



REPORT TO: OVERVIEW AND SCRUTINY COMMITTEE

DATE: THURSDAY 3 JULY 2008

REPORTING OFFICER: CORPORATE DIRECTOR (s151)

SUBJECT: ATTENDANCE AT POLICY COMMITTEES

WARDS AFFECTED: ALL

1.0 PURPOSE OF REPORT

- 1.1 To provide Members with a draft rota for attendance to observe at policy committee meetings and to agree guidance to assist this process.

2.0 RECOMMENDATION

- 2.1 For Members to agree the draft rota for attendance and the accompanying checklist and for these to be incorporated within the Council's Scrutiny Handbook.

3.0 INTRODUCTION

- 3.1 One of the four key legislative roles of the Committee is holding the Executive to account. In Ryedale's case this means examining the policy committees minutes, forward plans in detail and using call-in or other mechanisms to comment or intervene in the decision making process. In order to be effective in this it has been previously agreed that Members of the Committee would take turns to attend both the Policy and Resources Committee and the Community Services and Licensing Committee for the purposes of observation. Subsequently, Full Council agreed that this be an approved duty for Members of this Committee.
- 3.2 At the last meeting of the Committee Members requested guidance to assist them in undertaking this responsibility. Draft guidance and a checklist is attached at Annex A. This has previously been circulated for comment to Members.
- 3.3 Attached at Annex B is a draft rota for Members consideration.

4.0 CONCLUSION

- 4.1 Members have previously agreed a rota for attendance at policy committees. Guidance and an accompanying checklist have been produced to help Members with this important process.

Background Papers:
None

OFFICER CONTACT:

Please contact Paul Cresswell, Corporate Director (s151), if you require any further information on the contents of this report. The officer can be contacted at Ryedale House on 01653 600666 xtn214 or e-mail at paul.cresswell@ryedale.gov.uk

Annex A - Guidance for Members observing at a policy committee

This note sets out details of the issues that should be considered when observing. A simple checklist is appended at Appendix A.

The Committee has two distinct but complimentary roles, being both the scrutiny committee and the audit committee for Ryedale District Council. The Committee undertakes its work by:

- Scrutinising the decisions made by other committees and using the ability to 'call-in' a decision of a committee of the Council and refer it back if necessary for re-consideration;
- Scrutinising the performance and effect of council services and policies by receiving internal and external audit reports, reports on the Council's counter fraud work, monitoring and reviewing the statement on internal control, examining our approach to the minimization and control of risk, and examining progress on our improvement plans;
- Undertaking and instigating reviews of existing policy and the development of new policy;
- Monitoring service performance, through the performance management framework and customer complaints, and considering the outcomes of Best Value and other reviews.

Together this enables the Committee to focus on the improvement of services: considering in-depth major issues, examining other areas of the work of the Council or of other local and national agencies, highlighting when things are going wrong and seeking action to address this in the most effective way.

Decision-making and call-in

The main purpose of observing at policy committee meetings is to consider whether or not decision-making has complied with the Council's Constitution. All decisions of the Council will be made in accordance with the following principles:

- (a) the rule of law;
- (b) clarity of aims and desired outcomes.
- (c) proportionality (i.e. the action must be proportionate to the desired outcome);
- (d) due consultation and the taking of professional advice from officers and/or appropriately qualified consultants;
- (e) respect for human rights (see below for further details); and
- (f) a presumption in favour of openness.

If Members consider that one or more of these rules have been breached then the decision may be 'called-in'. To call in a decision a proforma, attached at Appendix B, must be completed with the reasons for the call-in clearly stated. It must be signed by either the Chairman or three Members of the Committee and must be handed to the proper officer within 10 working days of the publication of the decisions of the meeting. The Overview and Scrutiny Committee then meets within a further 10 working days of the decision to call-in. Members may request the attendance of relevant officers or Members to answer any questions that they may have. The Committee can then refer the matter back to the decision-making committee, setting out in writing the nature of its concerns or refer the matter to Full Council. If referred back to the decision-making committee, a meeting will be convened to reconsider the decision within a further 10 working days.

Further details can be found in the Council Constitution on page 144.

At the heart of the Overview and Scrutiny Committees work should be the consideration of what impact the Policy Committees decisions, plans and policies have on the communities of

Ryedale. If the Committee considers the decisions made will have an adverse affect they have a duty to say so and suggest improvements.

Members of Overview and Scrutiny Committees should also make efforts to identify issues of concern to the residents of Ryedale and where the Committee agrees, instigate a Scrutiny review.

General Framework for Scrutiny:

Function	Scope	How delivered:
Democracy and Governance	Local democracy and the achievement of effective, transparent and accountable decision making by the Council.	The Call in function and involvement in Policy Review Review of the Statement of Internal Control
Lifelong learning and culture	The provision, planning and management of education, training and Culture in the District in so far as the Council is responsible for this.	
Public Accounts	The Councils budget, the management of its budget, capital, revenue borrowing and assets and its audit arrangements.	Review of the relevant documents.
Regeneration and Housing	The physical, social and economic environment and regeneration of the Ryedale District; enabling the provision, planning and management of its housing and the rural and built environment.	Review of the Housing Strategy and Capital Strategy.
Services	The provision, planning, management and performance of Council services, including support services, the community plan and any other Council functions not otherwise addressed by any other Committee.	Review of the Performance Management framework on a quarterly basis and the review of policy documents. Their involvement in VFM processes.
Social Inclusion	Policies and Strategies of the Council and other bodies which affect the economic, social and political resources available to individuals to enable them to participate fully in Society.	Review of the Community Plan and budget/capital strategy. The money should follow the priorities.

Appendix A - Checklist

1. Review decision-making and consider call-in
2. Consider the effect of policy decisions on the community - have the intended policy outcomes been achieved?

Also consider against the implementation of the Council's Equalities Scheme, which is:

- To work towards the elimination of discrimination (either direct or indirect) and harassment
- To ensure that members and officers work towards mainstreaming equality of opportunity across all policies and functions
- To ensure equality, equity and consistency in working practices and conditions
- To ensure that the workforce represents the wider community of the District

3. Identify areas for future policy investigation
4. Identify any issues arising from the strategies and plans of the Council:
 - Community Plan
 - Corporate Plan
 - Medium Term Financial Plan
 - Capital Strategy
 - Asset Management Plan
 - Crime and Disorder Strategy
 - Housing Strategy
5. Budget issues: capital programme, revenue budgets, borrowing, assets
6. Performance issues
7. Value for Money issues
8. Management issues
9. Audit and Governance issues
10. Environmental issues

Appendix B – Call-in Proforma

Date

Committee:

Decision to be called in:

Council’s Constitution – Article 12 Decision Making

Principles of decision-making:

All decision of the Council will be made in accordance with the following principles:

- (a) the rule of law
- (b) clarity of aims and desired outcomes
- (c) proportionality
- (d) due consultation and the taking of professional advice from officers and/or appropriately qualified consultants
- (e) respect for human rights
- (f) a presumption in favour of openness

Reason for calling in the decision:

This form is to be signed by **either** the Chairman of Overview & Scrutiny Committee **or** 3 Members of the Committee

Signature of Chairman of Overview & Scrutiny Committee **or** Councillor

.....Date:.....

Signature of Councillor

.....Date:.....

Signature of Councillor

.....Date:.....

Date of meeting to consider the Call in
(Must be within 10 working days of call in)

Annex B: Overview and Scrutiny Rota for 'shadowing' policy committees

Community Services	23 July	24 Sept	26 Nov	28 Jan	25 Mar	June2010	July2010
Paul Andrews			x			x	
John Clark			x			x	
David Cussons	x			x			x
Brian Cottam	x			x			x
John Raper	x			x			x
Elizabeth Shields		x			x		
David Jackson		x			x		
Jane Wilford		x			x		
John Windress			x			x	
Policy & Resources	30 July	1 Oct	3 Dec	11 Feb	1 April	June 2010	July2010
Paul Andrews				x			x
John Clark	x			x			x
David Cussons		x		x			x
Brian Cottam		x			x		
John Raper		x			x		
Elizabeth Shields	x				x		
David Jackson			x			x	
Jane Wilford			x			x	
John Windress			x			x	

The rota is based on three Members observing at each policy committee meeting. If you are unable to attend could you please try and obtain a substitute in the first instance. If you are unable to do so then please contact the Chairman, Councillor Mrs Shields.