

OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 21

Brighton & Hove City Council

Subject:	Work Plan and Scrutiny Panel requests		
Date of Meeting:	10th September 2012		
Report of:	The Strategic Director, Resources		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Since its last meeting a number of suggestions for scrutiny topics have been received for the OSC members to consider.
- 1.2 The OSC may choose to establish a panel, or to decline to establish one, or to deal with the issue in a different manner e.g. via a report to OSC, or to refer the issue on to another body.
- 1.3 Should the OSC agree to establish a panel, members may also wish to consider: the timing of a panel (with particular regard to scrutiny Member and officer resources – it is only possible to support a limited number of panels running concurrently); and the scope/duration of the panel (e.g. a single meeting or a series of meetings). However, members may prefer to leave these issues to the determination of panel members.
- 1.4 The OSC will not usually make any decision on whether to establish a scrutiny panel without first considering a scoping report on the matter in question. Scoping reports are typically succinct summaries of what a review might look like. Appendices to this report scope the topics suggested.
- 1.5 This report also provides members with an update on scrutiny panel activity and the OSC workplan.

2. RECOMMENDATIONS:

- 2.1 That Members note the work plan and progress of current scrutiny panels. (Appendix 1)
- 2.2 That the OSC decides how it wishes to progress requests to establish scrutiny panels as outlined in appendices 2- 6 to this report.
- 2.3 That the OSC agrees to progress a joint panel on alcohol with the HWOSC.
- 2.4 That requests for reviews into child sexual exploitation and weekend cover in hospitals are referred to HWOSC for consideration.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Scrutiny panels are informal groups of members (and potentially co-optees) established to look, in-depth, at specific issues, and to make recommendations for improving services. Depending on the issue being examined, panels can vary in length from one meeting, or a one-day 'workshop' type event, to a number of meetings across several months.

3.2 OSC may choose to accept as many member requests for panels as it wants, but panels tend to be resource intensive in terms of both officer and member time. Therefore, it may not be possible to set up a panel immediately.

3.3 When considering a request to establish a scrutiny panel, OSC has several options:

- It may decide that a request does not warrant further action.
- It may agree to set up a panel (immediately or at some future date, subject to capacity within scrutiny support).
- It may decide to refer the matter to HWOSC (or to pursue it jointly with HWOSC).
- The OSC may also decide that an issue would be better dealt with as a committee report or a letter from the OSC Chair requesting information etc.
- It may decide that an issue should be referred to the relevant policy committee for investigation (or to another body – e.g. a regulatory committee).
- Refer the matter to the relevant policy committee.
- Request more information before making a decision.

3.4 Two requests for scrutiny reviews, child sexual exploitation and weekend hospital cover fall within the remit of HWOSC and therefore it is recommended to refer them for consideration to the next appropriate meeting. These topics have therefore not been scoped to date.

3.5 HWOSC at its last meeting agreed to establish a panel to look at alcohol. Given the broad scope of such a piece of work it is seeking to establish a joint panel with the OSC. Members are recommended to agree to this request.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1 None at this stage – if members wish to establish a panel then there may be the opportunity to engage with local communities/stakeholders.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 None. All scrutiny panels will be supported using existing scrutiny team resources.

Legal Implications:

- 5.2 In accordance with the Council's constitution, and in addition to the point about resources set out at 3.2 above, OSC shall have regard to the following considerations in determining whether or not to establish a scrutiny panel:
- The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities, the implementation of its policies or other key issues affecting the well being of the City or its communities;
 - Whether there is evidence that the decision-making rules in the constitution have been breached; that the agreed consultation processes have not been followed; or that a decision or action proposed or taken is not in accordance with a policy agreed by the Council;
 - The potential benefits of a review especially in terms of possible improvements to future procedures and/or the quality of Council services;
 - What other avenues may be available to deal with the issue and the extent to which the Councillor or body submitting the request has already tried to resolve the issue through these channels (e.g. a letter to the relevant Member, the complaints procedure, enquiry to the Chief Executive or Chief Officer, Council question etc.);
 - The proposed overview and scrutiny approach (a brief synopsis) and resources required, resources available and the need to ensure that the Overview and Scrutiny process as a whole is not overloaded by requests.

Lawyer Consulted:

Oliver Dixon

Date: 13/07/12

Equalities Implications:

- 5.3 None directly. OSC members may wish to consider the potential impact of issues on equalities groups when determining whether to establish a scrutiny panel.

Sustainability Implications:

- 5.4 None directly. OSC members may wish to consider the potential impact of issues on equalities groups when determining whether to establish a scrutiny panel.

Crime & Disorder Implications:

- 5.5 None directly. OSC members may wish to consider the potential impact of issues on sustainability when determining whether to establish a scrutiny panel.

Risk and Opportunity Management Implications:

- 5.6 Information supplied by the relevant council departments includes an assessment of risks/opportunities associated with agreeing specific panel requests.

Public Health Implications:

- 5.7 None directly. OSC members may wish to consider the potential impact of issues on population health when determining whether to establish a scrutiny panel.

Corporate / Citywide Implications:

- 5.8 Members should consider whether undertaking a particular panel would be likely to help achieve corporate/citywide priorities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 This report offers members the options to agree or not scrutiny work in the areas suggested. Members have therefore been given a choice of options, with no obvious alternatives having been discounted.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 This report is intended to facilitate OSC's choice of the scrutiny panels it wishes to establish.

SUPPORTING DOCUMENTATION

Appendices:

1. OSC Work Plan and Progress on Current Panels
- 2-6 Scoping of scrutiny requests as follows:
 2. Community Safety Forum
 3. Public Toilet Provision
 4. Shared Services
 5. Social Value
 6. Housing Capacity

Documents in Members' Rooms

None

Background Documents

None