



#plymcouncil

Democratic and Member Support

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EXTRAORDINARY GENERAL MEETING OF THE CITY COUNCIL

Monday 27 June 2016
4.00 pm
Council House, Plymouth

Members:

Councillor Murphy, Chair

Councillor Sam Davey, Vice Chair

Councillors Evans, Stevens, Mrs Aspinall, Mrs Beer, Bowyer, Mrs Bowyer, Coker, Drean, K Foster, Mrs Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Bowie, Lowry, Dr Mahony, McDonald, Nicholson, Mrs Pengelly, Rennie, Ricketts, Smith, Vincent, Wheeler, Wiggins, Ball, Sam Leaves, Tuohy, Penberthy, Churchill, Singh, Philippa Davey, Tuffin, Darcy, Parker-Delaz-Ajete, Jon Taylor, Kate Taylor, Morris, Sparling, Storer, Hendy, Downie, Mrs Bridgeman, Riley, Deacon, Dann, Kelly, Fletcher, Carson, Cook, Loveridge, Mavin and Winter.

Members are invited to attend the above meeting to consider the items of business overleaf.

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The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

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Tracey Lee

Chief Executive

City Council

AGENDA

1. Apologies

To receive apologies for absence submitted by Councillors.

2. Declarations of Interest (Pages 1 - 2)

Councillors will be asked to make declarations of interest in respect of items on this agenda. A flowchart providing guidance on interests is attached to assist councillors.

3. Changes to the composition and delivery of the council's overview and scrutiny function (Pages 3 - 62)

Members will be asked to consider –

- a. the recommendations and report of the Co-operative Scrutiny Board, agreed in principle on 9 March 2016;
- b. and appoint Members to any resulting structure and agree committee dates;
- c. to consider the recommendations of the Independent Remuneration Panel regarding an appropriate level of remuneration.

Appendix F to follow.

4. Changes to the governance arrangements of the Council (Pages 63 - 70)

Members will be asked to consider changing the governance arrangements of the Council and start to operate a committee system form of governance from the Annual General Meeting in May 2017.

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?



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Does the business relate to or is it likely to affect a disclosable pecuniary interest (DPI)? This will include the interests of a spouse or civil partner (and co-habitees):

- any employment, office, trade, profession or vocation that they carry on for profit or gain
- any sponsorship that they receive including contributions to their expenses as a councillor or the councillor’s election expenses from a Trade Union
- any land licence or tenancy they have in Plymouth
- any current contracts leases or tenancies between the Council and them
- any current contracts leases or tenancies between the Council and any organisation with land in Plymouth in they are a partner, a paid Director, or have a relevant interest in its shares and securities
- any organisation which has land or a place of business in Plymouth and in which they have a relevant interest in its shares or its securities

No

Yes



Declare interest and leave (or obtain a dispensation)





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Does the business affect the well-being or financial position of (or relate to the approval, consent, licence or permission) for:


- a member of your family or
- any person with whom you have a close association; or
- any organisation of which you are a member or are involved in its management (whether or not appointed to that body by the council). This would include membership of a secret society and other similar organisations.


Yes No  You can speak and vote




Will it confer an advantage or disadvantage on your family, close associate or an organisation where you have a private interest more than it affects other people living or working in the ward?

Yes No



 Declare the interest and speak and vote

 Speak to Monitoring Officer in advance of the meeting to avoid risk of allegations of corruption or bias

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Cabinet members must declare and give brief details about any conflict of interest* relating to the matter to be decided and leave the room when the matter is being considered. Cabinet members may apply to the Monitoring Officer for a dispensation in respect of any conflict of interest.

*A conflict of interest is a situation in which a councillor’s responsibility to act and take decisions impartially, fairly and on merit without bias may conflict with his/her personal interest in the situation or where s/he may profit personally from the decisions that s/he is about to take.

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PLYMOUTH CITY COUNCIL

Subject:	Changes to the composition and delivery of the council's overview and scrutiny function
Committee:	Council
Date:	27 June 2016
Lead Member:	Councillor Ian Bowyer, Leader
CMT Member:	Giles Perritt, Assistant Chief Executive
Author:	Ross Jago, Lead Officer
Contact details:	01752 304469
Ref:	
Key Decision:	N/A
Part:	I

Purpose of the report:

Through this report the Leader makes recommendations to Council for the implementation of proposals made by the Co-operative Scrutiny Board on 9 March 2016. The Constitution, Civic and Councillor Development Working Group and members of political groups have been consulted on the content of the Co-operative Scrutiny Board report, all but one of the recommendations were agreed at the Co-operative Scrutiny Board meeting held on 9 March 2016. This report follows the decision to defer appointments to the scrutiny function made at the Annual General Meeting of the council on 20 May 2016.

- 1.1** Following the election in May 2015 and the working arrangement that followed, the Co-operative Scrutiny Board was tasked to undertake a review and provide proposals to strengthen the scrutiny function and enhance the scrutiny programme.
- 1.2** During the review the Board found that although some good scrutiny was taking place, the levels of effectiveness differed according to the issue being discussed and how the scrutiny was conducted. In the municipal year 2014-15 scrutiny made 13 actionable recommendations¹ from 58 hours spent in business meetings and 57 actionable recommendations from 37 hours in Co-operative Reviews, including budget scrutiny. Although some recommendations were agreed by and acted upon by the Cabinet in relation to Budget Scrutiny 2015, Co-operative Reviews into Problem Debt and the Transformation Programme, given the lack of an appropriate tracking mechanism the Board struggled to evaluate the impact of actionable recommendations.
- 1.3** The Board's report identified that –
 - “Panel meetings did not always appear to ‘achieve’ anything with many of the items being for information only, scrutiny of which had no discernable impact on the citizens of Plymouth.”

¹ These actions were capable of being acted upon by a body other than the originating panel.

- “The lack of an effective system of evaluation and methodology for the choice of items for scrutiny often led to arbitrary process in which it was difficult to identify the value added to the decision making process.”
- “there was not an automatic, positive, relationship between the quantity of scrutiny and the quality of its outcomes.”

- 1.4** On the basis of work undertaken by the Co-operative Scrutiny Board, the Leader recommends the adoption of a two committee system of scrutiny (Option B detailed in Appendix A). This course of action will assist and modernise the scrutiny function whilst reflecting recent changes to the way in which the Council works, particularly the move to pooled funding with the Clinical Commissioning Group and commissioning of all of the Council’s Health and Social Care Activity from a single integrated budget.
- 1.5** Option B retains what has worked well in the previous system of scrutiny providing all non-executive members with the opportunity to conduct policy review Select Committees, which will be flexible enough to enable topical debates on issues affecting Plymouth in the short and long term. The reconfiguration of the scrutiny function will enable the two committees to focus on scrutinising the significant changes and performance issues which continue to require effective oversight. It will eliminate layers of bureaucracy in the status quo which hampers the ability of scrutineers to move quickly on topical issues by embedding the approval process within the relevant committee rather than through a management board.
- 1.6** The two new scrutiny committees will be named the “Place and Corporate Overview and Scrutiny Committee” and the “Wellbeing Overview and Scrutiny Committee”. The committee names are reflective of the Terms of Reference as outlined in appendix B to this report.
- 1.7** Working across two rather than five committees will release officer resource not only to undertake more in-depth select committee reviews but also to use the Scrutiny function as a route for community issues to be raised. Releasing officer time from the management of the scrutiny process into providing a route for community engagement by utilising platforms such as Twitter and Facebook along with a “Community Item” on every agenda will increase the public’s access into the council’s governance system.
- 1.8** The cost of scrutiny must not be underestimated; the Co-operative Scrutiny Board provided a snapshot of cost per recommendation based on the hours spent in committee rooms but did not include all of the Local Authority spending dedicated to scrutiny. These figures did not take account of the significant officer resource required to both support and provide evidence to 5 panels. This resource, along with the totality of the £93,000 paid in Special Responsibility Allowances to members puts the cost of operating the current scrutiny structure at approximately £150k per year.²
- 1.9** The implementation of a new scrutiny function may make immediate savings in Special Responsibility Allowances as set out at appendix F (to follow). Proposals will not result in an overall reduction of officer support, however officer resource will be deployed in a new and more effective way to deliver greater member and community engagement.

Nb These figures do not include staff on costs or other resources such as webcasting, printing etc

² £93,309 members allowance + £2,850 (96 hours committee time Democratic Support Officer and Lead Officer) + £58,500 (1 day per week Democratic Support Officer and Lead Officer x 5 Panels £58,500) = £154,659

- 1.10** The Leader makes recommendations in this report based on proposals from the Co-operative Scrutiny Board Review which will ensure that a lean, agile scrutiny function is able to retain oversight of executive functions, enable greater community involvement in the scrutiny work programme and reduce bureaucratic processes all against the backdrop of continuing reductions in resources to local authorities.

The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:

- 2.1 Effective scrutiny impacts upon all aspects of the Corporate Plan by providing a process for challenge to decision making and development of policy.
- 2.2 The recommendations within the report will open the function to community involvement, enable Members to demonstrate a check and balance to executive power within the City Council and reflect the values of the organisation as set out in the corporate plan.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land:

Structural changes to scrutiny may be implemented at a reduced cost overall, subject to a review of Special Responsibility Allowance by the Independent Remuneration Panel.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

There is a risk that, by not making recommended changes to the scrutiny function the Council will be ineffective in challenging decision-making and monitoring the performance of the Cabinet.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken?

Yes – An assessment is appended at Appendix E

Recommendations and Reasons for recommended action:

Full Council is asked to -

1. Agree to the Recommendations 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15,17 as proposed in the Co-operative Scrutiny Board Report (Appendix A) and direct the Lead Scrutiny Officer to implement accordingly;
2. Regarding Recommendation 1 (Appendix A), implement Option B (Appendix A) as the recommended course of action to establish strong community involvement in the scrutiny function, retain oversight of executive decision making and reduce overall costs of the function;
3. Name the two committees the Place and Corporate Overview and Scrutiny Committee and the Wellbeing Overview and Scrutiny Committee;
4. Regarding Recommendation 7, appoint members from the largest minority group as Chairs and members of the ruling group as Vice-Chairs of the Overview and Scrutiny Committees and enshrine this within the constitution;
5. Appoint 9 further members to the Place and Corporate Overview and Scrutiny Committee;

6. Appoint 9 further members to the Wellbeing Overview and Scrutiny Committee;
7. Regarding Recommendation 16, ensure that paperless solutions are available for all Members through the Modern Government project currently within the change management pipeline;
8. Approve changes to the constitution as outlined at Appendix B and C and instruct the Monitoring Officer to implement all resultant and necessary administrative changes to the constitution;
9. Agree the recommendations of the Independent Remuneration Panel (22 June 2016) on levels of Special Responsibility Allowances payable to scrutiny members in the new structure (Appendix F: to follow);
10. Agree recommendation 8 as proposed in the Co-operative Scrutiny Board Report (Appendix A) and establish a £10,000 training and development fund resourced from savings made in Special Responsibility Allowances (subject to recommendation 9 above being agreed)
11. Agree the timetable of meetings at Appendix D.

Reason: Implementation of recommendations will establish strong community involvement in the scrutiny function, retain oversight of executive decision making and reduce overall costs of the function.

Alternative options considered and rejected:

Structural Options A / C would not release sufficient resource to enable greater community input into the scrutiny function or realise savings in the function overall.

Published work / information:

[Centre for Public Scrutiny – Annual Survey](#)

[Leadership Centre – The Art of Change Making](#)

[Hansard Society – Audit of Political Engagement](#)

Warwick Business School - Supporting Public Scrutiny: Understanding and developing the role of the professional scrutiny officer

[House of Commons Library – Overview and Scrutiny in Local Government](#)

[The Constitution Unit - School of Public Policy, UCL - Old Habits Die Hard? Overview and scrutiny in English local authorities](#)

[Auditer General for Wales – Good Scrutiny? Good Question!](#)

[Welsh Government - An Evaluation of Welsh Local Government Executive and Scrutiny Arrangements](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	

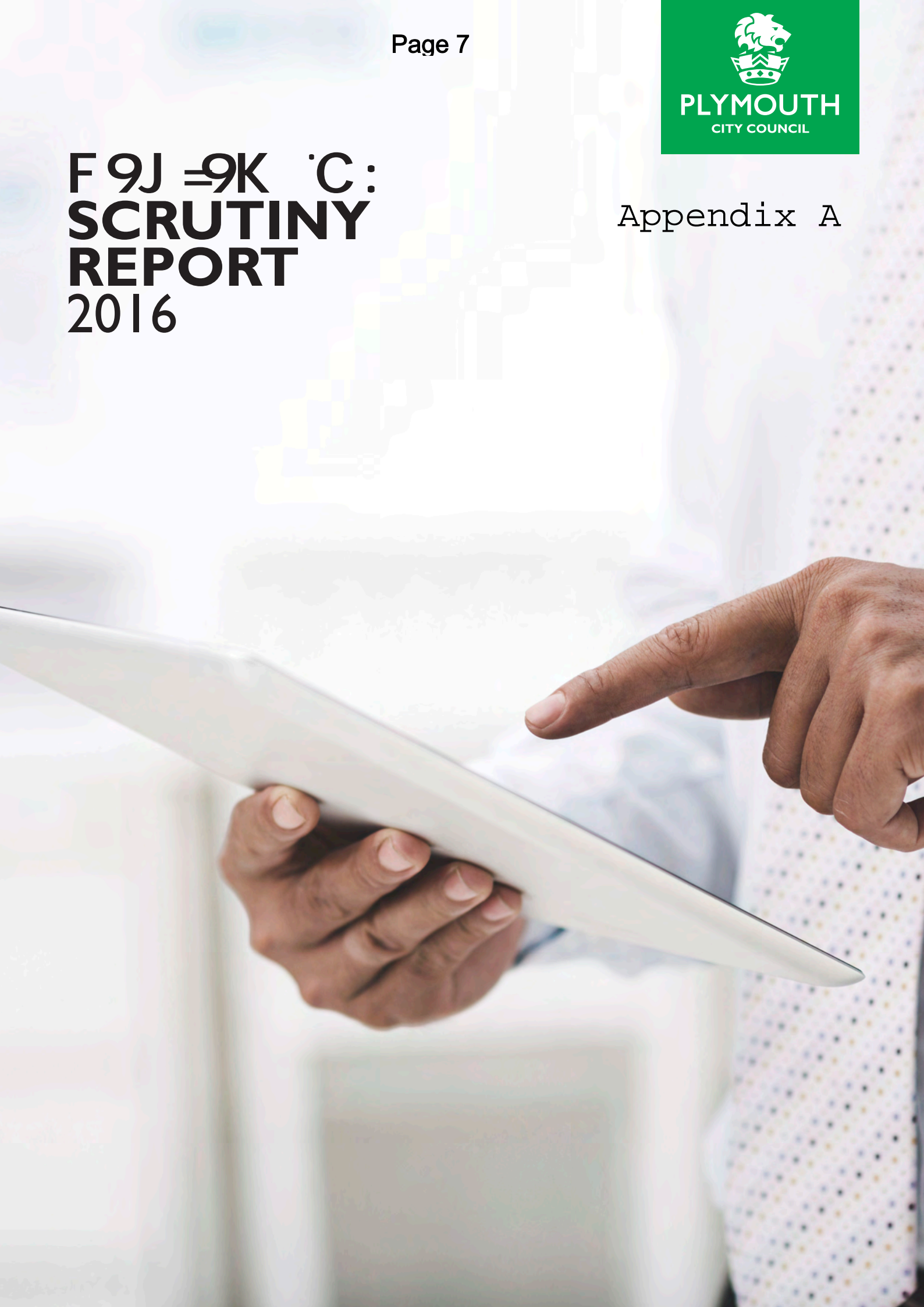
Sign off:

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Originating SMT Member – Giles Perritt / David Shepperd													
Has the Cabinet Member(s) agreed the content of the report? Yes													



F 9J =9K 'C: SCRUTINY REPORT 2016

Appendix A



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Foreword

Following the election in May and the resulting working arrangement the Co-operative Scrutiny Board has taken the opportunity to strengthen the scrutiny function that sits within the council and deliver against the Council's pledge 49, to enhance the scrutiny programme.

During the review which followed we have recognised that the tools available to us are numerous and diverse and while there are members who want to focus on particular issues or processes there are others who prefer a more varied approach.

Since the Local Government Act of 2000 we have seen scrutiny take place through written and oral questions to the Council and the Cabinet, through ward casework and the Scrutiny Process. The effectiveness of the latter has lately been a cause of concern for many members and, although effectiveness will differ according to the issue and the individual, we must acknowledge there is not an automatic, positive, relationship between the quantity of scrutiny and the quality of its outcomes.

During the review process we have acknowledged that scrutiny is finite. It is impossible and undesirable for council members to scrutinise absolutely everything all of the time. The scale of the challenges ahead of Local Government and the multitude of demands on councillors, make such scrutiny impractical even if it were desirable.

We believe that we do not enjoy a monopoly of scrutiny. The media in particular perform a scrutiny role, but also pressure groups, bloggers and our residents are all part of what is a network of scrutiny. So through our review of scrutiny we have sought to understand how we can place ourselves at the heart of this network and through a series of workshops have used some new approaches to aid our discussions.

In producing this report and its findings the Board was greatly assisted by the cooperation of the council officers, especially those providing support to scrutiny panels. We were also encouraged by the support from the Cabinet Members and Senior Officers who attended some of our workshops.

In addition to the support from Plymouth City Council the Board received assistance and cooperation from officers and members from local authorities across England, and the Board has drawn on published works from institutions in the UK and elsewhere.

Finally I would like to thank members of the Co-operative Scrutiny Board itself, who bravely initiated a form of scrutiny review which enabled purposeful self-examination of the work of scrutiny.

Councillor David James, Co-operative Scrutiny Board Chair

I **How did we get here?**

Local Authority Scrutiny¹

- I.1 The concept of ‘overview and scrutiny’ was originally introduced by the Local Government Act 2000. Prior to this Act, all local authorities in the UK made decisions through meetings of the full council or of committees; this was known as ‘the committee system’.
- I.2 The 2000 Act obliged local authorities to adopt political management systems with a separate executive. The ‘executive’ would take the form of a leader, or elected mayor, and a cabinet of no more than nine members in addition to the Leader / Mayor. Reflecting the relationship between Parliament and government, the remainder of the council was required to scrutinise the executive by establishing at least one overview and scrutiny committee. The committee or committees would investigate the policies of the executive and their implementation, issuing reports and drawing attention to shortcomings.
- I.3 With the priority of central government being to establish new, swifter, streamlined, corporate- style decision-making processes, it could be said that the idea of retaining accountability through the establishment of an Overview and Scrutiny Committee came as an after-thought. Of the thirty-eight sections within Part II of the Local Government Act 2000, only one deals with ‘Overview and Scrutiny’ and the Act is not prescriptive about how scrutiny should be organised.
- I.4 Since its introduction, the legislative provision for overview and scrutiny has changed and for scrutiny in England, the main provisions can now be found in schedule 2 of the Localism Act 2011, which mostly consolidated previously existing law.
- I.5 The Localism Act 2011 extended a fourth option of a ‘streamlined committee system to all councils in England, and since then many councils have readopted the committee system. Councils which adopted this system were still required to establish at least one overview and scrutiny committee, which would scrutinise the decision-making committees.
- I.6 The powers and functions of overview and scrutiny committees, include:
- Any member of an overview and scrutiny committee has the right to refer a relevant matter to the committee. This provision does not apply to matters concerned with planning and licensing, or to any matter which is vexatious, discriminatory or not reasonable to be included in the agenda;
 - Overview and scrutiny committees may hold inquiries and produce

¹ [HoC Library - Overview and Scrutiny in Local Government](#)

reports;

- Committees may require executive members and officers of the authority to appear before them. Individuals from outside the council can be invited, but not compelled to attend (except with regard to Health Services);
- Overview and scrutiny reports must receive a response from the council executive within two months;
- Overview and scrutiny committees cannot oblige the executive, the council or external bodies to act upon their findings.

- I.7 The Local Democracy, Economic Development and Construction Act 2009 legislated that each authority must appoint at least one ‘scrutiny officer’ although it made no provision for dedicated staff or financial resources for the overview and scrutiny role. The ‘scrutiny officer’ does not have to be a dedicated post, and may be combined with other responsibilities.

External Scrutiny

- I.8 The 2000 Act provided for a system of overview and scrutiny which was directed solely at the internal functions of the council. However, many committees set up under the new arrangements covered policy areas spanning both the council and other public bodies, and thus began to take an interest in matters outside their council’s direct control. This form of overview and scrutiny, which examines the influence of other public and private bodies in a policy area of interest to the council has become known as ‘external scrutiny’.
- I.9 External scrutiny demands a different dynamic from scrutiny of council functions. Councillors who have conducted an enquiry and drafted a report on council functions will be able to influence the outcome of the report through the council’s procedures, and potentially through their party group. Councillors have no such direct influence over external bodies. It follows that external scrutiny relies on good relationships and joint working with external bodies to allow the councillors to influence other organisations’ behaviour.
- I.10 Overview and scrutiny committees have accumulated a number of powers to undertake ‘external scrutiny’ of specific additional bodies. These have been enacted through legislative changes such as the NHS Act 2006 which requires Local Authorities to set up Health Scrutiny Committees.
- I.11 Many local authorities in the UK continue to struggle with the implementation of scrutiny arrangements. Executives do not have a great incentive to firstly grant, and secondly protect, the powers that scrutiny needs to be effective. As such common sense needs to be applied in discerning what balance of power is in the interest of the local residents and to ensure that this is achieved. The legislation relies on a culture of ‘fair-play’ and ‘reasonableness’ that it is in everyone’s interest to uphold.

Scrutiny in Plymouth

- I.12 The form and function of scrutiny at Plymouth City Council has changed and developed over the years since its initial implementation and since 2013 the work of scrutiny in Plymouth has been coordinated by the Co-operative Scrutiny Board. As required under rules of proportionality this Board has cross party representation and is currently chaired by a member from a different political group to the Leader of the Council.
- I.13 The City Council appoints members to form the Co-operative Scrutiny Board and the four scrutiny panels that the Board manages. The panels include councillors from all political groups as well as a number of statutory and non-statutory co-opted representatives.
- I.14 The Cabinet and Council can ask scrutiny to undertake reviews on its behalf, although ultimately scrutiny determines its own work programme and the issues that it will review.
- I.15 There are currently four scrutiny panels made up of councillors, statutory and non-statutory co-opted representatives. The four scrutiny panels are:
- Ambitious Plymouth
 - Caring Plymouth
 - Working Plymouth
 - Your Plymouth
- I.16 The four scrutiny panels have their own terms of reference (found in the Constitution) to ensure that work between panels is focused, relevant to the priorities of the Council and not duplicated.
- I.17 The work scrutiny function should reflect the Council's corporate priorities, as set out in the current Corporate Plan. Members of each scrutiny panel have the opportunity at the beginning of each year, and at each panel meeting, to submit suggestions for topics to be reviewed by the scrutiny panels.
- I.18 Selecting the right issues for a scrutiny work programme has historically been a challenge. To make the best use of panel members' time and to achieve measurable results for scrutiny work, the function is required to prioritise its work load in an environment of reducing resources.
- I.19 At the start of each municipal year each panel is provided with an update on the challenges, priorities and issues that are expected over the next 12 months for the Directorate and service areas that each panel is responsible for. This information is provided by senior officers and Cabinet members and partner organisations. It provides a good basis for each panel to identify issues to be suggested for inclusion in the work programmes.

I.20 Following the election in 2015 a working arrangement under which The Chair of the Co-operative Scrutiny Board and the Chairs of the Scrutiny Panels will be held by the largest opposition group (Conservative) and Vice-Chairs held by the largest group (Labour). This working arrangement has been a key driver of the current review of scrutiny.

Summary of 2014/15

I.21 Following a comprehensive review of agendas and minutes we have found that in 2014/15 the committee room time allotted to scrutiny was 13.5 working days. This time did not account for report, agenda and minute preparation or any other preparatory work such as research.

I.22 During this period scrutiny made 13 actionable recommendations² from 58 hours spent in business meetings (£541 per recommendation) and 57 actionable recommendations from 37 hours in Co-operative Reviews, including budget scrutiny (£77 per recommendation)³. The break-down of recommendations (actionable and non-actionable) is detailed below.

	Administrative (work programme, terms of reference etc.)	Agreed recommended course of action	Noted Report	Required action outside scrutiny
Panel Business Meetings	81%	7%	7%	5%
Scrutiny Reviews	9%	35%	6%	50%

I.24 Given the lack of an appropriate tracking mechanism it is difficult to evaluate the impact of actionable recommendations. However recommendations were agreed by an acted upon by the Cabinet in relation to Budget Scrutiny 2015 and Co-operative Reviews into Problem Debt and the Transformation Programme.

I.25 To support the scrutiny process during this period 218 reports were written and provided to scrutiny members within agendas which in total resulted in approximately 40,000 printed pages costing approximately £5,000. (this figure does not include supplementary paper work such as printed copies of presentations etc).

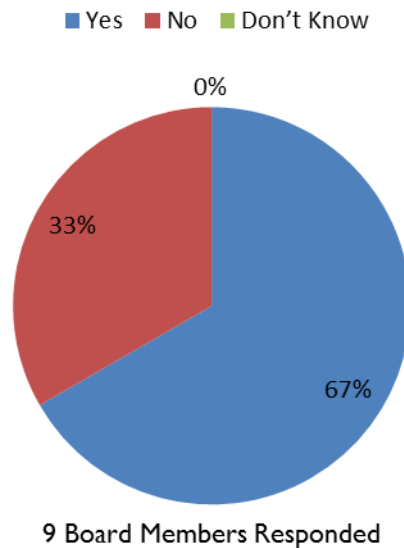
² These actions were capable of being acted upon by a body other than the originating panel.

³ Estimated figures based on £120 per hour (Total membership allowances, one Democratic Support Officer and Panel Lead officer + 25% on costs)

2 **What do our members think of the Status Quo?**

- 2.1 At the beginning of the 2014-15 municipal year members of the Co-operative Scrutiny Board met informally to discuss the previous year’s work and how to take scrutiny further in the future. Before the meeting members of the Board undertook a short survey⁴ on which to base their discussions.
- 2.2 Overall members of the Board agreed that Scrutiny in Plymouth provided a ‘critical friend’ challenge to the executive, reflected the voice and concerns of the local community and making an impact on the delivery of public services.⁵
- 2.3 All members agreed that opportunities were available for scrutiny to question cabinet members, challenge the executive and that financial priorities and how they met corporate objectives were effectively scrutinised.
- 2.4 However, opinions were split on the questions of public involvement and executive challenge.

Does Scrutiny effectively challenge the Executive?

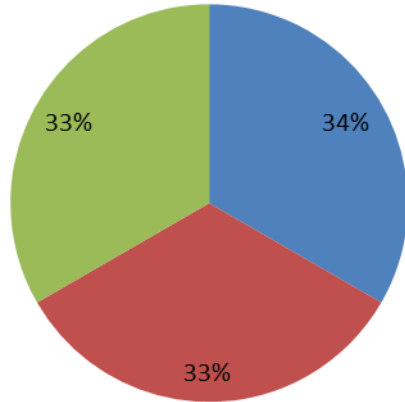


- 2.5 Members felt that Cabinet members did not respect the function as essential for local accountability and democracy. Some felt that executive members were active in preventing items being included on scrutiny agendas until the last possible minute, preventing meaningful pre-decision scrutiny which could enhance the policy development process.
- 2.6 Concerns about the impact of scrutiny were also raised as illustrated below.

⁴ Based on the Centre for Public Scrutiny Self-Assessment
⁵ Centre for Public Scrutiny: Principles for Effective Scrutiny

Has Scrutiny had a direct impact on the work of the Executive?

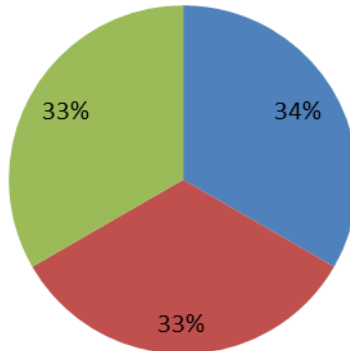
■ Yes ■ No ■ Don't Know



9 Board Members Responded

Has a Cabinet Member had a change of mind on a decision due to Scrutiny?

■ Yes ■ No ■ Don't Know

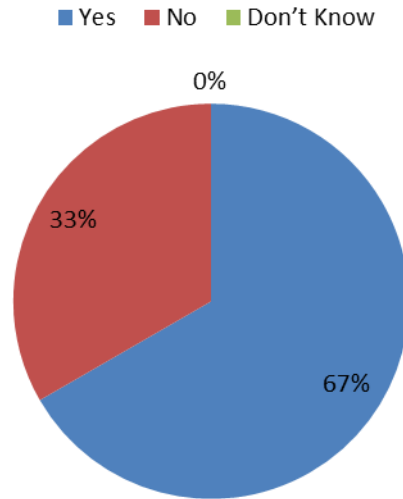


9 Board Members Responded

- 2.7 Whilst these results may suggest an executive which is unwilling to listen or act upon the views of the Scrutiny function, members were clear that further development of the skills and capability of members involved in scrutiny was required to ensure that scrutiny recommendations were relevant, appropriate and therefore had impact on the decision making of the executive.
- 2.8 Public involvement and communication continued to be a cause for concern of

many scrutiny members.

Does Scrutiny make itself accessible to the public?



9 Board Members Responded

- 2.9 Members felt that successful internal communication is critical to getting all parts of the organisation involved with the scrutiny process. It was also felt that external communication needed the same care in order to communicate the successes of scrutiny and develop its role to reflect the voice of the people. Members highlighted that the review of scrutiny must look at how members of the public can both access scrutiny and suggest items for its forward work programme.

3 **Peer Review**

- 3.1 As part of our review process we asked, via the Centre for Public Scrutiny website, for Officers and Elected members across the country to view a webcast meeting of the Co-operative Scrutiny Board and provide feedback on the meeting via an online survey.
- 3.2 The webcast meeting took place on the 19th August 2015. The agenda included the Corporate Plan Performance report and the Capital and Revenue monitoring report.
- 3.3 The webcast was viewed by around 75 people and we received 11 responses from Local Government Officers and Members from around the country to our short survey.
- 3.4 Overall responses were generally positive, most respondents agreed that members contributed to the success of the meeting and that the opinions of all members were taken into consideration when offered.
- 3.5 Respondents also agreed that the time allotted to each agenda item and that the general pace of the meeting was appropriate. Respondents found that the agenda papers were easily accessible and were useful.
- 3.6 However the survey suggested that we still have work to do. 45% of respondents believed that there was little evidence of scrutiny of financial priorities and 72% felt that the meeting did not offer robust challenge.
- 3.7 The results of this survey are not based on a statistically valid sample size and are reflective of only a single meeting. However the survey does support some of the views held by members involved in scrutiny and suggests that change may be required to further strengthen the scrutiny function.

4 **Review of Scrutiny**

- 4.1 Following the development of the working arrangement at Plymouth City Council an opportunity arose to strengthen the role of the scrutiny function. The review sought to identify where changes to Plymouth City Council scrutiny function may enhance the process of open, transparent and democratic decision making.
- 4.2 The City Council will continue to experience significant sustained change which requires many new and innovative approaches to service delivery. The development of effective scrutiny arrangements for new delivery vehicles which may result will be a key focus in Plymouth over the coming years and the scrutiny function will also need to continue to respond to the changes introduced through national legislation.
- 4.3 Any changes to the scrutiny function will need to include the requirement to take into account the views of the public, and the ability to form joint overview and scrutiny committees with one or more local authorities.

Scope of Review

- 4.4 The scope of our review included customers, processes, services, products and technology aligned with the scrutiny function and included –
- 4.5
- Scrutiny Processes and Procedures
 - Members Development and Training
 - Democratic Support
 - HR and OD
 - Scrutiny lead officers
 - Statutory Lead Officer role

- 4.8 The establishment of the review satisfied an undertaking in the working arrangement agreed by the City's largest political parties.

Methodology

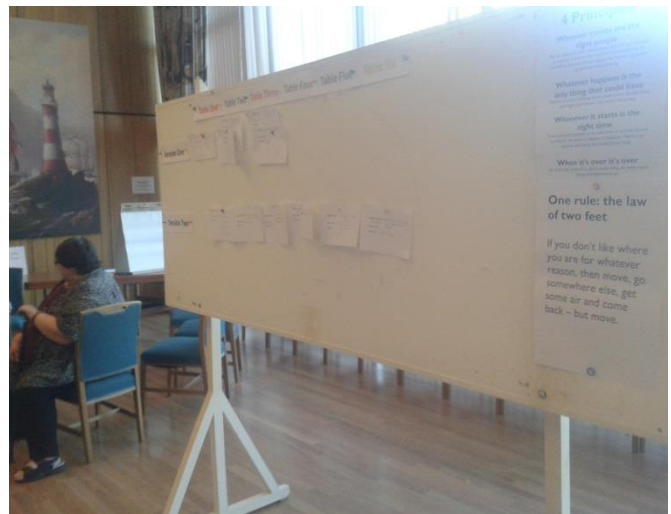
- 4.9 A new approach has been required in developing the recommendations for this review. Scrutiny is a member led process as such the methodology for this review has put members at the centre of the process.
- 4.10 We have attempted to use a number of new and existing tools such as nominal group technique, Open Space and World Café⁶ in addition to the standard processes of review meetings.

⁶ <http://www.localleadership.gov.uk/docs/The%20Art%20of%20Change%20Making.pdf>

- 4.11 The review has also used the technology with the Council House and the online surveys to assist in the development of recommendations.

5 What's the point of scrutiny?

- 5.1 The first meeting of the review was aimed to discuss the purpose of scrutiny and to develop a view of what good scrutiny seeks to achieve, what it would look like and how we and the public could recognise it.
- 5.2 We considered that this question (What's the point of scrutiny?), if answered, could provide a shared understanding of the purpose of Scrutiny and provide a foundation on which to build the rest of the review.
- 5.3 Such a complex question, and one which many members had not had a previous opportunity on which to comment, demanded a new way of attempting an answer.
- 5.4 Led by the Chair, the Board invited all elected members, the council's senior management team and other officers from across the council to take part in an 'Open Space' event. The purpose of the event was to identify where changes to Plymouth City Council scrutiny function may enhance the process of open, transparent and democratic decision making and offers participants a chance to discuss, in an informal setting, their understanding of scrutiny and make suggestions for the future.
- 5.5 In Open Space events participants create and manage their own agenda of parallel working sessions around a central theme. Open Space is a powerful tool for engaging large groups of people in discussions to explore particular questions or issues.
- 5.6 Although it is true that an Open Space event has no pre-determined agenda, it must have an overall structure or framework. This framework is not intended to tell people what to do and when, instead it creates a supportive environment in which the participants can solve those issues for themselves.





5.7 The attendees undertook the following process -

- **Welcome from Chair and Lead Officer**
 - We placed everybody in a circle and welcomed them with a description of the session. Sitting in a circle placed everyone equally. It changed dynamics, removed positions of power and allowed everyone to speak and be heard.
- **The bulletin board**
 - Everyone in the room was asked to post anything and everything they would like to talk about on the bulletin board which was provided in the room.
- **Open the market place**
 - The person who posted the idea for discussion persuaded people asked people to join them.

5.8 During the process attendees agreed to adhere to the following guiding principles ⁷–

- **Whoever came to the session were the right people**
 - The fact that they came showed that they cared enough to want to work on the issue and cared enough to do something about it.
- **Whatever happens is the only thing that could have**
 - There was no point thinking about could haves, should haves and might have beens.
- **Whenever it started was the right time**
 - True creativity happens in its own time, it can't be forced or rushed, so when it happens it happens.
- **When it's over it's over**
 - Do what needs doing and then move on.

5.9 Attendees also agreed to abide by one rule: **the law of two feet**⁸ –

⁷ <http://www.localleadership.gov.uk/docs/The%20Art%20of%20Change%20Making.pdf>

⁸ <http://www.localleadership.gov.uk/docs/Blue%20Art%20of%20Change%20Making.pdf>

- If you don't like where you are for whatever reason, then move, go somewhere else. We had to ensure people owned their own learning, they could not be forced or pressured and they must want it.

5.10 Over 30 people, both members and officers, attended the session from across the council. We had many suggestions for group sessions, but 6 questions were chosen by the group for further discussion and resulted in some valuable conversations.

How do we ensure good quality debate?

5.11 Conversations in this group focused around –

- Whether the quality of paperwork / information provided was good enough on which to base debate and recommendations. It was felt that often information had been filtered down through a number of different processes which resulted in only a small amount of information to be scrutinised.
- The capacity and capability of scrutiny panel members. This was informed by what was seen as a lack of focus on issues presented at scrutiny with often irrelevant lines of enquiry being pursued.
- The number of panels meant that scrutiny members did not prioritise appropriately, which could lead to discussion of “pet projects”
- That whilst party “whipping” was not present within scrutiny, many members still felt unable to challenge the party line stifling debate.

Is there an alternative to scrutiny?

5.12

- It was not felt that there was an alternative arrangement to scrutiny, however during this discussion it was considered important to make scrutiny more accessible.

How can the local community be involved?

5.13 Conversations in this group focused around –

- What is a community? It was felt that the scrutiny function required a clearer understanding of what a community was and subsequently how communities could be targeted.
- Profile – It was felt that scrutiny did not have sufficient public profile which made it difficult to represent the views of local residents through the process.
- Panels – it was felt that communities did not understand what the panels were for, it was felt that in the main the panels were not effective and smaller, focused task and finish groups provided improved results on

issues that members of the public care about.

How much scrutiny before scrutiny?

- 5.14
- This discussion considered whether scrutiny members received the full story when presented information when at scrutiny.
 - It also considered whether scrutiny could provide an opportunity for officers to say what could be done differently to improve services.

The scrutiny process

- 5.15
- This discussion included a number of process considerations, including –
 - Membership of scrutiny reviews
 - Creation and ownership of agenda and work programmes
 - Refresher for panel members at start of municipal year
 - Timing of reports
 - Flexible meeting times
 - Meetings in the community
 - Webcasting

How do we evaluate scrutiny?

- 5.16 This group considered that –
- Panel meetings don't always appear 'achieve' anything a lot of items can be for information only and don't have any obvious impact on the citizens of Plymouth.
 - There was no tracking system in place for recommendations that come out of business meetings.
 - There is no solid methodology for filtering what is actually considered at a business meeting or even for review.

Recommendations

- 5.17 All of the group leaders were asked to feedback the outcomes of the discussion to form the basis for recommendations within this report.

6 Councillors Learning and Development - Rights and Responsibilities

- 6.1 Ensuring that individuals involved in the scrutiny process have the right skills and competencies is a key element of preparing for effective scrutiny. This is not limited to those involved in supporting and providing information to scrutiny committees, but also applies to scrutineers themselves. Access to training for scrutiny members that is focused on need positively supports effective scrutiny. Both the Scrutiny Peer Review and ‘What’s the Point of Scrutiny?’ event suggested that strong scrutiny skills such as chairing and questioning skills were less evident and needed to be improved.
- 6.2 The Board met in October to discuss their rights and responsibilities in relation to learning and development. This session was planned to have been delivered in through the ‘World Café’ but unfortunately due to a low level of attendance that was not possible. During the session the Board considered the following questions –
- 6.3
- What learning and development do you need to challenge more effectively in a safe and respectful way?
 - How do you strike a balance between effective challenge and support?
 - What are the risks of challenging too much or not enough?
 - What kind of practical training do you think you may need?
 - How can you build your own knowledge base?
 - What do you need to know?
 - When do you need to know it?
 - How much should you be expected to know about the work of the panel?
 - How much should you expect to know about the system of scrutiny?
 - How we evaluate the effectiveness of the learning and development activities undertaken by Members?
 - How can we measure the impact on individual councillors?
 - How can we measure the impact of the work of the panels and board?
 - How will we know what we are doing is right?
- 6.4 During the discussion the following comments were made –
- Working councillors did not have the time to read long agenda reports.
 - Agenda reports needed to be shorter, in plain English, with an executive summary.
 - If agenda reports did not meet these criteria, Chairs should reject them.
 - Late agenda reports should also be rejected by Chairs. If Chairs were

aware of the schedule of dates when reports were due, they could take an active role in chasing them.

6.5 It was noted that on occasion agenda reports needed to be detailed in order to tackle complex issues; the alternative was a risk of challenge to the legitimacy of decisions, including judicial review. However, there was clearly a balance to be achieved.

6.6 The subsidiary issue of officers attending panel and Board meetings to talk to agenda reports was raised. Points considered included –

- Lead officers were likely to be more protective of their own departments.
- Officers talking to agenda reports were expected to be truthful but there was the possibility that they would tell councillors what they felt they wanted to know. Officers could be good at ‘spin’, focussing on the positives. As a result, councillors might experience difficulty in identifying any negatives and challenging them effectively.
- Panels/Chairs could consider making a formal challenge when officers did not attend to talk to reports or expected reports did not appear as agenda items.
- Meetings for panel training were traditionally not well attended, and the pros and cons of either holding them half an hour before the start of the actual meeting or on an earlier day were explored.
- Holding pre meets with a multidisciplinary team was proposed, as this would better enable lines of enquiry to be identified for members to pursue at the meeting itself.

6.7 During the discussion on training the following points were made –

- Training should not be restricted to classroom training at specific times, which traditionally had a number of drawbacks. There were other training delivery methods, such as e-learning, shadowing and briefing reports, that could usefully be explored.
- Councillors felt that holding training sessions at weekends was not viable.

6.8 Evaluating the success of training and other measures to improve the effectiveness of scrutiny could be undertaken by –

- Recording if there was an increase in scrutiny challenge.
- Implementing a range of relevant, cost-effective training.
- The scrutiny annual report reflecting the effectiveness and impact of improvement measures.

Recommendations

- 6.9 The outcomes of these discussions form the basis for recommendations within this report.

7 Scrutiny Support Arrangements

7.1 Scrutineers are charged with a wide range of activities, including holding decision-makers to account, informing policy, and performance review. Given the complexity of the public sector, it is clear that the different groups of people engaged as scrutineers work all require adequate support in order to work most effectively, and to focus their limited time on activities where they will be of the most value.

7.2 The Centre for Public Scrutiny (CfPS) undertakes a survey of local authority scrutiny annually. It has reported that in 2014-15 scrutiny capacity and resources are in decline.

7.3 The CfPS reported that -

- The average full time equivalent officer support for Scrutiny at Local Authorities in the municipal year of 2014/15 was 1.87.
- 19 of 271 respondents provided no policy support to councillors performing a scrutiny role at all
- Only 43% of councils reported having one or more dedicated scrutiny officers, the lowest level in a decade.
- 22% of respondents expected scrutiny resources to decline⁹

7.4 CfPS are concerned with the continued declining resources dedicated to scrutiny, and state -

“Inevitably, it fails to take into account the unique skillset required by dedicated scrutiny officers, and risks officers’ time for scrutiny support being “crowded out” by work for the executive, to say nothing of the potential for conflicts of interest between executive, and non-executive, support.”

7.5 In order to learn from members what level of support would enable them to carry out their scrutiny role we held a short workshop session. During this session we discussed two issues; Support Arrangements and Public Engagement which is covered in the next section. Using an augmented World Café process we encouraged a structured conversation by asking members to outline what the best and worst scenario would be and given the currently financial restraints on the authority what other form support could take.

7.6 Worst Scenario

- No ‘buy in’ from Cabinet
- No influence
- No power to request attendance

⁹http://www.cfps.org.uk/domains/cfps.org.uk/local/media/downloads/CfPS_Annual_Survey_2015_WEB_1.pdf

- No officer support
- No budget

7.7 **Best Scenario**

- Dedicated support - lead officer, two democratic support officers, Policy, Performance and Partnerships and Research Assistants
- High quality training
- PA for Chairs
- Full tracking of effectiveness of recommendations

7.8 The conversations held have highlighted a requirement develop the capability of the scrutiny functions by providing policy, performance, financial and communication support.

7.9 Direction and content of scrutiny work should ideally be driven by the members themselves. The role of officers is to facilitate this, providing evidence and support which adds value to the discussions held and recommendations made at scrutiny.

Multidisciplinary Approach

7.10 A future arrangement may include a multidisciplinary approach. This approach is an inter-professional working arrangement which has been recognised, particularly in healthcare, as playing a key role in ensuring that all aspects of service users' needs are properly considered and then providing appropriate advice and/or interventions.

7.11 Given the wide ranging brief of scrutiny such an approach should be utilised to ensure that scrutiny members have access to the information and advice they require in order to perform the scrutiny role.

7.12 A flexible Multi-disciplinary Team wrapped around scrutiny could enable a variety of skillsets to support scrutiny and provide horizon scanning and the ability to provide objective, evidence-based analysis of complex information and translate this into accessible information and advice for the scrutiny function.

7.13 This approach has the potential to provide a wraparound service to the scrutiny function, increasing the capacity of scrutiny members to deliver a member led, evidence based scrutiny function with robust outcomes.

Recommendations

7.14 The outcomes of these discussions form the basis for recommendations within this report.

8 Public Engagement

- 8.1 The Annual Audit of Political Engagement is produced by the Hansard Society. Now in its 12th year it provides a benchmark to gauge public attitudes to politics and the political process across Great Britain.
- 8.2 In 2014 it was reported that the proportion of people who are prepared to participate in action through a political process has declined significantly. Only 69% would be prepared to take action if they felt strongly about an issue compared to 80% in 2013 and 78% in 2012.
- 8.3 This national dip in willingness to participate when combined with the decline in the level of influence people feel they have over decision-making at the local level (see below) has been seen as a worrying development . Given that people's first practical experience of politics tends to be at the local rather than national level, disempowerment could drive disengagement from a range of political activities beyond just voting.¹⁰
- 8.4 At the national level just 20% of people feel that they have at least 'some influence' over local decision-making. This indicator has declined six percentage points between 2013 and 2014 and now stands at the lowest level ever recorded in the Audit series. This decline in perceived influence is particularly marked among older respondents age 55 and above.
- 8.5 Mirroring this decline in perceived influence, fewer people also want to be involved in decision-making in their local area, declining five percentage points to 38%.
- 8.6 If delivered effectively, scrutiny could offer an avenue to amplify the voice and concerns of the public. Public engagement through the scrutiny function could improve the evidence base for decision making whilst increasing public accountability and act as an advocate for the local community.
- 8.7 As with Scrutiny Support arrangements, in order to learn from members what kind of Public Engagement would be appropriate for Scrutiny and how it could be delivered we undertook a workshop exercise. Using an augmented World Café process we encouraged a structured conversation by asking members to outline what the best and worst scenario would be.
- 8.8 **Worst Scenario**
- Public discussion already taking place through online Social Networks, without an established online presence we have no right of reply
 - No faith in message
 - No engagement at all

¹⁰ <http://www.auditofpoliticalengagement.org/media/reports/Audit-of-Political-Engagement-12-2015.pdf>

8.9 **Best Scenario**

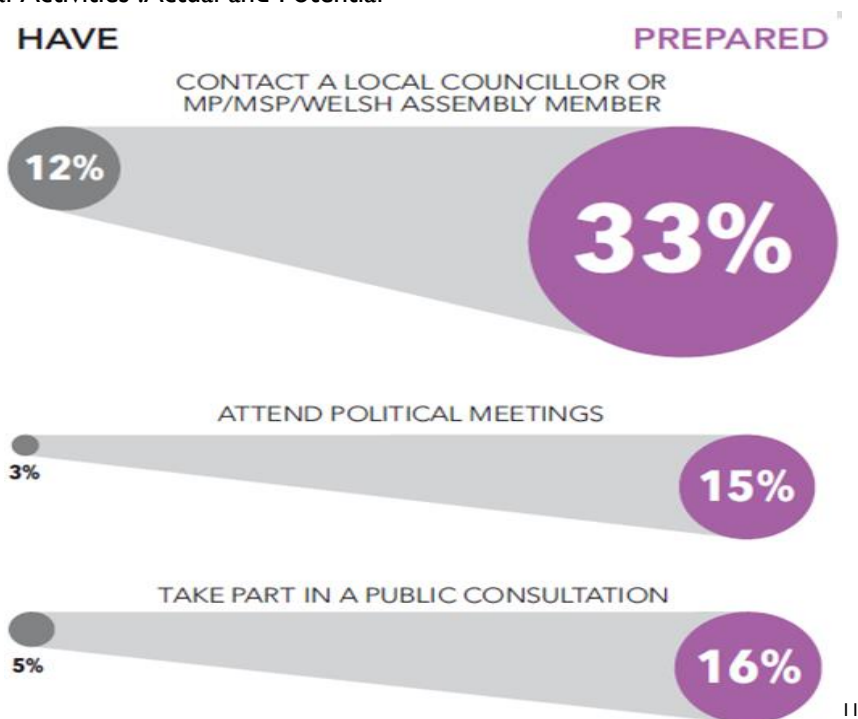
- Public Drive Agenda
- Issues Interest the Public
- Use social networks
- Improved authority of message
- User friendly scrutiny web page
- Training in technology
- Real time engagement with meetings
- We use partners networks
- Dedicated communication officers
- E-mail newsletter
- Publication in mainstream press
- Relevant to community
- Out in the community
- Big Screen
- Community Agenda Item
- Established Social Media Presence

8.10 Members felt that many of the “Best Scenario” suggestions could be delivered quickly and within current resources. Members suggested that engaging communities did not necessarily mean geographic communities and that meaningful engagement across the city on issues shared by wards could be delivered through greater use of online platforms.

8.11 Members also expressed concern that current routes for engagement such as councillor “call for action” and petitions were overly beauracritic and focused on single issues or areas. It was felt that these beauracritic processes led to a negative demand, “turning the public off” from enagement in local accountability. Members felt that that the scrutiny function could become more flexible in the way it works by embracing new technologies.

8.12 **Why social media?**

Political Activities :Actual and Potential



8.13 As the above diagram indicates there are significant groups of people who are prepared to engage with the political process. A simple and cost effective way to convert those prepared to engage into active participants may be the further use of online social networks within the scrutiny function.

8.14 In 2014, 38 million adults (76% of adults) in Great Britain accessed the Internet every day, 21 million more than in 2006. 22 million households (84%) had internet access in 2014, up from 57% in 2006 and fixed broadband Internet connections were used by 91% of households.¹²

8.15 There are now vast levels of access to the internet by the public and an opportunity exists as a by-product of this increased usage. Web-based technologies provide a platform for open political participation and direct democracy outside of traditional hierarchies and bureaucratic processes.

8.16 The internet reduces the costs of becoming politically informed, it provides the means to influencing politicians and the public at large. It is now possible to present similar material to that disseminated by other means (traditional media etc), but at a higher speed and with higher flexibility for users to pick

¹¹ <http://tinyurl.com/h6ckwkq>

¹² <http://tinyurl.com/nw2z2ow>

the topics of interest.

8.17 10 reasons to consider social media –

- It boosts the number of people we can reach when talking about the good work
- It allows for two way communication so immediate feedback can be received
- It allows us to connect with people who perhaps cannot give up the time to come to meetings
- It could widen involvement in the work of scrutiny
- It could help to bring a community around a specific issue
- Its simple and cost effective
- It would help us gather evidence for our reviews
- It overcomes council formality
- It engage people in issues that really matter
- It could provide interactivity for our webcasts

8.18 Social media platforms which could benefit scrutiny –

8.19 **Blogging:** For news sharing and comments from the scrutiny function

Swansea Scrutiny Bulletin Board Y diweddaraf gan y Tim Craffu
Updates from the Scrutiny Team Hysbysfwrdd Craffu Abertawe



Scrutiny shoots and scores

November 13, 2015 by [Delyth Davies](#) [Leave a Comment](#)



The [CSSIW](#) has just told us that our scrutiny of [child & family services and adult services](#) is doing all right, well, its more than all right, we have "effective and well managed" scrutiny arrangements!

8.20 **Twitter:** For signposting, news and quick conversations



8.21 **Facebook:** For reaching the public, polling for agenda items etc



Recommendations

8.22 Given the polar opposites of each scenario members were able to suggest a number of alternative options. The outcomes of these discussions form the

basis for recommendations.

Recommendations

Panel business meetings were not seen as effective as the work programmes are diffuse leading to lack of clarity on what should be scrutinised, when, how and what value is being added to the work of the council. By reducing the number of panels we introduce the concept of supply and demand into the scrutiny function. The reduced “supply” of seats on committees will increase the demand from members to be engaged, focus the work programme, driving up the impact and efficiency of decision making within the scrutiny function.

- R1** The number of panels should be rationalised down to either option A, B or C (detailed at appendix i) on a bi-monthly cycle. This will enable more robust prioritisation of matters for consideration. This new structure would be underpinned by “Select Committees” to deliver in depth reviews.
- R2** An effective methodology for the evaluation of issues for discussion through the Board/ and the “select committee” format should be developed.

To support the above recommendations in achieving better outcomes from the scrutiny function the following recommendations are made.

- R3** Members of a rationalised scrutiny function to take a more pro-active role in informing their own knowledge base and taking an active role in developing a scrutiny specific programme of member development.
- R4** A Multi-disciplinary approach should be taken to support scrutiny. A team around scrutiny should be developed to develop capability within the scrutiny functions with a specific focus on Policy, Performance, Finance and Communications.
- R5** A programme of training for the Board/s should be identified and included with the annual calendar of meetings. Subjects might include questioning skills, chairing skills and financial literacy.
- R6** Attendance statistics for training should be published on the council website in the same manner as attendance statistics for committee meetings.
- R7** Chair of scrutiny Board/s should come from the largest minority group reflecting the status quo and national best practice. This should be enshrined within the constitution.
- R8** Criteria to be agreed for attendance at external learning events, including the establishment of a discretionary fund.
- R9** Alternative training delivery methods such as eLearning and shadowing to be explored by the Member Development Group.

- R10** Establish a publically available tracking system for recommendations from scrutiny.
- R11** Where possible, agenda reports should be more concise than at present, written in plain English and including an executive summary.
- R12** Late agenda reports should not be accepted by Board/s Chair/s.
- R13** Establish a process which ensures that issues raised by local people with ward councillors can be considered through the scrutiny process.
- R14** Community agenda items voted for via a Social Media platform to be included in the work the Board/s.
- R15** Increase the use of social media before, during and following scrutiny meetings.
- R16** Scrutiny Boards should be entirely paperless, with members provided appropriate technology and training to enable this.
- R17** Webcast all meetings of the Board/s.

Appendix i

OPTION A

Do nothing and retain the status quo

There has been a number of changes during this municipal year to strengthen the scrutiny function, these include –

- Greater flexibility to arrange extra meetings without having to complete bureaucratic paperwork
- Cooperative Scrutiny Board requiring Panels to carefully manage workloads through the scrutiny of Corporate Plan deliverables
- Webcasting
- Calls for Evidence to support the Co-operative Review process

The Annual Report of scrutiny also highlighted particular successes in 2014/15 including scrutiny of the Transformation Programme, Problem Debt and Customer Service reviews, mostly delivered via the Co-operative Review process.

However the perception of the current Scrutiny function is not held in high regard. Opinions gathered during the preparation of this report suggests that challenge within the function is not robust and that the function could achieve more with regard to policy development and the impact on delivery of council services as a result of recommendations.

Elements of the function are seen to be strong; in particular, the focused nature of “Co-operative Reviews” has led to a number of recommendations for action and currently delivers the most efficient use of resource in the scrutiny.

Maintaining the current approach taken by the Council will continue to see the scrutiny process carried out, although the function will not fully embrace opportunities to further engage with the public and partners and will risk the quality outcomes a more focused approach could deliver.

The opportunities outlined in the recommendations made by the review would apply to this option and are likely to strengthen the overall function, but would require additional officer support.

Option B

Co-operative Scrutiny Board and Health and Wellbeing Scrutiny Board

Two Boards covering the following areas -

Co-operative Scrutiny	Health and Wellbeing
Corporate Policy Development Corporate Communications Human Resources ICT Business Continuity and Civil Protection Revenue Budget Capital Programme Strategic Procurement Corporate Property Transformation and Change Management Child Poverty Welfare Reform Development planning Highways and Car Parking Plymouth and Peninsula City Deal Regional and local economic strategy Social enterprise support Strategic Housing Delivery Sustainable Transport policies and strategies Tamar Bridge and Torpoint Ferry Waste management, recycling and street scene Climate change and sustainability Services Licensing	Adult and Children’s Health Drug and Alcohol Services Integrated Health and Social Care (Commissioning and Delivery) Learning Disability Services Health Services Older people’s services Personalisation Physical Disability Services Public Health Children’s Social Care Adoption and Fostering Early years Development Education Grants Leisure management and Sports Development Safeguarding Schools and Colleges Youth Services Anti-social behaviour Community safety Public protection service Community and neighbourhood development Community cohesion, equalities and fairness Green spaces, Culture, Heritage and Events (to include Mayflower 2020) Homelessness and Housing
This Board would consider call in and councillors call for action.	The Board will undertake statutory NHS and community safety partnership scrutiny functions. This Board would consider call in and councillors call for action.

Membership and Special Responsibility Allowance

Proportional membership based on 11 members. Special Responsibility allowance payable to Chair and Vice Chair of both Boards. Due to changes to the role and

responsibilities of members this would need to be reviewed by the Independent Remuneration Panel which could result in a responsibility payment for all members of both Boards given the emphasis placed on “Select Committee” style work.

Urgent Decisions

Chair of each Board would be expected to sign urgent decisions within the Board’s terms of reference.

Call-ins / Call for Action

Each Board would consider call-ins and councillors’ call for action based on the terms of reference of each Board.

Frequency

Boards would need to meet bi-monthly to deal with what is likely to be a substantial work programme.

Reviews

Reviews to be conducted within current processes; however Chair of reviews must be members of the relevant scrutiny Board.

Support

Support as detailed within the support to scrutiny section of the report.

Option C

Co-operative Scrutiny Management Board

Single Scrutiny Management Board which plans and commissions time-limited task and finish groups and reviews.

Areas of work for reviews could be suggested by members of the public and all Members via online tool.

Membership and Special Responsibility Allowance

Proportional membership based on 11 members. Special Responsibility allowance payable to Chair and Vice Chair of the Board. Due to changes to the role and responsibilities of members this would need to be reviewed by the Independent Remuneration Panel which could result in a responsibility payment for all members of the Board given the emphasis placed on “Select Committee” style work.

Urgent Decisions

Sign off of urgent decisions to remain with the Chair.

Call-ins / Call for Action

The Board would consider call-ins and councillors’ call for action.

Frequency

The Board would meet monthly with programmed provisional meetings to deal with what is likely to be a substantial work programme.

Reviews

Reviews to be conducted within current processes; however Chair of reviews must be a member of the Co-operative Scrutiny Management Board.

Support

Support as detailed within the support to scrutiny section of the report.

OVERVIEW AND SCRUTINY FUNCTIONS

I AIMS OF THE OVERVIEW AND SCRUTINY PROCESS

1.1 The aims of the Overview and Scrutiny process are to-

- add value to Council business and decision-making;
- hold the Cabinet to account;
- monitor the budget and performance of services;
- assist the Council in the development of policy and review the effectiveness of the implementation of Council policy;
- work to outcomes, which can be measured and have a positive impact on the community;
- improve the quality of the scrutiny process;
- exercise effective scrutiny.

2 ROLE OF THE OVERVIEW AND SCRUTINY COMMITTEES

2.1 The relevant scrutiny committee will:

- hear call-ins, councillor call for action and petitions;
- approve time limited select committees for issues within its remit;
- manage relationships between Cabinet members and partners to produce effective scrutiny;
- monitor performance against the relevant corporate priorities;
- receive finance and performance reports and to carry out the Annual Budget Scrutiny relating to their terms of reference;
- agree recommendations to Cabinet, Council and partner organisations;
- agree appointments of co-opted representatives;
- monitor the forward plan;
- help Council and the Cabinet to develop policy by studying issues in detail through time limited Select Committees;
- carry out research and consultation on policy;
- review policies within the policy framework;
- consider and introduce schemes to involve the public in developing policy;
- work with national, regional and local organisations to promote the interest of local people.

3 WHAT POWERS DO OVERVIEW AND SCRUTINY COMMITTEES HAVE?

3.1 Scrutiny Committees are able to:

- review new and existing policies and consider how they may be improved

- and developed;
- consider equality impact assessments against new and existing policies;
- investigate local issues to find out how the Council and its partners can improve to meet the needs of local people;
- hold public inquiries;
- invite people to their meetings and gather evidence from them;
- make reports and recommendations about service delivery to the Cabinet;
- request senior officers and Cabinet members to attend their meetings and answer questions;
- require attendance from outside bodies if allowed by law.

Holding the Cabinet to account

- 3.2 The relevant scrutiny committee will
- monitor the budget and performance of the Cabinet members, department and partners to make sure that the priorities for the area are delivered (but not decisions on individual planning or licensing applications)
 - monitor performance against the relevant corporate priorities

Holding others to account

- 3.3 Scrutiny committees can review and scrutinise the performance of partner organisations if allowed by law.

4 MEMBERSHIP

- 4.1 Each committee will consist of eleven members and will be proportional. Any councillor who is not a member of the Cabinet can substitute on scrutiny.

5 AREAS OF RESPONSIBILITY

- 5.1 Two committees will have responsibility over the following areas –

Place and Corporate Overview and Scrutiny Committee

- Relevant policies in the Plymouth Plan
- Relevant outcomes of the Corporate Plan
- Corporate Policy Development
- Corporate Communications
- Human Resources
- ICT

Wellbeing Overview and Scrutiny Committee

- Relevant policies in the Plymouth Plan
- Relevant outcomes of the Corporate Plan
- Adult and Children's Health
- Drug and Alcohol Services
- Integrated Health and Social Care (Commissioning and Delivery)

- Business Continuity and Civil Protection
- Revenue Budget
- Capital Programme
- Strategic Procurement
- Corporate Property
- Transformation and Change Management
- Child Poverty
- Welfare Reform
- Development planning
- Highways and Car Parking
- Plymouth and Peninsula City Deal
- Regional and local economic strategy
- Social enterprise support
- Strategic Housing Delivery
- Sustainable Transport policies and strategies
- Tamar Bridge and Torpoint Ferry
- Waste management, recycling and street scene
- Climate change and sustainability
- Services
- Licensing
- Green spaces, Culture, Heritage and Events (to include Mayflower 2020)
- Learning Disability Services
- Older people's services
- Personalisation
- Physical Disability Services
- Public Health
- Children's Social Care
- Adoption and Fostering
- Early years Development
- Education Grants
- Leisure management and Sports Development
- Safeguarding
- Schools and Colleges
- Youth Services
- Anti-social behaviour
- Community safety
- Public protection service
- Community and neighbourhood development
- Community cohesion, equalities and fairness
- Homelessness and Housing

This committee would consider call in and councillors call for action within its area of responsibility.

The committee will undertake statutory NHS and community safety partnership scrutiny functions. This committee would consider call in and councillors call for action within its area of responsibility

6 Meetings of Overview and Scrutiny Committees

- 6.1 Overview and Scrutiny Committees shall meet as agreed with provisional meetings on a two weekly basis to be utilised if required. All scrutiny meetings will be open to the public. Cabinet Members and Directors will attend Scrutiny Committees when requested. The Leader and the Chief Executive will be asked to attend meetings on an ad hoc basis

7 Development and Training

- 7.1 All members of the scrutiny function will be provided, where appropriate, with development and training in the areas that include but are not limited to:

- Overview and Scrutiny
- Role of chair/vice chair
- Performance Management Systems
- Partnership working
- Budget and finance
- The Corporate Plan

8 OVERVIEW AND SCRUTINY PROCEDURES

Conflicts of interest

- 8.1 Unless they have a dispensation, members of the Overview and Scrutiny Committees cannot scrutinise decisions they were involved in taking and must leave the room when these decisions are scrutinised. Before they leave they can make representations and answer questions or give evidence if other members of the public would also have this right

Procedure when a Councillor resigns from a committee

- 8.2 A Councillor can resign from a panel by writing to the Monitoring Officer. A replacement member will be confirmed at the next Council meeting.

Procedure when a Committee Member stops being a Councillor

- 8.3 If a panel member stops being a Councillor, a replacement member will be confirmed at the next full Council meeting.

Co-opted members of overview and scrutiny committees

- 8.4 Non-voting co-opted members can serve on an Overview and Scrutiny Committee or for a specific Select Committee review. The relevant overview and scrutiny committee agrees the appointment of co-opted members.
- 8.5 Co-opted members cannot vote unless they have the legal right to do so.
- 8.6 The overview and scrutiny committee that deals with education matters will appoint four (statutory) co-opted members (two parent governor representatives and two church representatives). One of the church representatives will be nominated by the Diocesan Board of Education for the Church of England diocese and the other will be nominated by the Bishop of the Roman Catholic diocese within the area.
- 8.7 The statutory co-opted members' role is to assist the Committee with its response to the annual budget and they may vote on education matters that are the responsibility of the cabinet.

Overview and scrutiny committee meetings

- 8.8 The annual calendar for overview and scrutiny panel meetings is set by Council. If they need to have extra meetings, they set the dates themselves.
- 8.9 The Chair in consultation with the Monitoring Officer can decide to call a special meeting.
- 8.10 If a panel has nothing to do at one of its fixed meetings, the Monitoring Officer can cancel it after consulting the chair.

Substitutes, quorum and training

- 8.11 Members of the Committee can send other Councillors (who must belong to the same political group) as substitutes. Substitutes have the powers of an ordinary member of the committee.
- 8.12 Substitutions must be for a whole meeting. A member cannot take over from their substitute or hand over to them part of the way through.
- 8.13 If a member wants to send a substitute, they must tell the Monitoring Officer before the meeting.
- 8.14 Substitutes cannot appoint substitutes of their own.
- 8.15 If a Councillor is a member of a Select Committee review, once the group has started its work, no substitution is allowed.
- 8.16 The quorum is the minimum number of members required for the meeting to take place.

Chairs and vice-chairs of overview and scrutiny committees

Election of chair and vice-chair

- 8.17 Chairs and vice-chairs are appointed at the annual meeting of Council.

Resignation of chair or vice-chair

- 8.18 If a Councillor wants to resign as chair or vice-chair, they must write to the Monitoring Officer. A new chair or vice-chair will be confirmed at the panel's next ordinary meeting.

Programme of work

- 8.19 The overview and scrutiny committees approve their own programmes of work.. The panels must review anything they are asked to review by Council.

Call in

- 8.20 Items called in will be heard at a meeting of the relevant Overview and Scrutiny Committee (within 10 working days of the end of the call in period relating to that item).

9 AGENDA

Putting items on the agenda

- 9.1 Any chair of an Overview and Scrutiny Committee may place an item which is relevant to the functions of the Committee on the agenda of a meeting. The Committee will decide what course of action, if any, to take.

Councillors rights

- 9.2 Any Councillor may propose to Committee Chair any local government matter (other than excluded matters – see below) which is relevant to the functions of the Committee on the agenda of a meeting. The Councillor will be invited to attend the meeting at which the item is to be considered, to explain the reasons for the request.

Considering matters

- 9.3 When considering a local government matter referred by a Councillor, the Committee will decide whether to:
- review or scrutinise a decision taken by the Cabinet or Cabinet member;
 - make a report or recommendation to the Council or Cabinet on how Cabinet carries out its functions;
 - review or scrutinise a decision taken by a Council body other than the Cabinet or a Cabinet member;
 - make a report or recommendation to the Council or the Cabinet on how a Council body other than the Cabinet carries out its functions;
 - make a report or recommendation to the Council or the Cabinet on matters which affect the city or the inhabitants of the city;
 - take no action.
- 9.4 The committee will then report back to the Councillor who raised the local government matter about the decision and the reasons for the decision.

Excluded matters

- 9.5 The following matters cannot be considered by an Overview and Scrutiny Committee:
- any matter relating to a planning decision;
 - any matter relating to a licensing decision;
 - any matter relating to an individual or body if s/he/they have, by law, a right to a review or right of appeal ;
 - any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a scrutiny committee meeting .
 - Local crime and disorder matters must be considered by the scrutiny committee with the crime and disorder remit.
- 9.6 The Monitoring Officer in consultation with the Scrutiny Officer and Chair (or Vice- Chair in the chair's absence) of the Committee will determine whether a matter is an excluded matter.

Speaking on agenda items

- 9.7 Any member of the public and any Councillor who is not a member of the panel can speak on an agenda item if the chair agrees. The chair will decide how long they can speak for.

10 POLICY REVIEW AND DEVELOPMENT

- 10.1 The overview and scrutiny committees' role in developing the policy framework and budget is set out in paragraph 2.1 / 5.1.
- 10.2 In areas that are not covered by the policy framework and budget, the scrutiny committees can suggest policies for the Cabinet or a Cabinet member to develop.
- 10.3 The overview and scrutiny committees can hold inquiries and consider future policy. This may involve appointing advisors, inviting witnesses, making site visits, holding public meetings, commissioning research or doing anything else which is necessary.

11 SELECT COMMITTEES

The Overview and Scrutiny Committees may appoint Select Committees to undertake pieces of scrutiny work as required and will be time specific. The chair of and members of Select Committee can be any member not excluded from scrutiny. Select Committees will be subject to rules of proportionality.

12 REQUESTS FOR REVIEWS FROM FULL COUNCIL

The overview and scrutiny committees must review anything full Council asks

them to review as soon as they can make space in their programme of work.

13 REQUESTS FOR REVIEWS FROM THE CABINET

The overview and scrutiny committees can (but do not have to) review items the Cabinet or a Cabinet member asks them to review. Items for review will be assessed against the prioritisation criteria.

14 REQUESTS FOR REVIEWS FROM OTHER MEMBERS

The overview and scrutiny committees can (but do not have to) review items the other members ask them to review. Items for review will be assessed against the prioritisation criteria.

15 REPORTS FROM SELECT COMMITTEES

Select Committee reports

- 15.1 At the end of each policy review, the relevant overview and scrutiny committee will decide whether or not to send the report to the Cabinet or a Cabinet member (if it is about executive responsibilities) or to Council (if it is about Council responsibilities) or to another organisation, as appropriate.

Minority report

- 15.2 For each policy review, there can be a minority report giving any dissenting views. The cabinet, Cabinet member or full Council will consider the minority report at the same time as the committee report.

Which report is the committee report and which is the minority one?

- 15.3 Each Select Committee member can vote for one report but no more than one. The report with the most votes will be the Committee review.

Timing

- 15.4 If an overview and scrutiny committee decides to send a report to the Cabinet, a Cabinet member or Council:
- the Cabinet must, where practicable, consider it at its next ordinary meeting if it is about executive responsibilities;
 - Council must, where practicable, consider it at its next ordinary meeting if it is about Council responsibilities.

Arrangements for cabinet to comment on reports to full council

- 15.5 When an overview and scrutiny committee sends a report to full Council, the Monitoring Officer will send a copy to the Cabinet/Cabinet member. Council must consider the Cabinet or Cabinet member's comments on anything that affects the policy framework and budget.

16 OVERVIEW AND SCRUTINY MEMBERS' RIGHTS TO SEE DOCUMENTS

Overview and scrutiny members' rights to see documents are set out in the [Access to Information Rules \(see Part F\)](#).

17 DUTY OF CABINET MEMBERS AND OFFICERS TO ATTEND OVERVIEW AND SCRUTINY MEETINGS

Duty to attend

- 17.1 Overview and scrutiny meetings can require members of the Cabinet and senior officers to attend and answer questions about:
- their performance
 - decisions they were involved in
 - the extent to which they have followed the policy framework and budget

Procedure for attending

- 17.2 The Lead Scrutiny Officer will tell the Councillor or officer that they are required to attend, what it is about and whether they need to produce a report or provide papers.

Timing

- 17.3 The Councillor or officer must be given reasonable time to compile information.

18 WHIPPING

Political groups should not pressure their members over how they speak or vote at overview and scrutiny meetings.

19 ORDER OF BUSINESS AT OVERVIEW AND SCRUTINY PANELS AND BOARD

The overview and scrutiny panel will consider:

- declarations of interest
- minutes
- anything that has been called in

- any Cabinet/Cabinet member's responses to the panel's reports
- anything else on the agenda

This procedure can be suspended if at least half of all the voting members are present and there is a simple majority in favour. It can only be suspended until the end of a meeting.

20 WITNESSES AT OVERVIEW AND SCRUTINY MEETINGS

- 20.1 Witnesses should be treated with politeness and respect.
- 20.2 Witnesses will only be required to attend Scrutiny meetings where the law requires their attendance.

21 ITEMS AFFECTING MORE THAN ONE OVERVIEW AND SCRUTINY COMMITTEE

If an item affects more than one overview and scrutiny committee, the Chairs and Vice Chairs of the Committees will consider the creation of a Joint Select Committee to review it.

22 MINUTES

At the first meeting when the minutes are available, the chair will move that the minutes are correct and sign them. The committees will not discuss anything arising from the minutes.

23 GAPS IN THESE PROCEDURES

If there is a gap in these procedures, the Chair will decide what to do.

GUIDE TO COUNCILLOR CALL FOR ACTION

1 Introduction

The Local Government and Public Involvement in Health Act 2007 introduced the Councillor Call for Action (CCfA) from 1 April 2009. This guide sets out how Plymouth City Councillors can use this power.

2 What is a Councillor Call for Action?

- 2.1** In their day-to-day role, Councillors identify concerns in their communities and try to resolve them by talking to the Council and other service providers. If they can't resolve a particular issue they can make a 'Councillor Call for Action' which asks for the matter to be referred to the Overview and Scrutiny for further investigation.
- 2.2** Any Councillor can refer an issue to the Scrutiny. Issues must relate to the city Council's functions, affect all or part of the Councillor's ward or any person who lives or works in the ward and can include matters that the Council and its partners are delivering.
- 2.3** The Police and Justice Act 2006 makes provision for a CCfA for crime and disorder and community safety issues. In practice, referrals made relating to these issues should be dealt with in the same way as other CCfAs.

3 How does it work?

- 3.1** The Councillor attempts to resolve the issue at a local level in the usual way eg raising it as casework with the appropriate officer and/or Cabinet member, through the formal complaints procedure of the Council, with the relevant partner organisation, questions to Council/committee, a motion on notice to the city Council and so on.
- 3.2** If these approaches don't resolve the matter or if it is a persistent matter, the Councillor can refer the issue to the Democratic and Member Support Manager (by using the form at Appendix A) who will discuss it with the chair of the Board.
- 3.3** It should be noted that the CCfA is intended to be a measure of last resort and may not be considered until all other avenues have been tried.

4 Criteria for considering requests for a CCfA

4.1 Background information

Has enough information been provided to enable a view to be taken as to:

- which service/functions of the city Council or partner organisation are most relevant to the CCfA?
- whether the request relates to the Councillor's ward or to a person who lives or works in the ward?

- what steps have already been taken to try and resolve the issue?

4.2 Outcome

Has the Councillor clearly stated the desired outcome?

4.3 Use of existing procedures

Have the city Council's procedures (or partners' procedures) for resolution of issues been used without success? Councillors will need to demonstrate that they have taken reasonable steps to resolve the matter. (See Appendix B)

4.4 History

- Has the same issue been the subject of a previous CCfA?
- Is the length of time that has elapsed between the date of the last action by the Councillor to try to solve the problem and the request for the CCfA such that the CCfA can no longer be regarded as a timely and suitable method of resolution – a time bar of 6 months is suggested.

4.5 Vexatious

Is the matter vexatious/not reasonable? (Likely to cause distress/disruption or irritation without any proper or justified cause)

4.6 Discrimination

Is the subject matter discriminatory? (Discriminates against another in relation to their race/religion/faitth/belief/sexual orientation/gender/disability)

5 Referral to scrutiny

5.1 The chair of the relevant Overview and Scrutiny Committee will consider the request and inform the Councillor whether they accept the request. In the event of disagreement between the Councillor and the chair, the matter will be referred to the Monitoring Officer.

5.2 Reasons the chair of relevant Overview and Scrutiny Committee may not agree to take the CCfA forward to the Committee could include:

- Not enough information has been provided
- More could be done to resolve the issue at local level
- The matter has recently been examined by scrutiny
- The matter is the subject of an ombudsman complaint or other official complaints procedure
- The matter is excluded by legislation. For example, planning and licensing applications/appeals
- The CCfA is vexatious or discriminatory

- 5.3** The Democratic and Member Support Service Manager will notify the Councillor, within 14 days of the request being made, of the outcome of the initial consideration of the CCfA request.
- 5.4** The Councillor may reply to the chair with further information to support the CCfA.
- 5.5** If the CCfA is accepted, the Board will include the CCfA on the agenda at the first available business meeting following the initial consideration of the request.

6 Role of the Relevant Overview and Scrutiny Committee

- 6.1** The Board will hear from relevant witnesses, including the Councillor submitting the CCfA, and reach a conclusion as follows:
- Write a report setting out their findings and recommendations to Cabinet/a partner organisation as appropriate
 - Decide that the CCfA matter is complex that needs further investigation and refer the matter to another body for more detailed scrutiny (refer it to the appropriate scrutiny panel or set up a co-operative review)
 - Decide not to take any action
- 6.2** The outcome of the meeting will be published and details sent to the Councillor who submitted the CCfA, relevant Cabinet members and partners (subject to the rules on confidential and exempt information).
- 6.3** The Councillor who submitted the CCfA will advise the individual(s) who made the initial representations of the outcome of the CCfA.
- 6.4** Where Cabinet members and partners are asked to take action to resolve a particular issue they will be asked to make a formal response to a future meeting of the Committee within 28 days, complying with the new requirement, the Duty to Respond.

Appendix D

Health and Wellbeing Overview and Scrutiny Committee	20 July 2016
	21 September 2016
	23 November 2016
	9 January 2017 (Budget)
	15 February 2017
	5 April 2016
Place and Corporate Overview and Scrutiny Committee	27 July 2016
	28 September 2016
	30 November 2016
	11 January 2017 (Budget)
	22 February 2017
	12 April 2017

In addition to the business meetings as above provisional dates for call-in will be as follows –

13 July 2016	
20 July 2016	For call-in concerning the Place and Corporate Overview and Scrutiny Committee
27 July 2016	For call-in concerning the Health and Wellbeing Overview and Scrutiny Committee
3 August 2016	
17 August 2016	
14 September 2016	
28 September 2016	For call-in concerning the Health and Wellbeing Overview and Scrutiny Committee
5 October 2016	
19 October 2016	
2 November 2016	
16 November 2016	
7 December 2016	
21 December 2016	
18 January 2017	
1 February 2017	
22 February 2017	For call-in concerning the Health and Wellbeing Overview and Scrutiny Committee
8 March 2017	
22 March 2017	
5 April 2017	For call-in concerning the Place and Corporate Overview and Scrutiny Committee
19 April 2017	

EQUALITY IMPACT ASSESSMENT

Executive Office

**STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?**

What is being assessed - including a brief description of aims and objectives?	Through this report the Leader makes recommendations to Council for the implementation of proposals made by the Co-operative Scrutiny Board on 9 March 2016. The Constitution, Civic and Councillor Development Working Group and members of political groups have been consulted on the content of the Co-operative Scrutiny Board report, all but one of the recommendations were agreed at the Co-operative Scrutiny Board meeting held on 9 March 2016. This report follows the decision to defer appointments to the scrutiny function made at the Annual General Meeting of the council on 20 May 2016.
Author	Ross Jago
Department and service	Executive Office
Date of assessment	

STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	The average age in Plymouth (39.0 years) is about the same as the rest of England (39.3 years), but less than the South West (41.6yrs). Of the 16 SW authorities we have the third lowest percentage of older people (75), and the fifth highest percentage of children and	Young people are less likely to vote and are often put off by our existing mechanisms for engaging our local communities. Older people may have retired before home computers (PCs) became widely used in the workplace. Some use the extra time available to learn about computer technology and the	The wider use of social media proposed in the recommendations of the cooperative scrutiny board that have been accepted in this report will support the engagement of younger people. Our first stop shop has free internet access and a digital	Lead Scrutiny Officer

	<p>young people (under 18). Children and young people (CYP) under 18 account for 19.8 per cent of our population within this 17.5 per are under 16.</p>	<p>internet. Others are deterred by their lack of experience.</p>	<p>champion's service to support customers.</p> <p>Recommendation 7 to move to an entirely paperless system for Members will not support the digital by preference approach we have taken in the wider delivery of customer facing operations.</p>	
Disability	<p>A total of 31,164 people (from 28.5 per cent of households) declared themselves as having a long-term health problem or disability (national figure 25.7 per cent of households), compared with the total number of people with disabilities in UK (11,600,000). 10 per cent of our population have their day-today activities limited a lot by a long-term health problem or disability. 1,224 adults registered with a GP in Plymouth have some form of learning disability (2010/11). In consultation responses disabled people have said: With regard to computer access, we need to address people's literacy levels first and ensure that they have the knowledge to keep up with changes in technology.</p>	<p>Disabled people are significantly less likely to live in households with access to the internet than non-disabled people. Physical access to buildings continues to present a barrier to engagement for people with mobility impairments.</p>	<p>Free internet access is available from a range of council buildings with good physical access, e.g. libraries, and our first stop shop.</p>	<p>Lead Scrutiny Officer</p>
Faith/religion or belief	<p>84,326 (32.9%) per cent of the</p>	<p>No impact anticipated.</p>	<p>N/A</p>	<p>N/A</p>

	<p>Plymouth population stated they had no religion.</p> <p>Christianity: 148,917 people (58.1 per cent), decreased from 73.6 per cent since 2001.</p> <p>Islam: 2,078 people (0.8 per cent), doubled from 0.4 per cent since 2001.</p> <p>Buddhism: 881 people (0.3 per cent), increased from 0.2 per cent since 2001.</p> <p>Hinduism: 567 people (0.2 per cent) described their religion as Hindu, increased from 0.1 per cent since 2001.</p> <p>Judaism: 168 people (0.1 per cent), decreased from 181 people since 2001.</p> <p>Sikhism: 89 people (less than 0.1 per cent), increased from 56 people since 2001.</p> <p>0.5 per cent of the population had a current religion that was not Christianity, Islam, Buddhism, Hinduism, Judaism or Sikh, such as Paganism or Spiritualism.</p>			
<p>Gender - including marriage, pregnancy and maternity</p>	<p>Overall 50.6 per cent of our population are women and 49.4 per cent are men: this reflects the national figure of 50.8 per cent women and 49.2 per cent men.</p> <p>There were 3280 births in 2011. Birthrate trends have been on the increase since</p>	<p>Childcare demands can present a significant barrier to women with children attending evening meetings.</p>	<p>Consider scheduling meetings at different times so that women with children can attend especially if the subject in hand is one which has particular relevance. .</p>	<p>Lead Scrutiny Officer</p>

	<p>2001, but since 2010 the number of births has stabilised. Areas with highest numbers of births include Stonehouse (142), Whitleigh (137) and Devonport (137).</p> <p>Of those aged 16 and over, 90,765 people (42.9 per cent) are married. 5,190 (2.5 per cent) are separated and still legally married or legally in a same-sex civil partnership.</p>			
Gender reassignment	<p>It is estimated that there may be 10,000 transgender people in the UK.</p> <p>There were 26 referrals from Plymouth made to the Newton Abbott clinic, in 2013/14.</p> <p>The average age for presentation for reassignment of male-to-females is 40-49.</p> <p>For female-to-male the age group is 20-29.</p> <p>Twenty three transgender people belong to Pride in Plymouth.</p>	No impact anticipated.	N/A	
Race	<p>92.9 per cent of Plymouth's population identify themselves as White British.</p> <p>7.1 per cent identify themselves as Black and Minority Ethnic (BME) with White Other (2.7 per cent), Chinese (0.5 per cent) and Other Asian (0.5 per cent) the most common ethnic groups.</p>	Some communities may find it difficult to engage in the scrutiny process if their language needs are not considered.	The use of Plain English will facilitate access for those whose understanding of English is limited and webcasting will be especially helpful for those who can understand spoken English but who can't read English. Consideration will be given to providing translated	Lead Scrutiny Officer

	<p>Our recorded BME population rose from 3 per cent in 2001 to 6.7 per cent in 2011, and therefore has more than doubled since the 2001 census.</p> <p>Recent census data suggests we have at least 43 main languages spoken in the city, showing Polish, Chinese and Kurdish as the top three. Based on full year data for 2012-13, our Translate Plymouth services recorded that the most requested languages are Polish, British Sign Language (BSL) and Chinese Mandarin.</p>		<p>material on request, especially where the subject matter is particularly relevant.</p>	
Sexual orientation - including civil partnership	<p>There is no precise local data on numbers of Lesbian, Gay and Bi-sexual (LGB) people in Plymouth, but nationally the government have estimated this to be between 5 - 7 per cent and Stonewall agree with this estimation given in 2005. This would mean that for Plymouth the figure is approximately 12,500 to 17,500 people aged over 16 in Plymouth are LGB.</p>	<p>National research suggests that: Lesbian, gay and bisexual people are more likely to report that they have never been asked about their views by local service providers.</p>	<p>We should make particular efforts to engage members of the LGBT community in the scrutiny process, we could approach representative organisations to promote any opportunity for public engagement. Especially where the subject matter is of particular relevance to this stakeholder group.</p>	<p>Lead Scrutiny Officer</p>

STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
Reduce the inequality gap, particularly in health between communities.	<p>Reducing the number of scrutiny panels to 2 and focussing the activity of one of these on Health and Wellbeing will ensure that our local priority to reduce Health Inequality is robustly addressed. This will be further strengthened by the role this board will have in relations to statutory NHS and community safety partnership scrutiny functions.</p>	<p>Lead Scrutiny Officer May 2016</p>

Good relations between different communities (community cohesion)	Ensuring that all communities are able to enjoy good access to scrutiny functions will help to promote good relations.	
Human rights Please refer to guidance	Article 10 – Freedom of Expression – In conducting scrutiny reviews we must ensure that we do not curtail the right of individuals to freely state their views without fear of intervention provided that they behave responsibly and respect other people’s rights.	Lead Scrutiny Officer May 2016
Principles of fairness Please refer to guidance	<p>People should be able to access opportunity whatever their circumstances – the revised scrutiny arrangements proposed in the report will support improved access for all.</p> <p>Preventing inequalities is more effective than trying to eliminate them – The scrutiny function will continue to have an important role providing oversight of cabinet and executive decisions and can challenge decisions where they consider they may result in inequality.</p>	Lead Scrutiny Officer

STAGE 4: PUBLICATION

Responsible Officer Giles Perritt

Date 16/06/2016

Director, Assistant Director or Head of Service

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PLYMOUTH CITY COUNCIL

Subject:	Changes to the governance arrangements of the Council
Committee:	Council
Date:	27 June 2016
Lead Member:	Councillor John Riley, Cabinet Member for Democracy and Governance
CMT Member:	Giles Perritt, Assistant Chief Executive
Author:	Ross Jago
Contact details:	01752 304469
Ref:	
Key Decision:	N/A
Part:	I

Purpose of the report:

Following the local elections held on 5 May 2016, no Party or Group achieved an overall majority on Plymouth City Council. A working arrangement between the Conservative Group and the UKIP Group was agreed to enable Members to carry forward the business of the Council.

Within the working arrangement both groups agreed to support an early motion to Council to introduce a “committee system” of governance. The proposals will be based on the following design principles which will ensure a proposed governance system which is -

- **Open and Transparent** in its decision making;
- **Accountable** to the public, a principle which is central to our improvement and performance management approach;
- **Responsive**, providing timely decision making for the 21st century;
- **Inclusive**: Establishing dispersed leadership and engaging all councillors appropriately;
- **Clear** about how the public, service users and other stakeholders can influence plans, policies and decisions before they are made;
- **Flexible** to the needs of public, voluntary and private sector partnership working;
- **Best for Plymouth**: in the interests of the city and its people.

This report makes recommendations to implement a committee form of governance from the Annual General Meeting in May 2017, subject to detailed proposals being put before Council and agreed before the implementation date (“Change Time”).

I. Context

I.1 The Localism Act 2011 (the Act) gives flexibility to councils to choose their own governance arrangements. Under the Act the authority must draw up proposals for the change which must include—

- a timetable with respect to the implementation of the proposals;
- details of any transitional arrangements which are necessary for the implementation of the proposals.

1.2 Copies of the proposals must be available for public inspection at all reasonable times, and notices published in one or more newspapers circulating in its area which –

- states that the authority has drawn up the proposals,
- describes the main features of the proposals,
- states that copies of a document setting out the proposals are available at the authority's principal office for inspection by members of the public at such times as may be specified in the notice, and
- specifies the address of the authority's principal office.

1.3 Having passed a resolution and complied with the publicity requirements above, authorities are required to cease operating their old form of governance arrangements and start operating their new arrangements. This must take place “at the relevant change time” which, in the case of a move from a cabinet system to a committee system, is defined as-

- i. The first annual meeting of the local authority to be held after the resolution to make the change in governance arrangements is passed, or;
- ii. A later annual meeting of the local authority specified in that resolution.

1.4 The Act also specifies that if the Council passes a resolution under the Act to change governance arrangements, it may not pass another resolution to change from one form of governance to another (e.g. from a committee system back to a leader and cabinet system) for 5 years unless a referendum is held on the issue.

2. Permitted forms of governance

2.1 Under the Act, the options available to councils in terms of decision making structures are-

- A leader and cabinet executive;
- A mayor and cabinet executive;
- A committee system;
- Other arrangements approved by the Secretary of State.

2.2 The Secretary of State has power to approve alternative forms of governance arrangements on request from local authorities, provided that they demonstrate that the proposed arrangements would be an improvement on the current arrangements, that they would ensure efficient, transparent and accountable decision making and that they would be appropriate for all local authorities, or a particular type of local authority.

3. Overview and Scrutiny

3.1 The Act is clear that a local authority with committee based governance arrangements may appoint one or more committees as the authority's overview and scrutiny committee or committees. If local authorities operating the committee system decide to appoint one or more overview and scrutiny committees, these will have the same powers and functions as overview and scrutiny committees set up in an authority exercising executive arrangements.

3.2 The statutory duty on the authority to scrutinise health, community safety, and flood prevention would remain in place - under S244 of the National Health Service Act 2006; under S19 of the Police & Justice Act 2006; and under Section 9FH of the Local Government Act 2000 (as amended by Schedule 2 of the Localism Act 2011).

3.3 Councils who choose not to have scrutiny committees must specify how the functions in 3.2 above will be scrutinised, either by the full council or by one of its committees.

4. Preparation of Proposals for New System

4.1 In order to progress proposals to move to a committee system, the Constitution, Civic and Councillor Development Working Group with support from officers, including the monitoring officer, will be required to draw up the arrangements and draft a new constitution.

4.2 The working group will need to meet on a sufficiently frequent basis to move the process forward and be in a position to make final recommendations to Council in March 2017 although it is anticipated that proposals will be available for consultation before the end of the calendar year 2016.

4.3 Whilst a new committee system of governance cannot be changed for 5 years following its implementation, constitutional changes can still be made as long as the committee system remains in place. It is anticipated that members will wish to review the working of a new constitution at a suitable point following implementation of a new system of governance.

4.4 The working group will be asked to develop a proposal for consideration by Council which reflects as far as possible the “design principles” set out at the beginning of this report. The work of the group will include, but is not limited to, –

- i. the number and names of individual committees and how they will relate to the other committees of the Council;
- ii. the broad roles, responsibilities of those committees, including role of the chair;
- iii. whether, and to what extent, committees will have the power to take open and transparent decisions on matters within their area of responsibility;
- iv. whether there will be an Overview and Scrutiny Committee, and if not, how the Council’s statutory scrutiny duties will be met;
- v. whether there will be a mechanism for matters decided or to be decided by a committee to be referred to the full Council or any other committee for reconsideration;
- vi. how public consultation and engagement can be addressed within the new committee system arrangements;
- vii. the Scheme of Delegation both from Council to committees and from committees to officers;
- viii. how the committee system will demonstrate accountability of decisions taken;
- ix. potential costs associated with the committee system arrangements;
- x. procedure and criteria for urgent decisions when it would not be practical for a meeting to be convened;
- xi. the requirement for and establishment of working groups and sub committees.

5. External assistance

5.1 External assistance may be sought to work with members on formulating their wishes for the committee structure.

5.2 Members may also examine the arrangements of other committee system authorities and learn from their experience of the process. Site visits will be arranged to benefit from a first-hand experience of a committee system authority.

The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17

There are no implications for the 2013/14 – 2016/17 Corporate Plan. Subsequent iterations will consider the impact of a new model of governance in its development.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land:

Officer costs in preparing detailed proposals will be met through existing resources.

Expenditure on specialist external support for the process has been estimated at circa. £10,500 this will be funded from existing corporate budgets.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

As part of developing proposals the potential social and community benefits will also be considered.

Risks and opportunities relating to any change to decision making arrangements will be considered and planned for using the council's approved risk management methodology. A risk register will be drafted at the appropriate time to guide the implementation.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

At this stage no adverse impact has been identified to any protected groups in making a change in governance arrangements but this will need to be assessed as proposals are developed.

Recommendations and Reasons for recommended action:

Under the provisions of the Localism Act 2011, this Council resolves:

- a) in principle, to change its governance arrangements and start to operate a committee system form of governance and;
- b) that the relevant change time for Plymouth City Council to cease operating the existing form of governance and start operating the new committee form of governance shall be at its Annual General Meeting in May 2017.
- c) to request the Constitution, Civic and Councillor Development Working Group to work up detailed proposals for the operation of the committee system, to be considered at the March 2017 full Council meeting, in advance of the May 2017 implementation date.

Reason: The administration of the Council has agreed as part of its working arrangement between the Conservative Group and the UKIP group that the council's governance arrangements need to better reflect the design principles set out in this report. This is considered to be more likely to be achieved in a committee system style of governance.

It has commissioned the Constitution, Civic and Councillor Development Working Group to undertake the work described in the body of this report to allow full consideration of the impact of any such change and to report back to council in March 2017 in advance of any implementation at the Annual General Meeting in May 2017.

Alternative options considered and rejected:

Maintenance of the status quo would not satisfy the working arrangement between the Conservative group and UKIP group.

Published work / information:

- [Local Government Information Unit: Changing to a committee system in a new era \(2014\)](#)
- [Local Government Association and Centre for Public Scrutiny: Rethinking Governance – Practical Steps for councils considering changes to their governance arrangements \(2014\)](#)
- [Centre for Public Scrutiny: Musical Chairs – Practical issues for local authorities in moving to a committee system](#)
- [Local Government Act 2000](#)
- [Localism Act 2011](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
A working arrangement for Plymouth City Council (May 2016)	X									

Sign off:

Fin	PC1 617. 05	Leg	LT/ 258 75	Mon Off	DV S/2 587 5/2	HR		Assets		IT		Strat Proc	
Originating SMT Member – Giles Perritt / David Shepperd													
Has the Cabinet Member(s) agreed the content of the report? Yes													

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A Working Arrangement for Plymouth City Council

Following the local elections held on 5th May 2016, no Party or Group achieved an overall majority on Plymouth City Council. This working arrangement between the Conservative Group and UKIP Group will enable Members to carry forward the business of the Council on behalf of our residents and employees, providing confidence to the business community and inward investors.

1. The working arrangement is for a period of 2 years until the local elections in May 2018.
2. The UKIP Group will support the Conservative Group on all key decisions of the Council leading to the implementation of the jointly agreed agenda set-out in Annex A.
3. Both Groups will support an early motion to Council to introduce a “committee system” of governance.
4. The Conservative Group will run the Council’s executive functions. Cabinet Members will ensure that UKIP Members, where practical, are briefed ahead of Cabinet meetings.
5. UKIP members will undertake the following responsibilities of the Council:
 - a. Take one seat in Cabinet, with the Member leading the work stream “democracy and governance” as part of a wider portfolio
 - b. Take the Vice Chair of Planning Committee
 - c. Take one seat on the Scrutiny Management Board
 - d. Take one seat on the Devon/Somerset Fire & Rescue Service Authority

Annex A

- provide more jobs, apprenticeships, and work experience opportunities
- vigorously oppose current Labour Party intentions to scrap the Trident replacement programme. We will fight to maintain jobs and investment in HM Dockyard and Naval Base.
- campaign for fairer public health spending for Plymouth
- maintain the campaign for better rail links and protect the airport
- continue to deliver more homes for local people on suitable sites
- actively pursue and bring forward plans to regenerate Colin Campbell Court
- seek a new 5 star hotel for Plymouth Hoe
- accelerate plans to bring more empty homes in Plymouth back into use
- prioritise development on brownfield sites
- review traffic light operations and tackle traffic bottlenecks to keep Plymouth moving
- improve our pavements
- promote volunteering and recognise individual effort and personal responsibility
- put customers and our local communities first
- invite local residents to be more involved in Council budget setting plans
- introduce a city wide initiative to tackle our growing littering problem
- continue to support our voluntary, community, and social enterprise sector
- freeze parking charges in the City Centre until April 2017
- keep council tax low and balance the books
- produce an options appraisal to investigate the re-introduction of the “committee” system of governance in April 2017