

31 January 2019		ITEM: 5
Corporate Overview & Scrutiny Committee		
The Overview and Scrutiny Functions and Motions Process		
Wards and communities affected: All	Key Decision: Non-Key	
Report of: Lucy Tricker, Democratic Services Officer & Wendy Le, Democratic Services Officer		
Accountable Assistant Director: David Lawson, Assistant Director of Law and Governance, and Monitoring Officer		
Accountable Director: Sean Clark, Director of Finance and IT		
This report is Public		

Executive Summary

At the Full Council meeting of 31 October 2018, Councillor Luke Spillman raised a motion as follows:

“Full Council asks for the Corporate Overview and Scrutiny Committee under its cross cutting remit on overall performance, monitoring, and steering the overview and scrutiny function to look into:

- The effectiveness of overview and scrutiny processes at Thurrock Council*
- The effectiveness of Motions agreed at Full Council”*

This report contains evidence and analysis of the current processes in place for both overview and scrutiny, and motions. It further goes on to identify some useful work overview and scrutiny committee members could undertake to add value to the process by considering current practices.

1. Recommendation(s)

- 1.1 To note and comment on the overview and scrutiny function’s current performance in relation to the Centre for Public Scrutiny’s Evaluation Framework, and potential areas for service enhancement as outlined in 2.4.4.**

1.2 To agree to undertake a consultation with Councillor’s on the aspirations for future delivery of overview and scrutiny, as outlined in 3.12 and 3.13.

1.3 To comment on the current effectiveness and performance of motions based on evidence presented in 3.14 onwards.

2. Introduction and Background

2.1 The motion raised by Councillor Spillman at Full Council on 31 October 2018 brings about the following key questions:

1. What does overview and scrutiny and the process for motions look like at Thurrock Council, and how does the Council meet the national framework for scrutiny and governance?
2. How effective is the overview and scrutiny process in Thurrock Council, in terms of quantitative data such as number and type of reports, and Members experience of the process?
3. How effective are actions raised by motions that are agreed at Full Council?

2.2 As stated in Thurrock’s Constitution Chapter 1, Part 1, Section 5, overview and scrutiny committees have three roles:

1. *“The first role of Overview and Scrutiny Committees is to support the work of Cabinet and the Council as a whole by considering and making recommendations on policy.*
2. *Secondly, the Committees are the main bodies scrutinising decisions made by the Cabinet and for holding it to account.*
3. *Finally, they are also responsible for reviewing matters relating to a wide range of partner organisations, including those related to health, to education, and to law and order, to ensure that the public authorities that operate in Thurrock are acting in an effective and co-ordinated manner, in the public interest.”*

2.3 Overall, the Council has a statutory duty to provide good governance for Members, officers and residents, and has to ensure all decisions are open and transparent.

2.4 National Scrutiny Framework Guidance

2.4.1 Thurrock Council’s scrutiny practice follows the Centre for Public Scrutiny’s (CfPS) evaluation framework which describes the characteristics of good scrutiny practice, and advises councils on how to review scrutiny arrangements on their own terms.

- 2.4.2 The Centre for Public Scrutiny is the national centre of expertise on governance and scrutiny who work to implement more effective decision-making for councils across the UK. All Members of scrutiny have a responsibility to engage and contribute to the function to ensure effective decision making, as outlined in the Members' Code of Conduct.
- 2.4.3 The CfPS Evaluation Framework is a document that is produced on a yearly basis which helps councils understand the characteristics of good scrutiny practice.
- 2.4.4 Appendix 1 shows how Thurrock is meeting the national guidelines according to the CfPS Scrutiny Evaluation Framework. The Council is meeting all requirements of the framework, however in the spirit of enhancing the service further, it is felt the following areas could be addressed:
- More input from scrutiny Members in shaping the work programme in terms of what reports, issues or items they would like to see.
 - Increase activity between meetings to allow Committee Members the chance to strengthen their understanding and knowledge of issues being discussed e.g. a site visit.
 - Members could benefit from focussed short training sessions specific to overview and scrutiny throughout the year. For Members who join a Committee during the municipal year, an individual training session could be provided for them before a meeting.
 - Improve the efficiency of meetings to ensure each agenda item has an appropriate amount of time allocated. This would give Members enough time to discuss agenda items and prevent one item running on longer than necessary.
 - Raising public awareness of overview and scrutiny committees, so more public questions and petitions are brought forward. This could happen through a briefing note displayed on the public noticeboard, or through notifications by the Communications Team through Twitter or other social media.

3. Issues, Options and Analysis of Options

Effectiveness of Overview and Scrutiny at Thurrock Council

Quantitative Scrutiny Research

- 3.1 In total the number of reports considered by Overview & Scrutiny Committees for the municipal years 2014/15, 2015/16, 2016/17 and 2017/18 has remained relatively constant year on year, as shown below.

Year	Number of Reports at all O&S Committees	Number of O&S Committee Meetings
2014/15	82	25
2015/16	117	35
2016/17	121	30
2017/18	89	25

3.2 The table below shows the different types of reports that came through the O&S process.

Year	Type of Reports				
	Went to (or came from) Cabinet	Update Reports	Reports to be noted	Annual Reports	Reports with Actions
2014/15	16	15	34	3	14
2015/16	19	21	41	5	31
2016/17	12	31	57	3	18
2017/18	16	24	39	4	6

3.3 The first type of report that O&S Committees examine are those that went to Cabinet, or came from Cabinet, as a form of pre or post-scrutiny. Pre-scrutiny is seen as a fundamental aspect of overview and scrutiny, as stated by the CfPS in their scrutiny guidance policy, and on average represents 16% of reports across the four years researched.

3.4 Update reports often begin as an in-depth piece of work commissioned by an O&S Committee, which is then reported back on a regular basis until a project has been finished, or a satisfactory conclusion reached. These help committees proactively monitor issues they have flagged. An example of an update report would be the Active Place Strategy Update report which was monitored by the Cleaner, Greener and Safer Overview and Scrutiny Committee between 2015/16 and 2016/17. These reports constitute 22% of all reports across the four years.

3.5 The largest proportion of reports that go through the scrutiny procedure are reports 'to be noted', which give Members the opportunity to discuss and comment. These reports consist of standing agenda items, policy and strategy reports, as well as those which examine the work of partner organisations in Thurrock, such as c2c.

3.6 The final category of 'reports with actions' include reports that have made proactive recommendations or changes based on discussions held during the Committee meetings. For example, these could be reports where an O&S Committee has established a Task and Finish Group, written additional recommendations, or written letters to external bodies. For example, the Planning, Transport and Regeneration Overview and Scrutiny Committee established the Lower Thames Crossing Task Force and the Local Development Plan Task Force. This category represents 17% of all reports.

- 3.7 All types of reports have remained relatively constant across all four municipal years that were researched, and suggests a solidity of form for overview and scrutiny processes.

Qualitative Scrutiny Research

- 3.8 As stated in the CfPS Evaluation Framework (Appendix 1), Overview and Scrutiny Committees should be Member-led to ensure good governance practices.
- 3.9 As well as the quantitative, data-led research outlined above, this report also offers the chance for Members to share their experiences regarding overview and scrutiny processes.
- 3.10 It would be useful for the Corporate Overview and Scrutiny Committee to undertake a form of informed consultation by Members to understand any challenges or aspirations related to the overview and scrutiny function, within the context of the issues outlined in 2.4.4, as well as any others the committee may feel relevant.
- 3.11 It is recommended that Democratic Services devise a project, to be agreed by the Chair of this committee to effectively gather the information.

Effectiveness of Motions at Thurrock Council

- 3.12 The tables below shows the number of Motions submitted at Full Council, and actions arising from them.

Year	Motions agreed at Full Council
2014/15	13
2015/16	20
2016/17	10
2017/18	9

Year	Actions resulting from Motions				
	Additional Committee Work Undertaken	Work with external bodies	Internal work	No update required	Motion Unanswered
2014/15	5	2	4	2	0
2015/16	7	8	4	1	0
2016/17	6	1	3	0	0
2017/18	2	2	5	0	0

- 3.13 In total between the municipal years 2014/15 and 2017/18, 52 motions were submitted at Full Council.
- 3.14 As per the table above, the first column shows motions which resulted in additional Committee work being undertaken. The additional work consisted of extra reports going to a Committee; additional research being undertaken

by officers; or extraordinary overview and scrutiny committees being held.

- 3.15 The second column denotes motions that resulted in work with external bodies, such as the Police, Fire and Crime Panel or c2c, which often involve letters being written or members of the organisations being invited to overview and scrutiny committees.
- 3.16 The third column signifies Motions that resulted in internal work being completed, such as letters being written to MP's or central government.
- 3.17 The final columns represent motions which either did not need a response; or a motion that went unanswered, of which there were zero.

4. Reasons for Recommendation

- 4.1 This report is submitted to the Corporate Overview and Scrutiny Committee in response to the motion raised by Councillor Luke Spillman at Full Council on 31 October 2018.
- 4.2 The recommendations allow Members the opportunity to acknowledge the good practice in both processes whilst giving the opportunity for Members to also gather more evidence with a view to making future best practice suggestions.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 This report provides an opportunity for Members to undertake consultation on the overview and scrutiny process and motions at Thurrock Council within the correct scrutiny forum.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Delivery of successful, high-quality governance has a significant impact on all of Thurrock Council's priorities. Specifically, on including the community in governance procedures such as Committee meetings and asking questions of Members.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**
Management Accountant – Central Services

There are no financial implications for this report.

7.2 Legal

Implications verified by: **David Lawson**
**Assistant Director Law & Governance, and
Monitoring Officer**

There are no legal implications for this report.

7.3 **Diversity and Equality**

Implications verified by: **Becky Price**
**Team Manager – Community Development &
Equalities**

This report helps Thurrock Council meet its diversity and equality requirements by allowing greater input into the decision-making and governance processes by members of the public.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

There are no other implications for this report.

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- The Centre for Public Scrutiny, Overview and Scrutiny Framework - <https://www.cfps.org.uk/scrutiny-self-evaluation-framework/>

9. **Appendices to the report**

- Appendix 1 – Thurrock's Democratic Services Scrutiny Self-Evaluation

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