

National Overview and Scrutiny Forum

**Wednesday 6 May 2009 at Swindon Steam Museum, Swindon, Wiltshire
commencing at 11.00pm**

Present: Mark Lowe – Centre for Public Scrutiny (in the Chair)
Councillor Joe Armstrong (North East Network), Tom Bolton (North East Network),
Howard Boots (North West Network), Tim Buckle (Welsh Local Government
Association), Matthew Garrard (East Midlands Network), Ed Hammond (Centre for
Public Scrutiny), Jane Harman (South East Network), Nerissa Shepherd (South West
Councils), Alison Smith (West Midlands Network), Jodie Townsend (South
West Network)

Apologies: David Bowater (South West Councils), Councillor Margaret Bruff
(Yorkshire and Humber Network), Councillor Paul Edwards (North West
Network), Alan Maher (Yorkshire and Humber Network) and Councillor Bob
Smytherman (South East Network).

Also Present: Paul Evans (Houses of Parliament) and Preth Rao (Equalities and Human
Rights Commission).

Kat Hicks (Tunbridge Wells Borough Council) and Ian Scott (Bristol City Council) were
in attendance as observers.

1. Welcome and Introductions

Those present were welcomed to the meeting and introduced themselves.

2. Minutes of the Last meeting

**It was agreed that the minutes of the previous meeting of the Forum held on 28
January 2009 should be agreed as a correct record.**

3. Regional Network Updates

Representatives from the Regional Scrutiny Networks present updated the Forum on
scrutiny developments in their Regions and a summary of the issues raised is as
follows:-

(i) East Midlands Network

Matthew Garrard reported that in the East Midlands region there had been
developments regarding the Regional Health Committee. The first meeting of the East
Midlands Regional Select Committee had been held recently in Nottingham. The local

RiEP was looking at what they could do to support scrutiny. The East Midlands RiEP had a member champion.

(ii) South West Network

Jodie Townsend and Nerissa Shepherd reported on the work being undertaken in the South West region. Some good scrutiny work had been undertaken on the South West Ambulance service.

I&DeA funding had been secured from the South West RiEP to develop the South West Scrutiny Network.

A protocol for health Scrutiny work had been developed.

Jodie reported that scrutiny budgets in the South West region had suffered but it was hoped that the work with the South West RiEP would help.

(iii) North West Network

Howard Boots reported that Councils were keen to engage in health scrutiny but it was difficult to achieve with the numbers of Councils involved.

2 health conferences had been held.

The Association of Greater Manchester Authorities had appointed an officer who would be responsible for looking at Scrutiny.

Tameside Borough Council had created a protocol for looking at crime and disorder scrutiny.

(iv) Welsh Network

Tim Buckle reported that there had been some developments relating to Local Service Board scrutiny issues and attention was drawn to the multi-agency scrutiny model that had been developed in Cardiff. It was also reported that the Welsh Assembly Government had provided a Scrutiny Development Fund and that projects funded through this were currently ongoing within a number of Authorities. An Officer development programme for Welsh Scrutiny officers was also due to take place later in the year which was being organized by the Welsh Local Government Association in partnership with the Centre for Public Scrutiny.

(v) South East Network

Jane Harman reported that the South East had held a joint Officer/Member meeting on 30 April and received presentations on Regional Scrutiny, the role of scrutiny in the Comprehensive Area Assessment, legislative updates and a Group of Network members had also attended a Select Committee session.

(vi) North East Network

Tom Bolton and Joe Armstrong reported that the changes to Unitary status in the North East had meant that Councils in the region had reduced from 25 to 12.

The Network had recently submitted evidence to the inquiry being undertaken by the Committee into Standards in Public Life.

The North East Network had also set up a Joint Member/Officer working group to facilitate the development of the Network. A Health Scrutiny Officer Network was also being set up.

(vii) West Midlands Network

Alison Smith reported that Officer/Member meetings had been held and various training sessions had been planned to take place after elections in June 2009. These would include a scrutiny skills event in July to compliment individual authorities induction programmes and a partnership scrutiny event in early Autumn. The Network were also considering holding an event on Comprehensive Area Assessment and scrutiny but wished to defer this until the objectives of the Core Skills for members had been agreed. Brenda Cook had also facilitated discussions on setting up a Joint health Scrutiny Committee for regional health scrutiny. This was still in its early stages.

At a local level the Network was focusing on the hospital issues at the Staffordshire hospital.

4. Resourcing Scrutiny

Paul Evans, Principal Clerk to the Houses of Parliament Select Committees attended the Forum and spoke about the work being undertaken by his Department in consultation with the Centre for Public Scrutiny to provide a more flexible approach to resourcing scrutiny.

The Forum was advised that on 25 June 2009, the Houses of Parliament Select Committees were celebrating their 30th Anniversary. Paul explained that the Parliamentary Select Committees were being used to influence policy changes and also being used to drive forward improvements. New Select Committee reports would shortly be released relating to the Icelandic Bank debacle and the constitutional settlement for local authorities.

Because of the emerging role of Local Government Scrutiny and the natural link with the Parliamentary Select Committees, the Houses of Parliament were keen to develop

relationships with the Centre for Public Scrutiny and scrutiny practitioners across the country which possibly could be in the form of sharing staff on secondments and also for Local Government scrutiny reports to feed into Parliamentary Scrutiny reports and vice versa.

Members of the Forum welcomed the proposals and suggested that the Forum should be updated on developments. Paul explained that he would be meeting with Ed Hammond to discuss the issues further and as the full detail of the proposals emerged, the Forum would be advised accordingly.

The Forum thanked Paul for attending and for the very informative presentation.

5. Legislative Updates

Ed Hammond and Mark Lowe updated the Forum on recent legislative developments relating to Overview and Scrutiny.

(i) Councillor Call for Action

The Councillor Call for Action powers which aimed to provide more power to local people and Ward Councillors were implemented on 1 April 2009 and Guidance had been issued to all Councils.

Ed Hammond advised that there would be a Councillor Call for Action workshop at the Centre for Public Scrutiny Annual Conference Member development day on 10 June.

(ii) New Scrutiny powers under the Local Government and Public Involvement in Health Act 2007

The Regulations and Guidance relating to the new powers had been delayed. Without the Regulations there was no legal power for there to be formal Joint Overview and Scrutiny Committee arrangements set up between County Councils and Districts to scrutinize the Local Area Agreement and also there was no legal power for District only Councils to scrutinise the Local Area Agreement. Unitary and County only Scrutiny Committees did, however, have full legal powers to scrutinize the Local Area Agreement.

(iii) Police and Justice Act 2006 – Crime and Disorder Scrutiny

The Centre for Public Scrutiny had been working with the Local Government Information Unit and the Home Office to draft the Statutory Guidance relating to the crime and disorder scrutiny provisions contained in the Police and Justice Act 2006. The new powers required all Councils to create crime and disorder committees to scrutinize the work of the Crime and Disorder Reduction Partnership. Regulations had recently been issued and it was anticipated that the final Guidance would be released by the middle of May.

(iv) Local Democracy, Economic Development and Construction Bill – Implications for Scrutiny

The new Bill was being discussed in Parliament and was likely to receive Royal Assent in summer/Autumn 2009. The Bill contained new powers for Scrutiny Committees to consider appeals against petitions, new powers to extend the remit of Joint Overview and Scrutiny Committees, powers to hold senior officers to account and powers for Unitary and County Councils to create a Scrutiny Officer along similar lines to the Monitoring Officer.

6. Developing Scrutiny as a Profession

Mark Lowe referred to the discussion paper relating to 'developing Scrutiny as a profession' which had recently been posted on the Centre for Public Scrutiny website. The Centre for Public Scrutiny had been debating internally the extent to which scrutiny should be promoted as a profession and the discussion paper had been posted to air some of the issues involved and to seek views from scrutiny practitioners to take the discussion forward.

Members of the Forum were encouraged to consider the issues raised in the discussion paper and discuss with the members in their regions and submit views to the wiki section of the Centre's website. There would also be an opportunity to discuss the full detail of the proposals at the next meeting of the National Forum on 22 July 2009.

Members present were generally supportive of creating a Scrutiny Association as described in the discussion paper.

7. Introduction on Equalities and Human Rights – Using Scrutiny

Preth Rao, Policy Manager, Local Government Team at the Equality and Human Rights Commission addressed the Forum on work being undertaken by the Commission and the role Scrutiny could play in influencing the work.

The Equalities and Human Rights Commission were doing a great deal of work concentrating on Local Government performance, citizen engagement and political representation. Preth referred to 'Equal to the Task' a Centre for Public Scrutiny publication which had looked at how Scrutiny could be involved in addressing equalities issues.

A workshop on the work of the Commission and involving Scrutiny would be provided at the Centre for Public Scrutiny Annual Conference.

Preth also explained the detail contained in the new Equalities Bill which had recently been introduced into Parliament. It was suggested that those attending the Conference should find out more about the Commission by attending the Workshop or by contacting Preth to discuss in more detail.

The Forum thanked Preth for attending and for the very informative presentation.

8. The Future of Scrutiny in a time of Financial Crisis

Howard Boots explained that Tameside amongst other Councils was looking at cutting budgets and Scrutiny Officer posts were not being filled. He asked if it was appropriate for Scrutiny budgets to be cut at such a time of economic crisis?

Ed Hammond advised that the Centre for Public Scrutiny was looking at how scrutiny could help in a recession and a publication as well as a seminar/workshop were planned for the summer.

It was agreed that an item be included on the Forum's next agenda to discuss this in more detail at which Ed would be able to share the detail of the publication.

9. Centre for Public Scrutiny Annual Conference – 9/10 June 2009

The Forum were provided with the latest programme information on the Centre for Public Scrutiny Annual Conference and Member and Officer Development Days to be held on 9 and 10 June 2009.

10. Date of Next Meeting

The Forum was advised that its next meeting would be held on Wednesday 22 July 2009 at 12 Noon in London (Venue to be confirmed).

The meeting ended at 2.20pm