

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on Tuesday 7 May 2024.

**PRESENT:** Councillors M Storey (Chair), J Kabuye (Vice-Chair), S Dean, J Ewan, M McClintock, J Platt, M Smiles and J Walker

**ALSO IN ATTENDANCE:** B Hubbard, T Livingstone, I Morrish, S Platt, M Saunders and G Wilson

**OFFICERS:** C Benjamin, S Bonner, S Lightwing, C Lunn, J McNally and A Wilson

**APOLOGIES FOR ABSENCE:** Councillors J Banks, I Blades, E Clynch, J Ryles and J Young

23/86 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

23/87 **MINUTES - OVERVIEW AND SCRUTINY BOARD - 10 APRIL 2024**

The minutes of the Overview and Scrutiny Board meeting held on 10 April 2024 were submitted and approved as a correct record.

23/88 **FUTURE SCRUTINY STRUCTURE**

The Chair welcomed the Head of Legal Services (People) and invited her to deliver her presentation and invited all Members in attendance to express their views on the proposals contained in the report.

The Head of Legal Services provided a summary of the report and explained it was driven by Democratic Services and supported by Managers. The intention of the report's proposals was to streamline and enhance the Scrutiny process. It was explained the structure in Democratic Services carried a vacancy that would be recruited to but was also experiencing instances of long-term sickness.

The report suggested changing the scrutiny structure from Overview and Scrutiny Board and five thematic panels to Overview and Scrutiny Board and two thematic panels, namely a People scrutiny panel and a Place scrutiny panel. It was also proposed that each panel would be supported by two Democratic Services Officers. It was emphasised the intention of the report was to enhance the quality of the support provided to the scrutiny function.

As part of the proposed structure there was scope to introduce new methodologies of conducting scrutiny reviews such as Task and Finish groups and enquiry days.

The Board was advised that all Members had been invited to provide their comments on the proposals before the meeting. Those comments had been collated and would be shown to the Board along with the relevant responses during the presentation.

An overview of how the scrutiny structure had previously operated was provided. Under that structure Democratic Services Officers provided support to their relevant scrutiny panel along with other committees and associated duties. This had the effect of reducing the time commitment from Democratic Services Officers. The proposals required two Democratic Services Officers supporting OSB and each panel. It was intended this would help to share workload more effectively, increase resilience within Democratic Services and therefore enhance the support provided to scrutiny.

It was clarified that all scrutiny meetings would continue to take place in open forums and officers would still be expected to attend to face questions from Members. The Board was provided with the comments submitted by Members and their respective responses.

Members expressed concerns the proposed structure would increase the workloads of Executive. It was clarified the frequency of Executive Member attendance at Scrutiny was not expected to change.

It was emphasised the new structure would provide a level of operational resilience that had not been experienced previously.

Members suggested that a reduction from five thematic panels to four would provide a more effective solution than the proposals in the report. It was commented that such a reduction would have no marked difference to the existing structure.

It was suggested an increase in staff in Democratic Services would alleviate the issues being faced operationally. It was commented the proposals in the report were transformative and allowed Democratic Services to offer increased support within existing resources. Members expressed concern that the proposed panel structure would result in longer scrutiny meetings which may not allow all members to participate.

The Chair thanked the Head of Legal (People) for their presentation and invited questions from Members of the Board and from Members in attendance in the public gallery.

Members were advised that, in terms of staffing levels, the report did not seek an increase in staff and clarification was provided about Full Time Equivalents and Headcount. Members expressed concern the proposed panels would have broad remits and may not be able to adequately scrutinise those areas. Other Members commented there had sometimes been limitations on time during meetings and there had been a lack of attendance at scrutiny meetings. A Member stated the proposals could provide a degree of efficiency and the Council needed to adopt a model that worked best for its needs.

It was queried if the proposed model had been implemented in other Councils and if there was evidence the proposals would improve the quality of output. It was clarified no other examples were provided as part of the report as there was no ideal structure for all Councils, as explained by the Centre for Governance and Scrutiny. It was also commented the proposals needed to be understood in the context of staffing reductions.

A discussion took place regarding potential remuneration for Vice Chairs of the proposed panels. While this was alluded to in the report the Chair clarified that affording Special Responsibility Allowances, and their levels, was not within OSB's remit, and was to be left to the Independent Remuneration Panel.

Members raised concerns that some areas, such as Children's and Adult services, were the largest spenders of Council finances and therefore effective scrutiny of those areas was essential. It was clarified the reduction in scrutiny panels did not equate to a reduction in topics per panel. While the report sought approval of the proposed scrutiny structure, it was commented the way scrutiny operated, including work planning and topic prioritisation, was unlikely to change.

A discussion took place concerning the number of available seats on the proposed scrutiny panels. There was concern the reduction in panels would mean an overall reduction in the number of seats available for scrutiny. It was clarified that, despite the proposals, the ability for all non-Executive Members to participate in scrutiny remained.

A Member commented the report did not provide sufficient detail around governance issues, particularly that no other options had been put forward as part of the report.

The Chair commented it was important not to introduce politics to the discussion, and that all Members had effectively engaged with the scrutiny process previously. He also reminded the Board no prior decision had been taken, the proposals were for the Board to decide, and officers had created proposals that seemed to work for Middlesbrough. The Chair stated that without changes to the current scrutiny structure there was a risk staff would be placed under further pressure which was not conducive to an effective working environment which in turn may impact of quality of output.

A Member stated this was a significant change and while there were lots of positives contained in the report these needed to be teased out including an increase of Pre-Decision making at OSB. OSB currently received a copy of the Executive Forward Work Programme, but this

seemed to be more routine, and it was difficult to get papers surrounding individual Work Plan items. While there was a possibility panels could meet to discuss Executive papers when they were published this was not mentioned in the report. Concern was also raised around the panels being single issue meetings and the practicalities of holding enquiry days. It was discussed if Task and Finish Groups would be better suited to undertake work led by Members rather than enquiry days. In terms of prospectively remunerating vice chairs, this implied that Member's work on scrutiny was financially driven. Overall, the Member felt the report required more work as asked if the report could be redrafted with more detail.

It was also commented that the increased size of the panels would lead to reduced input from Members as they would be unable to pose sufficient questions in the allotted time.

When asked what success would look like it was commented there was a need to enhance the scrutiny process and to ensure the quality of scrutiny work remained high.

A Member commented no other options had been put forward as part of the report. It was clarified the proposals were intended to make better use of time and resources and would improve the way scrutiny was carried out. Members also stated any previous issues with how scrutiny operated should have been brought before OSB previously. It was commented this aspect of the report could have been clearer.

Concerns were raised around the timing of the report, and the proposals placed OSB into a difficult position.

The proposals included a review of the new scrutiny structure within 12 months. If it was found to be ineffective another solution would be brought before OSB. A Member stated the current scrutiny structure had experienced several vacancies on panels and hoped the proposed structure would see more Members taking up places.

It was commented that Chairs would need to maintain a high degree of control during reviews, and it was reiterated that the proposed structure would not change how scrutiny was carried out.

Memberships of the proposed panels would be unknown until the Council's Annual Meeting on 22nd May. It was clarified the Committee Memberships report to the Annual Meeting would not provide detail on how committees would work operationally.

A discussion took place about deferring the report so that more time could be afforded to its details.

The Chair proposed that the report and its contents be approved or rejected.

**ORDERED** that Overview and Scrutiny Board:

1. Approve the proposed scrutiny structure and model for implementation in the 2024/25 municipal year.
2. Agree that, in April 2025, an evaluation be undertaken to review the scrutiny arrangements to evidence the impact of the new structure and model, identify tangible results, diagnose any problems and prescribe any solutions.
3. Agree that the findings of the full evaluation be reported to the Overview and Scrutiny Board for consideration.

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**ANY OTHER URGENT ITEMS WHICH, IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

The Chair announced his resignation as Chair of the Overview and Scrutiny Board as he had been recently elected as Cleveland Police and Crime Commissioner.

The Chair thanked all Members for their involvement in the scrutiny process during his chairmanship.

**NOTED**

