By: Paul Carter, Leader of the Council

To: County Council – 18 October 2007

Subject: Effectiveness of the Policy Overview Committees

Introduction

1.   (1)   You will be aware that in July I commissioned a questionnaire of all Policy Overview Committee Members. A copy of the analysis of the questionnaire, which you have already seen, is attached as Appendix 1 to this report.

(2)   Members will be aware that the questionnaire asked a range of questions regarding the powers of the Policy Overview Committees and how well those powers were used together with some more specific questions around the venue for the meetings, whether Members felt adequately trained, whether sufficient information was made available in between meetings etc.

(3)   The powers of the Policy Overview Committees are set out on page 5 of Appendix 1 to this report.

(4)   Since the Cabinet government was introduced across the political spectrum Cabinet Members and non-executive Members have had concerns about the effectiveness of Policy Overview Committees.

(5)   When I became Leader I made it clear to Cabinet Members and Chief Officers that they must ensure that their diaries are kept clear to attend meetings of the Policy Overview Committee to which their portfolio reports. This has not always been possible but Cabinet Members and Managing Directors are now committed to ensuring that this is the case for the future. Many non-executive Members feel that the Cabinet is becoming remote from the non-executive Members and as a consequence non-executive Members feel less well informed. Non-executive Members also find that it is difficult to hold the Cabinet Members to account or to review the performance of the Council in relation to its policy objectives and performance targets.

(6)   However in a number of cases it is also fair to say that non-executive Members of the Council have not made the best use of the wide ranging powers of the Policy Overview Committees (page 5, Appendix 1). Members' responses to the questionnaire made it clear that the Policy Overview Committee which exercises the powers to the greatest extent is the Adult Social Services Policy Overview Committee and the least is the Children, Families and Education Policy Overview Committee.

Specific Concerns from the Questionnaire which need Addressing

2.   (1)   Not surprisingly, the power to appoint Select Committees and Member involvement in Select Committee processes is welcomed. Select Committees are one of the successes of Cabinet government. These Committees have added value and made a significant impact to County Council policy, for example the recent report on Home to School Transport, Climate Change, Transition and Personal, Social and Health Education (PSHE).

         (2)   These important pieces of work would benefit from enhanced support based on a focussed media strategy to ensure they receive greater publicity and coverage in the local and regional media.

         (3)   One of the specific concerns raised in the responses to the questionnaire is that there is too much officer input into the Policy Overview Committee process and meetings and insufficient time allowed for Members to ask questions. Members will also have received a questionnaire from the political group whips and this too highlighted the need to provide the opportunity for Members to ask questions of the Cabinet Member(s).

         (4)   Another power of concern to the Policy Overview Committee Members was that they felt that they did not discharge as well as they could scrutinising the performance of other public bodies in Kent.

How can the Policy Overview Committees be strengthened and made more effective?

3.   (1)   The potential workload of the Policy Overview Committees is huge – so how can we ensure that the right balance is achieved in keeping Members informed to address the perception of remoteness from the Cabinet and focusing the agenda on outcomes which add value to the Executive and Council?

Forward Work Programme

         (2)   Key to the success of the effectiveness of the Policy Overview Committees is identifying a focused Forward Work Programme in addition to the generic items already in all Policy Overview Committees work programmes, e.g. Medium Term Plan and Budget, Annual Plan, reviewing the performance on the achievement of 2010 targets to name but a few but performance management in its broadest context which should be a fundamental component of a Policy Overview Committees work programme.

         (3)   The work programme needs to focus on specific areas which are topical so that non-executive Members have an opportunity to contribute before policies are finalised.

         (4)   An area for future inclusion in Policy Overview Committee work programmes will be how the targets in the Kent Area Agreement are being achieved. The Committee are reminded that there is a uniform approach to the way that the

agenda planning and Forward Work Programme is currently approached. On a two monthly cycle the Chairman and spokesmen of the Committee meet with the Cabinet Member(s), Lead Members and Managing Directors to share information and plan future agendas.

(5)   These meetings are set for a year in advance and the above Members and officers all have these dates in their diaries.

(6)   What might strengthen this process would be:-

(a)   the Chairman and spokesmen of the Committee being more proactive in inviting Members of the Committee to identify potential issues for inclusion on the agenda;

(b)   a more rigorous process by us as Cabinet Members in identifying from our work programme how the Policy Overview Committees could help to guide Cabinet; and

(c)   whether any of the above are related issues which could be dealt with through a more local body such as a Local Board or, in cases of multi-agency work a Joint Board or Forum.

Information

(7)   Often the Policy Overview Committees are used as a platform for Cabinet Member(s) and the Managing Director to share information but is this the most effective use of a Policy Overview Committee's time with such a demanding workload? If we are looking at Member briefings outside of the Policy Overview Committee then often attendance is poor so what can we do creatively to address this imbalance?

(8)   How can we bring the plethora of information together in one place so that the information a Member has access to is succinct, readable and if the Member wants to delve further there is a link to further reading? Do we make best use of the Information Point? The Member survey recently undertaken by the political whips has suggested making greater use of the Information Point and re-launching this service. Arrangements are being made for a Member User Group to be established and this will be considered by the Selection Committee at its meeting on 10 October 2007.

Policy Overview Committees – discussion

4.   This report was submitted to each of the Policy Overview Committees at the special meetings of these Committees in September. Attached as Appendix 2 are draft extracts from the minutes of each of the Policy Overview Committees.

Conclusion

5.   (1)   Cabinet Members are committed to attending meetings of the Policy Overview Committees and being held to account for the decisions and actions we

are taking and for the balance of responding to Members questions being made by ourselves and not by the Managing Director or the staff.

(2)   Also acknowledging that the work of the Policy Overview Committees is enormous we will be ensuring that our contributions to your work programme are tightly focused and we would welcome your input and advice into the issues that we are dealing with.

(3)   Appropriate, relevant, interesting agenda setting is vitally important to the POC process.

(4)   Members views are sought at the County Council meeting.

Background Information: *None*

Survey for KCC Members on Overview and Scrutiny Committees

The purpose of the survey was to take stock on how Members feel that Overview and Scrutiny Committees have performed, and to identify potential areas for improvement. The survey was distributed on 2 July 2007 with a deadline for responses of 13 July. A total of 31 responses were received, the last on 24 July, representing a response rate of 50% of Members who sit on Policy Overview Committees.

Q1 Members were asked which of the following Policy Overview Committees they sat on and responded as follows

Adult Services POC	8
Children, Families and Education POC	11
Communities POC	7
Corporate Services POC	5
Environment & Regeneration POC	9
TOTAL	40

In KCC's Constitution there are eight powers for each Policy Overview Committee.

Power 1 is to assist and advise the Council, the Leader and the Cabinet in the development of the Policy Framework.

Power 2 is to review the performance of the Council in relation to its policy objectives and performance targets.

Power 3 is to require the Leader, Cabinet Members and officers to attend before it and answer their questions.

Power 4 is to review or scrutinise the performance of other public bodies in Kent, invite reports from them and request them to address the Committee about their activities and performance.

Power 5 is to question and gather evidence from any person (with their consent).

Power 6 is to conduct research, community and other consultation about service performance, policy issues and possible actions.

Power 7 is to appoint Select Committees (with the legal status of Sub-Committees) to conduct reviews with the same powers as the main Committee.

Power 8 is to make reports and recommendations to the Council, the Leader, the Cabinet or any other Council Committee arising from the exercise of the preceding terms of reference or affecting Kent or its inhabitants within their allocated areas of responsibility.

Qs 2, 4, 6, 8, 10, 12, 14 and 16

Members of each Policy Overview Committee were asked to indicate how much they consider each of the powers is exercised.

In the following table a score has been given for each power and each POC representing Members' responses weighted to take account for whether each power was exercised fully or not at all. A sore of 1.00 indicates that all Members responded that the power was exercised fully at that particular POC. A score of 0.10 indicates that all Members responded that the power was not exercised at all at that particular POC.

Power POC	1	2	3	4	5	6	7	8
AS POC	0.62	0.60	0.58	0.40	0.40	0.58	0.88	0.49
CFE POC	0.38	0.48	0.30	0.28	0.38	0.51	0.68	0.48
CMY POC	0.57	0.71	0.65	0.37	0.40	0.54	0.63	0.58
CS POC	0.64	0.64	0.76	0.24	0.40	0.44	0.32	0.36
E&R POC	0.54	0.45	0.52	0.50	0.44	0.52	0.50	0.44
Mean	0.55	0.58	0.56	0.36	0.40	0.52	0.60	0.47

For each power the figure highlighted in green indicates the POC where it is exercised to the fullest extent and the figure highlighted in red indicates the POC where it is exercised to the least extent.

The power that Members feel is exercised to the fullest extent overall is Power 7 – appointing Select Committees - at Adult Services POC.

Power 7 has the highest average score meaning it is exercised more than any other power at all the POCs, on average.

The power that Members feel is exercised to the least extent overall is Power 4 – reviewing or scrutinising the performance of other public bodies in Kent - at Corporate Services POC.

Power 4 has the lowest average score meaning it is exercised less than any other power at all the POCs, on average.

The POC that Members feel exercises the powers to the fullest extent overall is Adult Services.

The POC that Members feel exercises the powers to the least extent overall is Children, Families & Education.

Q18   Members were asked whether they had all the skills necessary to be an effective Member of a Policy Overview Committee.

Partially
23.3%

No
6.7%

Yes
70.0%
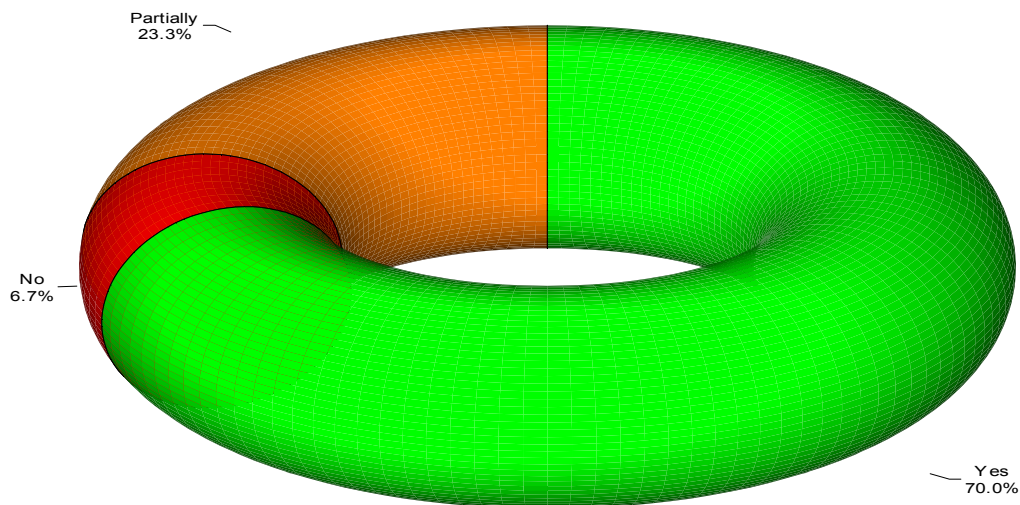
70% of respondents believed that they have all the skills necessary to be effective Members of Policy Overview Committees, compared with 7% who do not have all the skills and 23% who have some but not all of the skills.

Nine Members gave follow up responses. Three felt they had enough skills and a further three felt they could learn more and improve. Two Members identified the problem of time as a barrier to obtaining skills and also obtaining information from officers.

Q19   Members were asked if they believed that they can influence policy and the decision making process.

Yes
30.0%

Partially
46.7%

No
23.3%
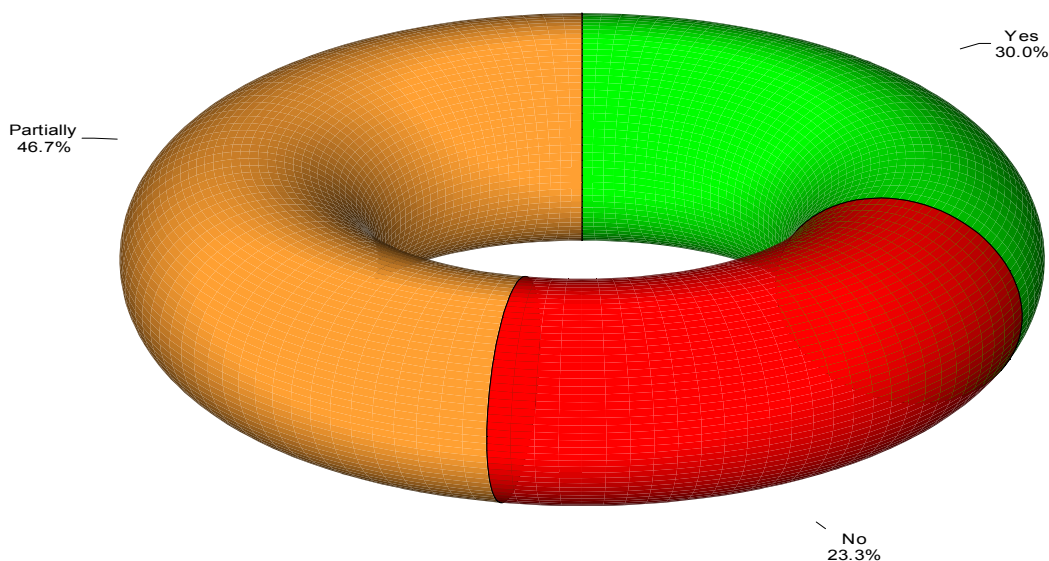
30% of respondents believe that they can influence policy and the decision making process, compared with 23% who do not and 47% who believe their influence is partial.

13 responses were given to exemplify the answer that influence was partial. Of these four indicated that they had little or no influence and two questioned whether Members of POCs are listened to. One commented that it was difficult for POCs meeting four times a year to keep up with the agenda of Cabinet which meets every six weeks.

Q20   Members were asked if they felt empowered and that their contribution to a Policy Overview Committee had an impact.
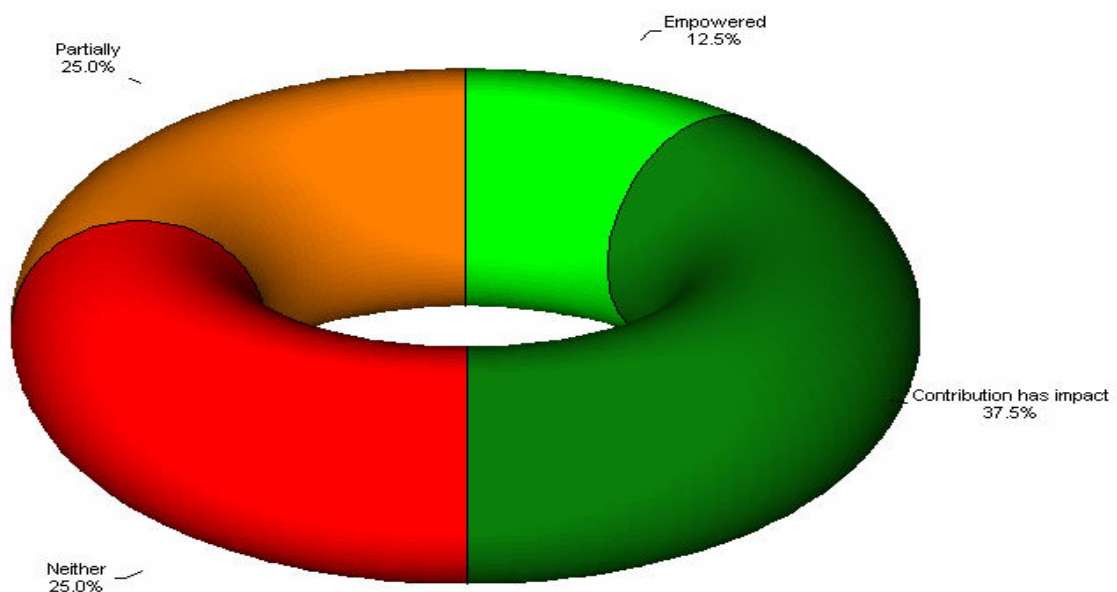
13% of respondents feel empowered and 38% feel that their contribution to a POC has had an impact, whereas 25% feel neither empowered nor that their contribution has had an impact and 25% consider their contribution and impact has been partial.

10 responses were made to support the answer that Members' contribution and impact has been partial. One indicated that policy had been agreed when an issue arrives at POC. Another wondered whether the opinion of the minority group was taken into consideration. Two responses consider that POCs are too weak in comparison with the Executive and a further one suggested that POCs could achieve so much more.

Q21   Members were asked if they believe that items on the agenda for a Policy Overview Committee are the most appropriate.

Partially
36.7%

Yes
43.3%

No
20.0%
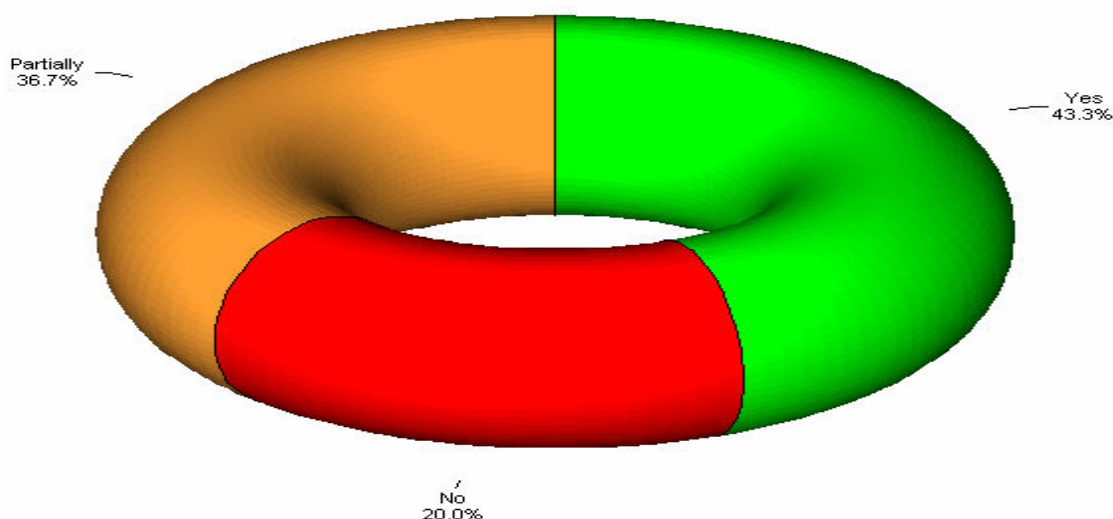
43% of respondents feel that items on the agenda for their POC are the most appropriate, whereas 20% do not agree and 37% consider their agenda items are only partially appropriate.

12 responses were received explaining the view that agenda items where only partially appropriate. Two mentioned the need for POCs to monitor budgets. One suggested that POCs should examine the Annual Report, but at an appropriate time. Two commented on the vast range POCs have to cover and one suggested that the agenda of CFE POC was far too crowded making it difficult for Members to absorb all the reading and make a detailed contribution as the business is hurried on. One response reiterated the view that Members should have input into agendas.

Q22   Is the balance right between the time officers speak at POCs and the time Members have to ask questions

	Too much officer time	Just right	Too much Member time
Adult Services POC	55%	44%	0
Children, Families and Education POC	66%	33%	0
Communities POC	29%	71%	0
Corporate Services POC	25%	75%	0
Environment & Regeneration POC	50%	50%	0

For none of the POCs did Members think they had too much time to ask questions. For two POCs – Corporate Services and Communities - the majority of Members agreed that the balance of time was just right.

For Children, Families and Education and Adult Services POCs a majority of Members indicated that there was too much officer time. For Environment & Regeneration POC Members were equally divided between too much officer time and just right.

Q23 Members were asked if they welcome the opportunity of holding POC meetings outside strategic HQ when appropriate.
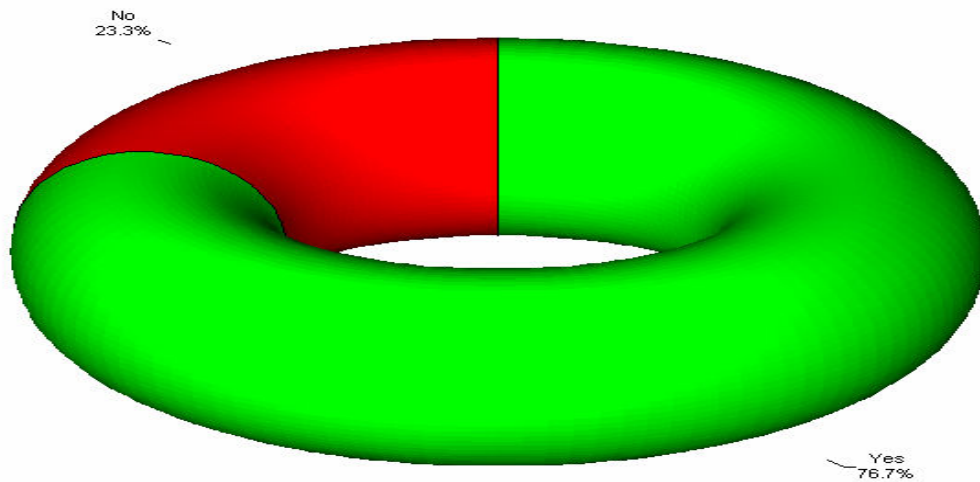

77% do welcome the opportunity but 23% do not.

Q24 Members were asked if external agencies be invited where appropriate.

100% of the 29 responses agreed that external agencies should be invited to POCs where appropriate, with none disagreeing.


Q25 Members were asked if they are you kept sufficiently well informed of follow up and of Policy and Service Developments in between meetings.
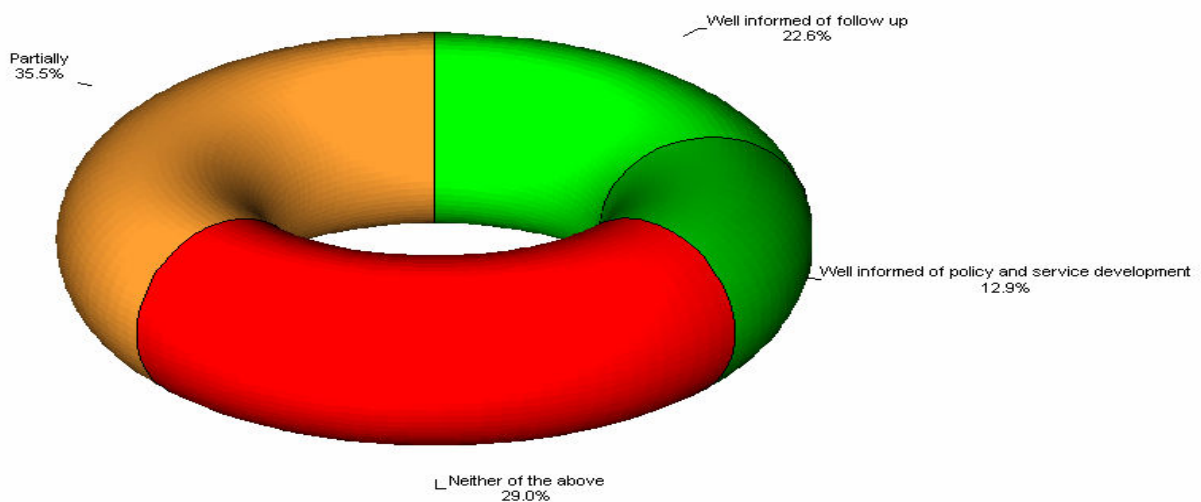
23% responded that they were well informed of follow up and 13% were well informed of policy and service development. 36% considered they were partially informed but 29% were not well informed of follow up or policy development.

12 responses were received explaining the response partially. Four responses suggested that follow up did not happen at all or too infrequently. Two indicated that follow up was particularly important because POC meetings are so far apart. One response was that the best information was provided by Members' Information sheets from the library service. Another response was that information on policy development needs radical improvement.

Q26   Do you think that changing Member roles could help POCs achieve tangible outcomes from their meetings?
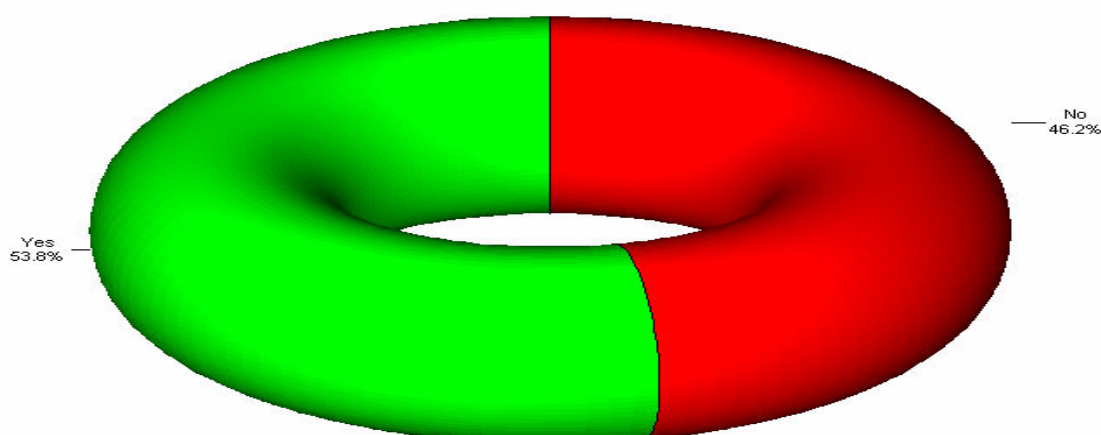
54% consider that changing Member roles could help POCs achieve tangible outcomes from their meetings, whereas 45% do not.

15 responses were received to the question on how Member roles could be changed. Three responses were that the question was not understood, although one suggested changing the Chairman from time to time. One response said that POCs should take a more strategic approach and should not be a forum for Members to raise local issues that they have nowhere else to raise. Two responses mention POC Members influencing the agenda. A further suggestion was that there should be an agreed definition of what the Member role on a POC was.

Q27   Members were asked what works best with the Policy Overview Committees at the moment.

20 responses were received and of these eight mentioned the flow of information. Three mentioned constructive cross party working. One mentioned the ability to pose questions generally and one cited questioning the Executive. One response indicated that the relationship with officers worked well with POCs.

Q28   Members were also asked what has worked less well with the Policy Overview Committees.

19 responses were received. One of these, that there was a limited agenda with little time for debate and too much for presentation, summarised the views expressed in about half of the responses. However, other responses indicate enjoyable and worthwhile meetings and identify that improvement will centre around agenda items and timing of debate to influence outcomes.

Q29   And finally Members were asked for any other comments they would like to make.

19 responses were received to this also, ranging from the opinion that POCs are wasting people's time to the view that the POCs are immensely valuable. Two comments were made that all day meetings are not a good idea. One comment was that Children Families and Education POC covers such a wide topic span and should have sub-committees to examine all the parts of its important and fast moving agenda. Other responses indicated that POCs should look at budgets more than once a year, that scrutiny should be part of POC's role, that Cabinet Scrutiny should have been included in the survey and that POCs need their own research capability.

Draft Responses of the Policy Overview Committees to the report on the Response to the questionnaire on Overview Committees – September 2007

Adult Social Services POC – Response to the Questionnaire on Overview Committees
(Item B2 – Report by the Leader)

(1)   The Chairman introduced the paper and noted that the Adult Social Services POC had shown up well amongst other POCs as making the optimum use of its powers. He said his aim was for the POC to be the best at embracing the scrutiny role and helping the Cabinet Member to form policy.

(2)   In discussion, Members made a number of comments on the report content, as follows:-

(a)   The POC has already done well in contributing to scrutiny and has always engaged well with the Cabinet Member to address issues – I would not seek to change the process we have, including the way the POC challenges the Directorate and his staff in the role of "critical friend".

(b)   The split between Adults' and Children's Services meant that we had a reorganisation fairly recently and we need time to settle down again before we make any more changes in the way the Committee works.

(c)   The Cabinet Member is a regular attendee at POC meetings and was now seeking a higher profile at meetings. In sitting at the "top table" he can be seen more as 'fronting' the service alongside the officer team.

(d)   The questionnaire answers said that too much time is spent listening to officers introducing reports. It would be a better use of time to assume that Members have read the report.

(e)   Members also engage with the issue outside the formal POC meetings by mechanisms like cross-party subject briefings and District Member briefings. These raise Members' awareness and give them a chance to meet and question officers, but the success of these relies on Member support and attendance.

(f)   Members need to be able to see issues which are coming up in good time to have maximum opportunity to engage with and comment on them.

(3)   Mr Mills said he found the questionnaire mechanism an excellent way of gaining good practical feedback and that he welcomed the 'critical friend' role of the POC.

(4)   RESOLVED that the Cabinet's response to the POC questionnaire, and the comments made in discussion by Members, listed above, be noted.

Children, Families & Education POC - Response to the questionnaire on Overview Committees

(1)   The Committee received a paper from the Leader which gave his response to the questionnaire of all Policy Overview Committee Members.

(2)   RESOLVED That the report be noted

Communities POC – Response to the Questionnaire on the Overview Committees

(Item B2 – Report by Mr P Carter, Leader of KCC)

(1)   The Committee agreed to defer this item as there was no time remaining for a full discussion.

(Following the meeting it was advised that this report would be discussed at the County Council on 18 October 2007).

Corporate POC – Response to the questionnaire on Overview Committees

(1)   Mr King introduced the paper from the Leader which gave his response to the questionnaire of all Policy Overview Committee Members. Mr King stated that Cabinet Members wanted to improve and develop their dialogue with Policy Overview Members and to develop a stronger partnership with them.   There should be a balance between questioning and challenging Cabinet Members who should be able to have the backing of their Departmental officers. This was an important partnership.   He believed that none of the Policy Overview Committees had fully explored all their powers and this was a matter for Policy Overview Members. He re affirmed that Cabinet Members or Lead Members would attend Policy Overview Committee meetings and be held accountable and would take the lead in responding to Members with officer support..

(2)   Members made the following comments:-

- Good Chairmanship was essential ALL POC Chairman should receive Chairmanship training.
- Officers should assume that Members had read the report and therefore there was no need for them to give a summary of it at the meeting
- Question time at POCs and setting agenda meeting a year in advance was welcomed
- Good to see that POCs were now getting taking on a scrutiny role as well
- Informal meeting between the Chairman, Vice-Chairman and Lib-Dem Spokesman to discuss the powers of POC's was welcomed.
- Cabinet Members should invite POCs to comment on policy documents/strategies prior to them being approved.

(3)   RESOLVED:- That the comments made by Members on the Leaders report be noted.

Environment & Regeneration POC – Response to the Questionnaire on the Overview and Scrutiny Committees
(Item B2 – Report by Mr P Carter, Leader of the County Council)

(1)   The Committee considered the response by the Leader of the County Council to a questionnaire, he commissioned in July 2007 on all the Policy Overview and Scrutiny Committees (POCs).

(2)   Members of the Committee were given the opportunity to make comments which were as follows:-

- Members needed to be reminded that they should be contributing to the agendas.
- The POCs are a Member and not Officer Committee.
- The POCs are not a decision-making Committee.
- It needed to be clear when a decision was being made in the meetings.
- It was considered that too much meeting time was taken listening to progress reports.
- Members requested written reports before the meetings.
- Members of the Committee felt that the Cabinet Members should be in attendance at all POC meetings although this was not always the case.
- Site visits should be arranged only when necessary.

(3)   RESOLVED that the report and comments in paragraph (2) above be noted.