

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES of a meeting of the Overview and Scrutiny Management Committee held on Wednesday 23 January 2019 at the Cabinet Suite - Shire Hall, Gloucester.

PRESENT:

Cllr Robert Bird	Cllr Paul Hodgkinson
Cllr Iain Dobie	Cllr Patrick Molyneux (Chairman)
Cllr Andrew Gravells	Cllr Shaun Parsons
Cllr Kate Haigh	Cllr Brian Robinson
Cllr Jeremy Hilton	Cllr Rachel Smith

Substitutes:

Officers in attendance: Rob Ayliffe, Stephen Bace, Paul Blacker, Jane Burns, Simon Harper and Mandy Quayle

Apologies: Cllr Carole Allaway Martin

1. APOLOGIES

The apologies for the meeting were noted.

2. MINUTES OF PREVIOUS MEETING

Agreed as a correct record.

One member raised the fact that at the last meeting in addition to points raised at 73.7 the suggestion had been made at the meeting regarding comparing social care visits alongside the safe and well being visits carried out by the Fire Service. It was explained that this had been actioned for consideration by Environment and Communities Scrutiny and any specifics around the item could be discussed at work planning for that committee.

One member raised a question around the Budget Scrutiny day on 10 January 2019 and why there were no minutes from that meeting. It was explained that this had been a budget scrutiny day open to all scrutiny members. OSMC members had been asked to attend to provide consistency throughout but it was not a meeting of OSMC. The meeting had been held in public and a detailed report produced. Another member suggested that this was a confusing position and that there needed to be clarity going forward as the Committee prepared for the next year's budget scrutiny process. It was noted that the agenda was available under the OSMC papers on the Modern.gov system.

3. DECLARATION OF INTERESTS

Cllr Andrew Gravells declared an 'other' interest that he was governor of Gloucestershire Hospitals NHS Foundation Trust.

4. SCRUTINY REVIEW UPDATE

4.1 Simon Harper introduced the report based on previous workshops and a discussion with OSMC Lead Members. It set out some key principles in terms of scrutiny culture and some key questions in terms of how scrutiny moves forward. In addition Members had attended events on scrutiny to learn from best practice regionally and nationally. Within the report, there were points raised about scrutiny structure and working practices going forward. It was acknowledged that Member development was an area that still needed further work but would be led by scrutiny.

4.2 The committee discussed the questions outlined within the report, making a number of recommendations:

4.3 Appointment of Vice Chairs

Cllr Dobie used the example of national government where select committee chairs were appointed on the basis of political proportionality. This was seen as best practice. He wanted it on record that he felt that Scrutiny Chairs at the County Council should be appointed in the same way.

A member explained that best practice from the Centre for Public Scrutiny was for there to be 'Opposition' party for scrutiny committees. It was noted that this was a position that was unlikely to be accepted by the Administration. Some members raised the point that Chairs should be appointed based on their skills and expertise rather than political appointments. The importance of impartiality of chairs was raised with examples given of successful scrutiny chairs from controlling parties.

It was felt that it was a good compromise that there were vice chairs in place from the other political parties. This was a practice that had already been adopted on many committees.

The Chairman stated that being a good chair depended on a good relationship between the chair and vice chair and the ability and willingness to work with all members. With regards to the chairmanship of committees this could be reviewed going forward.

The Committee agreed to recommend that:

Vice-Chairs should be from a different political group than the Chair.

4.4 Committee Structure

Minutes subject to their acceptance as a correct record at the next meeting

Members discussed what changes were needed to the current scrutiny committee structure to facilitate the new approach. In particular they discussed the challenging work load of Health and Care Scrutiny Committee and the wide remit of Environment and Communities Scrutiny Committee.

One member suggested that Overview and Scrutiny Management Committee be removed as it struggled to fully define its role. It was suggested that where there was a need for Chairs and Vice Chairs to come together they could meet to coordinate scrutiny.

It was also suggested that the Adult Social Care remit be removed from Health Scrutiny and paired with Public Protection and other Community Services in the form of a new Communities Scrutiny Committee.

A suggestion was made that Audit Committee could pick up the strategic performance finance and risk management functions currently under the remit of OSMC.

In response a member raised the suggestion of OSMC taking on the remit of Vision 2050 and economic scrutiny and removing the current Economic Growth Scrutiny from the structure.

Some members supported a number of the proposals outlined but others expressed caution about splitting Adult Social Care from Health Scrutiny. It was felt that in the future there would be greater integration and that they were best placed together.

Some members felt that these extensive changes to the scrutiny structure were not required and believed that there was nothing fundamentally wrong with the current structure. There was a place for sensible adjustments but not to this level.

In response to this a member explained that the LGA Peer Review had suggested that scrutiny needed to be more effective. At a recent conference with the Centre for Public Scrutiny, the message had been to keep things simple and not to overload agendas.

One member stated that he would welcome a greater focus on the scrutiny of the Fire and Rescue Service through a Public Protection Scrutiny Committee.

Recognising the variety of opinions expressed, it was suggested that a workshop be scheduled with a focus on discussing the scrutiny committee structure. This would include a display showing the committee and their remits to allow members to take a considered approach to where change was needed. This workshop would need to take place in February as the review needed to conclude by the end of March 2019.

ACTION Democratic Services

4.5 Engagement with the public

Some members expressed support for webcasting meetings. It was noted that this was a good way to ensure meetings were accessible to the public. It was noted that there were some logistical challenges and costs in arranging this for all meetings but that this was the direction the Council should be heading.

The Committee recommended that:

The Council look into the practicalities and costs of webcasting of all public meetings

There was some discussion around public question time at scrutiny meetings. Some members emphasised the important aspect of involving the public noting that the public had a large amount of skills and expertise. One member stated that it was councillors' role to bring forward the concerns of communities and that often public questions only engaged those who were more extreme in their views. It was noted that questions at scrutiny committee posed the issue of where those questions should be directed and who should answer? A better approach would be to provide an opportunity at the start of a meeting for the public to make representations relevant to the meeting, this would allow engagement but be easier to facilitate.

The Committee recommended that:

Scrutiny Committee agendas include a limited period of time at the beginning of a meeting, around 15 minutes for the public to make representations based on the agenda items. They should register their intention to make a representation before the meeting.

Some members suggested that consideration be given to holding meetings outside of Shire Hall to help engage the public. It was explained that this had been carried out by Cabinet in the past and was currently carried out by Economic Growth Scrutiny Committee. Other members detailed the logistical difficulties around this and noted that often this had led to very little engagement. The key factor was about having items on the agenda that were of interest to the general public. Where meetings were held outside of Shire Hall it should be a more targeted approach because of something of relevance to a community being on the agenda.

The Committee recommended that:

A more flexible approach be applied to the location of meetings and where relevant scrutiny committees could hold meetings outside of

Shire Hall where issues were of particular interest to local communities. .

4.6 Officer support

One member raised the issue of where officers sat at meetings when presenting reports in order to avoid any confusion regarding their role at the meeting.

With regards to directors, one Member suggested that they should not be supporting the Cabinet Member and the Chair of the Committee as this could be perceived as a conflict of interest.

A member stated that he welcomed the support from Democratic Services and saw no issues with the current level of support provided.

It was agreed that Officer Support could be discussed further at the workshop on structure.

4.7 Work Planning

Members discussed the importance of not overloading agendas and ensuring that work planning was more focussed. One suggestion was to bring it to the top of agendas and include the forthcoming list of executive decisions.

It was noted that lead member meetings had a role in terms of agenda planning but that overall work planning should be conducted by all members of the committee.

The Committee recommended that:

The list of Forthcoming Executive Decisions be included as part of agenda packs for meetings.

One member suggested that officers should be contacted to attend for their agenda items rather than be required to be present for the whole meeting waiting for their item.

It was noted that there was some new CIPFA guidance on Audit Committees that would need to be consideration before any changes were proposed to the Audit and Governance Committee. This would be part of the workshop.

4.8 Member development

The Committee recommended that:

A Members' Working Group be set up with responsibility for Member Development

5. BUDGET SCRUTINY: DRAFT MEDIUM TERM FINANCIAL STRATEGY

- 5.1 The Committee received the draft report from the Budget Scrutiny day on 10 January 2019. The report made a series of observations against budget areas. There was some discussion as to whether the observations within the 'Summary' of the report should be explicitly labelled as recommendations. On being put to the vote the majority of the Committee voted to accept the report unchanged.

The report would now be presented to Cabinet on 30 January 2019

6. FINANCE UPDATE

- 6.1 Paul Blacker introduced the finance update report. Recent Cabinet papers showed an updated position which included that the revenue overspend had been reduced to just under £1m. A refund from the government business rates level and income credits alongside underspends in communities and infrastructure budgets had contributed to the improved position.
- 6.2 Members also noted the update on the debt position as of December 2018. Since that report had been compiled the increased debt level had been reduced as this had been due to Highways England invoices having been raised and now paid. Good progress had been made in relation to reducing debt .
- 6.3 In response to question it was explained that there was a new appointment of a debt controller within the team as well as a full complement of debt officers across Adult Social Care areas. Corporate Finance was training those officers to ensure a consistent approach. It was explained that there had been some work on the quality of invoices to ensure the descriptions of the service carried out were clear. One member asked if having one debt recovery officers for the non social care debt was sufficient and it was stated that it was as the majority of this was commercial and government agencies which made the collection of debts more straightforward.

7. HEALTH AND CARE SCRUTINY COMMITTEE

- 7.1 Cllr Carole Allaway Martin had sent in her apologies. The report was noted.
- 7.2 One member requested further information on the report received by the committee on Adult Mental Health and crisis and wanted to understand what work was being undertaken to prevent individuals reaching a crisis stage. In response, a member of the Committee stated that it had been an excellent report and extensive debate. A number of points had been made around preventative measures and many members of the public had been in attendance. He urged the member to examine the reports and the minutes of the meeting once available.

8. ENVIRONMENT AND COMMUNITIES SCRUTINY COMMITTEE

8.1 Cllr Rob Bird, Chair of the Committee introduced the report for the meeting on 16 January 2019.

8.2 One member noted this increase in the price of bus contracts and asked if the Committee had further details on this or would explore this in more detail. In response, Cllr Bird stated that this had not been specifically discussion, but he would take this forward.

ACTION Cllr Rob Bird

8.3 One member explained that he had made a request at the last meeting of Environment and Communities Scrutiny that there be an item at the next meeting on the Value for Money Affordability Analysis report from Ernst and Young on the Residual Waste Project. The suggestion had been made that this was better considered by Overview and Scrutiny Committee due to the budgetary implications. In support of this a member outlined the increased risk to the council and the background of a current legal challenge.

8.4 It was noted that Audit and Governance Committee would be receiving a report on 25 January 2019 from the External Auditor. Some members emphasised the importance of it also being considered by scrutiny members either OSMC or Environment and Communities Scrutiny. Members agreed that OSMC should lead on this due to the Committee's 'cross-cutting' remit and asked that it an item for March 2019. It was suggested that the report be provided in the agenda pack and links to further background reading provided. Relevant Cabinet Members and officers would be asked to attend.

ACTION Democratic Services

9. CHILDREN AND FAMILIES SCRUTINY COMMITTEE

Cllr Brian Robinson, Chair of the Committee introduced the report from the meeting on 17 January 2019, noting that the Chair of the Improvement Board had been in attendance and that recruitment and retention of social workers remained a focus.

10. NEW TASK GROUPS

Members noted the working group report detailing progress. The Great Gloucestershire Achievers Scrutiny Task Group report was included and had been sent to the Leader of Council.

CHAIRMAN

Meeting concluded at 12.23 pm