

KENT COUNTY COUNCIL

SCRUTINY BOARD

MINUTES of a meeting of the Scrutiny Board held in the Darent Room, Sessions House, County Hall, Maidstone on Friday, 21 May 2010.

PRESENT: Mr E E C Hotson (Chairman), Mr P W A Lake (Vice-Chairman), Mr C J Capon, Mr M C Dance, Mrs T Dean, Mr C Hibberd, Mrs E M Tweed and Mr K Smith

ALSO PRESENT: Mr A H T Bowles, Mr A J King, MBE and Mr R J Lees

IN ATTENDANCE: Mr P D Wickenden (Overview, Scrutiny and Localism Manager)

UNRESTRICTED ITEMS

17. Minutes - 22 April 2010

(Item 3)

(1) During the receipt of these minutes there was a discussion on the importance of Cabinet Members and Managing Directors producing at least a list of the issues that they would be raising in their update to the Policy Overview and Scrutiny Committee prior to the meeting. This was commended as good practise to enable Members to be prepared for the items that would be mentioned at the meeting. It was agreed that there was an expectation that there would be a written list of update items circulated prior to the meeting.

(2) The matter of ensuring that Cabinet Members did not sit next to the Chairman of the Policy Overview and Scrutiny Committee, to reinforce the Committees role to hold the Executive to account, was raised. It was acknowledged that for Committees that met in the Council Chamber it was not so easy to get this separation but every attempt should be made to achieve it where possible.

(3) RESOLVED that (a) the Minutes of the meeting held on 22 April 2010 are correctly recorded and they be signed as a correct record, subject to the addition of the following sentence in Minute No 12 paragraph (5) "A Member suggested that steps should be taken to lobby for the abolition of the Strategic Health Authority.";

(b) the Cabinet Member(s) and the Managing Directors be asked to prepare for circulation in advance of the Policy Overview and Scrutiny Committee a list of specific points that they intend to raise during their update to the Committee.

18. Overview and Scrutiny - The Constructive Critical Friend

(Item 4)

(1) Mr King and Mr Bowles introduced the report and set out the context within which the Overview and Scrutiny function was developing. Mr King emphasised the importance of supporting all Members to ensure that they were well equipped to carry out their multi faceted role with particular emphasis on their role as "community leaders".

Context and changing the culture.

(2) Mr Bowles referred to the Local Government Bill which was likely to be published in the summer and other amendments that may be made by the Government under secondary legislation. He agreed with a comment from the Chairman that there was need for a change in the officer culture and emphasised the important role of the new Group Managing Director who was joining the authority shortly.

(3) Comments were invited on the contextual part of the report. These included:-

- It was important to break down the silos which existed within and between Directorates.
- It was suggested that consideration should be given to ensuring that officers held relevant professional qualifications.
- In relation to the Joint Transportation Boards, Members shared mixed experiences of the effectiveness of these. One of the key issues was the lack of feedback on issues raised at the Boards. It was suggested that if there were unresolved issues from a Joint Transportation Board then these could be raised at the relevant Policy Overview and Scrutiny Committee.
- The importance of Members playing a part in changing the culture of the organisation and then leading officers to support the elected Members in the new direction of the authority was emphasised.
- As the Government had proposed a power of general competence which would give the public the power to take over public services it was essential that County Council ensured that the services it provided were what the public wanted.
- At "Local Boards" there was in some areas a tendency for responsibility for an issue to be passed between different tiers of local government which was not helpful for the public.
- It was suggested that funding from all tiers of local government should be put together and allocated by community forums so that there were larger sums available to distribute.
- Whilst it was acknowledged that officers should be encouraged to attend meetings of "Local Boards" the way that this was organised should be as efficient as possible to make best use of the finite resources.

Forward plan of key decisions

(4) Mr King referred Members to the example of an enhanced Forward Plan of Key Decisions which was set out in appendix 1 to the report.

(5) The Chairman emphasised the importance of making effective use of the agenda setting meetings for the Policy Overview and Scrutiny Committees. The agenda setting meetings provided a real opportunity to ask both Cabinet Members and Senior Officers what the key challenges were for them and invited to indicate how the Committee could assist. The Forward Plan of Key Decisions was an important tool for setting the agendas for Policy Overview and Scrutiny Committees. A Member stated that it was important that officers were given enough time to prepare effective reports and that once the agenda was set, additional items should be the exception to be added to the agenda.

(6) The importance of making sure that there was an opportunity at an appropriate stage for the Policy Overview and Scrutiny Committee to constructively comment on an issue that had been the subject of a consultation, prior to the decision being made was re-emphasised.

(7) In relation to the papers circulated for a Cabinet Member decision, the need for Members to have copies of the report that informed the Cabinet Members decision was emphasised.

(8) One Member raised the lack of items on the current Forward Plan of Key Decisions, i.e. six decisions in the next six months. The importance of ensuring that all Cabinet Member and Officer Key Decisions were placed on the plan as far in advance as possible was highlighted.

Select Committee

(9) Mr King referred to the limited resources available to support Select Committees and the need to build on the abilities of Members to act as rapporteurs and use their expertise for the benefit of Kent. Mr King also welcomed comments on the monitoring of Select Committee recommendations. It was noted that there would be an update report on progress with Select Committee recommendations to the County Council on 22 July 2010.

(10) Members were assured by the Overview, Scrutiny and Localism Manager that, as part of their assessment of any suggested topic review, information was supplied on which other local authorities had also carried out a similar review, to avoid duplication and to make effective use of resources.

(11) The Chairman acknowledged the importance of ensuring that there was a framework to control the number of rapporteurs operating at any one time which would be a dialogue between the suite of Overview and Scrutiny Committees and this Board. It was also possible that a "rapporteur" would not necessarily be an individual Member but could be a small number of Members. The importance of ensuring that there was a work programme agreed for all rapporteur work was emphasised, this would be formulated as part of the assessment process.

(12) Although Select Committees were resource intensive there was the potential for them to come up with recommendations which saved resources in the long term.

(13) The Sports Group, which was an informal meeting of Members organised by the Directorate, was mentioned as an example of Members making an informal contribution with minimal officer support. Concern was expressed that this meeting was informal and therefore not held in public. The need for this subject to be discussed in private was questioned.

The Overview and Scrutiny Functions Relationship with the Press and Media.

(14) Mr King stated that following consideration of the report that would be produced for the June or July 2010 meeting of the Board, arrangements would be made for the Scrutiny Board to meet with the County's leading press and media.

(15) The importance of finding out what the press wanted from us and what would make a good storey was mentioned. The use of methods other than the standard press release was suggested. The County Councils corporate communications unit should be included as they had a role in promoting overview and scrutiny.

Database of Experts and Advisors

(16) Mr King informed the Board that this Database was being established and invited any suggestions for inclusion to be submitted to the Overview, Scrutiny and Localism Manager within the next three weeks.

Partnership working in Overview and Scrutiny Functions

(17) Mr King referred to discussions that the Overview, Scrutiny and Localism Manager had had with colleagues across the County to share work programmes.

Community Engagement – potential to ask “live questions”

(18) Mr King stated that he had had to make choices in relation to limited resources. He informed the Board that he was not able to take this piece of work forward at the moment as he did not consider it to be a top priority.

(19) The Chairman of the Cabinet Scrutiny Committee expressed disappointment that this was not being taken forward at this time.

(20) Regarding what other local authorities were doing in relation to this he Overview, Scrutiny and Localism Manager explained that although other authorities had appeared to be using this system on further investigation this use was limited and was not a “real time” question process.

Member information

(21) Mr King explained that he had tasked two officers with looking at the recommendations from the Informal Members Group on Member Information. Also a Member Information Member/Officer Group had been established under the Chairmanship of Mr Bowles. Work was being carried out with Chief Officers to establish what information they provide to Members what was specialist to their areas and what was general. The aim was to bring all general information together via the Information Point. He undertook to submit an update report to the next meeting of the Scrutiny Board.

(22) The importance of ensuring that the Information Point was supported at the highest level in order that effective use was made of this resource was emphasised.

(23) RESOLVED that :-

(a) the Scrutiny Board endorses the enhanced version of the Forward Plan of Key Decisions as set out in Appendix 1 to the reports and wishes to draw to the attention of Cabinet Members and officers the importance of ensuring that comprehensive information is included in the revised Forward Plan;

- (b) the framework of a Rapporteur Scheme and the draft assessment form be noted along with the comments made by Members;
- (c) a full report be submitted to the June or July 2010 meeting of this Board, which would include a draft protocol for overview and scrutiny engagement with the press and media and the running of a 100 day campaign in the autumn;
- (d) no further work be done to establish a facility for questions and texted from the public to be into Overview and Scrutiny meetings at this time;
- (e) a report be submitted to the next meeting of the Board on Member Information.

19. Sharing of good practise

(Item 5)

- (1) Members were invited to share any example of good practise.
- (2) The Chairman of the Learning and Development Policy Overview and Scrutiny Committee referred to the issues around the timescale and number of meetings of this Committee. Also the issue of how Policy Overview and Scrutiny Committees could play a positive part in restructuring was raised. The Overview, Scrutiny and Localism Manager emphasised the importance of making effective use of the agenda setting meetings to assist in the effective management of Committees and to ensure that Committee agenda contained the items which Members wished to consider including restructuring.
- (3) In response to a question on whether there was support for scrutinising decisions before they were taken by Cabinet or the Cabinet Member, the Chairman stated that there was no prohibition on pre-scrutiny.

RESOLVED that the comments be noted.