


Non-Executive Report of the:  <b>Overview and Scrutiny Committee</b>  28 <sup>th</sup> September 2016	
<b>Report of: Melanie Clay, Director of Law, Probity and Governance</b>	<b>Classification:</b> Unrestricted
<b>Overview and Scrutiny Toolkit 2016/17</b>	

<b>Originating Officer(s)</b>	Mark Bursnell, Senior Strategy, Policy and Performance Officer
<b>Wards affected</b>	All wards

### Summary

The purpose of the overview and scrutiny toolkit is to provide all those interested parties involved in scrutiny (such as councillors, officers, stakeholders and local people) with advice, guidance and practical examples of how overview and scrutiny works at Tower Hamlets Council and the positive impact it can have on enhancing the way the Council conducts its business. The toolkit is informed by the experience of scrutiny in Tower Hamlets and constructive examples of what has achieved by other local authorities.

The toolkit identifies a good practice approach on how to develop and implement effective scrutiny. This includes the selection of topics, managing the work programme, and using different types of scrutiny to best fit the topic being scrutinised. The toolkit also sets out the key roles played by councillors and officers in the scrutiny process and identifies the tools needed to carry out effective scrutiny. The toolkit will be refreshed annually to reflect lessons learnt over the year and good practice from other local authorities that can be applied to the Council's approach.

### Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Comment on the draft Overview and Scrutiny Toolkit 2016/17 (Attached in Appendix 1) prior to it being finalised.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The toolkit aims to be an easy to read document that brings together in one place all the relevant information on how to conduct scrutiny and assess the impact it has. As such it is a useful guide which will help stakeholders and the public better understand how scrutiny works and get involved in specific scrutiny activity.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The alternative options are to either reject the need for such a toolkit or, request that it is produced with a different format or content.

## **3. DETAILS OF REPORT**

- 3.1 The Overview and Scrutiny Toolkit was requested by the Chair of the Overview and Scrutiny Committee to provide guidance on how the scrutiny operates at the Council. The structure and content of the toolkit, draws on the Council's many years' experience of carrying out scrutiny activities and identifies best practice from other local authorities.
- 3.2 The toolkit is intended to be used and referred to by scrutiny practitioners and the members of the public alike. The opening sections of the toolkit explain what scrutiny is, the characteristics of effective scrutiny, its legal powers and how it fits within the Council's decision making structure. The following sections describe the role and functions of the Overview and Scrutiny Committee and its sub-committees, the types of scrutiny practised by the Council and how the public can get involved.
- 3.3 The middle sections of the toolkit describe the roles and responsibilities of people involved in scrutiny at the Council (elected and co-opted members, Chairs and officers) and scrutiny's relationship with the Cabinet. The final sections cover the tools available to carry out effective scrutiny, the opportunities for learning and development, communicating scrutiny and key contacts.

## **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 There are no direct financial implications arising from this report. The toolkit and its implementation are funded from existing resources.

## **5. LEGAL COMMENTS**

- 5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants. The Committee may make reports and recommendations to

the Full Council or the Executive in connection with the discharge of any functions.

- 5.2 The Council is a best value authority within the meaning of Part 1 of the Local Government Act 1999. As a best value authority, the Council has an obligation under section 3 of the Local Government Act 1999 to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness” (the best value duty).
- 5.3 It is consistent with both these duties to introduce a toolkit.
- 5.4 When taking action, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Information relevant to this is in the One Tower Hamlets Section of the report.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 The toolkit aims to raise public awareness of the scrutiny activity carried out by the Council and to increase public involvement in the topics chosen and investigated, so local people can better understand the positive benefits effective scrutiny delivers. The toolkit provides an opportunity for the wider community, including minority groups, to engage more closely with the scrutiny work undertaken by the Council and make outcomes more relevant to their needs and priorities.

## **7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 The toolkit provides an opportunity for the Council to focus its scrutiny activity into those areas where the outcomes will have the greatest impact. As such the toolkit will contribute to increasing public knowledge of how scrutiny works and the results it can achieve, with the same level of resources.

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 This report has no direct implications for a greener environment.

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 The toolkit clarifies how scrutiny works at the Council and the respective roles of Members and officers. Greater clarity should contribute towards mitigating risks to the Council in undertaking its scrutiny functions.

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 The toolkit has no direct implications for crime and disorder in the borough.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- [List any linked reports, for example those that went to other Committees on the same issue]
- State NONE if none.

### **Appendices**

- OSC Toolkit 2016/17 [and state EXEMPT if necessary].

#### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report
- State NONE if none.

### **Officer contact details for documents:**

- [Or state N/A]