

BOROUGH OF REIGATE AND BANSTEAD
EVALUATING OVERVIEW AND SCRUTINY PANEL

Minutes of a meeting of the Evaluating Overview and Scrutiny Panel held at the Remote - Virtual Meeting on 14 July 2020 at 6.30 pm.

Present: Councillors J. C. S. Essex, R. J. Feeney, K. Foreman, S. Parnall, J. E. Philpott and S. T. Walsh

1. ELECTION OF CHAIR

Cllr S. Walsh was nominated as Chair of the Panel, proposed by Cllr J. Philpott and seconded by Cllr K. Foreman.

It was agreed that Cllr S. Walsh would be Panel Chair.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr J. King.

3. TERMS OF REFERENCE

The Panel discussed the Terms of Reference and objectives of the Panel meetings. It was noted that the Panel should review the recommendations of the House of Commons Select Committee report called the Effectiveness of local authority overview and scrutiny committees. Democratic services would send the PDF of the full report to Panel Members.

It was agreed that the purpose of this Panel meeting was to look at the principle and purposes of the Overview and Scrutiny Committee and recommend any changes. The Panel would look at the recommendations of both the Select Committee report and the Government's statutory guidance.

The Panel agreed the Terms of Reference.

4. EVALUATING OVERVIEW AND SCRUTINY

The Panel noted that documents to assist Panel Members in evaluating overview and scrutiny included the House of Commons Select Committee report into effective scrutiny, statutory government guidance, research into scrutiny activities of other Surrey Borough Councils, including number of meetings, the Centre for Public Scrutiny evaluation framework and the Local Government Association Rapid Innovation webinar.

It was noted that the Panel meetings were not held in public but a report from the Panel would be published which would include recommendations for change to ensure overview and scrutiny works as effectively as possible.

5. DISCUSSION AND QUESTIONS

The Panel discussed the function of overview and scrutiny at the Council and its effectiveness both past and present. The group noted that the House of Commons Select Committee report on effectiveness of scrutiny in local authorities had concluded that overview and scrutiny had been marginalised in some councils. In Reigate and Banstead there had been times in the past where more scrutiny would have been helpful and result in better decisions. The House of Commons report concluded that a scrutiny committee seeking information should never need to be 'determined' to view information held by its own authority. The report also raised the issue that in some councils there was no parity of esteem between the Executive and Scrutiny Committees, resources were disproportionate, and scrutiny was treated as an afterthought.

The Panel discussed the following issues:

Frequency of meetings – analysis of Surrey local authorities' overview and scrutiny committees showed that most other councils' committees meet seven times a year. In Reigate and Banstead only five meetings a year were planned which Panel Members felt could curtail their ability to examine issues they raised. Reduced time meant there was reduced scope to scrutinise proposals and decisions. Members said meetings that took longer than two hours were too long. The Panel recommended more frequent, shorter and more focused meetings.

New Members – the Panel Members who were new to being a councillor said that the scope of overview and scrutiny was wide-ranging. It had felt overwhelming at times due to the large amounts of paperwork to read before meetings. New Members often took the role of observing initial meetings in case they said the wrong thing. It was emphasised that new Members played an important role as they came unencumbered and could ask questions to get to the nub of a problem.

Organisational culture – the importance of creating a strong organisational culture that supported scrutiny work was highlighted. As set out in the government's statutory guidance this leads to improved policy making and the efficient delivery of public services.

Audit Committee – Members felt that they had not been consulted about the creation of the new Audit Committee and there had not been the opportunity of debating the pros and cons of establishing the Committee. It was emphasised that it was still important for the Overview and Scrutiny to scrutinise the financial proposals and decisions of the Council. The Committee could also scrutinise the Audit Committee and its decisions and ask to have access to the same information that goes to the Audit Committee.

Scope of the Overview and Scrutiny Committee – there should be no holds barred when it came to scrutinise the work of the Council. The results of an LGA peer review of Reigate and Banstead appeared to have been much more wide-ranging than the outcome from an average Overview and Scrutiny meeting and it had made recommendations that should perhaps have come from Overview and Scrutiny. No areas of activity should be left outside the scope of the Committee. It was scrutinising public money and Members, as residents, should treat this as if they were managing their own money. The Committee's Forward Work Programme

was on the agenda at each meeting and Members could request items to consider for future meetings.

Call-ins – it was noted that there had only been one call-in used in recent years which might show that the Committee did not have the confidence to use these powers. It was felt that call-ins should be a healthy part of the overview and scrutiny process to use as a check that the Executive had made the right decision. Members should not be treated badly as a result of using this procedure.

Scrutiny of local authority trading companies – Overview and Scrutiny should be scrutinising the commercial activities of the Council to make sure decisions were effective. Commercial sensitivity should not be used as a reason not to provide information as the Committee could consider this in a private, Part 2 session which restricted public access. It was noted that decisions taken by the Commercial Ventures Executive Sub-Committee were published.

Executive Member presentations – annual presentations by Executive Members on their portfolios were not felt to be frequent enough. Other councils provided updates at every scrutiny meeting. Executive Members and senior officers should be able to respond to Members' questions at the meetings.

Transparency – Members felt that in the past the Council had not been as transparent as it could have been on its decision-making processes. Transparency and integrity were an integral part of the overview and scrutiny function. It was felt that fewer decisions were going to the Executive and as a result to Overview and Scrutiny. The way information flowed through the Council and how this reached and was shared with the Overview and Scrutiny Committee needed examination as the Committee could not scrutinise issues it did not know about. The Committee should have complete, unfettered access to information (if necessary, in a private session) so it could act as a critical friend. Report titles should reflect the content of a report, so information was not hidden in the detail.

Scrutiny panels – the value of scrutiny panels or task and finish groups was discussed. These panels were valuable as a smaller group of Members had more time to scrutinise a particular topic and then come back to the full committee with recommendations. Previous scrutiny panels had focused on finance or planning issues.

Making recommendations – Panel Members said the Committee should put forward recommendations that resulted in meaningful action rather than note a report. Apart from the Budget Scrutiny Panel report there had not been many recommendations made by the Committee in recent meetings. One positive area of work had been the group's revision of the Council's Key Performance Indicators (KPIs) for 2020/21.

Agile working – the Committee needed to be more agile in its way of working. At the moment the meetings were very structured and long. It was perceived as difficult to break away from the schedule. The Committee needed to be able to react to the issue of the day and have clear outcomes from its meetings. One example was to look at what the Council had been spending on procurement in the last three months. This included large-scale spending to see the decision-making process.

Panel Members summed up their proposals as wanting to have 'structured agility', more frequent and shorter meetings, greater transparency, specific scrutiny panels when needed and giving the Committee 'teeth' with all the available information so they could properly scrutinise issues. Scrutiny should be a key function of the Council.

It was agreed that before the next meeting, Panel Members would review the House of Commons report and government statutory guidance. Members would look at themes of culture, resourcing, selecting committee members and measure themselves against best practice to see where there were gaps.

6. NEXT STEPS

It was agreed that the Panel would meet on Thursday 20 August to allow time for a report to the next Overview and Scrutiny Committee meeting on Thursday 10 September.

The Meeting closed at 8.00 pm