

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
ADMINISTRATION COMMITTEE – 15 JULY 2019
REPORT OF THE DIRECTOR OF GOVERNANCE & CO-ORDINATION
SCRUTINY ARRANGEMENTS – REPORT OF THE SCRUTINY PANEL

The report of the Panel appointed to oversee the detail of the new arrangements for scrutiny and prioritisation of the scrutiny work programme is attached as Appendix One. The Committee is invited to review the report and to use the information to inform its recommendations to Council on 24 July.

FOR DECISION

1. BACKGROUND

- 1.1 At its meeting of 22 May, full Council agreed to make changes to the way scrutiny works which will increase opportunities for public participation and ensure that scrutiny focuses on the things that matter most. The Council noted plans for a period of consultation prior to its meeting on 24 July in relation to the detail of new arrangements for scrutiny, and prioritisation of the scrutiny work programme. It was agreed that this consultation would take place through a residents' conference, all existing Scrutiny Committees, and a public appeal for views and priorities.
- 1.2 In order to ensure that this consultation was as effective as possible, the Council resolved to appoint a Panel of four non-Executive members (three majority party and one minority party members) to oversee the process of consultation. The Panel was also requested to consider how all non-Executive members can have the opportunity to serve on one scrutiny committee should they so wish.
- 1.3 The Panel was requested to draft a report to enable the Administration Committee to bring back proposals to the Council meeting on 24 July having considered the results of the consultation.

2 OVERVIEW OF THE CONSULTATION AND RECOMMENDATIONS OF THE PANEL

- 2.1 The Panel met formally six times, but also reviewed material collaboratively online. At the Panel meetings, members reviewed key documentation, including statutory scrutiny guidance and Council reports. The Leader of the Council, the Chief Executive and senior officers met the Panel to answer questions. Panel members also reviewed the findings from the consultation exercise described below.
- 2.2 All of the consultation opportunities were widely advertised by email and social media, and included the following:

- A call for written submissions from residents;
- A residents' conference held on 20 June;
- An invitation to all councillors to input their views individually; and
- An agenda item on each of the six existing scrutiny committees with at least one of the four members of the Panel attending to listen to the conversation and views.

More information about the engagement appears in the Panel's report.

2.3 The Panel's report appears at Appendix One.

2.4 The Panel has made 24 recommendations in its final report and these are set out below:-

Recommendation 1: That the Council adopts the proposed Executive-Scrutiny Protocol that is set out separately in the draft changes to the Council Constitution.

Recommendation 2: That the four themed committees be titled Council Select Committees.

Recommendation 3: That the scopes and titles of the four Council Select Committees should be as detailed in para 5.5 and the draft changes to the Council Constitution that are set out separately.

Recommendation 4: That the Council's statutory duties to scrutinise health matters and flood risk management should be routinely exercised by the Adult Social Care and Health Council Select Committee and by the Environment Council Select Committee respectively, except on those occasions when the Overview and Scrutiny Committee chooses to exercise its prerogative to examine a related topic.

Recommendation 5: That the Council Select Committees should meet formally six times a year.

Recommendation 6: That the Council Select Committee Chairs, when elected, create a detailed work programme for their respective committees from the tasks allocated to them and report this to the second meeting of the Overview and Scrutiny Committee.

Recommendation 7: That the Overview and Scrutiny Committee's remit should be as outlined in para 6.1 of the report attached as Appendix One and in the draft changes to the Council's Constitution that are set out separately.

Recommendation 8: That the Overview and Scrutiny Committee establishes a master 'action tracker' to ensure the follow-through of recommendations of past and future scrutiny reports and meetings.

Recommendation 9: That the Overview and Scrutiny Committee Chair, with the Vice-Chair, should review proposed Key Decisions and determine whether they are best scrutinised by the Overview and Scrutiny Committee itself or by one of the Council Select Committees.

Recommendation 10: That the first Chair of the Overview and Scrutiny Committee explores the possibility of one or two joint meetings with the Chair of the Audit and Transparency Committee.

Recommendation 11: That the Overview and Scrutiny Committee be responsible for all Grenfell-related matters, including recovery, and delegate to the relevant Council Select Committees issues where detailed scrutiny is required.

Recommendation 12: While the constitutional size for each of the Council Select Committees is seven councillors, once the list of volunteers for each Committee is known, the Council could consider the constitutional change necessary to increase the size of individual committees to allow extra councillors to serve (majority, minority and un-grouped) while maintaining proportionality.

Recommendation 13: If implementation of Recommendation 12 still leaves a surplus of councillors who wish to serve on particular committees, Councillors not serving on the Overview and Scrutiny Committee or a Council Select Committee should be encouraged to attend meetings to contribute from the floor and/or volunteer to join working groups as non-voting members, as it will not otherwise be possible for them all to serve as full members and maintain the proportional split between the parties.

Recommendation 14: That the Overview and Scrutiny Committee and Council Select Committees should ensure that opportunities to serve on forthcoming working groups and to contribute evidence are appropriately publicised to members and to local people with relevant expertise.

Recommendation 15: That the chairs of individual committees be distributed by agreement between the party groups in accordance with the spirit of the proportional party group strengths.

Recommendation 16: That the Governance team administers a system of election whereby members of the allocated party can compete for the chairmanship of each committee, on production of a nomination form signed by a proposer and seconder; and that, in the event of more than one candidate coming forward, an election is held in which all councillors are entitled to vote by secret ballot using the alternative vote system to rank candidates; and that the result of the election shall be confirmed by the Council's Annual General Meeting (or next full Council meeting), with new nominations required before the next Annual General Meeting. The Panel recognised the challenges involved in introducing this system for 24 July 2019 and that its introduction might have to be deferred to May 2020.

Recommendation 17: That the Scrutiny team identifies generic scrutiny training opportunities to discuss with the new Chair of the Overview and Scrutiny Committee, with a view to developing a generic training programme for all scrutiny councillors.

Recommendation 18: That the Scrutiny team creates an interim induction pack for members of each of the new committees for September 2019, and that each of the five new committees should then develop with the Scrutiny officers a full induction programme for their committee to be in place for May 2020.

Recommendation 19: That the level of officer support for scrutiny functions be reviewed in a year's time to determine if it is fit for purpose.

Recommendation 20: That the statutory co-optees for education will sit on the Family Services Council Select Committee for those agenda items that are related to

education (with the Committee Chair having the power to rule which agenda items are in scope and which are out of scope for 'education' topics, as the Committee will have a wider remit), and could also be invited to contribute in meetings for 'out of scope' agenda items.

Recommendation 21: That Healthwatch has a co-opted place on the Adult Social Care and Health Council Select Committee for those agenda items that are related to Healthwatch's remit (with the Committee Chair having the power to rule which agenda items are in scope and which are out of scope for 'health' topics), and could also be invited to contribute in meetings for 'out of scope' agenda items.

Recommendation 22: That the statutory Education co-optees and Healthwatch also be invited to attend the Overview and Scrutiny Committee when it has a specific agenda item on education and/or health respectively, for that item (or those items) only; the Committee Chair will have the power to rule which agenda items so qualify for co-optee invitations.

Recommendation 23: That the Chairs of the Overview and Scrutiny Committee and the four Council Select Committees encourage contributions from the floor on all substantive agenda items at their meetings.

Recommendation 24: Council Select Committees are encouraged to make contact with stakeholder groups involved in their areas of work, and to make use of voluntary co-option onto working groups to fit the needs of particular studies.

4. RECOMMENDATION

- 4.1 The Committee is invited to review the report and recommendations of the Panel and to confirm what proposals should be made to full Council on 24 July.

FOR DECISION

Heather Wills
Director of Governance and Co-Ordination

Background papers used in the preparation of this report: none other than previously published papers

Contact officer: Jacqui Hird, Scrutiny Manager, at jacqui.hird@rbkc.gov.uk and on 020 7361 2634