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To: Scrutiny Board - 24 February 2010

Subject: **Half day Members and Officers workshop – approval of framework**

Summary: This paper sets out a proposal for a half day Overview and Scrutiny workshop for Members and Officers.

1. Following the County Council election in June 2009 there would normally have been an induction on overview and scrutiny for new (and returning) Members. However, due to the work on refocusing and restructuring the overview and scrutiny function it was not felt appropriate to hold an induction at that time.
2. Now that the revised structure is in place there is clearly a need to inform, educate and train both Members and officers from across the authority as to what the new arrangements mean in practice. Attached is a framework for a half day workshop on their overview and scrutiny roles. **(APPENDIX A)**
3. Members endorsement of this event and comments on the programme is invited.
4. Also attached is a “Frequently Asked Questions” sheet on which the Scrutiny Boards views would be welcomed. **(APPENDIX B)**. This should not be seen as a substitute for not participating in the proposed Overview and Scrutiny Workshop and on which the Scrutiny Boards views would be welcomed.

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| <p>6. Recommendation that Members</p> <p>(a) endorse the proposal to hold a half day Member and officers workshop on Overview and Scrutiny and comments be sought on the draft programme for this event and</p> <p>(b) comments on the Frequently Asked Questions factsheet would be welcomed.</p> |
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Members'/Officers Workshop/Seminar

Interactive

Length of seminar: half day

Participation from all O&S Team

Seminar aimed at both Members and officers

An Information Pack will be provided to all participants at the beginning of the seminar

Programme

9.15 Talk by Paul Wickenden (possible PowerPoint presentation)

- Welcome and housekeeping
- Who O&S team are (and Localism?)
- What we do (briefly)
- How non-executive Members can influence the political process (just literally a list at this stage)
- Where Members can access information (this will involve listing information sources – eg. Information Point, libraries within County Hall, Centre for Kentish Studies, KCC website, KNet, Internet and other - and telling Members that a leaflet with the list of information sources is in the Information Pack)

9.30 How non-executive Members can influence the political process

(A chief officer will probably champion this section. Experienced, non-executive Members might also contribute, eg Mr Hotson, etc)

- Outline main channels for influence for non-exec Members (eg. Cabinet Scrutiny, Scrutiny Board, POSCs, Select Cttees, IMGs etc.).
- Provide more detailed information on each of these channels: composition, what they do, how often they meet, how they can influence, and what outcomes can be expected from each of these channels (a “Bite Size Guide to Members Influence” will be included in the Information Pack)

10.00 Coffee break

10.15 Scenarios exercise, interactive (eg where Members think best arena for discussion and decision-making for given topics should be) and/or questioning techniques

(This section may actually take the shape of “speed dating”, and may involve presenting small groups of Members/officers with a scenario for discussion within the small group.

- Provide scenarios, ask Members which arena they think is most appropriate to deal with a particular issue
- Ask where they think they would find information/support with regards to the scenario

And/or

- Provide outline of different questioning techniques, how/when to use questions (a “Questioning Techniques” guide will be included in the Pack)

11.00 Coffee break

11.15 Role play

(This section can possibly be linked to the one above, and can involve a discussion amongst all the Members/officers present about the scenario, and an interactive role play. Volunteers from the O&S team may perform role play)

- Members will pretend to be part of a board/committee (eg Scrutiny Board, Select Committee, IMG, etc)
- Members will discuss and deal with a particular issue
- The officers acting in the role play will pretend to be...officers, and/or will facilitate the discussion

12.15 Final Questions/clarifications

12.30 End of session

APPENDIX B

Frequently asked questions (for Officers) – an amended version of this can be produced for Members

Q - What do the changes made to the roles of the Policy Overview and Scrutiny Committees (POSC's) (formally Policy Overview Committees) and Cabinet Scrutiny Committee mean for us?

A – With effect from 10 December 2009 In addition to their previous role of assisting with policy development and monitoring, POSC's can now when allocated by the Scrutiny Board, deal with the “call in” process for :-

- Decisions made or actions taken in connection with the discharge of any functions which are not the responsibility of the Executive
- Any actions taken by Cabinet or Cabinet Members (other than formal decisions) in connection with the discharge of their Executive functions
- All officer decisions

(POSC's do not have the authority to delay implementation of any of these decisions).

Cabinet Scrutiny Committee only scrutinises formal decisions made by the Leader, the Cabinet or Cabinet Members.

Q - What is the role of the Scrutiny Board

A - The Policy Overview Co-ordinating Committee's has been disbanded and its remit has been incorporated within the new Scrutiny Board (which is made up of all Chairmen of Overview and Scrutiny Committees and Cabinet Scrutiny Committee)

In addition to the co-ordinating role for allocating Overview and Scrutiny resources and setting the Select Committee work programme, the Scrutiny Board has the responsibility for the operation of the non executive call in process and allocating these to the relevant POSC(s).

Q - Scrutiny of officer decisions

A - An Overview and Scrutiny Member can ask the Scrutiny Board to review or scrutinise an officer decision or allocate this to a POSC. This can be done either before or after it is implemented. The POSC can request a delay in implementation but can not require this.

Q – What will happen if my decision is “called” by a POSC?

A - Firstly the Scrutiny Board, or the Chairman of the Board and Liberal Democrat Spokesman, will agree whether the matter will be considered by the Scrutiny Board or allocate it to a POSC.

The Officer will be informed which meeting this matter will be considered at and asked to provide a report for the meeting and to attend to answer questions from the Board/Committee. This process does not suspend implementation of the decision.

At the meeting the Committee will have the opportunity to ask question and will make a recommendation, but cannot prevent the implementation of the decision.

Q - Will this mean duplication, if POSC’s can consider executive decisions before they are made and then the decision is called in to Cabinet Scrutiny?

When an executive decision appears on the Forward Plan of Key Decisions there is an opportunity for POSC’s to place it on their agenda and to discuss it at a meeting, prior to a decision being taken, with a view to putting forward their views to assist in the decision making. (Once the decision is taken only Cabinet Scrutiny Committee can call this decision in).

In theory it is possible for a POSC to consider a matter before it the Cabinet or Cabinet Member takes the decision and then for Cabinet Scrutiny Committee to call this decision in after it has been taken.

Q - Rights of Members to put items on POSC agendas

A – The Local Government and Public Involvement in Health Act 2007 gave Members of Overview and Scrutiny Committees the right to put items on an agenda, to be discussed, at a meeting of the Committee as long as it fell within its remit.

KCC constitution has a clause that predates this which allows any Member of a Committee to place a item on an agenda provide that they give Democratic Services nine days notice (this is to enable it to appear on the published agenda). So this statutory requirement is nothing new for KCC.

Q - Who sets the agenda for POSC’s meetings?

A – The agendas are agreed by the POSC Chairman, Vice Chairman and Liberal Democrat Spokesman (and any amendments to the agreed agenda need to be approved by them as well). Also Cabinet Members or their Deputies are invited to attend agenda setting meetings their role is to put forward items that that the POSC could assist them with.

Directorate colleagues are welcome to put forward items for inclusion on the agenda, but the decision on whether they are included on the final agenda rests

the Chairman, Vice Chairman and the Liberal Democrat Spokesman of the POSC. It should be noted that there should **not** be any items for information on POSC agendas or briefings/presentations that do not require an input from POSC Members. All items on the agenda should require an outcome from the meeting e.g. commenting on a draft strategy in time for the comments to be taking into consideration.