

North East Derbyshire District Council

Annual Council

26 May 2015

**Proposed Arrangements for Scrutiny at North East Derbyshire District Council -
May 2015 onwards**

**Report of Councillors T Reader, G Morley, J Windle, B Wright – Chairs of Scrutiny
Committees**

This report is public

Purpose of the Report

- To make proposals on the Scrutiny Committee Structure to be introduced in May 2015

1 Report Details

- 1.1 Scrutiny Chairs and Vice Chairs have discussed the need to consider the structure of the Scrutiny Committees following the proposal to adopt a new Corporate Plan for 2015 - 2019
- 1.2 The new Corporate Plan is currently being developed and a period of consultation has been held with stakeholders. It is anticipated that it will be submitted to Council in June 2015 for final approval. The new scrutiny committee cycles are also proposed to commence in June, 2015.
- 1.3 Members may recall that the existing Scrutiny Committee Structure was adopted following an Independent review of the Scrutiny Service in 2007. At this time one of the key recommendations implemented was the alignment of Scrutiny Committees to the Council's Corporate Plan Aims.
- 1.4 The current Scrutiny Structure consists of four Scrutiny Committees each made up of nine members as follows:
 - Audit and Corporate Governance
 - Economic Regeneration, Skills and Environment
 - Healthy Communities and Wellbeing
 - Safer Homes and Neighbourhoods
- 1.5 In order to continue to align the Scrutiny Committees with the Council's Corporate Plan, it is proposed to change the remits of the Scrutiny committees which will also result in a change of the name for three out of the four of the Committees as proposed below:
 - **Audit and Corporate Governance Scrutiny Committee** – no change to existing remit

- **Growth Scrutiny Committee** focusing on Growth, Local Enterprise Partnerships, Combined Authorities, Economy, Economic Development, Regeneration, Planning, Tourism, Asset Management, Partnerships, Strategic Housing
- **Communities Scrutiny Committee** focusing on Crime and Disorder, Community Safety, Leisure, Health and Wellbeing, Street Scene, Inclusion, Equalities, Housing Management, Emergency Planning, Estates and Property, Environmental Health
- **Organisation Scrutiny Committee** focusing on the Transformation Programme, Services, Shared Services, Self Regulation, Commissioning/ De commissioning Services and Employees

A copy of the Committees full remit is attached at **Appendix A**.

2 Conclusions and Reasons for Recommendation

- 2.1 If the Corporate Plan 2015 – 19 is approved by Council in June 2015 the current Scrutiny Committee Structure will no longer align to the Council's Corporate Plan.

Note - If the Corporate Plan changes in any substantial way, the Scrutiny Committee Structure will need to be revisited.

3 Consultation and Equality Impact

- 3.1 Scrutiny Chairs and Vice Chairs have discussed the proposals and the benefits of continuing to be aligned to the Council's Corporate Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 To continue to operate under the existing committees without alignment to the Corporate Plan. This would be contrary to the recommendations of the independent review of Scrutiny in 2007 that sought to ensure that Scrutiny added value to the work of the whole Council.

5 Implications

None other than those detailed in the report.

5.1 Finance and Risk Implications

- 5.1.1 None.

5.2 Legal Implications including Data Protection

- 5.2.1 The recommendations made will result in amendments to the Terms of Reference of the Scrutiny Committees. These were submitted to Standards Committee on 26 March 2015 and will be considered as a separate report on the agenda for this meeting of Annual Council.

5.3 Human Resources Implications

5.3.1 None

6 Recommendations

6.1 Council is asked to agree that the three new Scrutiny Committees with new Terms of Reference be created and aligned to the new Corporate Plan 2015 – 19 as follows:

- Growth Scrutiny Committee
- Communities Scrutiny Committee
- Organisation Scrutiny Committee

6.2 Council is asked to note that the Audit and Corporate Governance Scrutiny Committee will continue to operate with its existing terms of reference.

6.3 That the Economic Regeneration, Skills and Environment Scrutiny Committee, the Safer Homes and Neighbourhoods Scrutiny Committee and the Healthy Communities and Wellbeing Scrutiny Committee not be established at the Annual Meeting on 26 May 2015.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
Appendix A	Committee Full Remit
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Draft Corporate Plan 2015 - 19	
Report Author	Contact Number
S R Broadhead Overview and Scrutiny Manager	(01246) 217060

Appendix A

5.3 Scrutiny Committees

(a) Within their themed areas, all *Scrutiny Committees* will:-

- (i) review decisions made by and the performance of the *Council Meeting*, the *Cabinet*, committees and *Officers* both in relation to individual decisions and over time (but not including *Regulatory Decisions*)
- (ii) review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas
- (iii) question members of the *Cabinet* and *Officers* about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions (but not including *Regulatory Decisions*)
- (iv) make recommendations to the *Council Meeting* and/or *Cabinet* arising from work undertaken by a *Scrutiny Committee*
- (v) review the performance of other public bodies in the area and invite reports from them by asking them to address the *Scrutiny Committee* about their activities and performance
- (vi) question and gather evidence from any person with their consent
- (vii) collaborate with other *Scrutiny Committees* and other bodies carrying out similar functions outside the Council
- (viii) report to the Council meeting annually on the scrutiny function and their work
- (ix) exercise functions relating to call in and Councillor Call for Action.

(b) Growth Scrutiny Committee

The committee will have responsibility for scrutiny functions relating to:-

- Local Enterprise Partnership and Combined Authorities
- Business/Economy
- Economic Development
- Regeneration
- Asset Management

- Planning
- Tourism
- Partnerships
- Strategic Housing – Housing Strategy

(c) Communities Scrutiny Committee

The committee will have responsibility for scrutiny functions relating to:-

- Statutory Crime and Disorder responsibility
- Community Safety
- Leisure
- Health and Well being
- Street Scene
- Environment Health (including Licensing)
- Inclusion
- Equality
- Housing Management
- Emergency planning
- Estates and property

(d) Organisation Scrutiny Committee

The committee will have responsibility for scrutiny functions relating to:-

- Services:
 - Audit
 - Communication and Consultation
 - Customer Services
 - Finance
 - Governance
 - Human Resources
 - ICT
 - Legal
 - Procurement
 - Revenue and Benefits
 - Scrutiny
 - Strategy and Performance
- Shared Services
- Commissioning /De Commissioning Services
- Self Regulation

- Transformation Programme
- Employees

(e) Audit and Corporate Governance Scrutiny Committee

The committee will:-

- (i) consider the Internal Audit annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements
- (ii) consider summaries of specific Internal Audit reports as requested
- (iii) consider reports dealing with the management and performance of the providers of Internal Audit Services
- (iv) consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale
- (v) consider the External Auditor's Management Letter, relevant reports, and the report to those charged with governance
- (vi) consider specific reports as agreed with the External Auditor
- (vii) comment on the scope and depth of external audit work to ensure it gives value for money
- (viii) liaise with the Audit Commission over the appointment of the Council's external auditor
- (ix) commission work from Internal and External Audit as necessary
- (x) maintain an overview of the *Contract Rules*, and *Finance Rules*
- (xi) review any issue referred to it by the *Chief Executive*, a *Director*, the *Monitoring Officer*, the Chief Finance Officer or the *Council Meeting*, a committee or the *Cabinet*
- (xii) monitor the effective development and operation of risk management and corporate governance in the Council
- (xiii) monitor the Council's anti fraud and corruption strategy
- (xiv) oversee the production of the Council's Statement on Internal Control and recommend its adoption

- (xv) oversee the Council's arrangements for corporate governance and agree necessary actions to ensure compliance with best practice
- (xvi) oversee the Council's compliance with its own and other published standards and control
- (xvii) approve the Council's audited Annual Statement of Accounts
- (xviii) review the annual statement of accounts, specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the *Council Meeting*
- (xix) consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts

5.4 **Issues falling within the functions of two or more Scrutiny Committees**

Any Committee may consider matters that are important to the Health and Well Being of residents within North East Derbyshire.

Where a particular issue could fall within the functions of two or more Scrutiny Committees the Chairs of the relevant Scrutiny Committees, following consultation with the Overview and Scrutiny Manager, will agree which Scrutiny Committee will consider the matter.