

Cheltenham Borough Council

Council – 17th October 2022

Annual Report on Overview & Scrutiny

Accountable member:

Councillor John Payne, Chair of Overview & Scrutiny

Accountable officer:

Darren Knight, Executive Director of Place and Communities

Accountable scrutiny committee:

Overview & Scrutiny

Ward(s) affected:

N/A

Key/Significant Decision:

No

Executive summary:

The Overview and Scrutiny Committee (O&S) manages and coordinates scrutiny at the council, with scrutiny task groups carrying out especially detailed work and reporting back to the main committee.

Under these arrangements, O&S produces an annual report for Council and this is contained in Appendix 2. This report sets out the achievements of scrutiny between August 2021 and August 2022, including the outcomes of scrutiny task groups and a look at what comes next.

O&S endorsed the annual report at their meeting on the 5th September 2022 and welcomes the opportunity for Council to debate this report and give its views on the success or otherwise of the scrutiny arrangements.

Recommendations:

1. That the Annual Report of Overview and Scrutiny 2021-22 is noted.
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1. Implications

1.1. Financial implications

There are no direct financial implications arising from this report. The annual budget proposals and the scrutiny of financial performance and other budgetary issues are reviewed throughout the year by the Budget Scrutiny Working Group, as detailed in the section on Task Groups in the annual Scrutiny report.

Signed off by: Gemma Bell, Director of Finance and Assets and Deputy S151 Officer, Gemma.Bell@cheltenham.gov.uk

1.2. Legal implications

There are no direct legal implications arising from this report.

Signed off by: Sarah Farooqi, Head of Law, One Legal, Sarah.Farooqi@onelegal.org.uk

1.3. HR implications

There are no direct HR implications arising from this report.

Signed off by: Clare Jones, HR Business Partner, Publica, clare.jones@publicagroup.uk

1.4. Environmental and climate change implications

There are no direct environmental or climate change implications arising from this report.

Signed off by: Laura Tapping, Climate Emergency Programme Officer, Laura.Tapping@cheltenham.gov.uk

1.5. Property/asset implications

There are no direct property or asset implications arising from this report.

Signed off by: Gemma Bell, Director of Finance and Assets and Deputy S151 Officer, Gemma.Bell@cheltenham.gov.uk

1.6. Corporate policy framework implications

An effective overview and scrutiny process can contribute to positive outcomes on any of the objectives in the Corporate Strategy. Increased public involvement in Overview and Scrutiny will support the council's objective to listen and respond to local communities and their issues.

Signed off by: Richard Gibson, Head of Communities, Wellbeing and Partnerships, Richard.Gibson@cheltenham.gov.uk

2. Promoting equality and reducing discrimination

N/A

3. Performance management – monitoring and review

See risk assessment (Appendix 1). The next annual report is expected to be approved by O&S in September 2023 and go on to Council in October 2023.

4. Background

4.1. Under the provisions of the Local Government Act of 2000, every council with an executive management structure is required to have an overview and scrutiny committee in place to scrutinise the executive's decisions and issue reports and recommendations where necessary.

4.2. Cheltenham Borough Council's Overview and Scrutiny Committee (O&S) plays a central role in ensuring that the council's democratic arrangements are open and accountable. It has statutory powers to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken or implemented. Through this, it can enable improvements to be made to policies or the implementation of those policies.

4.3. The committee's stated aims are to:

- support the Council in achieving delivery of its Corporate Strategy;
- promote open and transparent decision-making, democratic accountability and to hold the Cabinet to account for its actions;
- achieve positive outcomes for the people of Cheltenham by monitoring and challenging service delivery to ensure it meets customer needs and encourage innovation and good practice;
- be a member-led, non party-political review mechanism that works to improve the quality of life for Cheltenham residents;
- play a central role in ensuring open and accountable democratic arrangements for the town;
- support the four principles of effective scrutiny advocated by the Centre for Public Scrutiny;
- provide constructive 'critical friend' challenge to the executive;
- amplify the voices and concerns of the public;
- be led by independent people who take responsibility for their role;
- drive improvement in public services in Cheltenham.

4.4. At the 5th September 2022 O&S meeting, the annual report was approved by Members for submission to Council. The full report is attached at Appendix 2.

5. Reasons for recommendations

5.1. N/A

6. Alternative options considered

6.1. Failure to report to Council would be a breach of the authority's agreed scrutiny arrangements.

7. Consultation and feedback

7.1. Report drafted in consultation with the Chair of O&S and Executive Director Place and Communities, and approved by O&S at the 5th September 2022 meeting.

8. Key risks

8.1. Detailed risk assessment at Appendix 1.

Report author:

Harry Mayo, Democracy Officer

harry.mayo@cheltenham.gov.uk, 01242 264 211

Appendices:

- i. Risk Assessment
- ii. O&S Annual Report 2021-22

Background information:

- i. [5th September O&S meeting](#) (agreement of Annual Report at item 11)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
1	If scrutiny arrangements are not supported by Members and officers, they may not be successful in delivering the outcomes required.	Democratic Services	3	3	9	Reduce	Ensure we take every opportunity to review our scrutiny arrangements and provide Member and officer training.	Democratic Services	Next annual report to Council (Oct 2023)
2	If the council cannot dedicate resources to support the scrutiny process then the O&S process may not be fully effective.	Democratic Services	3	2	6	Accept	Optimise the use of existing resources within the scrutiny arrangements, by carefully prioritising reviews and task groups.	O&S Committee / Chair of O&S	Next annual report to Council (Oct 2023)
3	If the task groups operate outside of the democratic process, then scrutiny could become disjointed and progress difficult to control and track.	Democratic Services	3	2	6	Accept	Provide guidance to officers supporting task groups on keeping documentation and reporting back to Democratic Services. Ensure regular updates from ongoing task groups	Officers / Democratic Services	Next annual report to Council (Oct 2023)

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
							continue to be submitted to O&S.		
4	If members do not put themselves forward for task groups, the workload could be unevenly shared across members and be a source of potential conflict or result in task groups not having the right skill mix.	Group Leaders	3	3	9	Reduce	Utilise skills audit. Group Leaders to manage, monitor and encourage participation. Task groups to maintain records of attendance.	Group Leaders, Task Group officers	Next annual report to Council (Oct 2023)
5	If scrutiny does not have any dedicated budget it may be difficult to promote public involvement and engagement.	Council	2	3	6	Accept	The lack of a dedicated scrutiny budget has not been a significant issue to date, with appropriate funding allocated for the 2020 scrutiny review and regular member training. It could become an issue if O&S wished to procure external	Council	Next annual report to Council (Oct 2023)

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
							expertise at some point. Public involvement and engagement boosted by live-streaming of meetings since 2019.		
6	If O&S does not take an active role in the major change programmes, it may lose its opportunity to influence the scrutiny arrangements in any new proposed ways of working.	Chair of O&S	3	2	6	Accept	O&S to include scrutiny of change programmes in its workplan and ensure it is consulted on any future scrutiny arrangements. Member seminars to continue to be held at appropriate times, and relevant Cabinet Members invited to discuss particular programmes and projects.	Chair of O&S	Next annual report to Council (Oct 2023)
7	If scrutiny is not carrying out the full extent of its role i.e. pre and post	Democratic Services	3	2	6	Accept	Ensure new member and staff inductions cover the full extent of the role of	Democratic Services	Next annual report to Council (Oct

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	decision scrutiny and overview, there is a risk of a democratic deficit.						scrutiny. Member training provided as part of induction programme after May 2022 elections. Consideration given to how scrutiny training could be included on the council's new Learning Management System.		2023)

The original risk assessment which accompanied the report to Council in December 2011 has been updated with an assessment of the current risks affecting the effectiveness of the O&S arrangements.