**REPORT OF CHAIR OF GOVERNANCE AND STANDARDS COMMITTEE**

**TO**

 **COUNCIL**

 **On**

**17 MAY 2022**

 **REVIEW OF THE COUNCIL’S OVERVIEW AND SCRUITNY FUNCTION**

**SUMMARY**

To provide members with an update on the work of the Constitution Work Group to review the structure and operation of the Council’s Overview and Scrutiny function.

**RECOMMENDATION** – that the report be noted and a further report be submitted to Council with recommendations following the completion of the review.

**BACKGROUND**

3.1 Council at its meeting on 8 March 2022 agreed the following motion.

“That the Constitution Working Group review the current structure and operation of the Council's Overview and Scrutiny function to ensure a strong and effective function.”

3.2 Since Council, the Constitution Working Group has meet twice and begun its review of the structure and operation of the service.

3.3 At the last meeting held on 5 May 2022, members were presented with a number of alternative structure adopted by neighbouring authorities. These examples detailed the structure, management and numbers of members involved with overview and scrutiny. The Group requested that further information be sought from these authorities, which included the use of working groups, whether these authorities had reviewed there overview and scrutiny function and if so, the conclusions. Members were particularly interested in structures that had one overarching Committee that was supported by either scrutiny panels or working groups.

3.4 In addition, members received the report arising from the Council’s review of the function carried out in 2011. Members were advised that the recommendations from the report had not been implemented, due to a change in the political control of the Council that year following the District Council Elections.

3.5 Members at both meetings have commented that the Council’s current three Committee’s each with nine members can cause difficulties for Groups and Independent members to fill all their allocated seats on the Committees. Also it has been noted that typically full attendance at Committee’s is not achieved. It is felt that a reduction in seats available would alleviate this.

3.6 The working group has also commented that the role of Overview and scrutiny is not only to challenge and scrutinise the Executive, but also to be a “critical friend” The function can support the Executive in undertaking research and consultation on matters in which the executive has an interest. The group believes that inviting executive members to scrutiny meetings to give updates on future decisions and matters within their remit would develop the relationship with the Executive.

3.7 Members have commented on the value of scrutiny training for both members and officers and of the need for continual scrutiny development, to ensure that the function delivers both for the Council and citizens of the district.

3.8 The working group recognised that the success of overview and scrutiny, ultimately rested with the commitment of members who were involved with the process and that at the moment the function was largely officer led.

3.9 The working group will meet again when the information referred to in 3.3 has been received, collated and members have had sufficient time to consider it.

**4. OPTIONS AVAILABLE**

The report is for noting only and a further report with recommendations will be submitted to the Governance and Standards Committee for referral to Council.

**5. RISK ASSESSMENT OF RECOMMENDATIONS AND OPTIONS**

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk**  | **Risk Assessment**  | **Risk Level**  | **Risk Management**  |
| Reputation | Ensuring that the Council has an overview and scrutiny function which is fit for purpose and able to meet its statutory and constitutional duties. | High | Recommendations from the working group will be considered by the Governance and Standards Committee before submission to Council and will be evidence based. |

**6. ALIGNMENT TO COUNCIL PRIORITIES**

It is important that all appointments to Committees are made in accordance with the relevant legislation and regulations.

**7. IMPLICATIONS**

(a) Relevant Legislation – The Local Government Act 2000, requires that Councils operating Executive arrangements provide for the appointment by the authority of one or more committees of the authority to undertake overview and scrutiny arrangements.

(b) Human Rights – no implications

(c) Equality and Diversity – no implications

(d) Climate change and environmental sustainability – no implications

(e) Crime and Disorder - no implications

(f) Budget /Resource - no implications

**8. COMMENTS OF STATUTORY OFFICERS**

(a) Monitoring Officer – no specific comments

(b) Section 151 Officer – no specific comments

**9. CONSULTATION**

None

**10. BACKGROUND PAPERS**

None

Report author – Mark Pemberton

Designation – Democratic Services Manager

Tel – 01623 463301

Email – mpemberton@mansfield.gov.uk