

Overview and Scrutiny Statutory Guidance – Key Issues to Consider

Point 1: Ensuring Early and Regular Engagement between the Executive and Scrutiny (P 9 of the guidance)

Currently Portfolio Holders attend Overview and Scrutiny Committee meetings to help present reports within their remit as and when invited by the Committee to do so. The Chair of the Committee controls who is allowed to speak and when, including Portfolio Holders.

At other Councils there is a constitutional requirement for the Leader to meet with the Chair of the O&S Committee to discuss key scrutiny matters and the work programme. This is not currently in place in Redditch, though the Chair of the Committee is in regular informal contact with the Leader. Members may want to consider formalising this arrangement in the Council's constitution.

Point 2: Managing Disagreement, Including Considering Whether to Introduce an Executive-Scrutiny Protocol (and the need for Scrutiny and the Executive to work together to minimise the risk that the Executive will reject recommendations on politically contentious points). (Pp 9-10)

Members are always advised that O&S should be apolitical during training. Members are also always advised to base recommendations on the evidence that has been gathered and should be phrased in line with SMART principles.

The Council does not currently have an 'Executive–Scrutiny Protocol'. Members are invited to consider whether they would like to introduce such a protocol.

Point 3: Communicating Scrutiny's Role and Purpose to the Wider Authority (P 10)

Awareness of O&S is good amongst Members, who receiving training, and senior Officers. Information about the democratic process, including O&S, is in the process of being incorporated into the new induction programme for all staff. Members are invited to consider whether they feel any further action is required.

Point 4: Communicating Scrutiny's Role to the Public

Redditch Members consulted with the public in relation to budget scrutiny in 2019. The press used to regularly attend O&S meeting which helped to raise awareness of O&S activities, though attendance has declined in recent years.

The O&S Committee could consult with the Communications team about ways to better promote the scrutiny process to the public and other interested stakeholders.

Point 5: Conflicts of Interest, Including Familial Links
(P 15)

There is nothing specifically addressing familial links in relation to conflicts of interest involving scrutiny of Executive Members, though Members are required to abide by the Code of Conduct. To an extent at small authorities there is always likely to be the potential for there to be family links between members of the O&S committee and of the Executive Committee.

The Committee may wish to suggest that this could be reviewed further at a meeting of the Constitutional Review Working Party or may want to urge Members to remain mindful of the potential for conflicts to emerge when there are such family links.

Point 6: Selecting a Chair
(P 16)

Currently the Chair of the O&S Committee is nominated and agreed at the annual full Council meeting. The Chair and Vice Chair cannot be members of the controlling group.

Members may wish to consider whether they think a secret ballot to appoint the Chair of the O&S Committee would be appropriate.

Point 7: Access to Information, Including Exempt Information (The guidance suggests that where information cannot be provided the Executive should provide a written statement setting out the reasons for that decision).
(P 18)

Officers provide Members with information when requested, including exempt information. There is not the problem in Redditch, reportedly in place at other local authorities in the country, whereby information is only obtained as a result of a Freedom of Information request.

The Leader and Portfolio Holders may wish to consider how they report back to the O&S Committee when turning down a request for information.