

AGENDA MANAGEMENT SHEET

Name of Committee Overview And Scrutiny Co-Ordinating Group

Date of Committee 30 April 2008

Report Title Regional Scrutiny Arrangements

Summary A draft submission from West Midlands Overview and Scrutiny Network together with a questionnaire is attached for consideration and comment.

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Would the recommended decision be contrary to the Budget and Policy Framework? No.

Background papers None

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

- Other Committees
- Local Member(s) N/A
- Other Elected Members Cllr Richard Grant
- Cabinet Member
- Chief Executive Jim Graham
- Legal Sarah Duxbury
- Finance
- Other Chief Officers David Carter
- District Councils
- Health Authority
- Police

Other Bodies/Individuals

FINAL DECISION YES

SUGGESTED NEXT STEPS:

Details to be specified

Further consideration by this Committee

To Council

To Cabinet

To an O & S Committee

To an Area Committee

Further Consultation

Agenda No

Overview And Scrutiny Co-Ordinating Group - 30 April 2008.

Regional Scrutiny Arrangements

Report of the Chair of the Overview and Scrutiny Coordinating Group

Recommendation

That the Group considers and comments on the submission and questionnaire

INTRODUCTION

The West Midlands Overview and Scrutiny Network is seeking views on its proposed submission on Regional Scrutiny Arrangements. Attached is a copy of the submission and a questionnaire for members consideration.

COUNCILLOR RICHARD
GRANT
Chair of the Overview and
Scrutiny Coordinating Group

Shire Hall
Warwick

04 April 2008

Regional Scrutiny Arrangements – a Submission from West Midlands Overview and Scrutiny Network

1. Introduction

- 1.1 The West Midlands Overview and Scrutiny Network would wish to emphasise the importance of developing an effective regional scrutiny function. In our view it is essential that checks are put in place to ensure new regional governance and strategy arrangements are effective and responsive to the needs of the wider region.
- 1.2 It is essential that local authority members lead the new arrangements in order to provide democratic rigour and an ethical framework that takes into account political implications of decision making. Regional activity is a key element of the place shaping role of local authorities, however, regional scrutiny should not be considered to be a poor relation or a consolation prize. We would argue strongly that this function requires effective support and resourcing.
- 1.3 Whilst local overview and scrutiny arrangements will have an important role in informing regional activity, we recognise the need to take a wider view. A regional function will provide an overview of how partners work together and a mechanism by which common issues raised at the local level could be addressed regionally. This will also play an important role in engaging councillors in the regional agenda.

2. Aims

- 2.1 Regional governance arrangements will significantly change as a consequence of SNR and appropriate scrutiny arrangements must be put in place. These need to balance not only the increased responsibilities of Advantage West Midlands but also the executive power of the Forum of Leaders. The new arrangements should be a powerful mechanism to hold organisations and elected members to account on behalf of the public for decisions taken that impact on the Region.
- 2.2 The aims of future regional scrutiny arrangements must be clear. It is important that regional scrutiny does not duplicate activities undertaken by Local Authorities or any future remit of parliamentary scrutiny. The new arrangements should inform and be informed by work undertaken at the local and national level.

- 2.3 Scrutiny will add value at the regional level by providing input into the development of regional strategies and policies and feedback in respect of how these are implemented and their outcomes. The new arrangements should not be adversarial and their development should emphasise the benefits of a scrutiny process including critical friend and constructive challenge. They will need to address the current situation where no recourse is available at the regional level if issues raised are not addressed.
- 2.4 At the local level, overview and scrutiny have increased responsibilities in respect of “duty to co-operate” but these only apply to the implementation of Local Area Agreements (LAA). Regional scrutiny should allow open discussion of strategic regional decisions that impact on local issues. It should also build on work being undertaken to reduce the impact of duty to co-operate on partners operating across the Region. Regional scrutiny should also seek to link activities being undertaken at a local level and to raise common issues with regional partners.
- 2.5 We believe that regional scrutiny should focus on strategic issues and areas of common concern primarily identified through local authority overview and scrutiny activity. It should draw on but not duplicate existing accountability and performance monitoring arrangements.

Questions

Q1. Should regional scrutiny focus on Advantage West Midlands or other regional bodies as appropriate?

Q2. Is there anything that should be ruled out at this stage? (e.g. individual projects)

3. Governance and Structures

- 3.1 Following discussion we propose that a bottom up scrutiny mechanism is developed that draws on the expertise of local authority scrutiny members. This proposal is in the early stages of development and we would be more than happy to work closely with regional organisations to explore this further.
- 3.2 We propose that a separate single regional scrutiny body be established that mirrors the Forum of Leaders but which draws its membership from local authority non-executive elected members. The make up of this body should take into account issues of local political control and represent all types of authorities. Membership would be managed through the West Midlands Local Government Association. Membership

should be structured in order to enable the development and retention of knowledge whilst allowing changes to bring new approaches and views.

- 3.3 This body would be a standing committee that leads regional scrutiny including identifying areas of activity. It will make decisions within the wider framework of regional working, strategies and priorities.
- 3.4 Based on our experiences it is crucial that this body has the ability to co-opt members from outside local government both to itself and to any task and finish groups it may establish. Co-option enables the contribution of specialist knowledge and expertise and may take be of short duration for example to assist in a particular task or longer if the body feels that this would be of benefit.
- 3.5 One of the tasks of this body will be bring together information from local and sub regional scrutiny activity and work to co-ordinated activity as appropriate. We are not advocating that this body either dictates or approves local activity but that it works to enable individual local authorities to work together, particularly in relation to scrutiny of partners or external agencies, thus providing a stronger voice. It will also carry out scrutiny activities at the regional level.
- 3.6 It is envisaged that regional scrutiny activities will comprise of two elements, both of which will draw on the experiences of local overview and scrutiny. The knowledge and evidence gathered by scrutiny activities at all levels will enable the scrutiny body to contribute to the development of regional strategies and associated documents. This may take the form of specific activities for example facilitating workshops or using evidence gathered to comment on draft documents. The second area of activity will be issues based and provide a mechanism by which particular areas of common concern or of wider regional impact can be independently examined.
- 3.7 It is important that a flexible approach is taken to carrying out activities. This will enable the most appropriate method to be adopted for each activity that makes the best use of resources. This could include task and finish groups examining a particular issue, commissioning local authorities or other bodies to carry out detailed work, or providing a regional question time.

- 3.8 The Overview and Scrutiny Network Steering Group has recently re-examined its aims and objectives. The subsequent focus on developing an influencing, advocacy and leadership role provides a basis from which these proposed arrangements could be developed. The wider network providing both member and officer links will be essential to developing an effective co-ordination role. We would propose that the current Steering Group could be used to shadow the current Forum of Leaders and to explore and test how a single regional scrutiny body could operate in the future.

Questions

Q3. How large should the body be?

Q4. Should it develop from the O&S Steering Group or is there a need to retain this as a separate body?

Q5. Should this body be within WMLGA structure?

Q6. How could issues be identified?

Q7. What role, if any, should there be for the Regional Minister?

Q8. What restrictions on co-opted members, if any, should there be? e.g. numbers and voting.

Q8.1 Is there a clear need for the co-option of individuals (non-voting) bringing expertise?

Q8.2 Should co-optees be engaged as standing members or as fixed-term experts on time limited reviews?

4. Resources

4.1 Best practice and our individual experiences have clearly demonstrated that scrutiny can only be effective if it is adequately resourced. Resources can be identified as being Members, officer support and a budget.

4.2 We recognise that regional scrutiny will be an "add on" to the role of local authority members. We believe that members will wish to be engaged, however, it is important that the scrutiny role is not seen as second best or as a poor relation. Consideration should be given to recognising the importance of this function. Members will need support and training especially in understanding the varying roles and responsibilities of regional bodies and the pressures they are facing.

- 4.3 Officer support is essential to effective scrutiny. The type and degree of support required will vary dependant with the type undertaken by the scrutiny body. For example if no activity was carried out at the regional level and the emphasis is on a co-ordinating role, this then could be supported through a lead authority approach. A dedicated officer resource would be required to support detailed activity at the regional level. We would stress the importance of independence of this resource rather than support being provided by for example a policy team established to support the Forum of Leaders.
- 4.4 An appropriate revenue budget will be required to support the regional scrutiny function. This should cover accommodation and administrative costs, reporting and commissioning of research as required.
- 4.5 We would urge regional bodies to consider the identification of a secure funding mechanism for regional scrutiny as a matter of urgency. Possible options include contributions from regional bodies such as Advantage West Midlands or through local authority contributions to WMLGA.

Questions

Q9. How could we encourage member involvement – recognising status, payment of token allowances?

Q10. Do you think that your Authority would be prepared to contribute to costs?

5. Conclusion

- 5.1 We recognise the value of scrutiny at all levels in the decision making process. We have welcomed the opportunity to be involved in the development of future regional scrutiny arrangements and would wish to continue this.
- 5.2 We believe that the proposals we have made meet the criteria within the original discussion document of clarity and transparency and independence of scrutineers and work programmes informed by concerns within the region

Regional Scrutiny questionnaire

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(e.g. individual projects)

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Q9. How could we encourage member involvement – recognising status, payment of token allowances?
Q10. Do you think that your Authority would be prepared to contribute to costs?

Please return to Katrina McGuigan – via email: k.mcguigan@wmlga.gov.uk;
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