

Overview and Scrutiny Management Board

25 March 2014



Proposed update to the scope of scrutiny committees as set out in the County Council's Constitution

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the report

1. To provide members of the overview and scrutiny management board (OSMB) with the opportunity to comment on proposed amendments to the Council's Constitution, which will ensure that the scope of overview and scrutiny committees is up to date and reflects the current SCS and Council Plan.

Background

2. The review of co-optee arrangements covered earlier in this agenda, if agreed, will mean that Article 6 of the Council's Constitution will need to be updated to reflect changes in the numbers of co-optees proposed.
3. In addition, whilst carrying out this review, it became clear that some of the wording within Article 6 regarding the scope of the overview and scrutiny committees was now out of date and would benefit from update, in particular to reflect the most recent Sustainable Community Strategy and Council Plan.
4. Draft amended wording to Article 6, which includes the proposed revisions to the non-voting non-statutory co-optees plus updated wording to reflect the new SCS and Council Plan is attached at Appendix 2 for comment.

Recommendation

5. Members are asked to comment on the draft amendments to the Constitution to reflect the proposed changes to co-optee arrangements and the proposed changes to the SCS and Council Plan.

Background Papers: Sustainable Communities Strategy; Council Plan; Durham County Council's Constitution

Contact: Jenny Haworth Tel: 03000 268071

Appendix 1: Implications

Finance - None

Staffing - None

Risk - None

Equality and Diversity / Public Sector Equality Duty - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation - None

Procurement - None

Disability Issues - None

Legal Implications – Update to the Constitution to ensure alignment to the latest Sustainable Community Strategy and Council Plan.

Appendix 2

Proposed amended Terms of Reference for Article 6 – Overview and Scrutiny Arrangements.

These are to replace the tables currently under section 6.01.

Committee	Scope
<p>Overview and Scrutiny Management</p> <p><i>Membership</i></p> <ul style="list-style-type: none"> • 26 Members of the Council including the Chairs and Vice Chairs of the 5 Scrutiny Committees; • 5 voting Church and Parent Governor representatives; 	<ol style="list-style-type: none"> 1 To oversee and co-ordinate the work of Overview and Scrutiny and its committees 2 To ensure effective liaison across the work of the committees re: cross cutting issues 3 To be strategic driver of the Overview and Scrutiny function 4 To consider as appropriate scrutiny member involvement in regional scrutiny arrangements within the context of any regional strategies 5 The establishment of appropriate liaison with the Executive in the interests of achieving common aims and continuous improvement for the Council 6 To encourage appropriate community involvement in the Overview and Scrutiny role 7 To consider the Council Plan and Notice of Key Decisions and to monitor performance against these plans 8 To deal with petitions in accordance with the Council's Protocol as set out in Part 5 of this Constitution

<p>Children and Young People's Overview and Scrutiny Committee</p> <p><i>Membership</i></p> <ul style="list-style-type: none"> • 21 Members of the Council; • Chair and Vice Chair of Overview and Scrutiny Management Board ex officio; • 5 voting church and parent governor representatives • Up to 2 non-voting co-optees to include young people 	<p>Relevant SCS and Council Plan themes:</p> <ul style="list-style-type: none"> • Children and Young People realise and maximise their potential • Children and Young People make healthy choices and have the best start in life • A Think Family approach is embedded in our support for families
<p>Safer and Stronger Communities Overview and Scrutiny Committee</p> <p><i>Membership</i></p> <ul style="list-style-type: none"> • 21 Members of the Council; • Chair and Vice Chair of Overview and Scrutiny Management Board ex officio; • Up to 2 non-voting co-optees; • Co-opted employees or officers of a responsible authority or of a co-operating person or body, in accordance with Crime and Disorder (Overview and Scrutiny) Regulations 2009. 	<p>Relevant SCS and Council Plan themes:</p> <ul style="list-style-type: none"> • Reduce Anti-Social Behaviour • Protect vulnerable people from harm • Reduce re-offending • Alcohol and substance misuse harm reduction • Counter terrorism and prevention of violent extremism • Casualty reduction • Embed the Think Family approach

N.B. This Committee shall be the Crime and Disorder Committee for the purposes of Part 3 of the Police and Justice Act 2006.

<p>Environment and Sustainable Communities Overview and Scrutiny Committee</p> <p><i>Membership</i></p> <ul style="list-style-type: none"> • 21 Membership of the Council; • Chair and Vice Chair of Overview and Scrutiny Management Board ex officio; 	<p>Relevant SCS and Council Plan themes:</p> <ul style="list-style-type: none"> • Deliver a cleaner, more attractive and sustainable environment • Maximise the value and benefits of Durham's natural environment • Reduce carbon emissions and adapt to the impact of climate change (including Flood or coastal erosion risk management functions)
--	--

<ul style="list-style-type: none"> Up to 2 non-voting co-optees. 	<ul style="list-style-type: none"> Promote sustainable design and protect Durham’s heritage
--	--

N.B: The Environment and Sustainable Communities Overview and Scrutiny Committee shall be the Flood Risk Management Overview and Scrutiny Committee for the purposes of the Local Government Act 2000 as amended by the Flood and Water Management Act 2010.

<p>Economy and Enterprise Overview and Scrutiny Committee</p> <p><i>Membership</i></p> <ul style="list-style-type: none"> 21 Members of the Council; Chair and Vice Chair of Overview and Scrutiny Management Board ex officio; Up to 2 non-voting co-optees. 	<p>Relevant SCS and Council Plan themes:</p> <ul style="list-style-type: none"> Thriving Durham City Vibrant and Successful Towns Sustainable neighbourhoods and rural communities Competitive and successful people A top location for business
<p>Adults Well Being and Health Overview and Scrutiny Committee</p> <p><i>Membership</i></p> <ul style="list-style-type: none"> 21 Members of the Council; Chair and Vice Chair of Overview and Scrutiny Management Board ex officio; Up to 2 non-voting co-optees 	<ul style="list-style-type: none"> To lead on the review and scrutiny of NHS Services, Adults social care, Health inequalities and improvement and Public Health Services. To consider the Sustainable Community Strategy priorities, Joint Health and Wellbeing Strategy, Clinical Commissioning Groups’ “Clear and Credible” plans and the Council Plan actions that relate to this agenda. <p>Relevant SCS and Council Plan themes:</p> <ul style="list-style-type: none"> Reduce health inequalities and early deaths Improve the quality of life, independence and care and support for people with long term conditions Improve the mental and physical wellbeing of the population Support people to die in the place of their choice with the care and support they need

Corporate Issues Overview and Scrutiny Committee

Membership

- 21 Members of the Council;
- Chair and Vice Chair of Overview and Scrutiny Management Board ex officio.

- To consider the Council's annual budget;
- To assist the Executive in the development of the Council's annual budget and to review and scrutinise budgetary management;
- To assist the Executive in ensuring the provision of efficient and effective corporate management and support arrangements
- To assist the Executive in the development of asset management
- Oversight role of RIPA (regulation of Investigatory Powers Act 2000).
- Oversight role of customer complaints, compliments and suggestions.

Relevant SCS and Council Plan themes:

- Putting the Customer First
- Working with our Communities
- Effective use of Resources
- Support our People through Change

N.B. – Also amend the Overview and Scrutiny Procedure Rules

Amend paragraph 3 headed Co-optees to read:

Each thematic Scrutiny Committee shall be entitled to appoint a maximum of *two* people as non-voting co-optees either as standing members of the Committee or on a time limited basis. The selection and nomination of co-opted members shall be in accordance with the Protocol agreed by the Overview and Scrutiny Management Board.