



GOVERNANCE COMMITTEE

MONDAY, 19 MARCH 2018

9.00 AM ROOM CC2 - COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Godfrey Daniel, David Elkin, Rupert Simmons and David Tutt

A G E N D A

- 1 Minutes of the meeting held on 6 March 2018 (*Pages 3 - 4*)
- 2 Apologies for absence
- 3 Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
- 5 Review of Scrutiny Arrangements (*Pages 5 - 24*)
Report by Assistant Chief Executive
- 6 Any other items previously notified under agenda item 4

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9 March 2018

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at Committee Room - County Hall, Lewes on 6 March 2018.

PRESENT Councillors Keith Glazier (Chair), Godfrey Daniel, David Elkin and Rupert Simmons

42 MINUTES OF THE MEETING HELD ON 23 JANUARY 2018

42.1 RESOLVED – that the minutes of the previous meeting of the Committee held on 23 January 2018 be conformed as a correct record.

43 APOLOGIES FOR ABSENCE

43.1 An apology for absence was received from Councillor Tutt.

44 PAY POLICY STATEMENT 2018/19

44.1 The Committee considered a report by the Chief Operating Officer regarding the Pay Policy Statement for 2018/19.

44.2 The Committee RESOLVED to:

- 1) recommend to the County Council the updated Pay Policy Statement for 2018/19 as set out in Appendix 1 to the report; and
- 2) receive a further report with the Pay Policy Statement updated appropriately to reflect the outcome of the current Government consultations as set out in paragraph 2.4 of the report, once known.

45 MEMBERSHIP OF PENSION BOARD

45.1 The Committee considered a report by the Chief Operating Officer regarding the appointment of a new member of the Pension Board.

45.2 The Committee RESOLVED to agree the appointment of Rezia Amin as the new scheme member representative on the Pension Board.

46 CHIEF EXECUTIVE, CHIEF OFFICERS' AND DEPUTY CHIEF OFFICERS' PAY 2018/19

46.1 The Committee considered a report by the Head of Human Resources and Organisation Development regarding the pay award for the Chief Executive, Chief Officers and Deputy Chief Officers.

46.2 The Committee RESOLVED to defer consideration of the pay award for the Chief Executive, Chief Officers and Deputy Chief Officers for the financial year 2018/19 until the level of the NJC national pay award is known.

Report to: **Governance Committee**

Date: **19 March 2018**

Report by: **Assistant Chief Executive**

Title of report: **Review of Scrutiny Arrangements**

Purpose of report: **To consider proposed changes to the Scrutiny Committee structure.**

RECOMMENDATIONS

The Governance Committee is recommended to recommend the County Council to:

- 1. agree to the revised scrutiny structure as set out in section 2 of the report;**
 - 2. agree to the proposed remits of the new Scrutiny Committees and the proposed terms of reference of the Audit Committee as set out in Appendix 4;**
 - 3. agree that the Chair of the Audit Committee receive a Special Responsibility Allowance (SRA) at the rate equivalent to that of the Chair of a scrutiny committee;**
 - 4. agree to delegate authority to the Assistant Chief Executive to update the Constitution accordingly; and**
 - 5. note the plans to improve scrutiny as set out in the report.**
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1. Background

1.1 The Cabinet/Leader governance model was adopted in East Sussex County Council in 2001 as a result of the Local Government Act 2000. The work of scrutiny in East Sussex County Council is currently divided between five scrutiny committees; four committees broadly mirror the County Council's Cabinet portfolio responsibilities and are focussed departmentally. A fifth committee, the Health Overview and Scrutiny Committee (HOSC), scrutinises health services.

1.2 All committees manage their own work programmes and establish scrutiny review boards or scrutiny reference groups to carry out in-depth work.

1.3 A review has been undertaken of the scrutiny arrangements to see whether improvements could be made. All Members of the Council were asked to give consideration to the principles set out in Appendix 1. The initial views of the Scrutiny Chairs are set out in Appendix 2.

1.4 Appendix 3 contains the summary of responses from Members during the consultation period. Appendix 4 sets out the remits/terms of reference of the proposed new bodies.

1.5 The review focussed on how to:

- help scrutiny better inform the future direction of the County Council through undertaking more in-depth, forward facing scrutiny reviews;

- align scrutiny committee remits more logically with Lead Member and departmental responsibilities for greater efficiency and simplicity; and
- promote a one-council approach to avoid scrutiny thinking being constrained by departmental 'silos'.

1.6 Members have made a number of observations about the current arrangements that can be used to bring about a range of improvements to the way we do scrutiny:

- there is a perception that there has been a reduction in the volume of forward-looking scrutiny work being undertaken in recent years because there are fewer scrutiny reviews reported to Full Council;
- much of the current scrutiny work is being undertaken by a minority of Members;
- the alignments between scrutiny committees, Lead Member portfolios and departmental responsibilities have become increasingly complex over recent years;
- the current structure struggles to handle the scrutiny of complex, cross-cutting issues such as East Sussex Better Together (ESBT) or the library service reconfiguration; and
- a strong opposition is a key element for successful scrutiny.

2. Proposals for change

2.1 In order to address the above challenges, the proposals for change are focused on:

- a new scrutiny committee structure with fewer but larger scrutiny committees and with broader remits;
- improvements to the process of scrutiny including: selection of topics, better ways to involve witnesses and the public, the use of new technology in scrutiny and Member training and support;
- the recognition that 'best value' is now an integral component of all scrutiny work and not, as the current structure implies, the specific responsibility of one committee; and
- an expansion in the role of the scrutiny chairs and vice chairs to promote good scrutiny effectiveness and training.

Committee structure

2.2 It is proposed to replace the five current scrutiny committees with three scrutiny committees and an Audit Committee. Scrutiny committees would adopt a 'commissioning' role, whereby they establish scrutiny review boards to undertake virtually all detailed scrutiny investigatory work. This would mean that scrutiny committees would themselves become more efficient and manageable. Increasing the number of Members sitting on each scrutiny committee will increase their capacity to carry out more in-depth, forward facing scrutiny reviews.

2.3 The outline remits for these bodies are as follows (with the remits/terms of reference in Appendix 4):

a) People Scrutiny Committee

- children's and adults' social care
- learning and education
- community safety

- public health.

b) Place Scrutiny Committee

- economy, transport and environment
- community services
- corporate functions, which may also be considered as part of reviews of the services they support.

c) Health Overview and Scrutiny Committee (HOSC)

- is considered to be successful in its current form and therefore there are no proposals to change the way it is organised or its remit to scrutinise the NHS.

d) Audit Committee

2.4 The current Audit, Best Value and Community Services Scrutiny Committee currently operates partly as an audit committee and partly as a scrutiny committee for several 'central' or 'corporate' support functions and a range of community services.

2.5 There is an opportunity to create a clearer and more valuable role for an Audit Committee sitting alongside the scrutiny committees. The position of the Chartered Institute of Public Finance and Accountancy (CIPFA) is that the audit committee should act as the principal non-executive advisory function supporting those charged with governance and be independent of both the executive and scrutiny functions.

2.6 To be fully effective, the Audit Committee would have access to and a close working relationship with scrutiny committees and others responsible for governance. Furthermore, it adds value by taking on certain wider roles such as: risk and control matters and reviewing and monitoring treasury management arrangements.

2.7 In line with the current Constitutional arrangements, it is proposed that the Chair of the Audit Committee is appointed from the largest political group not represented on the Cabinet.

2.8 The Audit Committee will be able to submit reports and recommendations to Full Council.

Scrutiny Chairs and Vice Chairs

2.9 The Chairs of scrutiny committees currently meet periodically on an informal basis to plan and co-ordinate the process of scrutiny. Where an issue crosses the responsibilities of more than one scrutiny committee, to avoid duplication on the one hand and no aspect being overlooked on the other, the Chairs may agree special arrangements for managing that issue. (Constitution Part 4 (5) 15).

2.10 It is proposed to continue this arrangement and to:

- extend membership to include both chairs and vice chairs;
- include the Chair and Vice Chair of the Audit Committee (to ensure a close working relationship between this committee and scrutiny); and
- extend the role of the chairs and vice chairs to take an overview of Member training and improving effectiveness of these bodies.

2.11 The Scrutiny Chairs and Vice-Chairs would continue to agree any special arrangements for managing cross-cutting issues or for the scrutiny of any function that does not lie within the scope of the scrutiny committees.

Committee membership and political proportionality

County councillors

2.12 The current allocation of seats to county councillors across scrutiny committees is as follows:

Current scrutiny committee membership	CON	LIB DEM	LAB	IND	IND DEM	TOTAL	Chair	Vice Chair
Audit, Best Value and Community Services Scrutiny Committee	5	2	0	0	0	7	LIB DEM	CON
Children's Services Scrutiny Committee	5	2	1	0	1	9	CON	LIB DEM
Adult Social Care and Community Safety Scrutiny Committee	4	1	1	1	0	7	CON	LAB
Economy, Transport and Environment Scrutiny Committee	4	2	1	0	0	7	CON	CON
Health Overview and Scrutiny Committee (HOSC)	5	1	0	1	0	7	CON	IND
TOTALS	23	8	3	2	1	37		

2.13 An indicative table showing figures based on a proportionality calculation is shown here. The final allocation of places to ESCC political groups in the new structure will ultimately depend on the allocations across all county council bodies.

PROPOSED COMMITTEE MEMBERSHIP	CON	LIB DEM	LAB	IND	IND DEM	
People Scrutiny Committee	7	2	1	1	0	11
Place Scrutiny Committee	7	2	1	1	0	11
Health Overview and Scrutiny Committee (HOSC)	4	2	0	0	1	7
Audit Committee	4	2	1	0	0	7
TARGET TOTAL	22	8	3	2	1	36

2.14 Noting the importance of opposition members to successful scrutiny, the current arrangements for allocation of chairs and vice chairs in accordance with political balance should continue. Under the current political balance on the County Council, this would result in allocations as follows:

Political Group	Number of Chairs and Vice-Chairs
Conservative	5 (4.80)
Liberal Democrat	2 (1.76) including Chair of Audit Committee
Labour	1 (0.64)
Independent	0 (0.48)
Independent Democrat	0 (0.32)

Co-opted Members

2.15 It is proposed to make the following provisions for co-opted members in the new structure:

- People Scrutiny Committee: four statutory co-opted members (2 parent governors and 2 denominational representatives) have speaking and voting rights on education matters.
- Health Overview and Scrutiny Committee: five district and borough members with full voting rights and two voluntary sector (non-voting) members – unchanged.

3. Other improvements to the way we do scrutiny

More scrutiny reviews

3.1 There is a widespread view nationally and locally amongst scrutiny practitioners that scrutiny reviews are the most productive and engaging way to do scrutiny and that the emphasis should be on forward-looking scrutiny topics which are aligned to what the Council is trying to achieve. There remains an important place for 'reactive' work or scrutiny that

holds decision makers to account, but these elements need to be part of a balanced work programme which includes a larger proportion of forward-looking reviews.

3.2 The proposed changes to the committee structure described above are designed to encourage and facilitate more scrutiny work being carried out in smaller groups. Some Members consider that it is getting ever harder for scrutiny to achieve truly meaningful impacts, especially as council finances become ever increasingly restricted. So, choosing *what* to scrutinise is key to achieving outcomes that makes a real difference to the lives of people living and working in East Sussex.

General improvements

3.3 Members have made a number of additional suggestions to support and improve the way we select topics and carry out scrutiny work:

- All Members need to be aware that there is an 'open approach' to bring forward suggestions for possible scrutiny reviews.
- When selecting topics, scrutiny committees should be clear about the questions it is looking to answer as this will result in more focused and productive review board meetings.
- When involving Lead Members in scrutiny committees and scrutiny review board meetings, it would be helpful to clarify the purpose of their attendance.
- There is scope to increase the engagement scrutiny has with users and residents as part of its work; scrutiny can add value by considering 'value to residents' alongside 'value for money'.
- Performance information is often difficult to interpret and yet so important for many scrutiny investigations; as a general rule performance information should ideally encompass: the big picture plus overview plus detail (not just detail).
- Continue to channel scrutiny reviews for discussion at Full Council – an approach endorsed by the recent DCLG report (Effectiveness of local authority overview and scrutiny committees, 15 December 2017).

Digital scrutiny

3.4 Of the five current scrutiny committees, only HOSC and the Children's Services Scrutiny Committee are webcast. Some Members have suggested that webcasting scrutiny committees can hinder effective Member participation. Cabinet and Full Council meetings are webcast and it is at these meetings where the outcomes of scrutiny work is visible and the discussion itself of greater public interest. There is therefore a good case against the automatic webcasting of meetings of the Place and People scrutiny committees.

3.5 HOSC, on the other hand, undertakes an important role in holding the health service to account and doesn't report to Full Council. On some occasions, its meetings have attracted thousands of webcast views. The media and external partners regularly view HOSC webcasts due to the public interest in the subject matter. It is therefore recommended that HOSC meetings continue to be webcast.

3.6 Given the now widespread access to fast broadband in the County (96% of premises in East Sussex as at February 2018), there is now an opportunity to rethink the use of technology to assist and speed up some aspects of scrutiny work. For example, webcasting technology can be used efficiently to solicit public views as part of a scrutiny review, as can judicial use of social media. Web based surveys can now be deployed quickly and easily using applications such as Survey Monkey. Such technology has already been used to good effect elsewhere.

Member training and support for scrutiny

3.7 Experienced Members often say that it took them a long time to understand the full extent of what the Council does in all its detail and to gain the skills needed to manage the myriad of means at their disposal by which they can make a meaningful difference within their communities and to East Sussex as a whole.

3.8 Engaging in scrutiny can help Member development because, when done well, scrutiny promotes an 'explorative' approach to problem solving, gradually enabling Members to build up knowledge and valuable skills across a wide range of issues. Scrutiny is empowered to investigate any issue affecting the residents of the local authority area and so, to be effective, it needs to focus wisely yet with flexibility to spot opportunities as they appear.

3.9 Members therefore have asked for good quality training and support in their scrutiny role. Members need to be prepared to undertake a significant part of scrutiny work themselves in order to benefit from the opportunities and to 'stretch' the resources available to support scrutiny. It is proposed that the scrutiny chairs and vice chairs play an active role in taking an overview of training and effectiveness.

3.10 A wide variety of online resources are available aimed at Members internally on the Intranet and by accessing external resources such as the Centre for Public Scrutiny (CfPS) and Local Government Association (LGA) websites. Members suggested:

- visits and presentations relating to different departments to enable Members to get a better understanding of current departmental structures and functions;
- 'pairing' experienced and less experienced Members (even across the political spectrum) to share and build experience;
- Scrutiny training focussed in 'regular bursts' for example, before or after scrutiny committee meetings; and
- Questioning skills training becomes a key focus of scrutiny training programmes.

4. Conclusions and next steps

4.1 This review is intended to lead to a number of practical improvements to the way scrutiny operates in East Sussex County Council. The steps towards approving the new structures and systems are as follows:

27 March 2018	County Council to approve new scrutiny structure and arrangements
15 May 2018	County Council to appoint members to the new structure.

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Background Documents

[House of Commons report on the Effectiveness of local authority overview and scrutiny committees](#) (15 December 2017)

APPENDICES

Appendix 1: Scrutiny principles consultation

Appendix 2: Views of the scrutiny chairs

Appendix 3: Member responses (summary)

Appendix 4: Remits of the new scrutiny bodies and Audit Committee

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Appendix 1: Scrutiny principles consultation

1) How Scrutiny can best inform the future direction of the Council

Such as issues relating to RPPR, policy setting, resource allocation and operating principles.

How can scrutiny be better positioned and supported to carry out in-depth, forward facing reviews (arguably one of the most valuable types of scrutiny where scrutiny committees report their findings and recommendations to Cabinet and then for debate at Council) to influence the policies of the Council, against the background of reducing public sector funding and increased partnership working?

Do the current arrangements facilitate or hinder this work?

2) Scope and alignments of scrutiny committees

Historically the terms of reference for scrutiny committees have been aligned with departments. The challenge is to ensure that scrutiny effectively uses the specialist department-aligned expertise that has built up over the past years and keeps pace with the evolving operating model of the Council.

Issues now increasingly cut across a number of departments, different scrutiny committees and even local authority boundaries. Whilst joint boards are sometimes established, this can feel clumsy and there can be confusion about where they report into.

Are the current arrangements the best fit to the way the Council now works and do they make the most of available resources?

Should Scrutiny be organised to facilitate the examination of issues from the point of view of service users and residents, and not limited by Council organisational structures?

3) Achieving a one-council approach

As the Council works hard to ensure a One-Council approach and to avoid departmental silos, the model of scrutiny whereby committees are aligned to departments, rather than the issues faced by the Council, feels out of line with the way the organisation aspires to operate.

This risks committees becoming entrenched in silo thinking, considering issues without an understanding of wider implications. For example back-office functions are scrutinised in isolation from the services that they support and which rely on them.

Are there improvements which would mean Scrutiny arrangements better reflect the Council's operating principles of:

- * *One Council*
- * *Partnership*
- * *Commissioning.*

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Appendix 2: principles proposed by the scrutiny chairs

Best ways of doing scrutiny

Scrutiny reviews are the most productive and engaging way to do scrutiny, with an emphasis on the quality rather than quantity of reviews. But, choosing what to scrutinise is key:

- Forward-looking scrutiny topics, aligned to what the Council is trying to achieve, are desirable compared to 'blue sky' topics which are less helpful primarily because of a lack of resources
- Scrutiny should aim to look at issues from residents' viewpoint and consider 'value to residents'; there is scope to increase the engagement scrutiny has with users and residents as part of its work
- Scrutiny should not over focus on 'value for money' which is a natural tendency given the Council's financial position and yet involvement in RPPR is an important role for scrutiny
- Scrutiny should be clear about specific questions it is looking to answer – this will result in more focused and informative reports and discussion.
- There remains an important place for 'reactive', 'holding to account' type scrutiny but this should be part of a balanced work programme which includes a larger proportion of forward looking topics and reviews.

Members and scrutiny

Members' attendance is sometimes an issue leaving much scrutiny work being done by only a few Members.

'Politicisation' of scrutiny is relatively rare in ESCC, but to the extent that it happens, it tends to occur around budget scrutiny and 'reactive' scrutiny – we should continue to find ways to keep politics out of scrutiny.

The role of Lead Members, alongside senior officers, is important in scrutiny. Scrutiny committees have an important role in being a resource and a critical friend to the Cabinet and in holding Lead Members to account. In practice, effective scrutiny is about asking the right questions to the right people.

Scrutiny benefits from Member training; generally training works best in regular bursts, say, before or after scrutiny committee meetings. Questioning skills are key.

A possible approach – options for discussion

A scrutiny committee structure with fewer but larger scrutiny committees would address a number of the above issues. A possible option might involve grouping functions into committees as follows:

- Adults and Children's services in a 'people' based scrutiny committee
- Communities, Economy and Transport in a 'things' based scrutiny committee
- HOSC unchanged (due to its unique role and high effectiveness)

Audit Committee responsibilities and the scrutiny of the 'back-office' functions of Governance and Business Services would need to be incorporated, taking account of their support for front line services and ensuring a valid and interesting role.

Opportunities: such an approach scrutiny structure could address a number of issues including:

- Simplifying the complex alignments between scrutiny committees, Lead Member portfolios and departmental responsibilities outlined in Appendix 1

- Reducing the need for some complex inter-committee arrangements that currently handle complex issues such as East Sussex Better Together and libraries
- Providing for bigger pools of interested
- Members who can undertake more scrutiny investigations.

Challenges: the main challenges presented by such an approach would include:

- Workload management and overcoming the potential for long scrutiny committee agendas
- Less 'direct' scrutiny being undertaken by scrutiny committees and more being undertaken by smaller groups of Members delegated to investigate and report back – with committees playing more of a 'commissioning' role.

Appendix 3: Review of scrutiny arrangements: responses from county councillors

Section 1: Member comments (January 2018) which have been taken into account when drafting the proposals:

1) How can Scrutiny best inform the future direction of the Council? (Such as issues relating to RPPR, policy setting, resource allocation and operating principles.)

- By having a wide ranging selection of options to use as appropriate.
- Reporting is at best opaque: figures, KPIs are presented in different formats which makes issues difficult to follow. Big picture + Overview + Detail is needed, not just detail.

2) How can Scrutiny be better supported to carry out in-depth forward looking reviews? Do the current arrangements help or hinder this work?

- By having an open approach for members to bring forward suggestions for possible reviews
- In the first few years of scrutiny we had project managers from outside services – the idea was independent managers.
- An in-depth induction to ASC would be helpful ie. visit department, talk to managers; ie. kick the tyres so scrutiny Members get a better understanding of current structures.
- With less money it is getting harder for scrutiny to come up with meaningful outcomes and we have struggled with some topics. It is becoming increasingly likely that Members will take a view in scrutiny and then adopt a different [more political] stance at Cabinet/Full Council, especially when budgets are concerned; managing this potential conflict of roles is possible but can be challenging, especially for new Members.
- Team Members up together – experienced and less experienced – even across the political spectrum.

3) Are the current scrutiny arrangements the best fit to the way the Council now works? Could they better reflect the Council's operating principles of: One Council; Partnership and Commissioning?

- Some committees do a lot, some do only a little.
- Instead of having such a regimented department approach, a broader view could be taken ie. Children's and adult social care?
- There were cross cutting scrutiny committees 1999 – 2001: has there been an assessment of how they worked?

4) Which areas of practice work well and are effective under the current structure?

- It takes a long time for new Members to understand the full extent of what the Council does in all its detail; scrutiny can help by its promotion of an 'exploration' approach – it's important not to seek to restrict scrutiny.
- Webcasting scrutiny committees (except for HOSC) is not a good idea because:
 - increased chances of 'politicisation' of scrutiny

- it means Members hold back

5) General comments and suggestions

- Agree with the views of the scrutiny Chairs.
- The independence of scrutiny is key to facilitating Member motivation to do scrutiny – eg. not being given the impression of being watched over.

Section 2: comments from Members on the proposals (received since 5 March 2018):

	Comments / proposals	Response
1	Dissolve the Scrutiny Chairs steering group and replace it with a Chairs and Vice Chairs group so that all political groups are involved.	This proposal is part of the proposed changes outlined in the report at paragraph 2.10. The Chair and Vice Chairs group would also include the Chair of the Audit Committee.
2	The People Scrutiny Committee should have two vice chairs because of width of services to be scrutinised. One vice chair could specialise in Children's Services and the other Adult Social Care. Specifically they could chair project boards.	Additional vice chairs could help to increase enthusiasm and 'ownership' of scrutiny by Members, reducing the likelihood of overlooking important topics. This proposal could help to share the scrutiny leadership responsibility. On the other hand, having more vice chairs might undermine the fundamental aim of the review to reduce 'silo' thinking. The Chairs and Vice Chairs group would grow in size from 8 to potentially 10 Members (if both scrutiny committees had an extra vice chair) and this might be considered too large to operate efficiently.
3	Scrutiny steering group perhaps chaired by the Chair of the Audit Committee to work out topics for scrutiny agendas and get updates from project boards.	Currently, the scrutiny Chairs appoint a chair and, unless there is a desire to change this process, the same process would continue with the group of Scrutiny Chairs and Vice Chairs in the new structure. Project boards would, generally speaking, report to the parent scrutiny committees and then to Full Council (via Cabinet).
4	Scrutiny training should be given by outside chairs or former councillors.	Scrutiny training is addressed in section 3 of the report. This suggestion will be added to the list in paragraph 3.10.
5	Cabinet attendance should be at the discretion of Chairs and committees. Cabinet Members and officers in the gallery at start of meeting then invited to meeting by chair with agreement committee.	The need to clarify the role of Lead Members in scrutiny has been recognised (see paragraph 3.3 of the report). Very recently the government has published its response to a Communities and Local Government Committee report indicating that it

	Comments / proposals	Response
		<p>intends to publish guidance later this year. The guidance, when it arrives, may help to determine a more detailed response to this suggestion.</p>
6	<p>We should re-look at our approach to call in. Here in ESCC, call-ins are unusual and unwelcome. Is that approach seen everywhere?</p>	<p>There are currently no proposals in this report to change the call-in procedure and no comments about the process were received during the Member consultation.</p> <p>Different authorities have radically different approaches to call-in so there isn't a 'usual' model or approach in existence that we are aware of.</p> <p>Additionally, the way that we operate Cabinet meetings (where all Members can contribute) is more open than many authorities. If call-in procedures were to be examined, the way the Executive makes decisions should also be looked at more widely to avoid duplication.</p>
7	<p>A list of Members' attendance should be kept. If Members frequently don't attend or get substitutes, the political group should be informed.</p>	<p>Members' attendance is currently published for scrutiny committees but not for review boards. Member Services could, if desired, notify Group Leaders accordingly as suggested (to include review boards).</p>
8	<p>Under the proposed structure, Council services affected by ESBT and C4You will fall under the remit of the People Scrutiny Committee.</p> <p>Given the complexity and volume of material requiring scrutiny and the importance of ESBT and C4You to the Council, we recommend that the People Committee establishes a standing review board or sub-group to undertake detailed scrutiny of these programmes over at least the next 1-2 years. This would provide a level of continuity from the existing scrutiny arrangements and help the committee manage the workload.</p> <p>A level of continuity of membership would also be helpful if this could be achieved</p>	<p>It should be left to the members of the relevant scrutiny committee to determine how best they think ESBT should be scrutinised.</p> <p>Ongoing scrutiny could be maintained by a standing review board if that is desired. Equally, the People Scrutiny Committee might wish to explore alternative ways to take this work forward.</p> <p>It is intended to ensure that scrutiny projects currently underway will be mapped against the new structure so that no work is lost.</p> <p>Continuity is a factor that Members may wish to take into account when appointments to the new committees are being decided.</p>
9	<p>HOSC of course has a statutory role and a very full agenda.</p>	<p>There are no proposals to change HOSC.</p>

	Comments / proposals	Response
10	Audit should retain some best value functions – efficiency as well as regularity has long been a function of audit in the private sector.	<p>The legal requirement to undertake Best Value Reviews disappeared years ago. It is unnecessary and indeed undesirable to have an overarching general Best Value remit in the Audit Committee.</p> <p>All scrutiny committees should be very mindful of Best Value in scrutinising the areas for which they have responsibility. It is preferable, and more efficient for Best Value to be considered by specialist scrutiny committees which will have a better understanding of the areas covered than a more general committee would. It also avoids the risk of duplication of work.</p>
11	Automatically put Audit on council agendas which will strengthen the armour of scrutiny even it is never used.	The Audit Committee will be able to report to Full Council on issues of relevance as it wishes. There is little perceived benefit in having an Audit item on every council agenda in the absence of a specific purpose.
12	The Audit committee should have the right to call in Cabinet decisions within 4 days.	Call-in is a process reserved for scrutiny. The Audit Committee, as set out within these proposals and in compliance with CIPFA guidance, is not a scrutiny committee.
13	I have concerns about the inclusion of Community Safety in the “People” Committee – or at least part of that area. It is an appropriate location for crime, abuse issues etc but in my view when it is dealing with issues about Transport it belongs in the “Place” Committee where Transport sits. I’m talking about issues eg 20mph speed limits, road crossings etc. To divorce these kind of issues from those dealing with the highways strikes me as perverse.	As highlighted by this comment, Community Safety is one of those activities that could potentially sit with either committee. The proposal as it currently stands reflects a suggestion that community safety would best fit with the People Scrutiny Committee and this does not limit the scrutiny of safety aspects of highways matters from being discussed at the Place Scrutiny Committee.

(8/3/18)

Appendix 4: Remits of the new bodies:

- People Scrutiny Committee
- Place Scrutiny Committee
- Audit Committee

(The Health Overview and Scrutiny Committee (HOSC) is unchanged.)

People Scrutiny Committee

Principal service areas in scope	Lead Member	Department
Children’s Social Care: Commissioning and delivery of social care services for children and young people Health services (exercised by the County Council) Safeguarding vulnerable children and young people Looked after children Youth development services Youth offending services	Children and Families	Children’s Services
Education: Early years, childcare and extended schools services Learning and school effectiveness Inclusion support services Adult education Special Education Needs School admissions and school transport School organisation and place planning Skills (Education)	Education & Inclusion, SEN and Disability	Children’s Services
Adult Social Care: Commissioning and delivery of social care services for adults and older people Support for carers Universal preventative and ‘signposting’ services related to social care for adults and older people Safeguarding vulnerable adults Public Health	Adult Social Care and Health	Adult Social Care
Community Safety including the work of the East Sussex Safer Communities Steering Group Crime and disorder matters (Police and Justice Act 2006)	Communities and Safety	Adult Social Care

Place Scrutiny Committee

Principal service areas in scope	Lead Member	Department
Transport and Environment: Planning and development control Transport and highways (including Transport for the South East) Environment Waste and minerals Rights of way and countryside management Flood and coastal erosion risk management	Transport and Environment / SMED	CET
Economic Development and Regeneration: Economic development, skills and infrastructure Culture (including LEP)	Economy / SMED	CET
Community Services: Archives, records and libraries Customer Services Emergency Planning Gypsies and travellers Registration Service Road safety Trading Standards	Communities and Safety	CET
Corporate functions:		
Financial Management Property asset management Procurement IT & Digital Personnel and Training Procurement Legal Services	Resources	Business Services
Communications Member Services / Democratic Services	SMED	Governance Services
Policy and Performance Equalities	SMED	Chief Executive
Coroner Services	Communities and Safety	Governance Services
Voluntary sector	Communities and Safety	Governance Services

Audit Committee

To act as the principal non-executive, advisory function supporting those charged with governance by exercising the Audit Committee functions as follows:

- 1) To review and provide independent scrutiny in relation to all internal and external audit matters.
- 2) To consider the effectiveness of the Council's risk management processes, internal control environment and corporate governance arrangements and to recommend any changes to Governance Committee or Cabinet as appropriate.
- 3) To consider the external auditor's annual letter and the Chief Internal Auditor's annual report and opinion and the level of assurance they can give over the Council's risk management processes, internal control environment and corporate governance arrangements.
- 4) To review and scrutinise the effectiveness of management arrangements to ensure probity and legal and regulatory compliance, including, but not limited to contract procedure rules, financial regulations, codes of conduct , anti-fraud and corruption arrangements and whistle-blowing policies.
- 5) To consider the major findings of internal and external audit and inspection reports, and Directors' responses, and any matters the Chief Internal Auditor or District Auditor may wish to discuss (in the absence of Directors if necessary).
- 6) To review the Council's assurance statements, including the Annual Governance Statement, ensuring that they properly reflect the risk environment, and any actions required to improve it.
- 7). To review the internal audit strategy and annual plan and the external auditor's annual audit and inspection plan and to monitor performance of both internal and external audit.
- 8) To review the annual statement of accounts and the external auditor's report to those charged with governance.

9) To review and monitor treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice.

10) To review and monitor the asset disposal and investment strategy.

(Proposed additions to the Audit remit of the current Audit, Best Value and Community Services Scrutiny Committee)

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