemedicine to reduce the need for staff travel and providing services closer to home.

Cllr. B. McClements responded that this is something that the Council could look at post January 2013 when the Civic Offices have been vacated.

However staff will continue to move as the accommodation at White Chapel is temporary while the Hub in the Town Centre is built to provide better public access to Council services. The Hub will include a new library and there are plans for a cafe franchise to generate revenue.

Cllr. V Fletcher requested that the members of the Board receive a copy of the accommodation plans.

The Chair asked about the progress with Single Status.

Cllr. B. McClements acknowledged that Single Status has been a long process but that the aim is to deliver it in 18 months.

The Chair highlighted that Scrutiny had looked at the process 8 years ago and

had recognised that national scheme would not work locally. He also raised concern that staff have already been through restructures and re-grading and many staff had to re-apply for posts, and that the Single Status process will de-motivate staff again.

Cllr. B. McClements responded that Single Status was agreed nationally and if we were starting the process again, we may not start here. There is an issue with staff on different terms and conditions across the organisation that needs to be resolved.

In response to further questions regarding Single Status Cllr. B. McClements said that :

- Some Job Evaluation had been done as part of the restructure and further work was on-going.
- There would be a cost to Single Status but up until 2011/12 a contingency had been set aside each year towards the costs.
- The provision of staff pensions will not be affected and will continue to be provided by Shropshire County Pension Fund.
- Additional support (1 person) is being provided for 6 months to support Single Status
- Some staff will be negatively affected. Other councils that have been through the process have found that if over 20% of staff are negatively affected the process breaks down. The Council is aiming to get this figure to 15-16%. Staff who are negatively affected will receive some pay protection.
- It was confirmed that the aims for Single Status are that similar jobs should receive similar pay and equal pay for men and women. Scrutiny Members agreed that these principles were correct but the Chair commented that this should have been achieved through the restructure. The Council does not have 'blue collar' issues as these services have been outsourced. Other Council's have had big issues in these services.
- In terms of timing there will be detailed discussions with staff from Spring 2013.

In response to the question "How did you communicate your priorities" Cllr. B. McClements explained that he had met with relevant Directors and Senior staff once the new administration was in place to understand the financial pressures, planned savings and alternative accommodation options. Members were informed that prior to May 2011 some information provided about Capital Receipts had not been correct – but he was not able to provide the correct information to the Committee as this is commercially sensitive information.

Cllr. B. McClements informed Members that he did 'walk abouts' without senior staff present which he found very informative.

Cllr. Angela McClements asked if these walk abouts included outreach areas e.g. cleaners who work in schools.

Cllr. S Reynolds reported that the Co-operative Commission is looking at communication.

Cllr. B. McClements responded that a meeting has been held with catering staff – but more could always be done

The Chair asked if the Executive had considered transferring council services rather than making further savings through cuts in all service areas.

Cllr. McClements responded that this was not planned – but in his view it would be good if some staff wanted to take over running some services e.g. leisure or care services. There are opportunities for local providers who do not have to include the cost of running a national organisation.

The Chair commented that people want local services and in many cases low level intervention is enough. He gave the example of a self-help and support group for young people and adults with autism/aspergers that had been considered by the Health Scrutiny Committee.

Cllr. B. McClements said that when he considered his responses to the questions put by scrutiny, he had identified some areas where he was not monitoring costs regularly enough and he had now set up a programme for regular monitoring. For example, in children's services the weekly unit costs for children in care placements ranged from £279 for internal foster care, £804 for external foster care to £3070 for external residential care. This identified the need to reduce average unit costs by reducing reliance on external care. The allowance for internal foster carers had been increased to attract more internal foster carers which would reduce the need for external placements and reduce costs. There had been investment in early intervention and preventative support which was aimed at reducing the need for these costly interventions. There was also an issue with the use of agency social workers.

Cllr. V Fletcher commented that hospital have reduced their need for agency nurses by setting up their own 'nursing banks' could the council use this model?

Cllr. B. McClements replied that the recruitment of social workers remains a national problem.

In response to the question "What lessons have you learned?" Cllr. B. McClements answered that being a Cabinet Member involved hard work and that it is important to treat all people with respect and honesty. It takes time for people to build up trust and this is important when relying on the correct information to make decisions.

Cllr. B. McClements set out his priorities for the next 12 months as:

Delivering this year's budget. There had been a good outturn for 2011/12. A contingency of £7 million had been set aside for 2012/13. £2.6 million of this has been used to date, and part of the remaining £4.2m would be carried forward to support the 2014/15 budget.

Cllr. V. Fletcher requested clarification on the decision made by Audit that there will be no contingency funds available at the end of the term.

Cllr. McClements replied that it would be disappointing if this happened.

The Chair asked how the use of reserves compared to other authorities e.g. Shropshire?

Cllr. B. McClements responded that he was not able to comment on the budget of other Council's. He informed Members that the Assistant Director Finance, Audit & Information Governance is reviewing reserves to determine what level of reserves is needed and whether any should be put into contingencies. A report would be taken to Cabinet over the next few months.

Members were also informed that the Government was not going to transfer the Homes and Communities Agency (HCA) land to the Council as previously expected. The Council can take over managing the land which could help the Council to work better with businesses, but receipts from sales will go to the government.

The Chair asked about the role of the HCA in regeneration programmes.

Cllr. B. McClements answered that the HCA does not have to participate in the schemes – the involvement of the HCA in schemes is taken on a case by case basis and they can decide whether to put funding into schemes.

The Chair asked about the impact of Continuing Healthcare Funding (CHC) on the Council and any other health costs that are being transferred to the Council?

Cllr. B. McClements responded that in 2009/10 the PCT spent £13.9 million on CHC funding. This funding covered costs for patients who are assessed as having a primary healthcare need. Within 2 years the funding for CHC care was reduced to £3.8 million. In his view Cllr. B. McClements said that this cannot be accounted for through efficiency savings. He outlined a case in his ward where the family believe that the fact that a patient did not receive CHC funding was a contributory factor in his death.

The Chair commented that at a visit to the stroke units at the Royal Shrewsbury (RSH) and Princess Royal (PRH) hospitals Members of the Joint Health Overview & Scrutiny Committee were informed that the lack of appropriate care and support at home was delaying discharges.

Cllr. B. McClements informed the Board that the PCT is currently providing

some one-off funding to enable the Council to provide the support that patients need. However, there is no guarantee that this money will be available in the future. The Council recognised that the PCT had provided CHC funding at a higher level than other areas – but the reduction in this funding over the last 2 years has meant that the rate of CHC funding is now one of the lowest in the country.

The Chair informed the Committee that he had written to the Chief Operating Officer at the Clinical Commissioning Group (CCG) and has had a response. This issue has been included in the work programme for the Health and Adult Care Scrutiny Committee.

Cllr. B. McClements commented that this is one of the most important areas for scrutiny this year.

Another area of concern is the transfer of Public Health to the Local Authority. The PCT currently spend £10.8 million on public health but the proposals are that the Council will receive £7.2 million to do the same work. There are issues around the contracts that public health hold as these are worth £7.5 million. The Board were informed that the current public health staff will be TUPEd across to the Council. Discussions were taking place as to how these roles will fit with the Council's structure and responsibilities.

Cllr. B. McClements said that accommodation will be a priority as we have to be out of the Civic Offices by January. Addenbrook House is about 20 years old but is being refurbished. The move to Addenbrook House would make big savings on business rates which are most expensive in the Town Centre. New Invest to Save initiatives had been set up in 6/7 capital areas to generate £0.25m savings each year for example from lighting or energy.

Cllr. A McClements asked about the Council will deliver the priority on being a business friendly council and how this will be different from other authorities?

The Council is looking at ideas to generate money. One example could be to become a housing provider again as the government has changed the rules enabling local authorities to borrow money at rates lower than the private sector. The Council could set up its own care homes to drive down the cost of care or have its own B&B to reduce costs of emergency accommodation.

The Chair asked whether the Council could work with other like-minded Councils to procure or provide these kinds of services.

Cllr. B. McClements informed Members that Telford & Wrekin have one of the lowest unit costs of care in the West Midlands. The only authority in the West Midlands that has lower costs is Walsall. There was a risk that working with other authorities could disadvantage Telford & Wrekin and increase our costs. In relation to procurement, the Council has set up a Procurement Task Force to look at driving out savings from procurement. In some areas such as schools the Council had to use the government's approved list so there were limitations on procurement. New posts had been created as an "Invest to Save" initiative to increase procurement resource particularly looking at the

care sector.

Cllr. B. McClements gave some feedback on the scrutiny process and said that he has found preparing for the Holding to Account Session a useful process and as described earlier it has prompted closer monitoring of some areas. Cllr. McClements commented that if he cannot explain what he is doing to the Scrutiny Management Board how can he answer to the public?

The Chair and all the Members thanked Cllr. B. McClements for attending and answering all the questions so fully and openly.

#### **SMB-14      APPOINTMENT OF TOWN AND PARISH COUNCIL CO-OPTees TO SCRUTINY COMMITTEES**

Cllr. S. Reynolds declared a pecuniary interest and left the room.

The Scrutiny Group specialist presented the report. Seven nominations had been received from Town and Parish Councils. As there had been more nominations for the Housing, Economy and Infrastructure Scrutiny Committee than there were places, the Scrutiny chairmen met and recommended the nominations as set out in Section 5.1 of the report.

#### **RESOLVED:**

- **That the recommendation be agreed and the co-optees be appointed as set out in Section 5.1 of the report.**

#### **SMB-15      UPDATE FROM SCRUTINY CHAIRS**

The Chair informed that Board that item 7 would be taken before Item 6. A summary of the work of the Scrutiny Committees was circulated by the Scrutiny Group Specialist.

Cllr. S. Reynolds reported on the work of the Budget and Finance Scrutiny Committee. The majority of the work for this Committee will take place during the budget consultation process. However, as the work of this Committee cuts across the work of other Council Committees, work had been joined up to avoid duplication. Members of the Committee had been invited to attend the Children and Young People Scrutiny Committee to look at value for money of Care Placements and to the Audit Committee to consider a report on Capital Receipts. Attendance at meetings has been good.

Cllr. A. McClements reported on the work of the Co-operative and Communities Scrutiny Committee. The new members are gaining an understanding of the work of the Committee and its role in challenging the Executive. The Committee had made reports to Cabinet on changes to the leisure concessions policy and the establishment of a First Point (single point of contact) for businesses. There had been good cross-party working on some controversial issues. The Committee would now monitor the

implementation of the recommendations agreed. Cllr. A. McClements reported that during the year she had met informally with the Managing Director and relevant Cabinet Members which had helped to ensure that scrutiny was involved early in the policy development process.

The Chair suggested that the Scrutiny Chairmen should take responsibility for monitoring the implementation of previous recommendations and bring updates to the Committee if this is needed.

Cllr. A. McClements informed the Board that the report on the Management of Community Centres will be taken to Cabinet in October. The Members had visited many Community Centres managed by both the Council and other organisations. Recommendations had been made that the Council should make a concerted effort to develop the centres, working co-operatively with partners and local people. It was found that the Community Centre in Priorslee was not operating as a community centre as it is used by a nursery Monday to Friday. Cllr. V. Fletcher commented that it is a community centre but the take up of other activities provided at the Centre has not been good e.g. dance mats that have been bought. Cllr. A. McClements said that the report and recommendations were based on the evidence the Committee received which showed that there had been little take up of the activities at the Centre.

Cllr. C. Turley reported on the work of the Housing Economy and Infrastructure Scrutiny Committee. The Committee met informally for a briefing on the procurement process for the waste management services so that members understand the elements of the process. Members also had a further confidential briefing on the selection process for the bidders. The Committee will undertake a site visit in October to a recycling facility to see the materials recovery and paper recycling processes. The other topics agreed informally for the work programme are the Community Infrastructure Levy (CIL), Business Improvement Districts and housing issues. Attendance at the meeting has been good.

The Chair reported on the work of the Health and Adult Care Scrutiny Committee. The committee has met and agreed the work programme and received a report from the Hospital Trust. This report included a presentation on the review of Urgent Care and Stroke Services. The Committee was aware that there had been some concerns that one of the A & E services would close. However the Chair of Telford and Wrekin Clinical Commissioning Group is chairing a group looking at the provision of A& E services

Other work undertaken by the Committee has been a visit to the stroke units on both hospital sites. Following the visit members were of the view that there is a single stroke service across the county and it is vital that this service is maintained.

**SMB – 16 SCRUTINY MANAGEMENT BOARD WORK PROGRAMME**

**RESOLVED**

Members agreed the Work Programme for the Scrutiny Committee as set out in the document tabled under the previous agenda item.

**TIME AND DATE OF NEXT MEETING**

The time and date of the next meeting at 10.30am on Friday, 16<sup>th</sup> November in the Reception Suite at Civic Office was noted.

The meeting ended at 12.00pm.

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**SCRUTINY MANAGEMENT BOARD– 16<sup>th</sup> NOVEMBER 2012**

**CHANGES TO THE CONSTITUTION AND SCRUTINY HANDBOOK**

**REPORT OF SCRUTINY GROUP SPECIALIST**

**1.0 PURPOSE**

- 1.1 To ask the Board to agree the changes to the Scrutiny Handbook as set out in Appendix 1 and agree the process to make changes to the constitution as set out in Section 5 of this report.

**2.0 RECOMMENDATIONS**

**That Members agree:**

- 2.1 The changes to the Scrutiny handbook as set out in Appendix 1 of this report**
- 2.2 The changes to the Constitution regarding Scrutiny made under the regulations of the Localism Act (2012) as set out in paragraphs 5.2 – 5.7 below.**
- 2.3 To delegate authority to the Statutory Scrutiny Officer and Chair of Scrutiny Management Board to take changes in respect of health scrutiny to the Council Constitution Committee.**

**3.0 PREVIOUS MINUTES**

- 3.1 None

**4.0 BACKGROUND INFORMATION**

- 4.1 Over the last 6 months there have been changes to the way Scrutiny works as a result of national legislation, decisions of Full Council and Scrutiny Management Board. It is appropriate to update the Constitution and Scrutiny handbook to reflect the changes that have already been made and make provision for the pending Health Scrutiny regulations.

## **5.0 CHANGES TO THE SCRUTINY SECTIONS OF THE CONSTITUTION**

- 5.1 The constitution sets out that any changes to Scrutiny sections of the Constitution must be agreed by Scrutiny Management Board and Council Constitution Committee. The Health and Social Care Act (2012) and the Localism Act (2012) have made the following changes to Scrutiny:
- 5.2 Regulations following the Localism Act (2012) set out that the Executive must now give 28 "clear" days notice of an intention to hold all or part of a Cabinet meeting in private and the reasons for doing so. There is also a requirement in respect of all key decisions, to publish a notice setting out details of that proposed key decision; such a notice must be published 28 clear days before the decision is taken. There is no longer a requirement for the Council to publish a monthly Forward Plan of key decisions.
- 5.3 If the 28 day timetable for notification of a key decision is impracticable, the decision can still be taken if the Proper Officer has informed the Chair of the relevant Scrutiny Committee in writing of the details of the decision to be made.
- 5.4 If there is less than 5 clear days notice before the decision is to be taken, there is a Special Urgency provision. Such a decision can only be taken if the decision-maker has received the permission of the Chair of the relevant Scrutiny Committee. This mirrors the previous arrangement where permission had to be sought of Scrutiny Chairs if a key decision was not in the Forward Plan or was very urgent.
- 5.5 A Notice of Key Decisions and Private Reports/Meetings will be published on a roughly monthly basis (to mirror the Cabinet timetable). This replaces the old Forward Plan of key decisions, but contains much the same information.
- 5.6 The new Regulations also give members of Overview & Scrutiny Committees additional rights to request the Executive to make available any material relating to past decisions. The requested information must be provided by no later than 10 clear days after the request is made. Confidential/Exempt information does not need to be provided by the Executive unless it relates to the Scrutiny work programme or to a decision that is being scrutinised.
- 5.7 If the Cabinet have taken a decision that was not treated as key, but in the opinion of Overview & Scrutiny should have been treated as a key decision, there is provision for Overview & Scrutiny to require the Cabinet to submit a report to full Council to explain why that decision

was not a key decision.

- 5.8 Scrutiny Management Board are asked to agree to make changes to the Constitution to ensure that it reflects these changes to the Scrutiny arrangements.
- 5.9 The Health and Social Care Act (2012) has given the health scrutiny power to the Local Authority with effect from April 2013. The Department of Health has not published its response to the consultation on Health Scrutiny regulations which will set out if this power can be delegated to the Health Scrutiny Committee and if referrals to the Secretary will have to be made by Full Council ( Joint HOSCs will retain the right of referral). The Regulations are due to be published early in 2013.
- 5.10 In order to make the necessary changes to the Constitution prior to April 2013, Scrutiny Management Board are asked to agree to delegate to the Statutory Scrutiny Officer and Chair of Scrutiny Management Board to take proposed changes to Council Constitution Committee.

## **6.0 UPDATING THE SCRUTINY HANDBOOK**

- 6.1 Over the last 6 months changes have been made both to the structure of the Scrutiny Committees and the way Scrutiny work is carried out by the Committees. A draft of the updated Scrutiny Handbook with track changes is attached as Appendix 1. Some of the significant changes are:
- Addition of the Housing Economy and Infrastructure Scrutiny Committee
  - Combining the remits of the Health and Adult Care Scrutiny Committees
  - All Scrutiny work is determined and carried out by Scrutiny Committees
  - Agreeing changes to the Scrutiny work programme
  - Terms of Reference for the Scrutiny Assembly
  - Data protection and confidentiality
- 6.2 Members of the Board are also asked to consider the inclusion of information in the Call-in section of the Scrutiny Handbook of the support that can be provided to Members who want to use the Call-In process.
- 6.3 Members are asked to agree to further work to include identify the criteria for identifying issues for the Scrutiny work programme.

## **7.0 EQUAL OPPORTUNITIES**

- 7.1 All Scrutiny Committees will consider the equal opportunity implications of the issues under Scrutiny.

## **8.0 ENVIRONMENTAL IMPACT**

- 8.1 There is no direct environmental impact resulting from this report.

## **9.0. LEGAL COMMENT**

- 9.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (SI: 2089) make provision for the new arrangements as set out in the body of this report. In accordance with Part 4 Section 5 of the Council's Constitution, the Scrutiny Management Board recommends changes regarding Scrutiny arrangements to the Council Constitution Committee.

## **10.0 LINKS WITH CORPORATE PRIORITIES**

- 10.1 The Scrutiny Committees look at cross cutting issues that link with the Corporate priorities.

## **11.0 OPPORTUNITIES AND RISKS**

- 11.1 Reviewing the Scrutiny rules and procedures ensures that the Scrutiny Committees are meeting the legislative requirements and developing best practice.

## **12.0 FINANCIAL IMPLICATIONS**

- 12.1 There are no direct financial implications arising from this report. All costs of administering Scrutiny are funded from their annual revenue budget of £138,630. Any financial issues will be highlighted as part of financial monitoring as appropriate.

## **13.0 WARD IMPLICATIONS**

- 13.1 There are no specific ward issues resulting from this report.

## **14.0 BACKGROUND PAPERS**

14.1 None

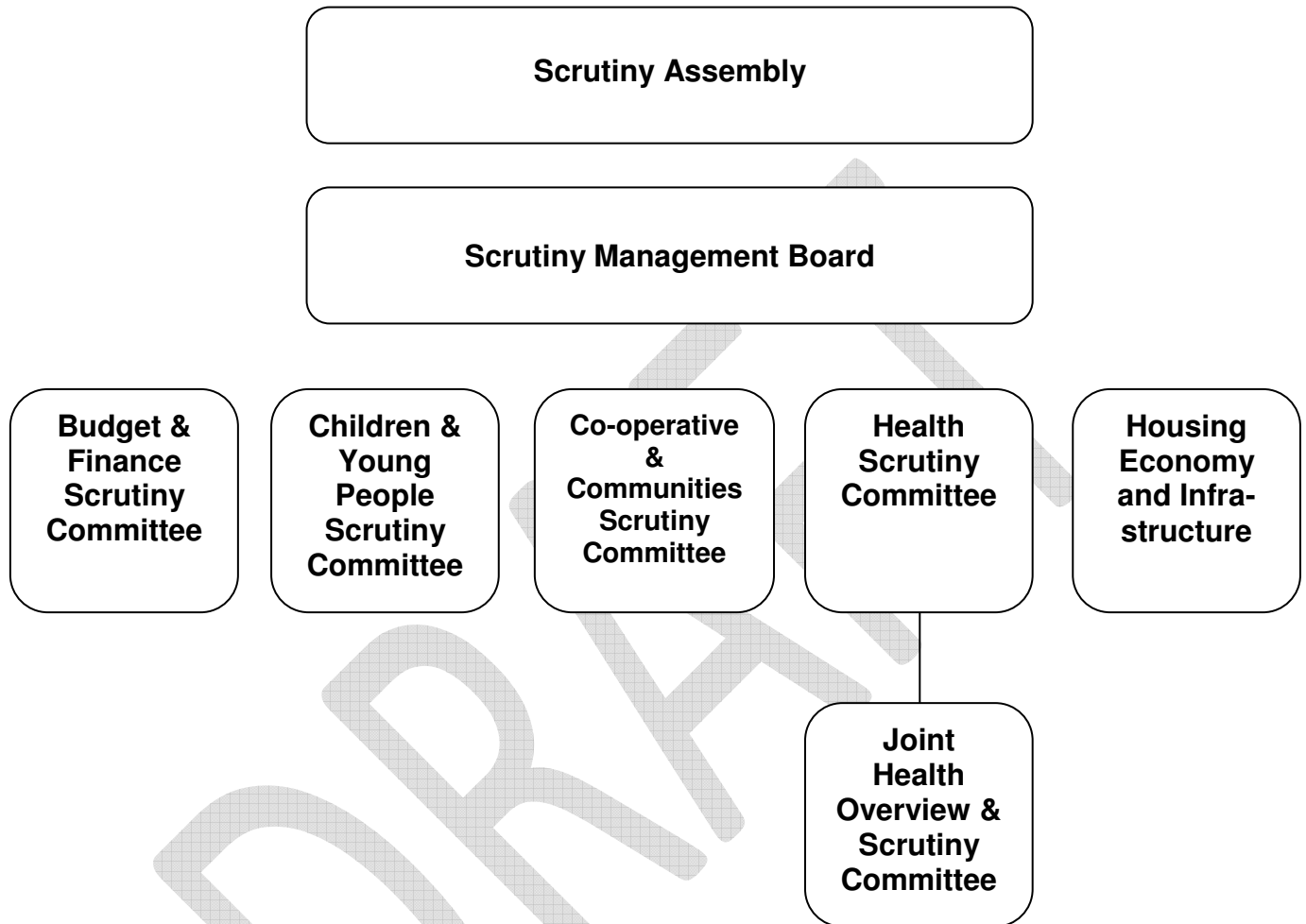
Report prepared by Fiona Bottrill, Scrutiny Group Specialist 01952 383113

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– Scrutiny Assembly	
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– Adult Social Care Scrutiny Committee	
– Budget & Finance Scrutiny Committee	
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– Co-operative & Communities Scrutiny Committee	
– Health Scrutiny Committee	
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Role Descriptions:	
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# THE STRUCTURE OF SCRUTINY

## DIAGRAM AMEMDED



## Scrutiny Assembly

The Scrutiny Assembly includes all members of the Council except the Leader, other Cabinet Members and the Mayor. Members of the public co-opted onto the Scrutiny Committees are also members of the Scrutiny Assembly.

The Chairman of the Scrutiny Management Board is appointed by Full Council and is also the Lead Scrutiny Member and Chairman of the Scrutiny Assembly. If he or she is not available for a meeting of the Assembly, a Chairman will be nominated from among the remaining 5 Scrutiny Committee Chairmen.

The Scrutiny Assembly meets as necessary for tasks which require the participation of all scrutiny members such as a question time meeting with the Leader of the Council and the Chief Executive and a discussion of the Council's Priority Plans.

All Scrutiny Assembly meetings will be held in public.

Scrutiny Assembly members may attend any Scrutiny Committee meeting in order to hear the discussion regardless of whether they are a member of that Committee.

Terms of Reference for the Scrutiny Assembly and the Role Description for the Chairman of the Scrutiny Assembly are set out at the end of this Handbook

## Scrutiny Management Board

The Scrutiny Management Board has overall responsibility for co-ordinating and monitoring the delivery of the Scrutiny Work Programme and for allocating resources between the Scrutiny Committees so that the work load is managed effectively. The Scrutiny Management Board also carries out its own programme of reviews.

The Scrutiny Management Board is made up of the Scrutiny Committee Chairmen and other elected members as required to make the Board politically balanced. The Chairman and Members of the Scrutiny Management Board are appointed at Annual Council, and the Chairman is also the Lead Scrutiny Member and Chairman of the Scrutiny Assembly.

The responsibilities of the Scrutiny Management Board include:

- Reviewing the suggestions put forward for the Scrutiny Work Programme and allocating them to the relevant Scrutiny Committee or Committees
- Agreeing the allocation of resources between the Scrutiny Committees
- Carrying out reviews as agreed by the Scrutiny Management Board
- Overseeing and monitoring the delivery of the Scrutiny Work Programme

- Ensuring the Work Programme fulfils statutory scrutiny duties
- Receiving requests from the Leader or Cabinet or Full Council for reports, and allocating the request to the relevant Scrutiny Committee to carry out the work
- Hearing requests for Call-in of a Cabinet decision
- Making changes to the scrutiny structure and arrangements, in consultation with the Scrutiny Assembly, and reporting the changes to Full Council. If the changes fall outside the provisions of the Constitution, the Scrutiny Management Board will make recommendations to the Council's Constitution Committee.
- Periodically reviewing and making changes to the Policy for Co-opting Scrutiny Members
- The Chairman of the Scrutiny Management Board will present reports and recommendations made by the Board to the Council's Cabinet, or Full Council or other organisations as appropriate
- The Chairman of the Scrutiny Management Board will present the Annual Scrutiny Report to Full Council

The Terms of Reference for the Scrutiny Management Board are set out at the end of this Handbook

## Scrutiny Committees

There are 5 service-themed Scrutiny Committees which are responsible for scrutiny of matters relating to relevant service areas, or of matters referred to the Committees by the Scrutiny Management Board. These are:

- ~~Adult Social Care Scrutiny Committee~~
- Budget & Finance Scrutiny Committee
- Children & Young People Scrutiny Committee
- Co-operative & Communities Scrutiny Committee
- Health and Adult Care Scrutiny Committee
- Housing Economy and Infrastructure Scrutiny Committee

A number of the Committees also carry out statutory scrutiny responsibilities, as listed below:

Duty	Scrutiny Committee
Scrutiny of NHS bodies and emerging health and social care structures  <u>Health and Social Care referrals from the LINK / Health watch?</u>	Health & Adult <del>Social</del> Care
Crime & Disorder Reduction Partnership (Safer, Stronger Communities Partnership)	Scrutiny Management Board
Flood & Water Management	Scrutiny Management Board

<del>Partners under LAA</del>	<del>Co-operative &amp; Communities</del>
<del>Social Care referrals from the LINK / Health watch?</del>	<del>Adult Social Care</del>
Scrutiny of Budget Proposals under the terms of the Council's Constitution	Budget & Finance

The Committees are made up largely of elected members of the Council, as well as some co-opted members of the public who supplement the knowledge and experience represented by the elected members of the Committees. The protocol for Co-opted Scrutiny Members is [set out in p. 44 – 46 of ~~an~~ included later in](#) this document.

There are ~~between 6 and~~ 8 elected members on each Scrutiny Committee who are appointed at Annual Council in line with the political balance of the Council. Co-opted members are assigned to the Scrutiny Committee relevant to their skills and experience.

Each Scrutiny Committee determines its own work programme according to the procedure set out in the next section of this Handbook, and will determine the schedule of meetings required to deliver the work programme.

All Scrutiny Assembly and Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups / [working group](#) to carry out investigative work as part of a review and these sub-groups / [working group](#) may hold informal meetings but will report back their findings to the Scrutiny Committee.

Where two or more Scrutiny Committees have competing demands for scrutiny officer resources which cannot be met, the Scrutiny Management Board will decide how resources should be allocated.

A sub-group of Members of the Health & Adult Care Scrutiny Committee also sit on a Joint Health Overview and Scrutiny Committee with colleagues from other authorities to scrutinise health issues which cut across the boundaries of both authorities. The Terms of Reference for the [Shropshire and Telford & Wrekin](#) Joint Health Overview and Scrutiny Committee will be agreed with the other authority/ authorities in relation to the specific issue under scrutiny.

Terms of Reference for the Scrutiny Committees, the Role Description of the Scrutiny Committee Chairmen and Terms of Reference for the Telford & Wrekin and Shropshire Joint Health Overview & Scrutiny Committee are set out at the end of this Handbook.

# THE SCRUTINY WORK PROGRAMME

## Setting the Scrutiny Work Programme

The Scrutiny Work Programme is set annually or bi-annually as determined by the Scrutiny Management Board. Scrutiny Assembly members, Cabinet members, the Mayor, Council officers, Parish and Town Councils and other partner organisations are invited to put forward their suggestions for the work programme.

Suggestions should be made on a Scrutiny Suggestion Form (below) which is available by e-mail, or in hardcopy, and there is an on-line version on the Telford & Wrekin Council website.

<b>SCRUTINY SUGGESTION FORM</b>	
<b>What would you like scrutiny to look at?</b>	
Please state the service area, Council activity or issue This can relate to work of the Council, the NHS or other local organisations	
<b>Why should scrutiny look at this issue?</b>	
Please consider:	
<ul style="list-style-type: none"> <li>• The situation/problem/concern that has made you raise this issue</li> <li>• What benefits a scrutiny review could bring for local people</li> </ul>	
<b>Name:</b>	
<b>Contact details*:</b>	
<b>I am:</b>	A resident of Telford & Wrekin <input type="checkbox"/> A representative of a local group (please state) <input type="checkbox"/> ..... A Parish or Town Councillor (please state which) <input type="checkbox"/> ..... A member of Telford & Wrekin Council <input type="checkbox"/> An officer of Telford & Wrekin Council <input type="checkbox"/> Other (please state)..... <input type="checkbox"/>

\* we will only contact you if we need more information about your suggestion

**Please return your completed form to:**  
**Scrutiny Services**  
Darby House  
Lawn Central

**If you have any queries, please contact Stephanie Jones, Scrutiny Officer:**  
**01952 383114**

**Town Centre**  
**Telford TF3 4JA.**  
**FREEPOST RRAX - TLKS - UZSS**  
**PO Box 215**  
**Telford, TF3 4LF**

**stephanie.jones2@telford.gov.uk**

Once the closing date for the submission of suggestions has passed, the Scrutiny team will collate all the suggestions.

The Scrutiny Management Board then meets to consider all the suggestions and will:

- Determine whether the suggestion meets the criteria for scrutiny
- Agree items for the Scrutiny Management Board work programme
- Allocate other suggestions to the relevant Scrutiny Committee to consider for the work programme, making recommendations about which should be prioritised or which items should be jointly scrutinised by two or more Committees
- Propose the allocation of resources across the Committees based on the projected work load and timing of reviews.

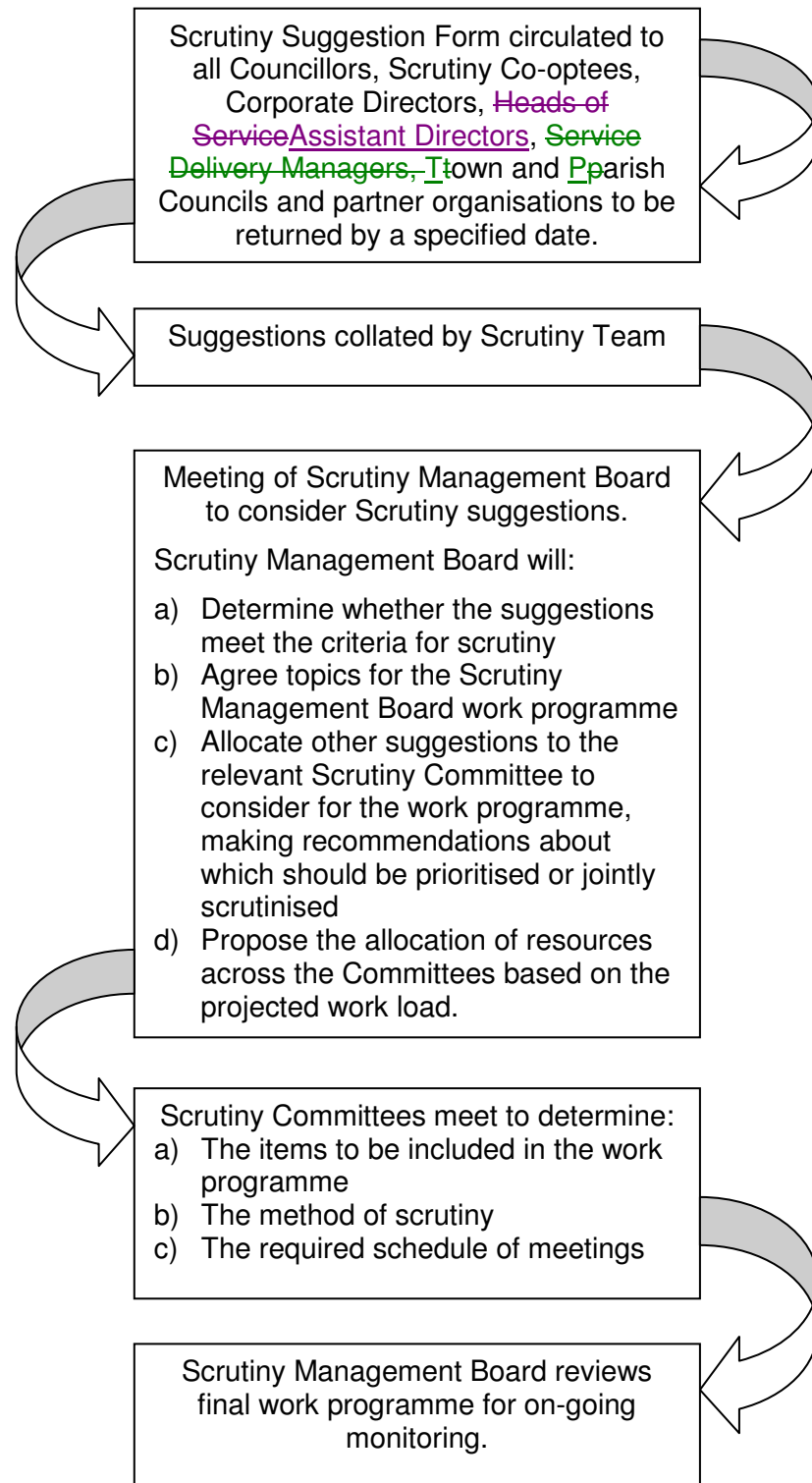
Following the meeting of the Scrutiny Management Board, each Scrutiny Committee meets to consider the suggestions allocated to them to determine the work programme. The Committees will decide which items to include in the work programme, the method of scrutiny and the required schedule of meetings, having due regard for the resources available.

All Scrutiny Assembly and Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups / [working groups](#) to carry out investigative work as part of a review and these sub-groups / [working groups](#) may hold informal meetings but will report back their findings to the Scrutiny Committee.

Once all the Scrutiny Committees have agreed their work programme, the Scrutiny Management Board will review the programme to ensure that the work load is manageable within the resources available, and where two or more Committees have competing needs for resources which cannot be met by the Scrutiny team, the Scrutiny Management Board will decide how resources should be prioritised.

Once the final work programme is agreed, it will be circulated to Scrutiny Assembly members, senior Council officers and published on the Council's website.

## Process for selecting topics for the work programme.



## Adding and removing items during the year

Once the Scrutiny Work Programme has been agreed by the Scrutiny Committees and the Scrutiny Management Board, items should only be added or removed where there is good reason to do so and with the agreement of the relevant Scrutiny Committee.

If a suggestion is raised at relevant Scrutiny Committee meeting, the Committee can decide if this fits within the scope of the existing work programme and whether there is sufficient time and resources to carry out the work. The committee may need to remove an existing item in the work programme to create the capacity to undertake this new work. The decision to include a new item and which item should be removed from the work programme will be decided by a simple majority. Any changes to the work programme will be reported by the Chairman to Scrutiny Management Board.

Suggestions for Scrutiny can be made throughout the year by any Scrutiny member, Cabinet member, the Mayor, a Council officer, a member of a partner organisation or a member of the public. Suggestions should be made by submitting a Scrutiny Suggestion Form to a member of the Scrutiny team. These suggestions will be considered by the Scrutiny Management Board at the next scheduled meeting and will follow the normal process for selecting topics for the work programme, unless the suggestion obviously relates to the work of one Scrutiny Committee in which case the Scrutiny Chairman may refer the suggestion immediately to the relevant Scrutiny Committee to consider for the work programme.

~~Suggestions for Scrutiny can be made throughout the year by any Scrutiny member, Cabinet member, the Mayor, a Council officer, a member of a partner organisation or a member of the public. Suggestions should be made by submitting a Scrutiny Suggestion Form to a member of the Scrutiny team.~~

~~The suggestion will be considered at the next meeting of the Scrutiny Management Board to decide whether the suggestion meets the criteria for Scrutiny and if so, which Scrutiny Committee will be the reviewing body. The relevant Scrutiny Committee will consider the suggestion at its next meeting and it will be included in the work programme if agreed by a simple majority (i.e. 50% plus one). If an item is added, it may be necessary to remove an existing item to accommodate the new item.~~

~~If the suggestion is urgent, or the suggestion clearly relates directly to the work of a particular Scrutiny Committee, the Chairman of the Scrutiny Management Board may use their discretion to refer the suggestion directly to the relevant Scrutiny Committee. The suggestion will then be considered at the next Scrutiny Committee meeting unless the Chairman considers it so urgent that the suggestion should be e-mailed to the committee to decide by a simple majority whether a meeting should be held. If any member does not~~

~~reply, it will be assumed that they do not wish the item to be included in the work programme.~~

Any issue referred to Scrutiny from Full Council will automatically be included in the work programme. The issue will be discussed by the Scrutiny Management Board to decide the most appropriate method of scrutiny or will be referred to the relevant Scrutiny Committee to agree the appropriate method of scrutiny.

It is anticipated that items will only be removed from the Scrutiny Work Programme on rare occasions. Some reasons why items may be removed are:

- Members have held a scoping meeting for an item and have concluded that they are satisfied that the information provided answers the original concerns, and no further issues have been identified for scrutiny
- Circumstances such as an internal review, external inspection, officers starting a new piece of work on the item identified etc mean that a scrutiny review would be duplicating current work. In such cases, Members would usually ask for a follow up meeting to receive feedback on the outcomes of this other work
- Committee Members have agreed to include an item which has arisen during the year to their work programme and an item has to be removed from the existing work programme in order to accommodate the new item
- The item could not be covered within the year. If members still feel that the issue warranted scrutiny, they may suggest it again as part of the new work programme.

In order to remove an item from the Work Programme, it must be agreed by the relevant Committee, by way of a simple majority.

## METHODS OF SCRUTINY

There are a number of methods of scrutiny that can be used to consider issues on the work programme. The method of scrutiny chosen for each item will depend on how large or complex the item is, as well as the capacity of scrutiny members and officers to deliver the work programme.

The method of review will affect the number of items that can be included in the work programme. ~~In-depth~~ reviews provide an opportunity to get “under the skin” of an issue but are time intensive and will limit the number of topics that can be looked at. Using methods which are less time intensive will extend the reach of scrutiny.

The method of scrutiny will be decided as part of the work programme setting process, but may be changed during the course of the year by agreement of a simple majority of Committee members. This will allow members to work flexibly to optimise the use of time and resources to carry out the work programme. If members choose to extend a review, it may be necessary to re-prioritise or remove other items from the work programme and these changes would need to be agreed by a simple majority of members.

Where possible, Scrutiny Committee meetings will be held in public so that the process is transparent and members of the public are able to attend meetings about issues in which they have an interest. However, members may choose to hold informal sub-group or working-group ~~or informal~~ meetings as necessary to undertake the work.

Where a cross-cutting issue is identified by the Scrutiny Management Board, members from each of the relevant Committees will be asked to participate in the work. The Chairmen from the relevant Committees will agree amongst themselves which of them will lead the work. Scrutiny Committees may agree between themselves to hold joint meetings where an issue is of interest to more than one Committee.

Scrutiny Assembly members may attend any Scrutiny Committee meeting to hear the discussion, and the Chairman of the Committee may use their discretion to allow questions from non-committee members.

Each Scrutiny Committee will usually undertake scrutiny of one issue at a time. The Committee will determine the scope of the work which will include how long this is likely to take. When considering the scope of a review Members will pay regard to policy development and the decision making process so that recommendations are relevant when they are discussed by Cabinet. The usual methods of Scrutiny are:

- An agenda item at a meeting
- One meeting to receive evidence and agree any recommendations and conclusions

- [A review involving 2 or more meetings to scrutinise a particular issue](#)

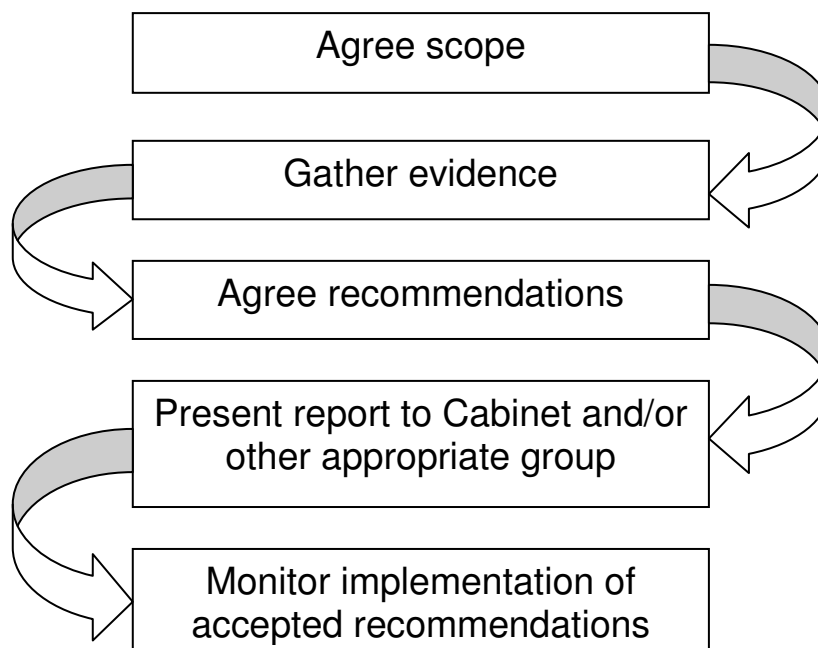
A calendar of scrutiny events, meetings and agenda items will be e-mailed to the Scrutiny Assembly [and Town & Parish Councils](#) on a regular basis so that Members can keep up to date with what is coming up and can attend meetings in which they are interested. Formal Scrutiny Committee meetings will also be posted on the website so that members may download agendas and papers.

## In-depth Reviews

~~Due to the amount of work involved in an In-depth review and a Spotlight review (see below) only one of either type of review should be carried out by a Scrutiny Committee at any one time. Reviews should be pay regard to policy development and decision making processes so that recommendations are relevant when they are discussed by Cabinet.~~

The process for [undertaking Scrutiny work](#) ~~conducting an in-depth review~~ is described below.

### Process for [undertaking in-depth](#) scrutiny reviews



#### Agree Scope

The Scrutiny Chairmen may, with the agreement of the Committee, use their discretion to agree the best way to scope a review depending on the complexity of the issue, members' knowledge about this issue, and the most efficient use of resources.

Where the issue under scrutiny will be considered as an agenda item at a meeting or at a single working group meeting the Scrutiny Officer will support the Chair of the Committee, Committee Members and relevant officers to agree the scope of the work.

Where the issue will be scrutinised through a review (i.e. 2 or more meetings) An initial meeting is may be arranged between the Scrutiny Committee members and a small number of officers from the relevant service area(s) and/or partner organisation if appropriate. The relevant Cabinet Member(s) will also be invited to attend. The officers give a presentation of up to 30 minutes covering the key information relating to the issue raised by scrutiny. This will be followed by questions from scrutiny members.

On some occasions it may not be necessary to hold a full scoping meeting, and if members of the Committee agree, the Scrutiny Officer will support the Chairman to make proposals to the Committee by e-mail for discussion and formal approval by the Committee at a meeting. This method may make more efficient use of scrutiny meeting time.

Once scrutiny members have asked all of their questions, the Chairman may invite the officers and Cabinet Member(s) to leave so that the scrutiny members can discuss the way forward.

Although the item has initially been identified for ~~in-depth~~ review, there may be occasions when Scrutiny Members feel that having heard further information from officers, this is no longer necessary. The Committee may decide to make recommendations based on the information provided at the meeting or request an update report at a future meeting.

~~The Scoping Meeting Template on page 12 lists the options that Members can choose from for further action. If Members conclude any of the first five points, this will free up capacity within the Scrutiny Work Programme for the Committee to address other issues.~~

~~If members decide to proceed with the in-depth review, they will complete the last section of the template to set the scope for the review.~~

## **SCOPING MEETING TEMPLATE**

<b>Topic for discussion (from Scrutiny Suggestion Form)</b>
<b>Key concerns and questions</b>
<b>Agreed outcome of meeting</b>
1 Information provided answers original concerns. No further scrutiny necessary.

2	Recommendations	State recommendations:  To whom:
3	Report back required	Issue to report back on:  Date of report back:  Officer responsible:
4	Information provided answers major concerns but follow up required on some points at a Committee meeting	Points to follow up:  Date of meeting:  Officer responsible:
5	Pursue as Spotlight Review (one evidence-gathering meeting Select Committee format)	Key questions for meeting:  Witnesses required at meeting:
6	Pursue as In-depth Review	<u>Scope of in-depth review</u> Key questions / concerns to address:  Meetings required with following witnesses:  Other information required:  Start date: End date:  Agreed meeting time(s):

Where an issue will be scrutinised at a single meeting or as an agenda item at a meeting the scope of this work will be agreed prior to the meeting – usually by email. The scope should be clear and should identify key areas of concern so that members focus their attention where they can add value. The scope of the work will determine if the Committee will scrutinise the issue as a single meeting or an agenda item at a meeting. Scrutiny is an open and transparent process but the Chair of the Committee will determine if the work will be undertaken at a Committee meeting or a working group meeting depending on the nature of the information and work to be undertaken,. Eg. Visits to other organisations will not be carried out as a public meeting. The information from working group meetings will be used to inform the final public report and recommendations.

~~The scope should be clear and should identify key areas of concern so that members focus their attention where they can add value. There is no set timescale for a scrutiny review—it should be decided by the members carrying out the review, bearing in mind the amount of evidence that they have agreed to gather and the capacity of those members involved. Members may have to be flexible about meeting arrangements to ensure that all of the work can be completed within the agreed timescale.~~

~~Where possible Members may agree the dates for future Ceommittee or working group meetings. However meetings may need to be arranged taking into account availability of those invited to give evidence..As part of the scoping meeting, members will be asked to identify a regular time that they can meet to enable reviews to keep momentum and be completed more efficiently. This should be one set time each week that members of the group can generally be available. If there is no one time that all members can make because of standing commitments, a maximum of 3 timeslots can be selected and the Scrutiny Team will try to spread meetings over these times so that all members are able to attend some meetings. At times, there may need to be some flexibility to meeting times to accommodate witnesses who are not able to attend at the time set.~~

~~A member of the Scrutiny Team will take notes of the scoping meeting and will circulate the draft scope to the Scrutiny Members involved in the first instance.—Once Scrutiny Members have agreed the scope, it will be circulated to the officers who were present, other relevant officers, Corporate Directors and the appropriate Cabinet Member. The officers and Cabinet Member will be invited to comment on the scope, but the scrutiny group members have the final say as to what is included. Any changes to the scope of the review must be agreed by the whole review group.~~

Any changes to the list of interviewees agreed when a review is scoped will be made with the agreement of all members of the particular review group and not by individual members or Chairmen.

~~On some occasions it may not be necessary to hold a full scoping meeting, and if members of the Committee agree, the Scrutiny Officer will support the Chairman to make proposals to the Committee by e-mail for discussion and formal approval by the Committee at a meeting. This method may make more efficient use of scrutiny meeting time.~~

## **Gather Evidence**

~~Cabinet Members, Officers and partner organisations attending the meeting will be informed of the lines of inquiry that Members have identified. The Scrutiny Team will liaise with officers to determine if Members have requested:~~

- [A written report to be circulated with the papers prior to the meeting](#)
- [A presentation at the meeting](#)
- [Verbal update or discussion](#)

[These lines of inquiry may lead to other questions at the meeting.](#)

The methods used to gather evidence ~~for in-depth reviews~~ will depend on the information that is needed for each ~~piece of Scrutiny work~~ [individual review](#). Some of the methods that have been used for previous reviews are given below. This is by no means an exhaustive list and neither would it be expected that all of these activities would be carried out for every review. In order to focus resources efficiently, members should only select witnesses and activities that are necessary to address the concerns identified in the scope.

- Meetings with Council officers and Cabinet Member(s)
- Surveys – of the general public, of the Community Panel, of service users
- Desk based review of legislation and documentation
- Meetings with officers from other organisations
- Focus groups with residents or service users
- Performance information
- Views of Parish and Town Councils – in meetings, written evidence or surveys
- Site visits
- Best practice from other authorities – by visits, internet research or requesting written evidence.

Scrutiny officers arrange the required evidence-gathering meetings other than the member-only meetings described below, and co-ordinate any other activities such as surveys and written evidence. It is unlikely that all members of the Committee will be able to be present at all evidence gathering meetings, and placing this requirement on members would substantially slow the progress of scrutiny reviews. Meetings will therefore take place when 3 or more members are available to attend. If apologies are given by members at short notice the meeting will be held at the Chairman's discretion.

Whenever possible a member of the scrutiny team will attend all scrutiny interviews to take notes and to ~~support the meeting ensure that neither members nor officers are made to feel uncomfortable~~. There may be occasions when it is appropriate for scrutiny members to attend meetings alone, or when a member of the scrutiny team is unable to attend. This will be by prior agreement of the members involved and with any officer(s) attending the meeting. The pro forma for member only meetings is set out later in this Handbook.

Meeting notes are sent to the witness to ensure accuracy, and will be circulated to Scrutiny Members by e-mail once the notes have been finalised.

As part of the work of Scrutiny Committees members will on occasions receive information that is confidential. All Members and Co-optees will manage this information in accordance with the Council's data protection and confidentiality policies. Members are reminded to dispose of information appropriately at the end of a Scrutiny meeting or at the end of the scrutiny review.

## **Agree Recommendations**

When all of the required evidence has been gathered, members will ~~meet to~~ discuss their conclusions and recommendations. ~~Prior to this meeting, members should read over the information gathered throughout the review, to ensure that the R~~recommendations ~~should be they make are~~ based on this evidence. ~~The Scrutiny Team will ensure that all members have all meeting notes and other evidence which has been gathered during the course of the review.~~

The scrutiny officer writes up the conclusions and recommendations that the members have agreed. These are circulated to the review group to ensure that the drafted recommendations accurately reflect what was agreed.

Where appropriate a meeting is then held between the Scrutiny Committee or Scrutiny Committee Chair and the relevant Cabinet Member(s) and officers to discuss these recommendations. If it is not possible to arrange a meeting Cabinet Members will receive the recommendations by email and have an opportunity to make comments. The purpose of this process meeting will be for the ~~scrutiny~~ Scrutiny Chairman to present the draft recommendations and to discuss the Cabinet response and any concerns that the Cabinet Member or officers have about the recommendations.

Issues for discussion may include:

- Whether the recommendations could be implemented in practice
- Alternative ways to address the issue if any recommendations are seen as impractical
- Any information the Cabinet Member or officers may have that impacts on the suggested recommendations
- The financial implications of the recommendations.
- Identifying the relevant officer to co-ordinate the Executive response (liaising with partner organisations where necessary)

~~At the end of this meeting, the Cabinet Member and officers may be asked to leave and the scrutiny members discuss whether they want to amend their recommendations based on the information that has been presented to them.~~

~~If it is not possible to convene a meeting of the Scrutiny Committee, the Scrutiny Chairman may be delegated by the Committee to attend this meeting on their own.~~

~~When The scrutiny officer drafts a report, including any amendments to the recommendations that have been agreed. The draft report will initially be circulated to the review group members. It will then be circulated widely for comment to ensure that factual details are correct, and that all are happy with the content of the report. It will be circulated to:~~

- The relevant Cabinet Member(s)
- The relevant Corporate Director(s), Head(s) of Service Assistant Director(s), -and Service Delivery Manager(s)
- Other officers who were involved in the review
- Relevant representatives from external organisations.

Officers, Cabinet Members and external witnesses can make factual amendments to the report. Any suggestions to amend the recommendations should have been raised at the meeting prior to the circulation of the draft report, to enable the suggested amendment to be fully discussed. If an amendment is suggested at this stage, the scrutiny officer will discuss this with the scrutiny members, but it remains the decision of the members whether to make the amendment.

The report will be endorsed by all scrutiny members involved in the work. If a consensus cannot be reached, a minority report may be produced, although it is expected that this would rarely be necessary.

### **Present Report to Cabinet**

The Scrutiny report will be considered at a meeting of the Cabinet, which should normally be no longer than 2 months from the date of the meeting between Scrutiny members and the Cabinet Member. Both the scrutiny report and the draft response from the Cabinet Member (see the template below) will be considered as part of the normal preparation for Cabinet meetings. The Scrutiny Chairman will attend any pre-Cabinet and Cabinet discussion relating to the report.

The Cabinet meeting will consider both the scrutiny report which will be introduced by the Scrutiny Chairman and the Cabinet response which will be introduced by the relevant Cabinet Member. The Cabinet will decide on the elements that they have responsibility for. Any issues which need to go before Council will be considered at the next scheduled Council meeting along with the Cabinet's views and alternative proposals (if any).

The report will be made available in an electronic format on the Council's website. All of the witnesses to the review will be informed that the report is on the website and will be informed of the date of the Cabinet meeting that the report will be discussed at, should they wish to attend.

**Template for Cabinet Response to Scrutiny Reports**

<b>Scrutiny Committee: Report:</b>  <b>Lead Scrutiny Member: Lead Scrutiny Officer:</b>	<b>Cabinet Member:</b>  <b>Response prepared by (name and title):</b>  <b>Date of Cabinet meeting:</b>
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<b>Scrutiny Commission Recommendation</b>	<b>Response and summary of action being taken to implement, or reason for rejection</b>	<b>Date by which action will be taken</b>	<b>Person responsible for action (name and title)</b>

## Monitor Implementation of Recommendations

The Scrutiny Team maintain a record of all scrutiny recommendations made and the Cabinet response. The Scrutiny Team will seek an update from the relevant officers at regular intervals for all actions that were agreed to be taken by that date. This will be recorded and circulated to the relevant Scrutiny Committee for information. If they are not happy with the response given and require further information or a meeting to discuss with the officer and/or Cabinet member, this will be arranged. Previous recommendations will be archived once they have been implemented or if the Committee deems the recommendations to be out of date.

## Spotlight Review

~~This is a compressed review with just one evidence gathering meeting which will be held in the style of a Select Committee, that is, with all of the identified witnesses attending one meeting. The process for scoping, agreeing recommendations, presenting the report to Cabinet and monitoring recommendations will be the same as that set out above for in-depth reviews.~~

## Special Interest Meetings

~~Special Interest meetings give scrutiny members the opportunity to receive information and ask questions on a particular issue or service area. They are distinct from the Members Information Seminars as a Special Interest Meeting allows members to scrutinise the issue under discussion and, if necessary, make recommendations to the Cabinet Member and/or officers.~~

~~The Scoping Meeting Template below will be used to help keep the meeting focussed on the particular concerns raised in the original Scrutiny Suggestion. This form also enables any recommendations or requests for a follow up report to be noted. If members wish to undertake further scrutiny, any necessary adjustments will be made to the overall work programme to accommodate additional work. Requests for further scrutiny should only be made in exceptional circumstances.~~



## SCOPING MEETING TEMPLATE (Special Interest Meeting)

<b>Topic for discussion (from Scrutiny Suggestion Form)</b>	
<b>Key concerns and questions</b>	
<b>Agreed outcome of meeting</b>	
<b>1</b>	Information provided answers original concerns. No further scrutiny necessary.
<b>2</b>	Report back required.      Issue to report back on:  Date of report back:  Officer responsible:
<b>3</b>	Recommendations      State recommendations:   To whom:
<b>4</b>	Pursue as Spotlight Review (one evidence gathering meeting Select Committee Style) <b>Adjustments will be made to the work programme to accommodate the additional work</b>  Key questions for meeting:  Witnesses required at meeting:
<b>5</b>	Pursue as In-depth Review <b>Adjustments will be made to the work programme to accommodate the additional work</b>  Key questions / concerns to address:  Witnesses required:  Other information required:  Start date: End date:

Agreed meeting time(s):

## Member Only Meetings

Whenever possible a member of the scrutiny team will attend scrutiny meetings to take notes and to ensure that neither members nor officers are made to feel uncomfortable. There may be occasions when it is appropriate for scrutiny members to attend meetings alone, or when a member of the scrutiny team is unable to attend. This will be by prior agreement of the members involved and with any officer(s) attending the meeting.

The pro forma template below will be used to keep the meeting focused, to ensure that it fits within the agreed scope of the review and that the information gathered is recorded and shared with other members of the review group.

It is the responsibility of members to organise these meetings.

<b>Member Only Working Group Meeting Proforma</b>	
<b>PLANNING:</b>	
Date of Meeting:	
Time of Meeting:	
Venue ( book room in required):	
Has this topic been agreed by the Scrutiny Committee as an issue for a member supported working group meeting? (Date of meeting)	
Chairman for Member Supported Working Group meeting:	
Topic:	
What is the scope of the meeting? ( Identify about 3 questions Members want to consider. These questions should be given to officers attending before the meeting. 1) 2) 3)	
Officers invited who have confirmed attendance at meeting: (Requests for attendance should be made to <a href="#">Assistant Directors Heads of Service</a> or Service Delivery Managers)	

<b>MEETING:</b>
Welcome and introductions
Agree Note taker
Notes of Meeting
Recommendations / Actions from Meeting
Agree notes, actions and recommendations as accurate record of meeting
Send copy of notes to Scrutiny Committee chairman, Officers attending, and Scrutiny Officers (Notes of the meeting will be made public when sent to the Committee for information)

## **Agenda items at Committee meetings**

~~Members may choose to review or monitor an issue as an agenda item at a Scrutiny Committee meeting. Reports from officers, or the relevant organisation, will be presented and members will ask questions about any areas of concern. The relevant Cabinet member/s may also be invited to take part in the meeting. At the end of the discussion, members may decide that no further scrutiny is necessary, or they may request that a report is brought back to the Committee at an agreed time for further scrutiny or monitoring. Members may also choose to make recommendations on the basis of the evidence provided.~~

## **Call-in**

Call-in is the mechanism by which scrutiny members can examine decisions that have been taken, either by Cabinet or key decisions taken by officers under delegated powers, before they have been implemented. Call-in of a decision defers the implementation of the decision to allow its further consideration. As Call-ins are responsive to items in the Council's Forward Plan, they cannot be scheduled into the Scrutiny Work Programme in advance.

Call-in does not apply in the following circumstances:

1. Decisions taken by the Cabinet that are urgent
2. Decisions of full Council
3. Decisions taken by officers that are not key decisions
4. Recommendations from the Cabinet to the Council
5. Specific or individual employee relations, disciplinary or grievance matters
6. Matters subject to formal/statutory appeal processes or that are sub-judice
7. Individual appeal cases e.g. planning, licensing, housing or education
8. Decisions of the Standards Committee, Audit Committee or Regulatory committees.

Any decision made by the Cabinet or an officer with delegated authority will be published within four working days of being decided. If a member wishes to call-in a decision, they must complete a call-in request form (below), which must be signed by a minimum of 5 members, and forward it to the ~~Head of Governance~~Assistant Director: Law, Democracy and Public Protection within 3 working days of the decision being published. The form may be posted, faxed or emailed.

The Head of Governance Assistant Director for Law, Democracy and Public Protection will inform the Chairman of the Scrutiny Management Board that a

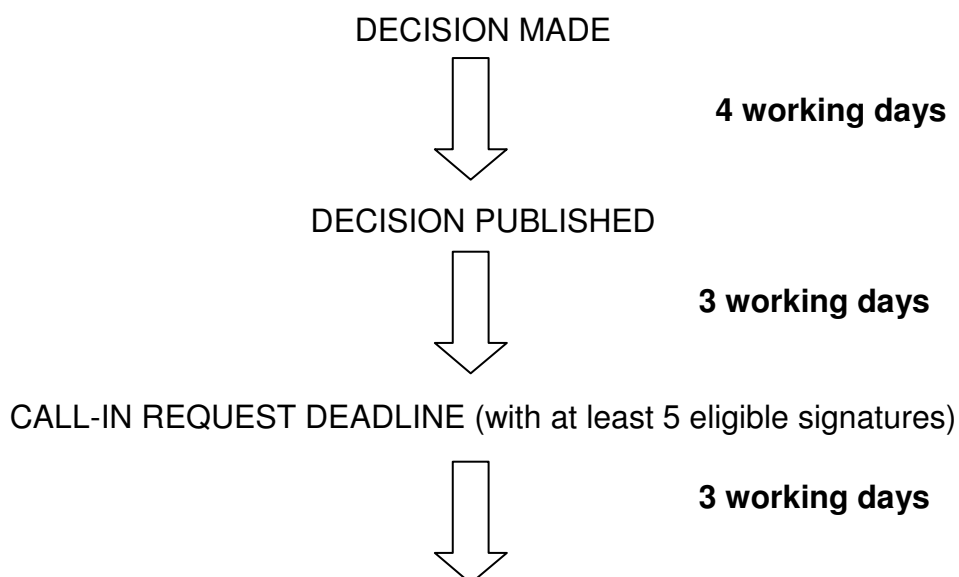
call-in request has been received. The Chairman will then decide within 3 working days whether the call-in is valid or not as set out in the Council's Constitution. If valid, an informal meeting will then be held between the members supporting the call-in, the person who took the decision, and the [Head of Governance Assistant Director for Law, Democracy and Public Protection](#). This meeting will clarify the points at issue, ensure there is no confusion regarding the decision, and identify whether the concerns expressed on the call-in form can be addressed by the decision taker in the original decision. After this meeting, the call-in supporters may withdraw their support if they wish. If less than 5 signatories remain, the call-in is no longer valid.

Valid call-ins will be heard at a special meeting of the Scrutiny Management Board within 10 working days of the call-in request being received. At this meeting, Scrutiny Management Board members will receive a presentation from the lead call-in member and from the Cabinet member or officer that took the decision. The Scrutiny Management Board will then have the opportunity to ask questions of both parties.

Having reviewed the decision, the Scrutiny Management Board can:

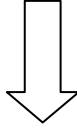
1. reject the call-in proposal and note the original decision which will take effect on the date of the scrutiny meeting
2. accept the proposal on the call-in form and refer back to the decision taker with any comments they wish to make. Cabinet decisions will be reconsidered at the next scheduled Cabinet meeting, and may be amended before adopting a final decision. If the decision was made by an officer with delegated authority, that officer will reconsider within 3 working days of the call-in meeting, amending the decision or not.
3. accept the proposal set out on the call-in form and refer the matter to full Council if the decision is deemed to be outside the policy and budget framework.

## TIMETABLE FOR CALL-IN



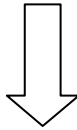
CHAIRMAN OF SCRUTINY MANAGEMENT BOARD DECIDES VALID OR INVALID

**IF DEEMED VALID:**



INFORMAL MEETING OF CALL-IN SUPPORTERS

**IF CALL-IN REMAINS VALID:**



**7 working days**

FORMAL MEETING OF SCRUTINY MANAGEMENT BOARD

### **CALL-IN REQUEST FORM**

Decision reference/minute no.	
Date of publication of decision:	
Decision taken by:	
<b>This form must be returned to the <del>Head of Governance</del> <u>Assistant Director: Law, Democracy and Public Protection</u> within 3 working days of the decision being published with at least 5 signatures.</b>	
Decision Called in :	

<p><b>Suggested proposal you would like to be voted on at the call-in meeting:</b></p>	
--	--

**Members requesting call-in of the decision:**

	Name	Signature (e mails from your Council computer will be accepted in lieu of a signature but paper or faxed forms must be signed)	Date
1*			
2			
3			
4			
5			
6			
7			
8			
9			
10			

\* The Member named here is the Lead Call-in Member

**THIS PART OF THE FORM IS TO BE COMPLETED BY THE ~~HEAD OF GOVERNANCE~~ ASSISTANT DIRECTOR: LAW, DEMOCRACY AND PUBLIC PROTECTION OR THEIR REPRESENTATIVE**

Date and time form received:	
Form processed by (name):	
Date of publication of decision:	
Was the Call-in request received within 3 working days of publication?	YES/NO If no reject and inform relevant parties.
Are there at least 5 appropriate member's signatures on the call-in notice?	YES/NO If no reject and inform relevant parties

**I certify that this Call-in request is / is not valid**

Signature of Chairman of Scrutiny Management Board		Date:
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Appropriate decision making body, Members requesting call-in, the ~~Head of Governance~~ Assistant Director: Law, Democracy and Public Protection and the Corporate Communications Manager need to be informed of receipt of call-in form.

### **CALL-IN MEETING GUIDANCE**

- It is acceptable for members to ask questions of anyone sitting at the table in the call-in meeting.
- Scrutiny Services will liaise with the Chairman of the Scrutiny Management Board to determine whether a site visit should be organised prior to the call-in meeting taking place.
- Both sides of the call-in are requested to produce basic information that can be given to members at the call-in meeting to help come to an informed decision.

This should include:

one side of an A4 sheet of paper, setting out the main points of their argument which will be distributed to each member of the Scrutiny Management Board to use during the meeting;

any background information that supports these arguments should be produced; this could include budgetary information, statistical information, maps, consultation results or a summary of changes in legislation.

- The Legal officer will brief all those present at the meeting on the call-in process in public at the beginning of the meeting.
- Any Scrutiny Management Board members arriving at the meeting after the first presentation by the member representing the call in may take part in the debate but will not be allowed to take part in the voting process. This should be made clear on the agenda for the meeting.
- The Cabinet Member, call-in members and supporters should move from the table once their summing up have been completed and all questions have been asked by the Scrutiny Management Board members. Members will then sum up their views based on the evidence they have heard. Only points of clarification will be asked during this part of the meeting.
- Regardless of whether the call-in is supported or not, the scrutiny members hearing the call-in will be able to pass comments to the Cabinet on the call-in issue. The Chairman will sum up and clarify any points which members wish to pass to Cabinet. These will be reported to the Cabinet by the Chairman of the Scrutiny Management Board

<b>Action</b>	<b>By Whom</b>	<b>Time limit</b>
Apologies	Chairman	
Declarations of interest and party whip	Chairman	
Welcome : including explanation of procedure to be followed	Chairman / Officer	
Explanation of reasons for the call-in and justification for proposal set out on the call-in form  A4 sheet summarising argument will be distributed together with supporting documentation	Lead call-in member and any other persons that they wish to involve	30 minutes
Explanation of decision taken and views on alternative proposal.  A4 sheet summarising argument will be distributed	Relevant Cabinet member and officer (if a cabinet decision) or relevant officer (if decision was delegated to an officer) and any other persons that they wish to involve.	30 minutes
Questioning of call-in representatives and decision	Scrutiny Management Board Members	Unlimited

taker and supporters and consideration of any photographs, plans etc that illustrate the issue under discussion.		
Summing-up	Lead call-in member	5 Minutes
Summing-up	Decision taker	5 Minutes
Discussion and voting on the proposal on the call-in form	Scrutiny Management Board Members	Unlimited
Sum up and clarify any points which members wish to pass to the Cabinet. These will be reported to the Cabinet by the Chairman of the Scrutiny Management Board.	Chairman	Unlimited

## Councillor Call for Action (CCfA)

The relevant Scrutiny Committee may be requested to review ward issues by a Ward Member as a Councillor Call for Action. This protocol seeks to set out the process for Councillor Calls for Action, guidance for Ward Members and the pro forma to fill out to request a Councillor Call for Action.

Councillor Call for Action (CCfA) has been introduced to support elected members in achieving improvements for their local areas. It is envisaged that it would help those Ward Councillors who have been unable to resolve problems in their particular wards by talking to the local authority and its partners, by allowing the Ward Councillor to refer the matter to the Scrutiny Committee for consideration.

Key Principles:

The successful operation of CCfA will rely on several principles:

- CCfA will be a means of “last resort”; with issues being raised with the Scrutiny Committee after all other avenues have been exhausted.
- CCfA can only be used in matters affecting a particular Ward area.
- It is a technique for helping to resolve issues, but it is not a panacea. Simply bringing issues to scrutiny through the CCfA process will not automatically produce a solution.

## Operation

The Ward Councillor will come across a problem in their area; this may be through their own experience or via the experience of residents in their area who may approach them for help. The ward councillor will examine the issue and signpost on for:

- Requests for service;
- An individual complaint for an issue specific to an individual's experience of a specific service;
- Advise of bringing a petition.

If the issue cannot be solved using the methods above, the Ward Councillor will then, dependent on the issue, try to resolve the issue through a number of different avenues:

- Checking that the relevant complaints procedures have been complied with. If the resident's issue appears to be that a standard service has not been provided, or not to a sufficient standard, then the Councillor should check that the relevant complaints procedure has been used, and that the service provider has responded to the complaint.
- Approaching the local service manager. The issue may at its core be that residents feel that the standard service is not the right one for local conditions and, therefore, the matter may be a question of making some slight adjustments. The Ward Councillor would discuss the matter with the local service manager in an attempt to secure the change.
- Approaching relevant partnership bodies or local groups. If a matter requires attention from a number of different agencies acting in partnership, the Ward Councillor should contact the partner agencies to allow them an opportunity to resolve the issue.
- Approaching the relevant Cabinet Member or Members. The Ward Councillor may come to the conclusion that a resolution can only be found following a policy change, which would require a discussion with the relevant Cabinet Member or, if the issue is complex, Cabinet Members to allow them a chance to consider if a policy decision should be made.

Following the Ward Councillor's pursuit of one or all of these avenues, they may still be no nearer a resolution to the issue. They will need to consider whether the issue warrants consideration as a CCfA by the relevant Scrutiny Committee. Before initiating a CCfA the Ward Councillor will be expected to "filter" issues by either deciding that it does require further action through CCfA or that it does not as there is no compulsion for Ward Councillors to initiate a CCfA.

A Ward Councillor should consider the following when deciding if an issue warrants referral as a CCfA:

- (a) Are the concerns individual complaints? If yes, this should be signposted to the complaints process.
- (b) Do the concerns relate to an individual “quasi judicial” decision: Planning, Licensing, Education appeals, Housing appeals or Standards. Scrutiny is not appropriate for dealing with these kinds of concerns as they are subject to their own statutory appeals processes. However, patterns of issues may be appropriate to consider as a concern under CCfA – e.g. community concerns about the proliferation of licensed premises in a local neighbourhood.
- (c) Are the concerns to do with the quality of public service provision across a number of different organisations or agencies? CCfA is not only for Scrutiny to look at issues of concern relating to council services but to issues relating to all public services e.g. community safety, health issues or issues relating to local schools.
- (d) Has this concern already been taken through the CCfA process and someone is trying through another Ward Councillor? In which case you should automatically reject it as a CCfA, unless the issue has substantially changed in its nature to warrant reconsideration.
- (e) Is the focus of concern on a neighbourhood or locality issue? CCfA focuses on neighbourhood or locality issues where you as the Ward Councillor can help resolve issues of concern in your ward. If the concern is of a more general nature e.g. about policy across Telford & Wrekin, it would not be appropriate for CCfA but you could still make a request to Scrutiny in the usual way for it to be considered as part of the Scrutiny work programme.
- (f) Is the issue a genuine local concern? You will want to make sure that the concerns in your Ward are genuine and not just individual “hobby horses”. Finding out the views of other residents in the Ward will help to clarify this.
- (g) Have all other mechanisms for resolution of the concern been used to the full extent:
  - discussing the issue with officers of the Council or other agency;
  - discussing the issue with the relevant Cabinet Member/s;
  - facilitating an informal discussion at an appropriate local forum;
  - raising the issue with locality based arrangements – like PACT meetings;

- formally raising the concern with partnerships or partner agencies.
- (h) Is the issue persistent and unresolved by Ward Members? Do you feel you have done everything within your power to remedy a community concern and have exhausted all mechanisms? Have you tried to resolve problem(s) with the aid of other agencies and partnerships but have been unsuccessful in finding an adequate solution? Then you are able to refer the issue(s) to Scrutiny as a CCfA but this should be the last resort.

## Referral

In order to ensure that CCfA referrals are accurately recorded, the Ward Councillor will need to fill out a CCfA proforma. They should give a summary of the issue, why they think it constitutes a CCfA and what resolution they would like to see. It is very important that as much information is included as possible in order that the Chairman of the relevant Scrutiny Committee can make an informed decision on whether this is a CCfA or not. Advice on filling in the proforma can be sought from the ~~Head of Governance~~Assistant Director: Law, Democracy and Public Protection and the Scrutiny Group Specialist.

Once the proforma has been filled in by the Ward Councillor this should be forwarded to the Customer Quality Team who will record receipt of the CCfA on the feedback system and acknowledge receipt to the Ward Councillor. The Customer Quality Team will then forward the CCfA proforma to the Scrutiny Manager, the relevant Director and CEO of any relevant partner organisation.

## Validity

The Chairman of the appropriate Scrutiny Committee (or in their absence the Vice Chairman) with advice from the Scrutiny Group Specialist, will decide on validity of CCfA and inform the Ward Councillor calling the CCfA, Scrutiny Committee, Director and any other organisations to which matter relates.

In judging whether a CCfA is valid or not the Chairman will consider the following questions:

- (i) Does the issue relate to an individual Ward?
- (ii) Am I satisfied that reasonable attempts at resolution have been made by the Ward Councillor?
- (iii) Have scrutiny or Cabinet Members considered a similar issue recently? If they have, has the issue substantially changed to warrant re-examination?
- (iv) Are there projects, reviews, audits or inspections already underway that are already considering the concern?
- (v) In the case of a crime & disorder issue, that the matter has been referred to the Safer and Stronger Communities Partnership for resolution?
- (vi) Have the relevant area committee structures been exhausted?

- (vii) Have relevant partners or Council service areas been informed and not responded?
- (viii) Is there a more complex/strategic issue at the heart of it that could not be resolved at a lower level?
- (ix) Is the CCfA vexatious (refer to the guidance on vexatious under the Freedom of Information Act), discriminatory or unreasonable?
- (x) Could the issue raised in the CCfA be dealt with through an existing right of review or appeal e.g. planning appeals and licensing appeals? (If so then this would render the CCfA invalid except where the CCfA relates to a systematic failure of a Council function within these areas.)

Once the Chairman of the Scrutiny Committee comes to a decision a letter will be sent from the Scrutiny Group Specialist to the Ward Councillor confirming whether the CCfA is valid or not. If valid, the letter will also confirm the date of the Scrutiny Committee meeting to consider the issue.

The Scrutiny Group Specialist will contact the relevant Director of the Service or Chief Executive of the partner agency to collect any further information available on the issue to be sent with the agenda for the Scrutiny Committee meeting.

### **Scrutiny Committee meeting**

The Scrutiny Committee will invite the Ward Councillor and relevant officers from the Council or its partner agencies to discuss the matter in more detail at a public meeting. The Scrutiny Committee will either:

- (i) Reject the CCfA in its entirety;
- (ii) Make recommendations to the Cabinet or Council for actions to be taken;
- (iii) Make recommendations to the Chief Executive Officer of a partner agency for actions to be taken;
- (iv) Agree to undertake a Scrutiny Special Interest Meeting/spotlight review or in-depth review on the issue. Where necessary other items on the work programme may be removed or delayed.
- (v) Agree to hold a further meeting to discuss, where further evidence is required;
- (vi) Or, where appropriate, a combination of the actions stated above.

### **Scrutiny Committee decision/recommendation**

The outcome of the meeting will be communicated to the Ward Councillor, Director and Chief Executive Officer of the partner agency, the Cabinet Member/s and the Customer Quality Team who will record the decision/recommendations and track their implementation/rejection. Updates will be provided to the Scrutiny Committee as agreed.

Once all recommendations have either been implemented or rejected by the Cabinet/Council or partner agency the CCfA record will be closed.

## COUNCILLOR CALL FOR ACTION (CCfA) PROCESS MAP

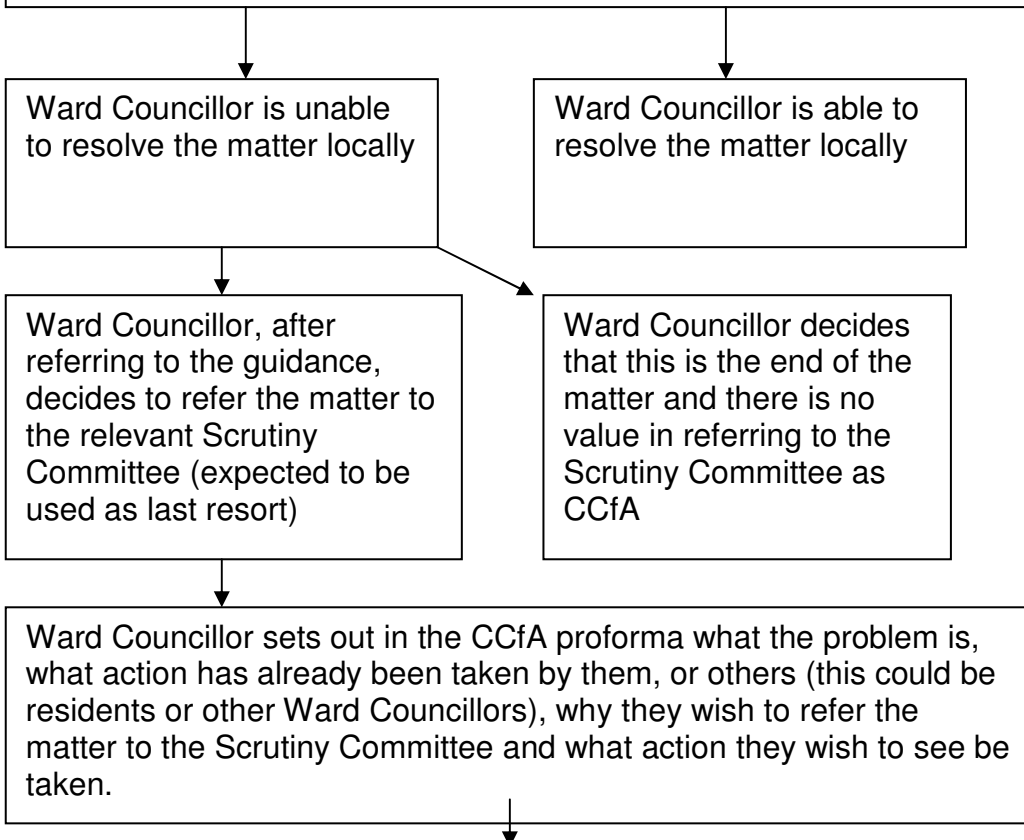
Ward Councillor becomes aware of a local problem or is approached by an individual resident or group of residents to help solve a local problem in their ward.

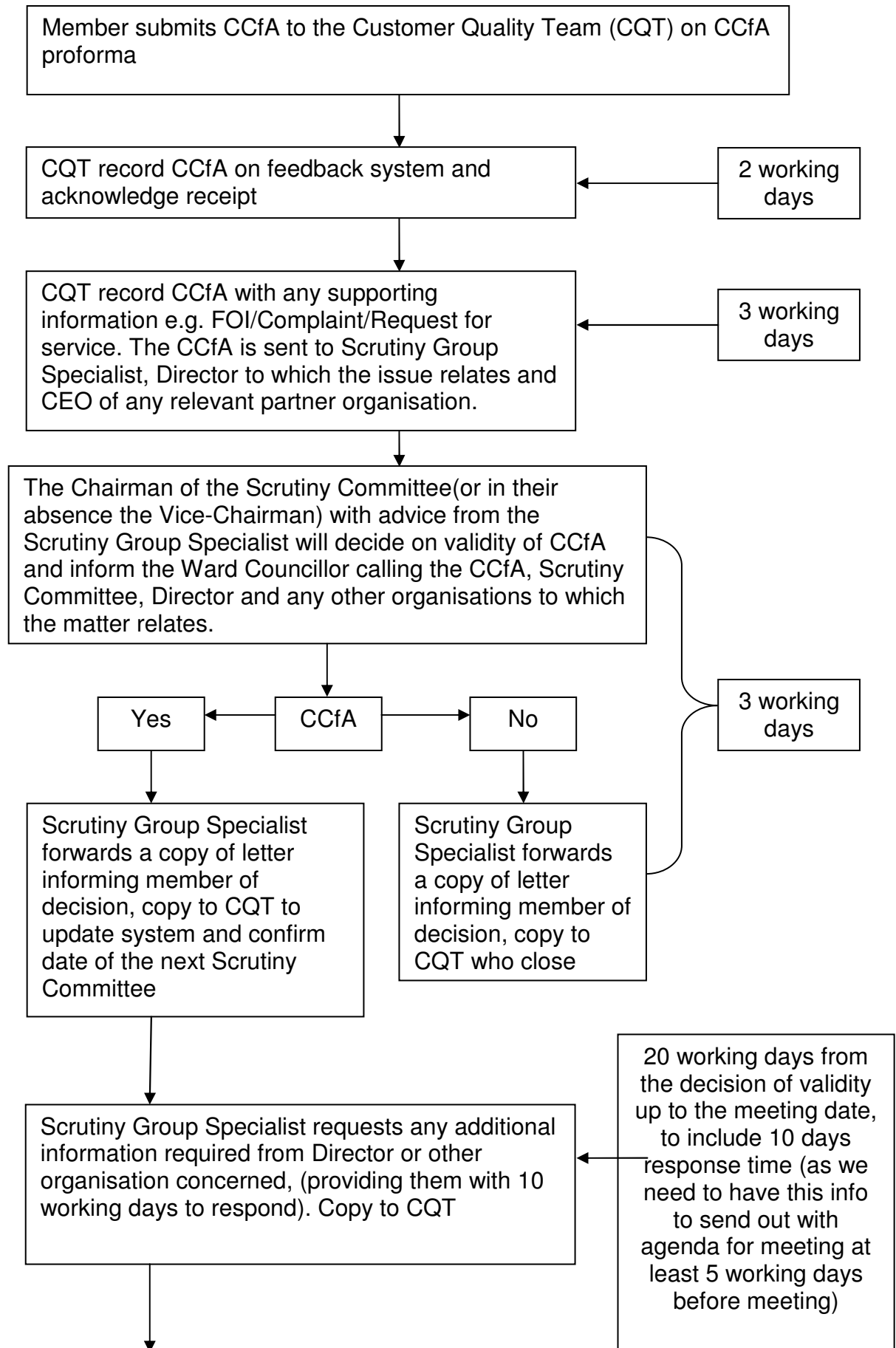
Ward Councillor assesses problem and sign posts local resident/s to the correct service area or partner organisation as either:

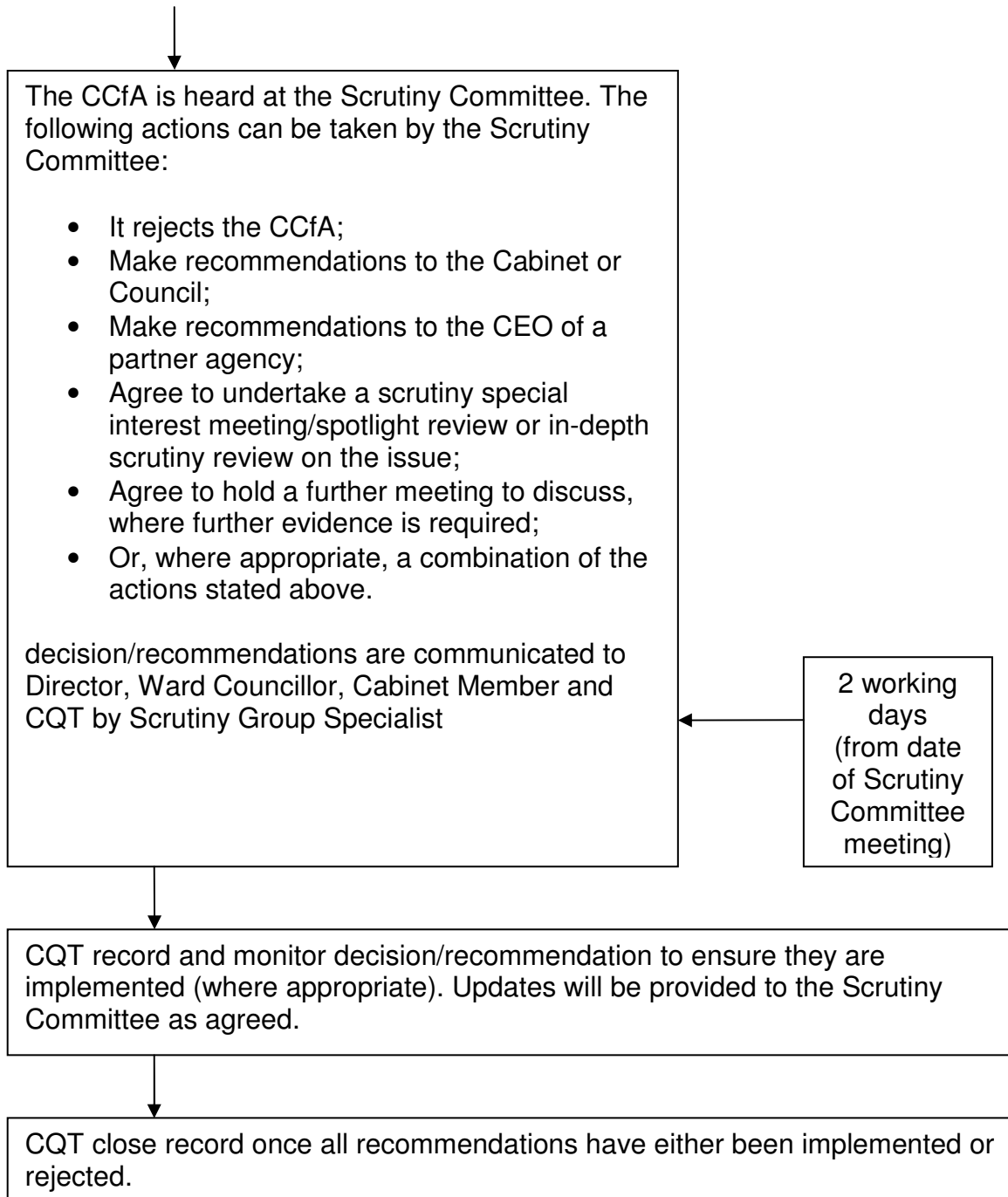
- a “request for service”;
- as an individual complaint through the complaints process;
- or through the petition process.

Where the above processes do not apply, the Ward Councillor will decide to seek improvement for the problem by approaching:

- Local service managers (both Borough Council or its partners)
- Community Organisations
- Senior Management (in the Borough Council or its partners)
- Cabinet Member







**COUNCILLOR CALL FOR ACTION  
PROFORMA**

Please forward this form to the Customer Quality Team, Telford & Wrekin Council, Civic Offices, Civic Offices, Coach Central, Telford, TF3 4HD or via email on [customer.quality@telford.gov.uk](mailto:customer.quality@telford.gov.uk)

Name of Member	Ward	Members Signature	Date

Summary of CCfA issue:

--

Summary of why this constitutes a CCfA:

--

Details of the resolution being sought

--

--

Please indicate if this issue has been responded to previously via any of the following processes.

<b>Process</b>	<b>Yes/No</b>	<b>Outcome</b>
Complaints Procedure		
Freedom of Information Enquiry		
PACT meeting		
Member Enquiry		
MP Enquiry		
Petition		
Parish enquiry		

Details of other actions taken:

**This part of the form to be completed by the Chairman of the Scrutiny Committee, or in his or her absence the Vice-Chairman:**

<b>Date CCfA received</b>	
<b>Does this constitute a CCfA? (reasons to be given if not)</b>	

<b>If so, date of the Scrutiny Committee meeting to which it will be presented.</b>	
<b>What, if any information is required from the relevant Director or other organisation concerned?</b>	
<b>Date of request to the relevant Director or other organisation concerned for this information.</b>	

<b>Signature of Chairman/Vice-Chairman of the Scrutiny Committee</b>	
<b>Date</b>	

# THE ROLE OF CABINET MEMBERS IN SCRUTINY

Cabinet Members are an important part of the Scrutiny process, both in terms of requesting assistance from Scrutiny in reviewing and developing particular areas of work and also in providing the right information for members to be able to scrutinise effectively. The Scrutiny Chairmen will develop links with Cabinet Members to ensure that there are opportunities for open communication between Cabinet Members and Scrutiny.

## Attending Scrutiny meetings

- Scrutiny Committees and the Scrutiny Assembly may scrutinise and review decisions made or actions taken in connection with the discharge of any Cabinet and Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, they may require any member of the Cabinet, the Head of Paid Service and/or any senior officer (Service Delivery Manager, [Head of Service Assistant Director](#) or Corporate Director) to attend before it to explain any matters within their remit
- It is the duty of those persons to attend if so required within 1 month of being requested.
- Prior to the meeting, the Cabinet Member will be informed of the issue(s) to be discussed to enable them to prepare, however, specific questions will not be provided, unless the question(s) require evidence to be gathered. At the meeting, Scrutiny Members must confine their questions to the particular issue on the agenda. Where the main purpose of the meeting is to hold the Cabinet Member to account, questions will be addressed to the Cabinet Member in the first instance. The Chairman will then invite any supporting officers present to add any supplementary information to that which the Cabinet Member has already given.
- Cabinet Members will be invited to Scrutiny Assembly meetings, to scoping meetings for scrutiny reviews, and to meetings to discuss draft recommendations for scrutiny reports. Cabinet Members will be invited to give their views as part of these meetings on where they think scrutiny can add most value and whether scrutiny recommendations are appropriate. Scrutiny Members will bear in mind the suggestions made by Cabinet Members and the reasoning behind these suggestions. However, the final decision on planned scrutiny work and scrutiny recommendations is for Scrutiny Members to take.

# THE ROLE OF COUNCIL OFFICERS IN SCRUTINY

Council officers have a key role to play in providing information to scrutiny members to enable them to effectively scrutinise Council services. Scrutiny is a “critical friend” and while scrutiny members will aim to challenge officers, it will be in a constructive manner and officers should not see scrutiny as a criticism of their services or as an inspection.

Officers requested to attend any scrutiny meeting will be asked to complete a short briefing note. The purpose of the briefing note is to set the context for the Scrutiny Members so that they come to the meeting with some existing knowledge of the subject area and are able to think in advance of questions they may wish to ask. The completed briefing note should be returned to the relevant scrutiny officer by the date specified, and a minimum of one week in advance, so that it can be circulated to the Scrutiny Members.

## Attending Scrutiny Meetings

Scrutiny Committees and the Scrutiny Assembly may scrutinise and review decisions made or actions taken in connection with the discharge of any Cabinet and Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, they may require any member of the Cabinet, the Head of Paid Service and/or any senior officer (Service Delivery Manager, [Head of Service Assistant Director](#) or Corporate Director) to attend before it to explain any matters within their remit.

Where any officer is required to attend, they will be given at least 5 working days’ notice of the meeting. For meetings requiring a briefing note to be provided beforehand, the notice period will be longer to enable the officer to produce the briefing note.

It is the duty of those persons to attend if so required within 1 month of being requested. Where, in exceptional circumstances, the member or officer is unable to attend a Scrutiny Committee or Scrutiny Assembly meeting on the required date, an alternative date will be sought in consultation with the relevant Scrutiny Chairman. If an officer cannot attend a meeting for an in-depth scrutiny review within 1 month due to exceptional circumstances, they will be able to delay their attendance but must meet with scrutiny members within the timescales members have set for their review.

Officers should be prepared to be questioned by scrutiny members on any professional/technical advice given to any Member, whether contained within a Cabinet/Committee report, briefing note or provided orally. Scrutiny Members must confine their questions to the particular issue on the agenda and ensure that they are asking questions and not making statements. Members should

not waste time questioning where officers do not have the information readily available and further information will be provided as soon as is reasonably practical following the meeting.

Officers will be informed of the key issues and questions that Scrutiny Members wish to cover at the meeting, although additional questions relating to the issues under discussion will be asked during the course of the meeting.

It is inevitable that some issues may arise from the discussion that may require further research. Officers will provide further information as soon as is reasonably practical following the meeting if they are unable to provide it at the meeting.

On occasions when it is unclear which officer should attend to discuss an issue, an invitation will be made to the relevant [Head of Service Assistant Director](#) in the first instance. The [Head of Service Assistant Director](#) may then recommend that another officer or officers should attend with them or in their place.

In some circumstances it may be desirable for less senior officers to attend scrutiny meetings. This will be arranged subject to the agreement of the officer, their Service Delivery Manager and [Head of Service Assistant Director](#). The Service Delivery Manager and/or [Head of Service Assistant Director](#) may also attend the meeting. If an officer who is not a Service Delivery Manager, [Head of Service Assistant Director](#) or Corporate Director does not wish to attend the scrutiny meeting, their manager will attend in their place.

Within the scrutiny process officers should not express a personal opinion about a decision that has been made unless it has been made by him/her under delegated powers. Officers attending scrutiny meetings should not be invited/ asked to comment on or criticise the actions of an officer or a member.

### **Officers requesting input from scrutiny**

Officers will be invited to submit suggestions for scrutiny prior to the annual Scrutiny work programme selection process. They may also request the input of scrutiny during the year. The Scrutiny Work Programme will have been agreed by members at the start of the year, therefore officers will be required to complete the Officer Scrutiny Request Form giving some information on what they would like to bring to scrutiny in order that Members can decide whether to include this in their agreed work programme and how it ranks against their existing priorities. From time to time, officers may have reports that they wish to share with Scrutiny Members for information. Scrutiny meetings are not a forum for receiving information-only reports, however, if officers identify on their request form the type of report that they wish to bring to scrutiny, the Scrutiny Team and Scrutiny Members can identify the best course of action to address this. It is likely that for information reports, these will be circulated to members by email. Alternatively, it might be more appropriate for the officer to arrange a Members Information Seminar through Members Services.

<b>OFFICER SCRUTINY REQUEST FORM</b>	
<b>Officer name and title:</b>	
<b>What issue would you like scrutiny to consider?</b>	
<b>What is the purpose of bringing the issue / report to scrutiny?</b>	
<input type="checkbox"/> For information <input type="checkbox"/> For consultation	
<b>Has a decision on this issue/report already been made by Cabinet?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No

# CO-OPTED SCRUTINY MEMBERS

Scrutiny at Telford & Wrekin Council has benefitted for a number of years from the involvement of members of the public sitting on scrutiny groups and committees. These co-opted scrutiny members bring additional knowledge and experiences to the scrutiny process, as well as an invaluable external viewpoint. The following protocol sets out the arrangements for recruiting and appointing co-opted members.

## Standing co-opted members of Scrutiny Committees

The majority of members on a Scrutiny Committee should be elected members of the Council. The number of co-opted members on each Committee should not exceed 50% of the number of elected members on that Committee, with the exception of the Children & Young People Scrutiny Committee where the number of co-opted members should not exceed the number of elected members.

The Children & Young People Scrutiny Committee should have a maximum of 4 non-voting co-opted members, but in addition will have 4 statutory co-opted members as set out in the Local Government Act 2000:

- 1 Primary Parent Governor
- 1 Secondary Parent Governor. The Parent Governor seats are primarily to represent parents, rather than governors.
- 1 Roman Catholic Diocese representative, as there are Catholic schools within the borough
- 1 Church of England representative as there are Church of England schools within the borough. The representative to sit on the Scrutiny Committee should be agreed between the Hereford and Lichfield Diocese.

The Health Scrutiny Committee will seek the following representatives:

- 1 member of the Local Involvement Network ([LINK / Health Watch](#))
- 1 member of the Senior Citizens' Forum
- 1 person with working knowledge or experience of the NHS.

The remaining Scrutiny Committees may seek up to 3 co-opted members to fill any knowledge gaps identified by members of that Committee. [There are up to 62 places for Town and Parish Councils to nominate co-optees on to each Scrutiny Committees as long as the total number of Co-optees does not exceed 50% of the number of elected members, or 100% of elected members on the Children & Young People Scrutiny Committee. The nominations are considered and appointments made by Scrutiny Management Board.](#)

Co-opted members will not have voting rights except:

- The statutory education co-opted members on the Children & Young People Scrutiny Committee who have voting rights for educational matters
- The co-opted members on the Joint Health [Overview & Scrutiny Committee](#) who have voting rights as agreed by Full Council in respect of matters relating to the reconfiguration of health services, including mental health services, which are currently subject to consultation by the Telford & Wrekin PCT and Shropshire PCT.

Standing co-opted members will be appointed for a 2 year period. At the end of this period, each co-opted member will be asked whether they are interested in continuing in their scrutiny role. The Scrutiny Committee will also be asked whether the existing co-opted members continue to fill an identified gap and whether the Committee would like these members to continue. Co-opting members for a further term will enable the Committee to benefit from the experience these members have built up in the Council's scrutiny process. However, having a set term of office gives the opportunity for co-opted members to stand down if they wish to and gives the Committee the opportunity to refresh membership and seek representatives with different experiences and skills.

[The Scrutiny Management Board may review the Town & Parish Council co-optees after 12 months of appointment.](#)

Co-opted members may terminate their membership by giving one month notice to the Scrutiny Group Specialist, should their circumstances change during their appointment period. The Scrutiny Assembly may also terminate the membership of a co-opted member giving one month notice.

If a co-opted member has not attended a scrutiny meeting for 6 months, the Scrutiny Group Specialist will contact them to discuss the reasons and consider whether they will continue in their scrutiny role.

### **Time-limited co-option**

In addition to the standing co-opted members of the Scrutiny Committees, individuals can also be co-opted onto time limited in-depth review groups if an appropriate person has been identified. The number of co-opted members should not exceed 50% of the number of elected members.

When considering co-opting a member of the public for a review, members should ask whether that individual would be best placed as a co-opted member or as a witness to the review.

Such individuals would be co-opted for the duration of the review in question. Time-limited co-opted members do not have voting rights.

### **Recruitment of co-opted members**

Each Scrutiny Committee will be asked to identify particular knowledge and skills gaps in the membership of their Committee which could be filled by co-opted members.

Advertisements will be placed in appropriate publications where possible, including the Insight magazine, and also on the scrutiny pages of the Council website.

Advertisements will ask interested parties to send an expression of interest to the Scrutiny Team. The Scrutiny Team will send them further details about scrutiny and the role of the co-opted member to enable them to decide whether to apply.

Applicants will be asked to fill in a short application form giving their contact details, which Committee they would like to sit on, and a short statement explaining why they want to be involved in scrutiny and what they can contribute to the role.

The Scrutiny [Management Board Chairmans' Forum](#) will consider the applications and identify suitable candidates. These candidates will be invited to attend an informal interview with the relevant Scrutiny Committee Chairman and the Scrutiny Group Specialist. Each Chairman will then decide whether the applicants fulfil the requirements of the Committee, and which will be invited to be appointed as standing co-opted members.

Where representatives are sought from particular groups, for example the Senior Citizens' Forum, a letter will be sent to the group asking for a nomination. A short role description will be sent with the letter to enable the nominating group to select a representative who is able to fill the needs of scrutiny.

### **Induction, training and ongoing support**

Co-opted scrutiny members will receive induction training to inform them of scrutiny processes. Wherever possible, this will be done as a group session, but individual sessions will be organised if necessary. The same scrutiny training opportunities that are available to elected members will be made available to co-opted members.

Around the time of their induction, co-opted members will be asked to sign up to the Council's Code of Conduct and to declare any relevant activities that they are involved in on the Council Register of Interest. Advice will be provided on the sort of information that needs to be included on this register.

The position of co-opted scrutiny member is a voluntary post, but co-opted members should not be out of pocket for the work they undertake for scrutiny.

An annual allowance of ~~£250~~ £260 will be paid on a monthly basis to all co-opted members, unless they choose to opt out at the time of appointment. This allowance is taxable. The allowance is intended to cover any expenses incurred for scrutiny work, including telephone calls, printing costs and car

parking expenses, therefore no additional payments will be made to reimburse such expenses.

The process for appointing Scrutiny co-optees will be reviewed from time to time.

# SCRUTINY AND THE MEDIA

Where it is appropriate, scrutiny work will be publicised by the Council's Corporate Communications team to help support the work of scrutiny and encourage local residents to get involved in Scrutiny and promoting the transparency of the Council's decision-making process.

## **Who speaks on behalf of Scrutiny?**

Media activity will be co-ordinated through the Corporate Communications team who will ensure that the appropriate scrutiny spokesperson, usually the relevant chair, is put forward.

Scrutiny Chairs are the only official spokespeople on scrutiny issues, unless an alternative spokesperson is agreed by the Chairman of the relevant Scrutiny Committee in liaison with the Scrutiny Group Specialist and the Corporate Communications Manager or PR team leader.

Press releases and media statements for Scrutiny will be drafted by the Corporate Communications team with the scrutiny team and will be approved by the relevant Scrutiny Chair and the Scrutiny Group Specialist. They will not be subject to vetting by Cabinet Members. On occasions, they may include the views expressed in minority reports if those views differ from the main report.

Press releases or media statements may include a Cabinet member comment and, where this is the case, Corporate Communications will present factual information representing both the Scrutiny and Cabinet viewpoints fairly.

Corporate Communications will advise Scrutiny chairs and, if required, provide media training.

The Scrutiny Group Specialist should be advised of any media enquiries received by scrutiny members to report to the Corporate Communications team who will offer guidance and help if required. Corporate Communications will also monitor responses.

Corporate Communications officers will not prepare press releases, deal with media enquiries or arrange media interviews in the following cases:

- If the press release or enquiry is political in any way
- If the information in the press release is deemed libellous or malicious

and will inform the relevant Scrutiny Chair of the reasons for the decision.

## **Scrutiny meetings and media**

Media are invited to attend all formal meetings of the Scrutiny Committees and the Scrutiny Assembly unless matters of an exempt nature are to be discussed. Meetings of informal working sub-groups will not normally be held in public.

Press releases will not be issued as a matter of course after scrutiny meetings but should report on significant decisions of a Scrutiny Committee on an issue which is of key public interest, where scrutiny has made a positive difference or to promote opportunities for public consultation.

Scrutiny Chairs are responsible for selecting pieces of scrutiny work where they feel publicity would be beneficial and these will be agreed by Members at scrutiny committee meetings.

This protocol will be reviewed periodically by Scrutiny Members, the Scrutiny Team and Corporate Communications to ensure it is working effectively. Members will be notified of any proposed changes.

## KEY CONTACTS

**Jonathan Eatough – Assistant Director for Law, Democracy and Public Protection Head of Governance**

01952 383200

[jonathan.eatough@telford.gov.uk](mailto:jonathan.eatough@telford.gov.uk)

**Phil Griffiths – Democratic Services Manager**

01952 383210

[phil.griffiths@telford.gov.uk](mailto:phil.griffiths@telford.gov.uk)

**Fiona Bottrill~~Stephanie Jones~~ – Scrutiny Group Specialist (acting) —**

01952 3831134

[stephanie.jones@telford.gov.uk](mailto:stephanie.jones@telford.gov.uk) [Fiona.bottrill@telford.gov.uk](mailto:Fiona.bottrill@telford.gov.uk)

**Stephanie Jones ~~Tracy Clarke~~ – Scrutiny Officer**

01952 3831143

[stephanie.jones@telford.gov.uk](mailto:stephanie.jones@telford.gov.uk)

[tracy.clarke@telford.gov.uk](mailto:tracy.clarke@telford.gov.uk)

# SOURCES OF FURTHER INFORMATION

## Telford & Wrekin Council website

The information you can find on the Scrutiny web pages of the Council's website includes:

- What is scrutiny
- Who carries out scrutiny
- The Scrutiny Work Programme
- Dates of the Scrutiny Committee meetings with agendas, papers and minutes of previous meetings
- Online library of scrutiny reports
- Online Scrutiny Suggestion Form

## Centre for Public Scrutiny

The Centre for Public Scrutiny (CfPS) is a national organisation which promotes the value of scrutiny in modern and effective government. The aims of the CfPS are to:

- Promote the value of scrutiny and raise its profile
- Facilitate links between different tiers of government and share examples of effective scrutiny
- Encourage people of ability and talent to participate in the scrutiny process, and create and support a community of interest to build capacity, confidence and skills
- Develop understanding and good practice through research.

The CfPS website – [www.cfps.org.uk](http://www.cfps.org.uk) – is a useful resource for those involved in scrutiny. It contains a lot of information about current issues for scrutiny, scrutiny processes and mechanisms used at different authorities, and information that can be used to inform particular pieces of scrutiny work.

### Scrutiny review library

Local authorities are asked to submit copies of reviews they have completed which are stored in a library on the website. These can be searched by local authority, by service area or by review title. When a new scrutiny review is starting, looking at similar reviews completed by other authorities can give ideas of areas that can be covered, or questions to ask.

### Discussion forum

The discussion forum allows you to post a query, to respond to a query from someone else, or simply to follow a discussion others have had. This is a good way to gather best practice and ideas on developing the scrutiny process.

## Scrutiny publications

The CfPS provides a range of publications relating to scrutiny. These include:

- Scrutiny best practice
- Toolkits to develop the skills and knowledge of those involved in scrutiny
- Information on particular issues that scrutiny may be involved with, such as health scrutiny, scrutiny of partnerships etc

Some can be downloaded for free, and others carry a charge. If you would like to obtain a copy of a chargeable publication, please contact a member of the Scrutiny Team. We may hold a copy already, or can order one for you.

## Local Government Information Unit

The Local Government Information Unit (LGIU) is an independent research and information organisation. The Unit has a team of policy analysts who analyse and interpret national policy and provide briefings on these. The LGIU website – [www.lgiu.gov.uk](http://www.lgiu.gov.uk) – provides links to these briefings.

~~The website also provides links to the following sections of the LGIU:~~

- ~~• The Children's Services Network was originally launched as The Education Network by the LGIU in 1997 to help develop, promote and disseminate the role and good practice of local authorities in the delivery of education.~~
- ~~• The Democratic Health Network supports the role of authorities in local health provision and promotion.~~
- ~~• STEER provides policy briefings in the areas of Skills, Training, Economy, Environment and Regeneration.~~

# APPENDICES

## SCRUTINY ASSEMBLY

### TERMS OF REFERENCE

1. The Scrutiny Assembly is the collective body of all those responsible for carrying out the scrutiny function of the Council.
2. The role of the Scrutiny Assembly is to scrutinise the work of the Council and its partners in accordance with national legislation and to hold decision makers to account.
3. The Scrutiny Assembly will include all non-Executive members (i.e. all those except the Leader, Cabinet Members and the Mayor) and all standing co-optees.
4. Scrutiny Assembly members will carry out the scrutiny by taking part in scrutiny events, making suggestions for the scrutiny work programme, undertaking scrutiny reviews and making recommendations.
5. Scrutiny Assembly members may ~~attend any Scrutiyn Meeting~~ take part in any scrutiny review regardless of which Scrutiny Committee they sit on.
- ~~6.~~ The Scrutiny Assembly will meet ~~when agreed by the Scrutiny Management Board at least 2 times a year. These meetings will be to input into the priority planning process, and a Question Time event to hold the Leader and Chief Executive to account.~~
6. Other meetings of the Scrutiny Assembly may be convened to consider matters of significance to the Council.
7. The Chairman of the Scrutiny Management Board is automatically the Chairman of the Scrutiny Assembly.
8. In the absence of the Chairman of the Scrutiny Assembly, meetings will be Chaired by a Scrutiny Committee Chairman
9. Relevant Cabinet Members, Corporate Directors, ~~Heads of Services~~ Assistant Directors and Service Delivery Managers will attend the ~~Committee~~ Scrutiny Assembly meetings at the request of the Chairman.
10. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
11. Scrutiny Assembly meetings will be held in public.

12. The meetings will be administered by Scrutiny Services and Democratic Services.

## **SCRUTINY MANAGEMENT BOARD**

### **TERMS OF REFERENCE**

1. The Scrutiny Management Board will be made up of the Chairmen of the Scrutiny Committees and other members as required to make the Board politically balanced.
2. Members of the Scrutiny Management Board will be appointed at Annual Council.
3. The Scrutiny Management Board will co-ordinate, oversee and monitor the delivery of the Scrutiny work programme and will receive regular progress reports from the Scrutiny team and Scrutiny Chairmen.
4. The Scrutiny Management Board will oversee the allocation of scrutiny officer resources to the Scrutiny Committees, and will make decisions where there are competing demands for resources.
5. The Scrutiny Management Board will allocate Scrutiny suggestions to the relevant Scrutiny Committee and may make recommendations about priorities for the work programme and joint scrutiny of issues. A flexible approach will be taken so that the most appropriate Scrutiny Committee is identified depending on the nature of the issue. The Scrutiny Committees will not be aligned to specific service delivery areas. Issues which do not fall within the remit of another Scrutiny Committee may be included in the work programme of the Scrutiny Management Board.
6. The Scrutiny Management Board will be responsible for scrutiny in relation to Leader and Cabinet Executive decisions made but not implemented as set out in section 21(3) of the Local Government Act 2000 i.e. Call-in of decisions taken but not yet implemented.
7. The Scrutiny Management Board will receive requests from the Leader and Cabinet Executive or individual Members and/or the Full Council for reports from the Scrutiny Committee and to allocate them if appropriate to one or more Scrutiny Committees.
8. Subject to the provision of Part 4, Section 5, paragraph 1.1 of the Council's Constitution, the Scrutiny Management Board may make changes to the scrutiny structure and processes after consulting with the Scrutiny Assembly. The Scrutiny Handbook will be updated to reflect the changes. Changes will be reported back to the next full Council meeting.
9. The Scrutiny Management Board may periodically review and make changes to the Policy for Co-opting Scrutiny Members.

10. Meetings will be agreed by the Scrutiny Management Board as deemed necessary to carry out the work programme and to fulfil the responsibilities of the Board.
11. The Scrutiny Management Board may consider any areas of key strategic importance for the Council that members wish.
12. The Scrutiny Management Board will be the designated body for scrutiny of the Safer, Stronger Communities Partnership as set out in section 19 of the Police & Justice Act (2006) and of Flood and Water Management as set out in the Flood and Water Management Act 2010. The work programme will make provision for scrutiny of these items.
13. If the Chairman is unable to attend a meeting the members present will elect a Chairman for the meeting.
14. Relevant Cabinet Members, Corporate Directors, ~~Heads of Services Assistant Directors~~ and Service Delivery Managers will attend the ~~Committee Board~~ at the request of the Chairman.
15. The Management Board will invite all Cabinet Members to a 'holding to account session' as part of the Board's work programme.
16. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
17. Meetings of the Scrutiny Management Board will be held in public.
18. Members may become privy to information of a sensitive or confidential nature, and if this happens members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.
19. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by Committee members as deemed necessary to carry out the work programme.
20. The Chairman ~~of~~ will provide and present reports and recommendations of the Scrutiny Management Board to Cabinet, the Council or other organisations as appropriate, including the Annual Scrutiny Report.
21. The quorum required ~~f~~ for a meeting is 3 elected members.

## HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

### TERMS OF REFERENCE

1. The group will be made up of 8 elected members of the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council. The Committee may include Co-opted scrutiny members but they must not exceed 50% of the number of elected members.
2. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of the Committee on that particular issue.
1. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor the planning and performance of the Council's adult social care services and health services matters under the Health and Social Care Act 2012. Under this legislation the Committee will also become the statutory scrutiny consultee for consultations by NHS Trusts on substantial variation and development of NHS services. The Committee takes the key role in:
  - a. monitoring the performance of NHS Trusts whose services effect local people;
  - b. responding to NHS consultations on behalf of the Scrutiny Management Board;
  - c. participating in a Joint Health Scrutiny Committee with elected members from Shropshire County Council to scrutinise and respond to NHS proposals that apply to both areas;
  - d. responding to referrals from LINKs / Health watch on behalf of the Scrutiny Management Board;
  - e. Scrutinising health services.
3. under the Health and Social Care Act 2001. The Committee takes the key role in:
  - a) monitoring the Council's performance in relation to social care service for adults;
  - b) responding to referrals from LINKs;
  - c) scrutinising proposals for the provision of adult care services and the impacts of any proposed changes to services;
  - d) scrutinising adult care services that are of concern to local people.
4. If the Chairman is unable to attend a meeting the members present will elect a Chairman for the meeting.
5. Relevant Cabinet Members, Corporate Directors, Heads of Services Assistant Directors and Service Delivery Managers will attend the Committee at the request of the Chairman.

6. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
7. Scrutiny Committee meetings will be held in public, unless matters exempt under legislation is being discussed, or the Scrutiny Committee is meeting with vulnerable groups (such as children in care) to hear their views and it is not appropriate for these meetings to be open to the public. The Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review, and these may be held as informal meetings, but evidence gathered in this way will be brought back to the overseeing Committee in a public forum. In case of dispute, the Monitoring Officer will advise on the rules of exemption.
8. From time to time members as part of the work of the Committee may become privy to information of a sensitive or confidential nature, if this happens members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.
9. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by Committee members as deemed necessary to carry out the work programme.
10. A short report on the work of the group will be provided by the Chairman to the Scrutiny Management Board as appropriate.
11. The Chairman of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet or other partner organisation when necessary.
12. The Committee will set its own work programme. The main task of the Committee will be to monitor performance of the Council's adult social care services that are provided to people in Telford & Wrekin by developing the expertise of the members, so they become expert members in this field. However, members can look at any other issues within these service areas. The following points should be taken into consideration when considering the work programme each year:
  - ❖ areas where significant change is proposed and the potential impacts
  - ❖ performance in areas where significant change has been implemented;
  - ❖ areas of financial overspend;
  - ❖ areas receiving a high level of budgetary commitment;
  - ❖ areas where there is a high level of user dissatisfaction;
  - ❖ reports and action plans produced/agreed with external inspectors;
  - ❖ areas that are key issues for the public or have become a public interest issue covered in the media.
13. The quorum required for a meeting is 3 elected members.

2. Three elected Members and 3 co-optees of this Committee will also be expected to take part in the Joint Health Scrutiny Committee set up with elected members and co-optees from Shropshire County Council to scrutinise substantial variations or developments in service that cut across both local authority areas. Separate terms of reference apply to the Joint Health Overview and Scrutiny Committee which have been agreed with Shropshire County Council.

## BUDGET & FINANCE SCRUTINY COMMITTEE

### TERMS OF REFERENCE

1. The group will be made up of 8 elected members of the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council. The Committee may include Co-opted scrutiny members but they must not exceed 50% of the number of elected members.
2. The Committee will fulfil two tasks:
  - a. be the main mechanism by which the Cabinet will formally consult scrutiny on the consideration of their budget proposals and allow non-executive members full access to all Council financial data;
  - b. to monitor the service and financial performance of Council services through regular review of performance monitoring reports and such other information as members consider necessary.
3. Relevant Cabinet Members, Corporate Directors, [Heads of Services](#) [Assistant Directors](#) and Service Delivery Managers will attend the Committee at the request of the Chairman.
4. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
5. The meetings will be administered by Scrutiny Services and Democratic Services. Meetings will be held regularly and dates will be agreed by the members of the Committee at the start of each municipal year. Members of the Committee may call additional meetings as required to follow up concerns identified in their scheduled meetings or sub-sets of members may form working groups that meet outside the scheduled meetings to investigate specific issues.
6. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.
7. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.
8. Information obtained as a result of membership of the Committee is sensitive and should be treated as being confidential by members
9. The Chairman will provide regular updates to meetings of the Scrutiny Management Board to inform the other Scrutiny Chairmen of performance and budget issues relating to the remit of their Committees.

10. The Chairman of the Committee, or his/her representative, will provide and present reports and recommendations agreed by the Committee to the Council's Cabinet when necessary.

11. The Committee will set its own work programme. The following issues may form part of the work programme each year:

- Detailed consideration of revenue and capital budget proposals made by the Cabinet including;
  - ❖ efficiency and savings proposals to fund the budget deficit in 2012/13 and beyond, and their impact on services;
  - ❖ the capital programme and levels of borrowing;
  - ❖ the use of one-off resources, the level of balances and contingencies;
  - ❖ the budget consultation process, views of the public and whether spending proposals reflect the needs and wants of residents
  - ❖ levels of council tax increase recommended by the Cabinet.
- Consideration of the assumptions made in the Council's medium term financial strategy.
- Regular consideration of service and financial performance monitoring reports to identify areas where additional information on plans for remedial action is required.
- Consideration of savings proposals resulting from recommendations made by the Co-operative Commission
- Undertaking reviews of areas of the budget to scrutinise the value of service outcomes for the community compared to the costs involved. Committee members will particularly seek to identify areas of low priority spending where savings could be made.
- Consideration of the financial implications of major policy/service changes proposed by the Cabinet.
- Consideration of financial reports and performance documents produced by the Council with a view to improving their usefulness to members of the council and members of the public

12. The quorum for a meeting is 3 elected members.

## CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

### TERMS OF REFERENCE

1. The Committee will be made up of 8 elected members from the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council, and co-opted scrutiny members. The number of co-optees must not exceed the number of elected representatives.
2. The parent governor representatives and the Catholic and Anglican diocesan representatives will have statutory voting rights on education matters as set out on the Local Government Act 2000. Other co-optees will not have voting rights.
3. In addition to the standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of the Committee on that particular issue.
4. If the Chairman is unable to attend a meeting the Members present will elect a Chairman for the meeting.
5. The Cabinet Member for Children and Young People, Directors, [Assistant Directors](#), ~~Heads of Service~~ and Service Delivery Managers will attend the Committee at the request of the Chairman.
6. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor the planning and performance of the Council's services to children and young people, and the Council's Corporate Parenting role. The Committee may also scrutinise the services of partner organisations in accordance with national legislation.
7. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
8. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.
9. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.
10. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by the Committee as necessary to carry out the work programme.

11. The Chairman of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet or other relevant organisations.
  
14. The Committee will set its own work programme. The main task of the Committee will be to scrutinise the planning and performance of children and young people's services and the Committee can look at any issues within the service area. The following points may be taken into consideration when considering the work programme each year:
  - ❖ areas where significant change is proposed and the potential impacts
  - ❖ performance in areas where significant change has been implemented;
  - ❖ areas of financial overspend;
  - ❖ areas receiving a high level of budgetary commitment;
  - ❖ areas where there is a high level of user dissatisfaction;
  - ❖ reports and action plans produced/agreed with external inspectors;
  - ❖ areas that are key issues for the public or have become a public interest issue covered in the media.
  
12. The work programme will include a minimum of 2 meetings per year with children and young people in care. This is to provide an opportunity for these vulnerable young people to meet and discuss issues with scrutiny members.
  
13. All Committee members should undergo the Corporate Parenting Training offered by the Council.
  
14. Members of Committee should act as a champion for children and young people in the care of the authority and raise awareness of the issues facing children and young people in care with other elected members and members of the public.
  
15. The quorum required for a meeting is 3 elected members.

## CO-OPERATIVE & COMMUNITIES SCRUTINY COMMITTEE

### TERMS OF REFERENCE

1. The group will be made up of 8 elected members from the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council, and co-opted scrutiny members. The number of co-opted members must not exceed 50% of the number of elected members.
2. If the Chairman is unable to attend a meeting the Members present will elect a Chairman for the meeting.
3. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of members of the Committee on that particular issue.
4. The Cabinet Member for Neighbourhood Services & Co-operative Council & Partnership, other Cabinet members, Directors, Heads of Service Assistant Directors and Service Delivery Managers will attend the Committee at the request of the Chairman.
5. The remit of the Committee does not relate directly to specific Council services and members may use their discretion to decide how to interpret the Committee's role. Broadly, the Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor issues relating to the following key areas:
  - ❖ Issues relating to the development of Telford & Wrekin as a Co-operative Council (for example the Co-operative Commission, Employee Commission, Adopter Programmes, Co-operative Values) and any resulting policies and service changes, other than matters scrutinised by the Scrutiny Management Board;
  - ❖ the planning, delivery and performance and impact of services on provided to local communities (for example libraries, sport, leisure and culture facilities; community centres; environmental services or community based projects involving the Council);
  - ❖ issues relating to how the Council works with partner organisations such as Town & Parish Councils, the voluntary sector, community groups and local people, in particular where these organisations are or may be involved in the delivery of Council services;
  - ❖ scrutiny of the services provided by partner organisation in accordance with national legislation other than those designated to the Scrutiny Management Board.
6. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.

7. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
8. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.
9. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.
10. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by the Committee as necessary to carry out the work programme.
11. The Chairman of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet or other relevant organisations.
12. The Committee will set its own work programme in accordance with the areas set out in paragraph 5 above, may look at any issue deemed by the Committee to fall within its remit.
13. The quorum for a meeting is 3 elected members.

## **HEALTH SCRUTINY COMMITTEE**

### **TERMS OF REFERENCE**

- ~~2. The Committee will be made up of 6 elected members of the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council, and 3 co-opted scrutiny members.~~
- ~~3. The Committee will be the main mechanism by which Scrutiny members will scrutinise health services matters under the Health and Social Care Act 2001. Under this legislation the group will also become the statutory scrutiny consultee for consultations by NHS Trusts on substantial variation and development of NHS services. The sub-group takes the key role in:
  - ~~a. monitoring the performance of NHS Trusts whose services effect local people;~~
  - ~~b. responding to NHS consultations on behalf of the Scrutiny Management Board;~~
  - ~~c. participating in a Joint Health Scrutiny Committee with elected members from Shropshire County Council to scrutinise and respond to NHS proposals that apply to both areas;~~
  - ~~d. responding to referrals from LINKs on behalf of the Scrutiny Management Board;~~
  - ~~e. Scrutinising health services.~~~~
- ~~4. If the Chairman is unable to attend a meeting the members present will elect a Chairman for the meeting.~~
- ~~5. Relevant Cabinet Members, Corporate Directors, Heads of Services and Service Delivery Managers will attend the group at the request of the Chairman. Chief Executives of NHS Trusts will also attend the group at the request of the Chairman.~~
- ~~6. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.~~
- ~~7. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.~~
- ~~8. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.~~

- ~~9. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by Committee members as appropriate to the delivery of the work programme.~~
- ~~10. A short report on the work of the group will be provided by the Chairman to the Scrutiny Management Board as appropriate.~~
- ~~11. The Chairman of the Committee, or his/her representative, will feedback agreed recommendations of the Committee to the Council's Cabinet or other partner organisation when necessary.~~
- ~~12. The Committee will set its own work programme. The main task of the Committee will be to scrutinise and monitor health services that are provided to people in Telford & Wrekin by developing the expertise of the members, so they become expert members in this field. Performance monitoring for NHS Trusts should also take place. Members can look at any other issues within these service areas. The following points should be taken into consideration when considering the work programme each year:
  - ~~❖ areas of poor performance;~~
  - ~~❖ areas of financial overspend;~~
  - ~~❖ areas receiving a high level of budgetary commitment;~~
  - ~~❖ areas where significant change is proposed or has been implemented;~~
  - ~~❖ areas where there is a high level of user dissatisfaction with the service;~~
  - ~~❖ reports and action plans produced/agreed with external inspectors;~~
  - ~~❖ areas that are key issues for the public or have become a public interest issue covered in the media.~~~~
- ~~13. Members of this Committee will also be expected to take part in the Joint Health Scrutiny Committee set up with elected members and co-optees from Shropshire County Council to scrutinise substantial variations or developments in service that cut across both local authority areas. Separate terms of reference apply to the Joint Health Overview and Scrutiny Committee which have been agreed with Shropshire County Council.~~
- ~~14. The quorum for a meeting is 3 elected members.~~

## HOUSING, ECONOMY & INFRASTRUCTURE SCRUTINY COMMITTEE

### TERMS OF REFERENCE

14. The group will be made up of 8 elected members from the Scrutiny Assembly, appointed at Annual Council in line with the political balance of the Council, and co-opted scrutiny members. The number of co-opted members must not exceed 50% of the number of elected members.
15. If the Chairman is unable to attend a meeting the Members present will elect a Chairman for the meeting.
16. In addition to standing co-optees, the Committee may appoint additional co-optees for one-off reviews to supplement the skills, knowledge and experience of members of the Committee on that particular issue.
17. The Cabinet Members for Housing, Regeneration & Economic Development and Transport & Community Protection, other Cabinet members, Directors, Assistant Directors and Service Delivery Managers will attend the Committee at the request of the Chairman.
18. The Committee will be the main mechanism by which Scrutiny members will scrutinise and monitor issues relating to the following key areas:
  - Housing
  - Economic Development
  - Regeneration
  - Environment and waste management services
  - Transport
  - Planning policy
19. The Committee will consider matters referred by the Scrutiny Management Board, and will exercise discretion as to whether a suggestion falls within the remit of the Committee to scrutinise.
20. The meetings will follow the principles of scrutiny i.e. no party whip will be applied and a constructive, evidence based approach will be used.
21. All Scrutiny Committee meetings will be held in public, unless exempt information is being considered or discussed. Scrutiny Committees may appoint sub-groups to carry out investigative work as part of a review and these sub-groups may hold informal meetings but will report back their findings to the Scrutiny Committee.
22. From time to time members may become privy to information of a confidential nature. If this happens, members must maintain this confidence. Members are unable to request personal/confidential information from Officers about an individual or family.

23. The meetings will be administered by Scrutiny Services and Democratic Services. Frequency of meetings will be agreed by the Committee as necessary to carry out the work programme.
24. The Chairman of the Committee, or his/her representative, will provide and present reports and recommendations of the Committee to the Council's Cabinet or other relevant organisations.
25. The Committee will set its own work programme in accordance with the areas set out in paragraph 5 above, may look at any issue deemed by the Committee to fall within its remit.
26. The quorum for a meeting is 3 elected members.

# SHROPSHIRE AND TELFORD & WREKIN JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE

## TERMS OF REFERENCE

### **Purpose**

To jointly consider and scrutinise where necessary, all Health and Healthcare related topics which affect the areas of Telford and Wrekin Council and Shropshire Council.

To meet when proposed changes to services are identified to confirm whether formal statutory consultation would be necessary.

To actively research and respond to any formal consultation within the agreed consultation period, usually the statutory 12 weeks period.

### ~~Annual work programme topics for 2010/11~~

~~Proposals from the NHS under Developing Health and Healthcare, a Strategy for Shropshire, Telford and Wrekin~~

~~Mental Health Services—Modernising Mental Health Services in Shropshire and Telford and Wrekin~~

~~Any other issues that Members feel will impact on the planning and implementation of health and healthcare across both Local Authority areas.~~

### **Powers of the Joint Health Overview and Scrutiny Committee**

The Joint Health Overview and Scrutiny Committee exercises the powers set out in the Health and Social Care Act (2001) consolidated in the NHS Act (2006) to review any matter relating to the planning, provision and operation of health services across the local authority areas.

### **Membership of the Joint Health Overview and Scrutiny Committee**

There will be six elected members from each local authority.

There will be three co-opted members from each local authority area who are independent of the relevant Council.

The Co-opted Members of the Committee have voting rights as determined by full council at both authorities. Copies of the voting schedules are attached.

Executive Members for Health and Social Care issues may attend the meeting at the Chair's discretion in a non voting capacity.

### **Chairing Arrangements**

Meetings alternate between the Council areas. The appropriate Chair will take the lead for meetings in their Local Authority Area.

### **Chairs' Casting Vote**

The Chair will not use their casting vote due to the alternating venue.

### **Political Balance**

Political balance applies to this Committee. The political balance applies to each participating authority.

### **Administration**

In line with the Department of Health Guidance Telford and Wrekin Council and Shropshire County council will share the cost and resource implications of supporting the Joint Health Overview and Scrutiny Committee. Meetings will alternate between local authorities. Each council will take the lead in arranging venues and co-ordinating agendas with organisations and individuals invited to present reports or papers or give evidence, for the meetings taking place in their Local Authority Area.

The agenda will be agreed by both Health Scrutiny Chairs at an agenda setting meeting about 10 working days before the Joint Committee meeting. Papers and presentations will be considered during this meeting to establish running order and specific instructions to those attending.

Pre-meetings will be at the Chair's discretion, to be attended either by the Chairs' alone or for members of the whole joint Health Overview and Scrutiny Committee.

### **Additional Support**

Each local authority will identify an agreed resource which it can provide to support the work of the Joint Committee. This may be officer time and/or a financial contribution to cover the costs of any specialist advice.

### **Frequency of Meetings**

To be detailed in the Joint Committee Work Programme.

### **Quorum**

One third of the membership of the committee. At least 2 elected members must be present including 1 from each authority. There must be 2 representatives from each authority including co-optees.

### **Ways of Working**

Under the Department of Health Guidance (2003) the Joint Health Scrutiny committee must:

- Represent the interests of the population that receives services provided by or commissioned by the NHS body
- Operate in a way that will lead to rigorous and objective scrutiny of the issues under review.

The Joint Committee will hold formal meetings, and will undertake visits – which as far as possible will involve representatives from both authorities. Each authority will be able to lead and undertake individual pieces of work. The Joint Committee may also hold meetings with relevant representatives and officers outside of the main scrutiny forum such as focus groups, public meetings and consultation with relevant patient/service user groups.

### **Reports**

Wherever possible all reports will present joint evidence based conclusions and recommendations. However, where differences exist reports will be able to include sections setting out evidence based conclusions and recommendations reflecting the different views within the joint committee.

### **Review of Terms of Reference**

Annually or as required when issues arise for joint scrutiny.

# **CHAIRMAN OF THE SCRUTINY MANAGEMENT BOARD AND SCRUTINY ASSEMBLY**

## **ROLE DESCRIPTION**

### **Purpose**

- To provide leadership and direction to the scrutiny function of the Council

### **Duties and responsibilities\***

- To chair and manage the business of the Scrutiny Assembly to ensure it achieves its aims and objectives consistent with the principles of good scrutiny
- To chair and manage the business of the Scrutiny Management Board as required to deliver the Scrutiny Work Programme effectively, on time and within resources
- To encourage the engagement of all members of the Scrutiny Assembly, with officer support
- To ensure that the Council's Cabinet, senior officers and relevant partner agencies are effectively held to account for their decisions and performance
- To lead the Scrutiny Assembly in developing an annual Scrutiny Work Programme
- To act as an advocate for scrutiny within the Council, with partner agencies and within the West Midlands region and nationally
- To carry out the role of a Scrutiny Chairman and Scrutiny Assembly Member
- To provide and present reports and recommendations of the Scrutiny Assembly and Scrutiny Management Board to Cabinet, Council, and others as appropriate, including presenting the Scrutiny Annual Report to Council
- To determine the validity of Call-in requests, and if necessary, to call, attend and chair meetings required for the Scrutiny Committee to hear the Call-in
- To initiate and develop constructive relationships with Members of the Cabinet, senior Council officers and representatives from other local agencies
- To promote the work and independence of the scrutiny process and further develop the scrutiny role both within and outside the Council
- To contribute to regional and national scrutiny forums and networks
- To ensure that the scrutiny process remains non-political

### **Ways of working**

- To ensure adequate resources (financial and officer) are identified and sought from the Council through the budget setting process
- To read and consider carefully all reports and documents in preparation for meetings of scrutiny
- To have competent chairing skills to manage the meetings effectively
- To act in a non-political manner at all times when engaged in scrutiny work
- To abide by the Members' Code of Conduct or such other code of conduct as the Council may from time to time adopt and the Member / Officer protocol as set out in the Constitution
- To ensure the principles of equality and fairness are integral to all actions and policies of the Council
- To conduct interviews appropriately with due consideration and respect for the interviewee
- To take part in training and development programmes to ensure that this role is undertaken as effectively as possible and to work with officers to ensure Scrutiny Chairmen and Scrutiny Assembly members attend training where necessary and within available resources
- To make use of new technology as a means of effective communication

\* Note – these responsibilities are in addition to those of a borough councillor and any other position of responsibility held

## **SCRUTINY COMMITTEE CHAIRMAN**

### **ROLE DESCRIPTION**

#### **Purpose**

- To provide leadership and direction to the scrutiny function of the Council and lead on and chair scrutiny activity of the relevant Scrutiny Committee.

#### **Duties and responsibilities\***

- To ensure that the Scrutiny Committee's Work Programme is carried out effectively
- To encourage the engagement of all Members of the Scrutiny Assembly, with officer support
- To ensure that the Council's Cabinet, senior officers and relevant partner agencies are effectively held to account for their decisions and performance
- To carry out the role of a Scrutiny Assembly Member
- To maintain links with any other Scrutiny Chairmen and Committees to make efficient use of member and officer time and resources when reviewing cross-cutting themes
- To ensure that the Scrutiny Committee's Work Programme is carried out in a timely manner by calling review meetings as appropriate
- To provide and present reports and recommendations from reviews carried out by the Scrutiny Committee and sub-groups to Cabinet, Council and others as appropriate
- To initiate and develop constructive relationships with Members of the Cabinet and senior officers, and to meet regularly with the appropriate Cabinet Member(s) to maintain an awareness of current issues
- To share learning and good practice with other Scrutiny Chairmen, promote the work and independence of the process and further develop the scrutiny role both within and outside the Council
- To determine whether a decision taken by the Cabinet or by an officer under delegated powers is of sufficient urgency not to be subject to call-in, including decisions contrary to the Council's policy framework or approved budget
- To determine whether a key decision can be taken by Cabinet if it has not been published in the Council's Forward Plan
- To develop action plans for ongoing improvement of scrutiny processes with the Scrutiny Chairman's Forum
- To be a media spokesperson for scrutiny work

- To ensure that scrutiny remains non-political

### **Ways of working**

- To read and consider carefully all reports and documents in preparation for meetings of scrutiny
- To have competent chairing skills to manage the meetings effectively
- To act in a non-political manner at all times when engaged in scrutiny work
- To abide by the Members' Code of Conduct or such other code of conduct as the Council may from time to time adopt and the Member / Officer protocol as set out in the Constitution
- To ensure the principles of equality and fairness are integral to all actions and policies of the Council
- To conduct interviews appropriately with due consideration and respect for the interviewee
- To take part in training and development programmes to ensure that this role is undertaken as effectively as possible and ensure Members of the Scrutiny Assembly attend training where necessary
- To make use of new technology as a means of effective communication

\* Note – these responsibilities are in addition to those of a borough councillor and any other position of responsibility held

## **POLICY FOR CO-OPTING SCRUTINY MEMBERS**

### **Number of co-opted members**

- 1.1 The majority of members on a scrutiny committee should be elected members of the council. The number of standing co-opted members on each committee should not exceed 50% of the total number of elected members of the committee. The exception to this is the Scrutiny Committee for Children and Young People which should have a maximum of 4 non-voting co-opted members, but in addition will have 4 statutory co-opted members which are set by legislation and have voting rights on educational issues (see 2.2).
- 1.2 Except for the 4 statutory co-opted members on the Scrutiny Committee for Children & Young People, who have voting rights for education matters only, and 3 co-opted members of the Joint Health Overview & Scrutiny Committee who currently have certain voting rights as determined by full council, co-opted members will not have voting rights (unless otherwise determined by full Council).
- 1.3 In addition to standing co-opted members of the scrutiny committees, individuals can also be co-opted onto time limited in-depth review groups. The size of these groups differs for each review, but the number of co-opted members should not account for more than half of the membership of any review group.

### **2 Interests to be represented by co-opted members**

- 1.1 The interests that are represented by standing co-opted members on scrutiny committees will always depend on the people that apply for the position. However, there are certain skills and knowledge that will be targeted to add value to each committee.
- 1.2 The Local Government Act 2000 sets out statutory co-opted members for the Scrutiny Committee for Children & Young People:
  - 1 Primary Parent Governor
  - 1 Secondary Parent Governor. The Parent Governor posts are primarily to represent parents, rather than governors.
  - 1 Roman Catholic Diocese representative, as there are Catholic schools within the borough.
  - Church of England representative, as there are Church of England schools within the borough. The representative to sit on the scrutiny committee will be agreed between the Hereford and Lichfield Diocese.
- 1.3 The Scrutiny Committee for Children & Young People will have three additional co-opted members:
  - 1 primary or secondary head teacher or deputy head teacher

- 1 primary or secondary teacher
- 1 young person from the Young People's Forum.

1.4 The Scrutiny Committee for Health will seek the following representatives:

- 1 member of the Local Involvement Network
- 1 member of the Senior Citizen's Forum
- 1 person with knowledge and/or experience in the NHS.

1.5 [Scrutiny Management Board can appoint up to 2 Town and Parish Council Co-optees on each Scrutiny Committees.](#)

1.6 The Budget & Finance Scrutiny Committee may seek up to two individuals who have experience of working within a financial and/or performance monitoring setting.

1.7 The Adult Social Care Scrutiny Committee may seek up to two individuals who have experience of or in the care sector.

1.8 The Co-operative & Communities Scrutiny Committee may seek up to two individuals who have experience to fill gaps identified by members of the Committee.

1.9 In addition to co-opted members on the scrutiny committees and sub-groups, individuals can be co-opted onto any in-depth review group for the period of the review. In these cases, the co-opted members should have experience, knowledge or skills in the particular area of review. The elected members on each review group will decide whether they require co-opted members and who to appoint.

1.10 Co-opted members will be required to note any relevant activities that they are involved with on the Council Register of Interests. Advice will be provided on what needs to be included on this register.

### **3 Co-opted member role description and person specification**

#### **3.1 Overall purpose of role**

You will be helping one of the Council's Scrutiny Committees to monitor the performance of Council services, and to review policy to make sure that high quality services are being delivered to Telford & Wrekin residents.

#### **3.2 As a co-opted scrutiny member, you will be expected to:**

- Regularly attend formal scrutiny meetings, which are held in the evening

- Take part in in-depth scrutiny reviews – meetings for these reviews may take part in the evening or daytime and could involve site visits, focus groups and other types of meeting
- Play an active part in meetings – asking questions, giving your views and suggesting improvements
- Bring an external view to scrutiny work, which councillors might not have, and represent the views of residents of Telford & Wrekin
- Suggest service areas or issues that scrutiny committees could investigate
- Treat witnesses with courtesy and respect the confidentiality of some of the information you might hear as a scrutiny member
- Remain non-political at all times.

### 3.3 Person specification – skills and experience co-opted members should have

- Experience relating to the remit of the scrutiny committee you wish to sit on. This could have been gained through your own experience of using council services in that area, through voluntary work or from being employed in a similar line of work, for example
- The ability to understand written and verbal information, to not take information at face value and use it to think of further questions
- Willing to contribute to discussions, sometimes in public meetings, by giving your views and asking questions, including on issues which might be outside of your area of interest or expertise
- The ability to ask questions and give views that reflect the interests and views of people other than yourself
- The ability to work as part of a team and develop good working relationships with people from different backgrounds
- People who have served as elected members of the Council are eligible to apply to appointed as co-optees, but to ensure their independence, would not be able to take part in a review of any policy where they had been involved in the decision making process as an elected Member for a period of 4 years from the end of their service.
- Willingness to attend training to develop your knowledge and skills
- Lives, works, or is a member of an organisation within Telford & Wrekin.

### 3.4 Other requirements of the role

- Co-opted members will be required to satisfactorily fulfil a Criminal Records Bureau check, where they may come into contact with vulnerable children or adults, as well as financial information.
- Co-opted members will be required to sign up to the Council's Code of Conduct which sets out the standards of behaviour expected of councillors, including confidentiality agreements, and which co-opted members will also be expected to abide by.

- If you are involved in any local groups which might be considered a prejudicial interest i.e. your involvement in scrutiny of related issues could be seen to be benefiting the group you are involved with, you will have to declare these on the Register of Interests. You will be given advice on what you do and do not have to declare.

#### **4 Advertisements**

- 4.1 Advertisements for co-optees will be placed in any relevant Council publications, on the Council website, through town and parish councils and other partner organisations and publications as determined by the Scrutiny Management Board at the time of the campaign.
- 4.2 Letters will be sent to each local group or organisation that a representative is sought from, asking for a nomination. The role description and person specification will be sent with the letter to enable the nominating group to select somebody who is able to fully contribute. The letter will also stress the importance of nominating somebody who is able to attend the scheduled meetings, and these dates will be provided.
- 4.3 Recruitment activity will begin in March, to ensure that co-opted members can be appointed in time for the new municipal year.
- 4.4 Adverts and posters will ask interested parties to send an expression of interest to the scrutiny team. They will then be sent further details to enable them to decide whether to apply including:
  - Leaflet on scrutiny and the role of co-opted scrutiny members
  - Policy on arrangements for co-opted members.

#### **5 Applications**

- 5.1 Applicants will be required to fill in a short application form giving their contact details, which scrutiny committee they would like to sit on, and a short statement of around 250 words explaining why they want to be involved in scrutiny and what they can contribute to the role.
- 5.2 The applications received will be divided by scrutiny committee. The Corporate Complaints Manager will be consulted to identify any applicants who are persistent complainants to the Council. These applicants will not be excluded, but the Chairmen will need to establish whether their views will prevent them from being seen to be impartial and contributing constructively to the scrutiny process.
- 5.3 The Chairman of each committee will identify suitable candidates from the applications received for their committee, in consultation with the Scrutiny Group Specialist. This will be done by assessing the application against the job description and person specification. The selected candidates will be invited to a discussion with the relevant Chairman and Scrutiny Group Specialist. Each Chairman will then

decide which of the applicants are most suited to be appointed as a standing member of the Committee.

## **6 Appointment**

- 6.1 The successful applicants will be contacted to arrange an induction. Those who have not been successful as standing co-opted members will be invited to join a pool of co-opted members who may be drawn upon for in-depth reviews which relate to their area of expertise.
- 6.2 Co-opted members will be appointed for a term of two years. At the end of each term of office, each scrutiny committee will ask the current co-opted members whether they wish to continue, or whether it would be appropriate to seek alternative co-opted members. This will vary by each committee and each co-opted member. Co-opting members for a further term will mean the committee can benefit from the experience they will have built up. However, having a set term of office gives the opportunity for co-opted members to stand down if they wish to and also gives the committee the opportunity to refresh membership and seek representatives with different experiences and skills.
- 6.3 Co-opted members may terminate their membership by giving one month's notice to the Scrutiny Group Specialist should their circumstances change during their term of office.

## **7 Induction, training and ongoing support**

- 7.1 Each standing co-opted member will have an individual induction once they are appointed, before they attend their first scrutiny meeting. This meeting will be held with the relevant scrutiny officer and the Chairman of the scrutiny committee which they will be joining.
- 7.2 The same scrutiny training opportunities that are available to elected members will be made available to co-opted members. This includes both in-house and external training, and may include scrutiny skills training or training which will increase knowledge in the areas within the remit of the scrutiny committee.
- 7.3 Each co-opted member will have the opportunity for a review meeting during the municipal year. This will be an opportunity to discuss performance, training and support needs and any other issues.
- 7.4 The position of co-opted member is a voluntary post, but the Council will make payments to co-opted members to cover expenses incurred whilst fulfilling their duties as a co-opted member.



**TELFORD & WREKIN COUNCIL**

**SCRUTINY MANAGEMENT BOARD– 16<sup>th</sup> NOVEMBER 2012**

**SCRUTINY WORK PROGRAMME**

**REPORT OF SCRUTINY GROUP SPECIALIST**

**1.0 PURPOSE**

- 1.1 To update the Board on the work of the Scrutiny Committees and review the work programme for the rest of the municipal year.

**2.0 RECOMMENDATIONS**

- 2.1 Scrutiny Management Board receives an update on the work of the Scrutiny Committee and reviews the work programme for the rest of the municipal year.

**3.0 PREVIOUS MINUTES**

- 3.1 SMB -8

**4.0 BACKGROUND INFORMATION**

- 4.1 None

**5.0 SCRUTINY COMMITTEE WORK PROGRAMME JUNE – DECEMBER 2012**

- 5.1 Each Scrutiny Committee has made progress in carrying out the work programmes agreed at the beginning of municipal year. The number of meetings and whether they have been committee meetings or working group meetings has been determined by the nature of the work. Tables 1 and 2 below provide an overview of the work carried out to date.

**Table 1:** Number and Type of Scrutiny Meetings

Committee	Committee Meetings Held	Working Group Meetings Held	Other Meetings Attended	Meetings Planned Nov/Dec	Total
Budget and Finance	2		4	1	7
Housing Economy and Infrastructure		3			3
Co-operative and Communities	3		2	1	6
Children and Young People	2	2		1	5
Health and Adult Care	1	2		2	5
Joint HOSC	1	1		1	3

5.2 The work undertaken by these Committees is shown below. Some Committees, for example the Housing Economy and Infrastructure Committee, has undertaken in depth scrutiny of one issue the procurement of waste management services while other Committees have scrutinised a wider range of issues as agenda items at a meeting. Members have also started to undertake Members only working groups and reporting this work back to the formal committee.

**Table 2:** Issues Scrutinised by Each Committee from August – beginning of November 2012.

Scrutiny Committee	Issues
Budget and Finance	Financial updates: <ul style="list-style-type: none"> <li>• Service &amp; Financial Planning Report – 2011/12 Outturn</li> <li>• Service &amp; Financial Planning Update (additional savings proposals for 2012/13)</li> <li>• Service &amp; Financial Planning Monitoring Report</li> </ul> Care Placements ( with CYP Scrutiny Committee)  Capital Receipts ( with Audit Committee)

	<p>Options for Council Tax benefit support scheme( with Co-operative and Communities Scrutiny Committee)</p> <p>Service &amp; Financial Planning Update: changes to national funding, savings proposals for 2013/14.</p>
Housing Economy and Infrastructure	Waste Management Services Procurement
Co-operative and Communities	<p>Co-operative Council updates</p> <p>Co-operative Commission</p> <p>Employee Commission</p> <p>Options for Council Tax benefit support scheme</p>
Children and Young People	<p>Ofsted inspection</p> <p>Issues for a primary school</p> <p>Children in Care Placement Strategy and children in care education attainment</p> <p>Ofsted report and action plan to address issues</p> <p>Care Placement Strategy – value for money issues</p> <p>Education results KS2/KS4 for the borough and children in care</p>
Health and Adult Care	<p>Stroke Review</p> <p>Urgent Care Review</p> <p>Working with the Health and Wellbeing Board</p> <p>Continuing Healthcare Funding</p>
Joint HOSC	Ophthalmology Services

	<p>Shrewsbury and Telford Hospital NHS Trust: Foundation Trust Application</p> <p>Head and Neck and Surgery relocation</p> <p>Shrewsbury and Telford Hospital NHS Trust: Travel and Transport Plan</p>
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**6.0 UPDATING THE SCRUTINY HANDBOOK SCRUTINY WORK PROGRAMME NOVEMBER 2012 – MAY 2013**

- 6.1 Appendix 1 sets out the work load for the Scrutiny Committees for the rest of the municipal year. This also reflects the different ways the Committees undertake the work. One issue Board Members are asked to note is the number of working group meetings that have been held. While these do not require as much administration if the number of working group meetings increases during the year this will compromise the Scrutiny Teams ability to deliver the agreed work programmes.
- 6.2 The Scrutiny Team is recording the recommendations and outcomes from the Scrutiny work programme and will bring a report on Scrutiny Outcomes to a future meeting of the Management Board.

**7.0 EQUAL OPPORTUNITIES**

- 7.1 All Scrutiny Committees will consider the equal opportunity implications of the issues under Scrutiny.

**7.0 ENVIRONMENTAL IMPACT**

- 7.1 There is no direct environmental impact resulting from this report.

**8.0. LEGAL COMMENT**

- 8.1 Oversight and monitoring of the delivery of the Scrutiny work programme is a matter for the Scrutiny Management Board in accordance with Section 5 of Part 4 of the Council's Constitution.

## **9.0 LINKS WITH CORPORATE PRIORITIES**

- 9.1 The Scrutiny Committees look at cross cutting issues that link with the Corporate priorities.

## **10.0 OPPORTUNITIES AND RISKS**

- 10.1 Reviewing the Scrutiny Work Programme provides Scrutiny Management Board to ensure that Scrutiny resources are used in the most effective way.

## **11.0 FINANCIAL IMPLICATIONS**

- 11.1 The work programme will need to be managed within existing resources and adjustments made accordingly to ensure that this is the case. Any financial implications arising from recommendations will be considered as part of the relevant reports and any variances will be reported through financial monitoring as appropriate.

## **12.0 WARD IMPLICATIONS**

- 12.1 There are no specific ward issues resulting from this report.

## **13.0 BACKGROUND PAPERS**

- 13.1 None

Report prepared by Fiona Bottrill, Scrutiny Group Specialist 01952 383113

## Scrutiny Committee Work Programme and Work Load November 2012 to May 13

	November	December	January	February	March	April	May
<b>Budget and Finance Scrutiny</b>							
Scrutiny of Savings							
Budget consultation							
Items to be confirmed							
Items to be confirmed							
<b>Housing Economy and Infrastructure</b>							
Waste Management Procurement							
Community Infrastructure Levy TBC							
Business Improvement Districts TBC							
Housing Development allocations TBC							
<b>Co-operative and Communities</b>							
Welfare Reform – pre imp.							
Scoping Employee Commission work							
Scope welfare reform – post April							
<b>Children and Young People</b>							
Children in Care Placements							
Ofsted Action Plan							
Educational Attainment							
Provision of Primary Places TBC							
Impact of Early Intervention TBC							
Services targeted at CYP							
<b>Health and Adult Care</b>							
Continuing Health Care							

Adult Safeguarding Report							
Public Health Transition							
Meals on Wheels							
CAMHS							
<b>Joint HOSC</b>							
Review of Urgent Care and A&E							
Review of Stroke Services							
111 Service							
Transfer of Children's Surgery to RSH							
Update following Coroner's Inquests							
Travel and Transport Plan							
Patient and Public Engagement							
Quality and Performance							
Update on Make Ready							
Head and Neck Services							
Women's and Children's Services							
SaTH FT Application							
<b>Scrutiny Management Board</b>							
Holding the Executive to Account							
Update on PCCs and Panels							
Update on Domestic Violence							
<b>Full Council</b>							

Other meetings that are not specifically planned as part of the Committees work programme include attending Cabinet, Policy review, Keeping in Touch meetings with Cabinet Members and partner organisations, Regional Health Scrutiny Chairs Forum, Regional Scrutiny Forum.