

<b>TITLE</b>	<b>Executive-Overview and Scrutiny Protocol</b>
<b>FOR CONSIDERATION BY</b>	Overview and Scrutiny Management Committee on 18 September 2019
<b>WARD</b>	None Specific;
<b>DIRECTOR</b>	Andrew Moulton, Assistant Director, Governance

## **PURPOSE OF REPORT**

To consider the final version of a Protocol which sets out practical expectations for Executive and Overview and Scrutiny Members in addition to the positive culture which underpins effective Scrutiny.

## **RECOMMENDATION**

That the Committee:

- 1) consider the final draft of the Executive-Overview and Scrutiny Protocol, appended to the report;
- 2) monitor the ongoing working relationship between the Executive and Overview and Scrutiny and discuss any issues arising during the Municipal Year;
- 3) comment on the effectiveness of the Protocol as part of the Annual Report to Council in March 2020.

## **EXECUTIVE SUMMARY**

At its meeting on 19 June 2019 the Committee considered the Government's Statutory Guidance on Overview and Scrutiny. The guidance referred to measures which ensure early and regular engagement between the Executive and the Overview and Scrutiny Committees.

The guidance stated that effective Scrutiny involved looking at issues that could be politically contentious. It was, therefore, inevitable that, at times, the Executive was likely to disagree with the findings or recommendations of a Scrutiny Committee. In order to strengthen the relationship between Executive and Overview and Scrutiny a number of Councils had developed a Protocol which defined the relationship and provided clarity on what was expected from both parties through the Scrutiny process. Often the value of such a Protocol lay in the dialogue that underpinned its development.

The Committee requested that a draft Protocol be submitted to its meeting in July 2019. The Committee considered and amended the draft Protocol and agreed that it be discussed with the Executive, the Chief Executive and the Corporate Leadership Team. A final draft of the Protocol is attached for the Committee to approve.

## Background

At its meeting on 19 June 2019 the Committee considered the Government's Statutory Guidance on Overview and Scrutiny. The guidance referred to measures which ensure early and regular engagement between the Executive and the Overview and Scrutiny Committees.

In order to strengthen the relationship between Executive and Overview and Scrutiny a number of Councils have developed a Protocol which defines the relationship and provides clarity on what is expected from both parties through the Scrutiny process. Often the value of such a Protocol lies in the dialogue that underpins its development.

At its meeting in July 2019, the Committee considered and amended a draft Protocol and agreed that it be discussed with the Executive, the Chief Executive and the Corporate Leadership Team. Following these discussions some minor changes have been made to Paragraph 11 of the Protocol as set out below:

11. The Council's Constitution (Paragraph 6.1.5) sets out the process for carrying out the Scrutiny role. Overview and Scrutiny Committees may:

- Question Members of the Executive and/or Committees and Officers of the Council about their decisions and/or performance;
- Make requests for information from external organisations and partner authorities;
- Seek independent expert advice or appoint specialist advisers (**subject to budget availability**);
- Appoint non-voting co-opted members as necessary;
- **Assign members of the Management Committee lead roles in relation to review topics or areas within its terms of reference;**
- Gather information informally by working individually or in small Task and Finish Groups;
- **Visit external organisations as part of the information gathering role.**

The additional wording (**in bold**) provides more detail on the powers of the Overview and Scrutiny Committees, as set out in the Council's Constitution.

## Next Steps

Following approval by the Overview and Scrutiny Management Committee, operation of the terms of the Protocol will be monitored, with any issues arising to be included in the Overview and Scrutiny Annual Report to Council in March 2020.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	0	NA	NA
Next Financial Year (Year 2)	0	NA	NA
Following Financial Year (Year 3)	0	NA	NA

### Other Financial Information

Effective Scrutiny can help to deliver financial savings across the organisation by identifying more efficient systems and processes.

### List of Background Papers

Government Statutory Guidance on Overview and Scrutiny in Local Government

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