

<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>25 June 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Will Tuckley, Chief Executive</p>	<p>Classification: Unrestricted</p>
<p>Strengthening Overview and Scrutiny in 2018-19</p>	

<p>Originating Officer(s)</p>	<p>Elizabeth Bailey – Senior Strategy, Policy and Performance Officer</p>
<p>Wards affected</p>	<p>All wards</p>

Executive Summary

This report reviews the overview and scrutiny arrangements of the London Borough of Tower Hamlets (Tower Hamlets) against the national, regional and local context to assess its effectiveness to date and identify areas for improvement. This report makes 14 recommendations to strengthen scrutiny in 2018-19 and sets out how these will be implemented in the accompanying action plan.

Recommendations:

The Committee is recommended to:

1. Comment and agree the report;
2. Review and comment on the draft action plan;
3. Authorise the Divisional Director Strategy, Policy and Performance to amend the report following comments by Overview and Scrutiny; and
4. Note the specific equalities considerations as set out in Paragraph 4.

1. REASONS FOR THE DECISIONS

- 1.1 This report reviews the overview and scrutiny arrangements of Tower Hamlets against the national and local context to assess its effectiveness to date and identify areas for improvement.
- 1.2 This report makes 14 recommendations to help strengthen scrutiny arrangements at Tower Hamlets and sets out associated actions to address these.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee may decline to agree the recommendations. This is not recommended as the report outlines feedback from the Centre for Public Scrutiny and members of the Overview and Scrutiny Committee, together with work undertaken by officers, to identify areas of improvement for scrutiny arrangements at Tower Hamlets.

3. DETAILS OF THE REPORT

- 3.1 This report reviews the overview and scrutiny arrangements in Tower Hamlets against the national and local context to assess their effectiveness to date and identify areas for improvement. This report makes 14 recommendations to strengthen scrutiny in 2018-19.
- 3.2 The Communities and Local Government Committee (the Select Committee) carried out the first comprehensive assessment of scrutiny arrangements, since their introduction by the Local Government Act 2000, and published its final report in December 2017 (the Select Committee Report).
- 3.3 The Select Committee Report, entitled 'effectiveness of local authority overview and scrutiny committees', makes 21 recommendations focusing on the themes of organisational culture, parity of esteem between scrutiny and the executive, independence, member training and skills, role of the public and scrutinising public services delivered by external organisations.
- 3.4 In March 2018, the Government published its response to the Select Committee Report and accepted most but not all of the recommendations aimed at the Government (Government Response).
- 3.5 The Government Response notes that scrutiny plays a vital role in ensuring local accountability on a wide range of local issues and comments that the Government is committed to ensuring councils:
 - are aware of the importance of scrutiny,

- understand the benefits of effective scrutiny and
 - have access to best practice to inform Councils' thinking.
- 3.6 However, the Government Response comments that Councils are best-placed to shape scrutiny arrangements to suit local needs, and recognises the flexibility local authorities need to put those arrangements in place. In particular, the Government Response highlights that the Government is wary of imposing particular arrangements on local authorities, such as prescribing how scrutiny chairs are elected/appointed, resources and training, Government monitoring systems and how to hold external bodies running public services to account.
- 3.7 The Strategy Policy and Performance team has undertaken a review of the effectiveness of scrutiny arrangements at Tower Hamlets, based on the themes of the Select Committee Report and feedback from Councillors, officers and the Centre for Public.
- 3.8 In particular, the Report bases 'effective scrutiny' on the Centre for Public Scrutiny's following four principles, which set out that good scrutiny:
- provides a constructive "critical friend" challenge;
 - amplifies the voices and concerns of the public;
 - is led by independent people who take responsibility for their role
 - drives improvement in public services.
- 3.9 The following key areas of improvement have been identified to strengthen scrutiny arrangements in Tower Hamlets:
- **Clarifying roles and processes** through updating and publicising guidance
 - **Remit of the Overview and Scrutiny Committee and its sub-committees** to strengthen scrutiny's role in reviewing the Improvement Framework and exploring extending the role of the Grants Scrutiny Sub-Committee
 - **Developing the skills of committee members and officers** through training
 - **Effective work programming** through focusing on priority matters to residents and sub-committees leading on performance and budget issues

- **Amplifying the voice of residents** through recruiting co-opted members to scrutiny committees and developing a communications and engagement plan
- **Using local Independent expertise** by exploring existing networks and contacts
- **Monitoring and evaluating** the impact of scrutiny by developing an evaluation tool.

3.9 The attached Action Plan sets out how the recommendations will be implemented.

4. EQUALITIES IMPLICATIONS

4.1 The Public Sector Equality Duty (as set out in the Equality Act 2010) aims to embed equality considerations into the day to day work of public bodies, so that they tackle discrimination and inequality and contribute to making society fairer.

4.2 Recommendations in the report relate to the Overview and Scrutiny Committee and scrutiny sub-committee work programme for 2018/19. The work programme will be designed around prioritising key equality considerations of the Strategic Plan, including reducing inequality, promoting community cohesion and enabling community engagement. Identifying and prioritising issues, which are important to local residents, will play an important role in developing the work programme to drive service improvement.

4.3 Key to addressing equality issues is making scrutiny more accessible. This Report sets out the need for better use of communications, including social media, to highlight scrutiny events and raise residents' awareness the role of scrutiny and how they can get involved. Further, this Report discusses holding meetings in the community and providing greater opportunities for residents to contribute during meetings.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision-makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),

- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 The recommendations in this report are made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty.

5.3 The Overview and Scrutiny Committee has a mandatory consultation role on all items that are the responsibility of full Council as set out in the budget and policy framework. The recommendations in this report seek to strengthen the role of scrutiny sub-committees by monitoring budget and performance items throughout the year.

5.4 The recommendations in this report relate to consultation with local residents to develop the work programme.

5.4 Although likely to form part of the Overview and Scrutiny Committee work programme, there are no direct environmental, risk management, crime reduction or safeguarding issues arising from the recommendations of this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This report makes 14 recommendations to strengthen scrutiny arrangements in Tower Hamlets.

6.2 There are no direct financial implications to the Council from this report, however if the cost of actions carried out to implement recommendations cannot be contained within the existing Council revenue budget, then growth funding will need to be requested for consideration as part of the medium term financial planning process.

7. COMMENTS OF LEGAL SERVICES

7.1 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 and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions.

7.2 The Council also has a duty under 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. This is referred to as the Council's best value duty.

- 7.3 The recommendations to help strengthen scrutiny arrangements are consistent with both the Council's best value duty and its duties under Local Government Act 2000.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – Strengthening Scrutiny 2018/19 Report and Action Plan

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- NONE

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